



4050 N. Colorado Blvd & Associated Properties

Request: B-3 with Waivers and Conditions to C-MX-5 &
C-MX-8

LUTI Hearing: 8/6/2024

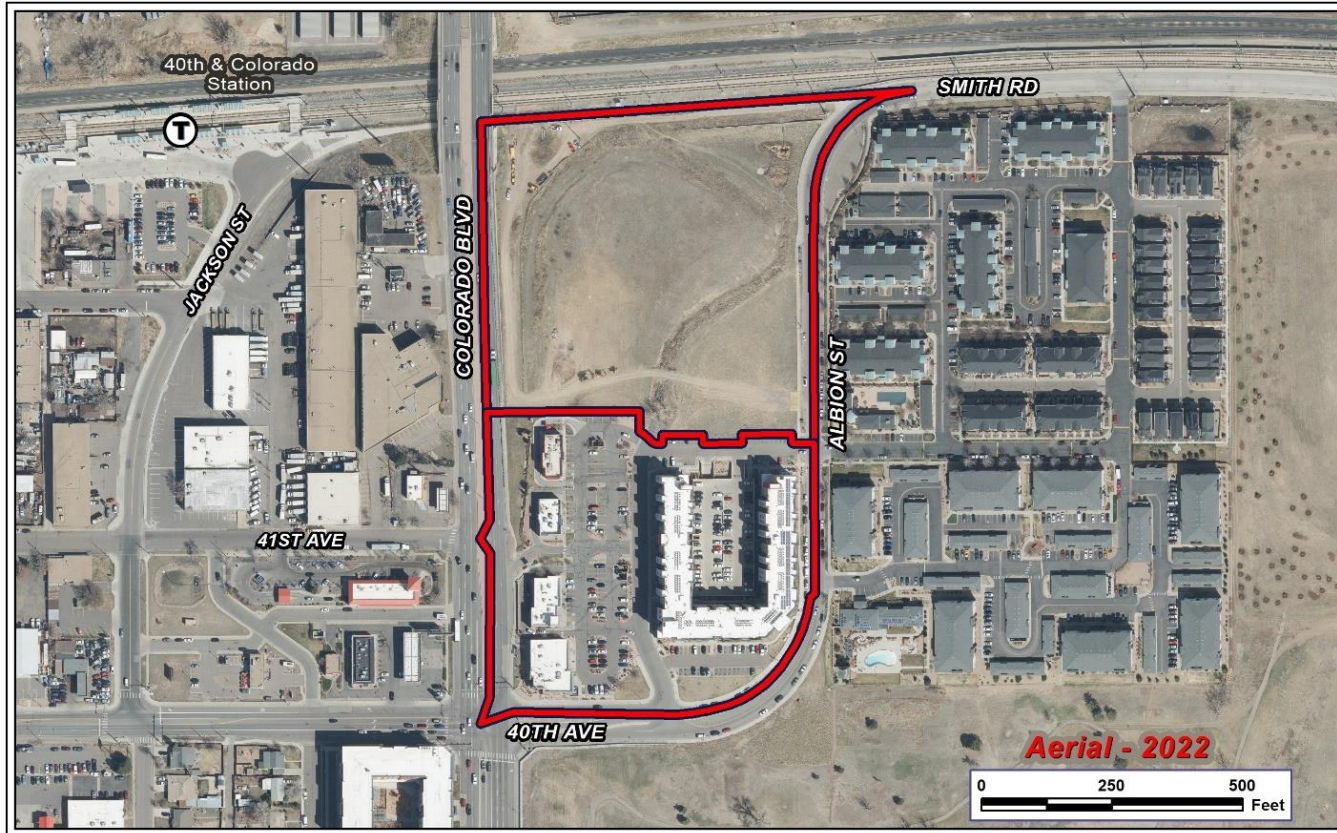
Case #: 2023i00174

Presentation Agenda

- Request
- Location and Context
- Proposed Rezoning
- Concurrent Processes
- Process
- Review Criteria



Summary



- **AHRT Project**
- **Subject Property**
 - Since: 14.58 acres
 - Northern Site – Vacant
 - Southern Site – 4 Story Multi-Family
- **Proposal**
 - Rezone from B-4 to C-MX-5 and C-MX-8
 - Allows a Max. Building height of 70' and 110'

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

Request

Denver Zoning Code 12.4.10.4.2.d

One or more of the owners of the real property subject to the application for amendment, or their representatives authorized in writing to do so, accompanied by a petition requesting the amendment and which petition, at the time of submittal, contains the signatures of the owner or owners of 51 percent or more of the total area of the zone lots subject to the application for amendment.

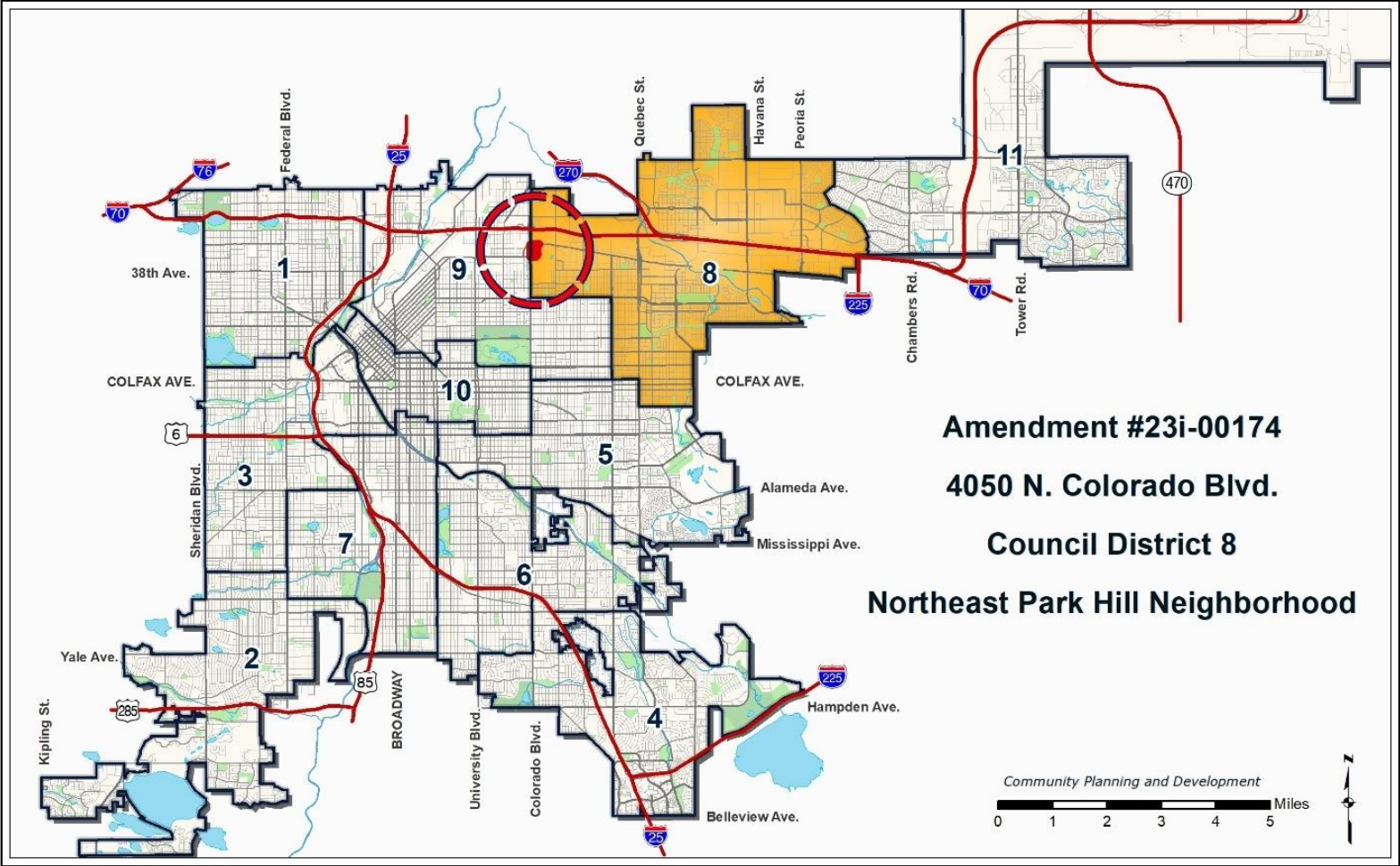
PHVW TOD LLC the applicant owns 54% of the zone lot. '

Presentation Agenda

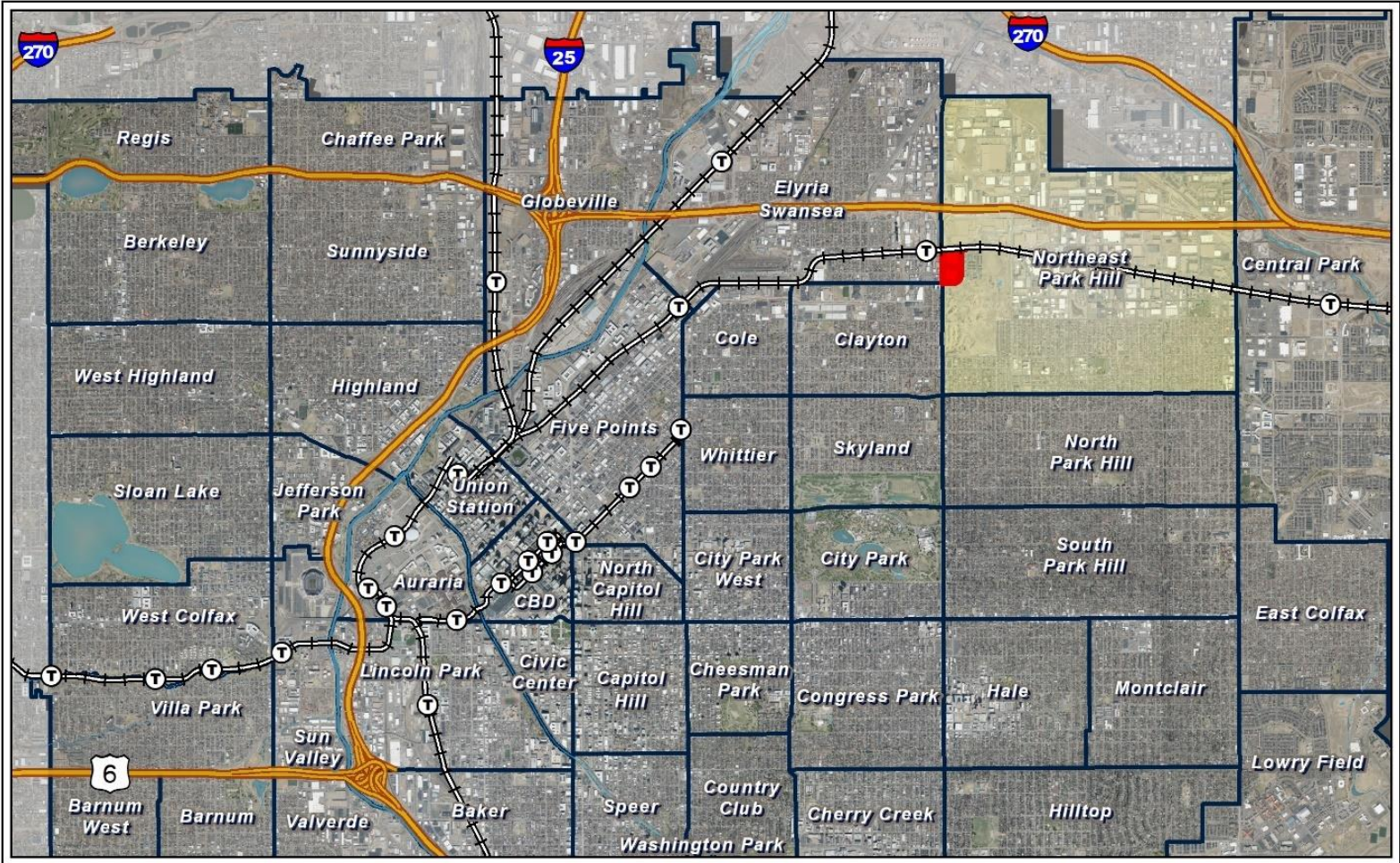
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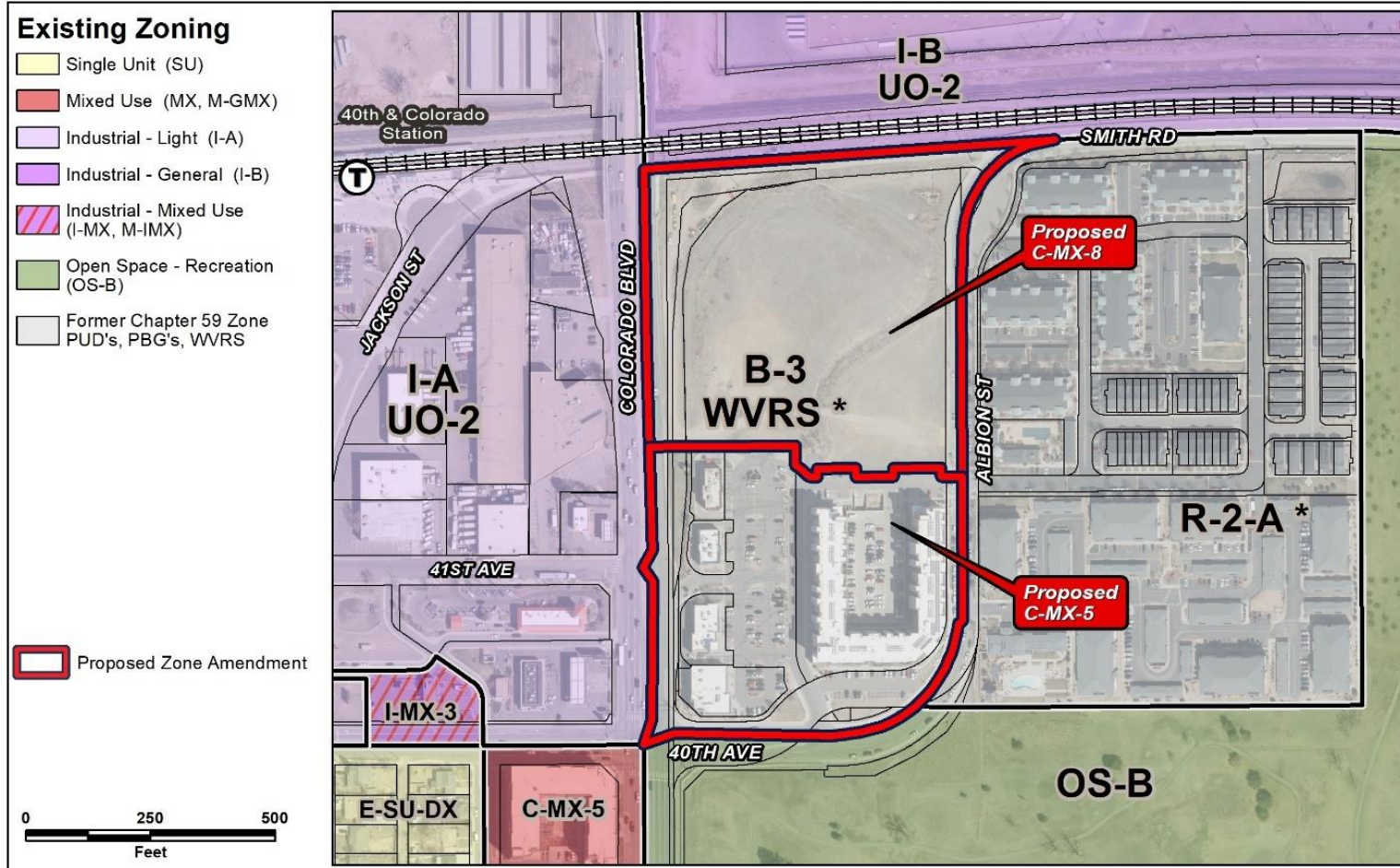
Council District 8 – Councilmember Lewis



Statistical Neighborhood – Northeast Park Hill



Existing Zoning

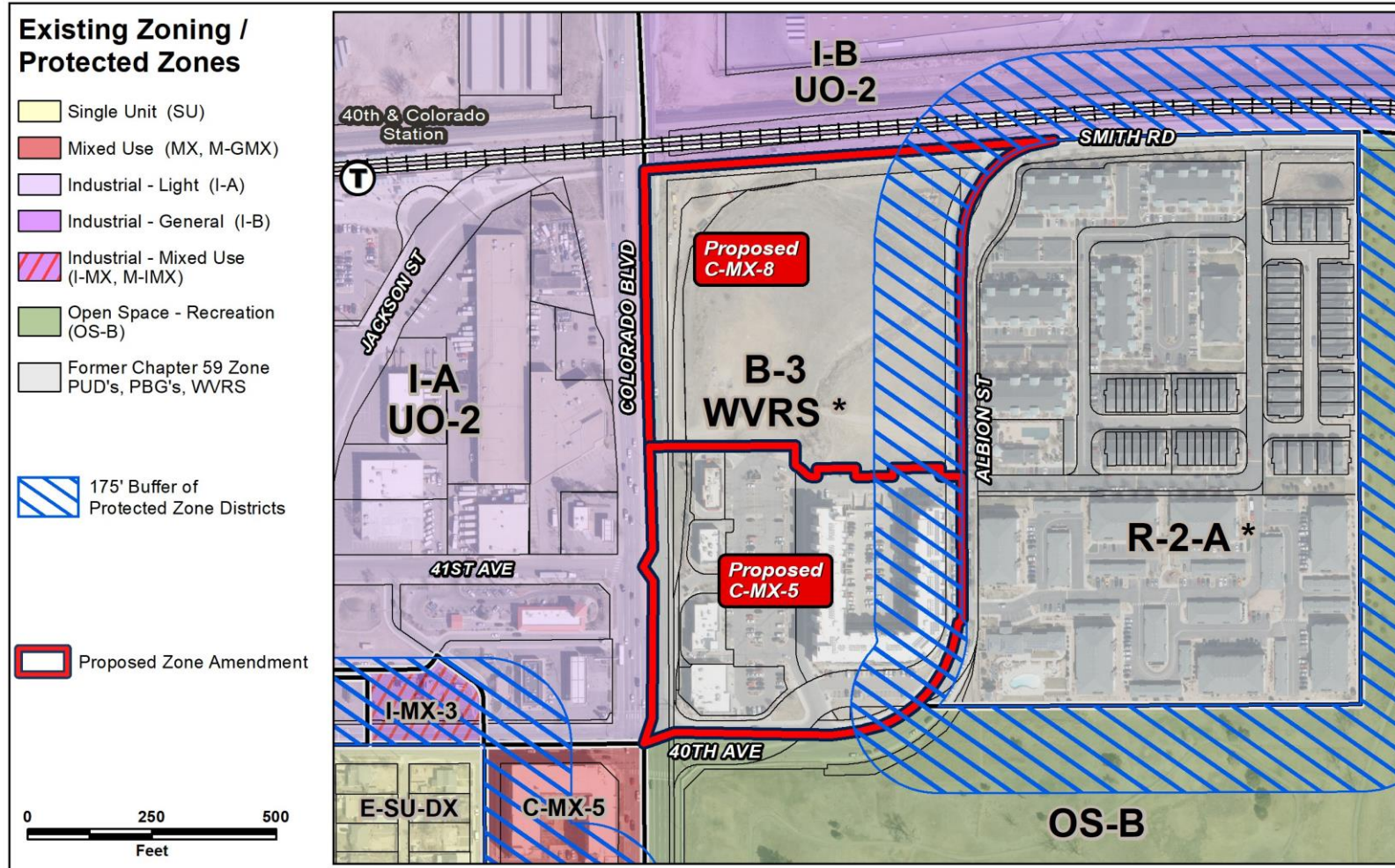


- Current Zoning:
B-3 Waivers/Conditions
- Surrounding Zoning:
 - I-A
 - I-B
 - C-MX-5
 - R-2-A

Existing Zoning

- Current Zoning: B-3 Waivers/Conditions
- B-3 is a Former Chapter 59 zone district intended for “commercial uses and they are usually surrounded by residential districts”
- Waivers and Conditions:
 1. Does not allow Adult Uses
 2. Limits certain uses
 3. Landscape and Open space Requirements

Adjacent Protected District



Planned Building Group

- The PBG provides a regulatory framework that includes elevations, landscape plans, and site plan
- Applicant intends to amend the norther portion of the PBG that is under their ownership. This currently requires all signatures from all property owners per FC59 section 59-618

PARK HILL VILLAGE WEST
 PLANNED BUILDING GROUP
 PARCEL 1
 SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH,
 RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
 CITY AND COUNTY OF DENVER, STATE OF COLORADO,
 LOCATED AT 40TH AND COLORADO BLVD.
 4000 COLORADO BLVD.

LEGAL DESCRIPTION
 A PARCEL OF LAND... (text continues with detailed legal description)

OWNER'S SIGNATURES
 We, undersigned, and comply with all regulations... (signatures and dates)

VICINITY MAP
 Map showing location relative to INTERSTATE 70, UPRR, STEELE ST, COLORADO BLVD, SMITH RD, DAHLIA ST, PARK HILL GOLF COURSE, and 40TH AVE.

KEY MAP
 Map showing the location of PARCEL 1 and PARCEL 2 within the PLANNED BUILDING GROUP.

LAND USE DATA

ITEM	PARCEL 1	PARCEL 2	OVERALL SITE
Gross lot area	2.9 ac. (128,224 sq ft)	6.6 ac. (286,602 sq ft)	12.4 ac. (539,132 sq ft)
Current zoning	RS (see waivers & conditions)	RS (see waivers & conditions)	RS (see waivers & conditions)
Contract to purchase from property owner	100%	100%	100%
Setback from gateway (Colorado 8-4)	20'	20'	20'
Parking required	1 space/250 of (class 4 min)		
Auto	121 total spaces (6 accessible)		
Staging	6 total spaces		
Parking Provision	127 spaces (6 accessible) (6 required)		
Gross Floor Area	21,730 sq. ft. (2.01 FAR)		21,730 sq. ft. (2.01 FAR)
			Allowed 508,815 sq. ft. (1.1 FAR)
			65,792 sq. ft. 15% Mt. Required

GENERAL NOTES
 1. Applicant represents and warrants... (text continues with general notes)

WAIVERS & CONDITIONS
 1. The undersigned hereby waives and agrees to the following conditions... (text continues with waivers and conditions)

APPROVALS
 Approved by [Signature] 9/26/07
 Approved by [Signature] 9/26/07

CLERK & RECORDER'S CERTIFICATION
 I hereby certify that this instrument was filed for record in my office at 1:25:31 A.M. September 27, 2007, reception number 2007150317.

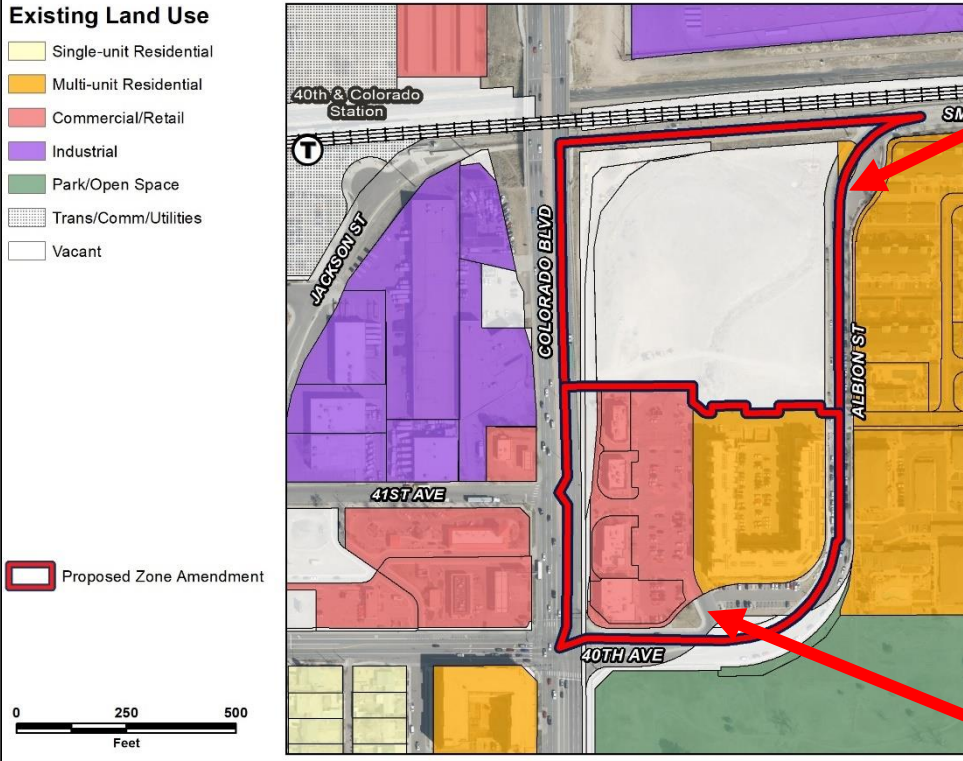
CODE ANALYSIS
 2007 IBC / 2007 ENERGY AMENDMENTS

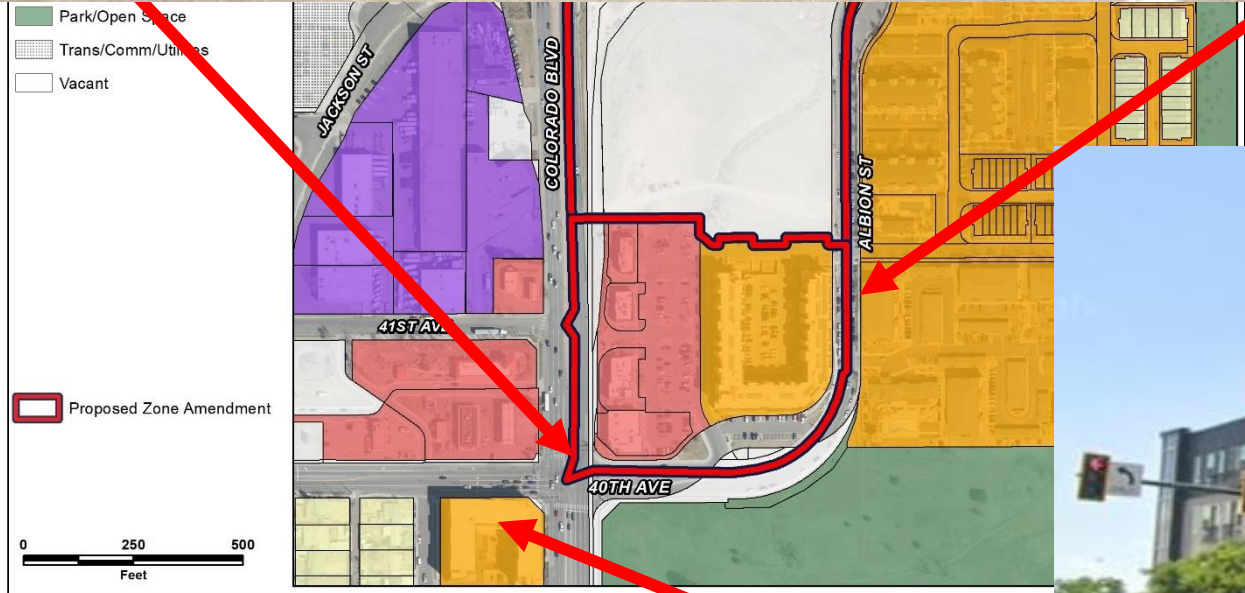
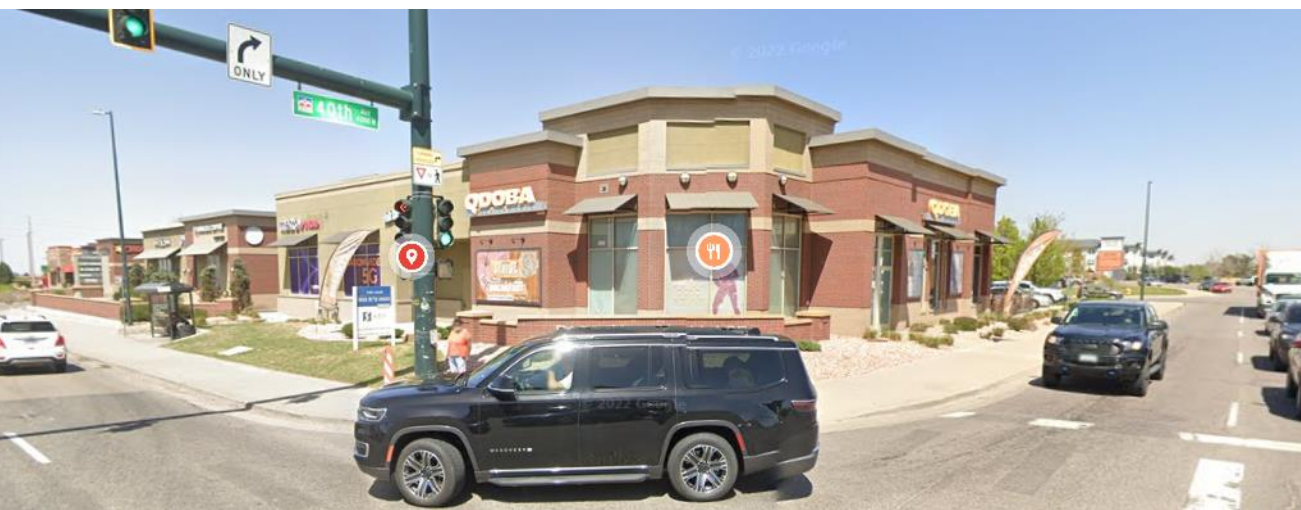
THE MULLEN GROUP, LTD.
 ARCHITECTURAL PLANNING INTERIORS

COVER SHEET PARCEL 1
 7 SEPTEMBER, 2007
 SHEET 1 OF 11



Existing Context





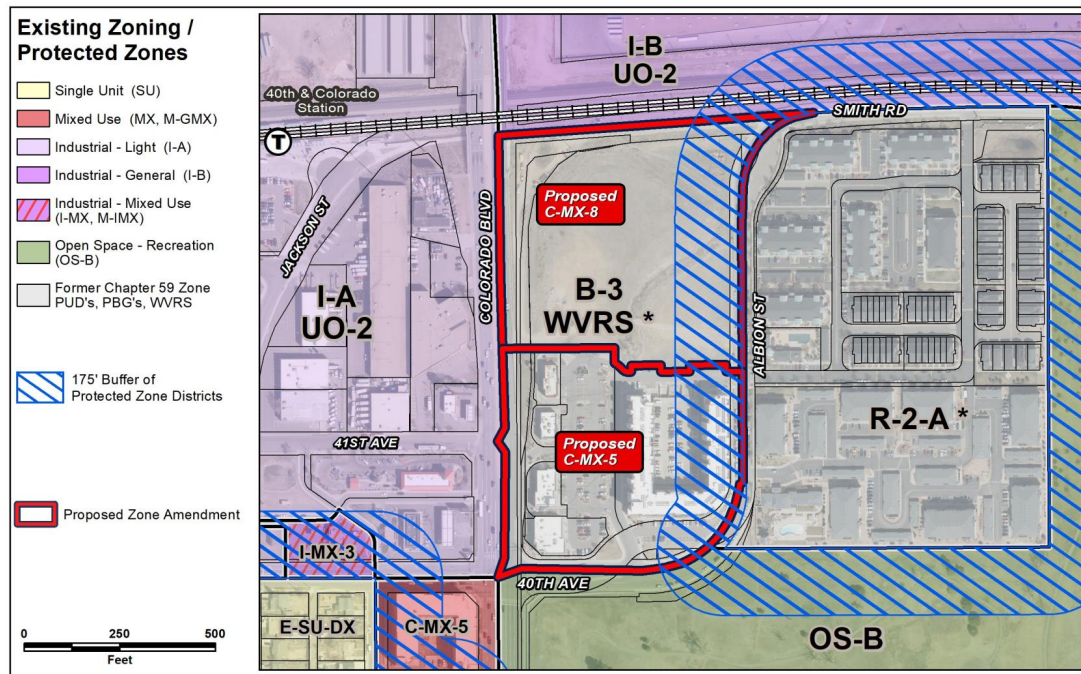
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Proposed Rezoning

Urban Center – Mixed Use – Up to 5 Stories and Up to 8 Stories



	C-MX-5	C-MX-8
Stories	5 Stories (7 stories with incentives)	8 Stories (12 stories with incentives)
Feet	70 Feet (95 feet with incentives)	110 Feet (150 feet with incentives)
Protective District Height	75 Feet	75 Feet
Build-to Requirements	0 – 10 Feet	0 – 10 Feet

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Large Development Review

- The vacant site is subject to a recently approved Large Development Framework that includes a concept plan describing the proposed land uses, and open space and circulation networks
- Factors of determination:
 - Gross Land Area
 - Infrastructure Improvements
 - Rezoning
 - Affordable Housing
- LDR Pre-Application meeting: 05/2/23
- LDR Community Information Meeting: 10/25/23
- Signed Large Development Framework: 02/22/24
- An Infrastructure Master Plan is in progress.

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Process

- Informational Notice: 5/7/2024
- Planning Board Notice: 7/2/2024
- Planning Board Public Hearing: 7/17/2024
- LUTI Committee: 08/6/24
- City Council Public Hearing: 9/16/24 (tentative)

Public Comments

- RNOs
- Five comments in Opposition
 - Concerns highlighted were increased traffic, PBG Owners, lack of grocery stores, height, open space, and the need for additional retail and commercial uses
 - One owner within the rezoning area and within the PBG for the site is opposed to the rezoning
- Three comments in Support

Planning Board

- Planning Board held a hearing on this item on 7/17/24
- The board voted unanimously in approval
- The board highlighted this application met the criteria and there should be more density at this location

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Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans or the proposed rezoning is necessary to for a community need not anticipated by 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

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans or Community Need

- *Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Elyria Swansea Neighborhoods Plan (2015)*
- *Park Hill Neighborhood Plan (2000)*

2. Uniformity of District Regulations

3. Further Public Health, Safety and Welfare

4. Justifying Circumstances

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Comprehensive Plan 2040

Equity

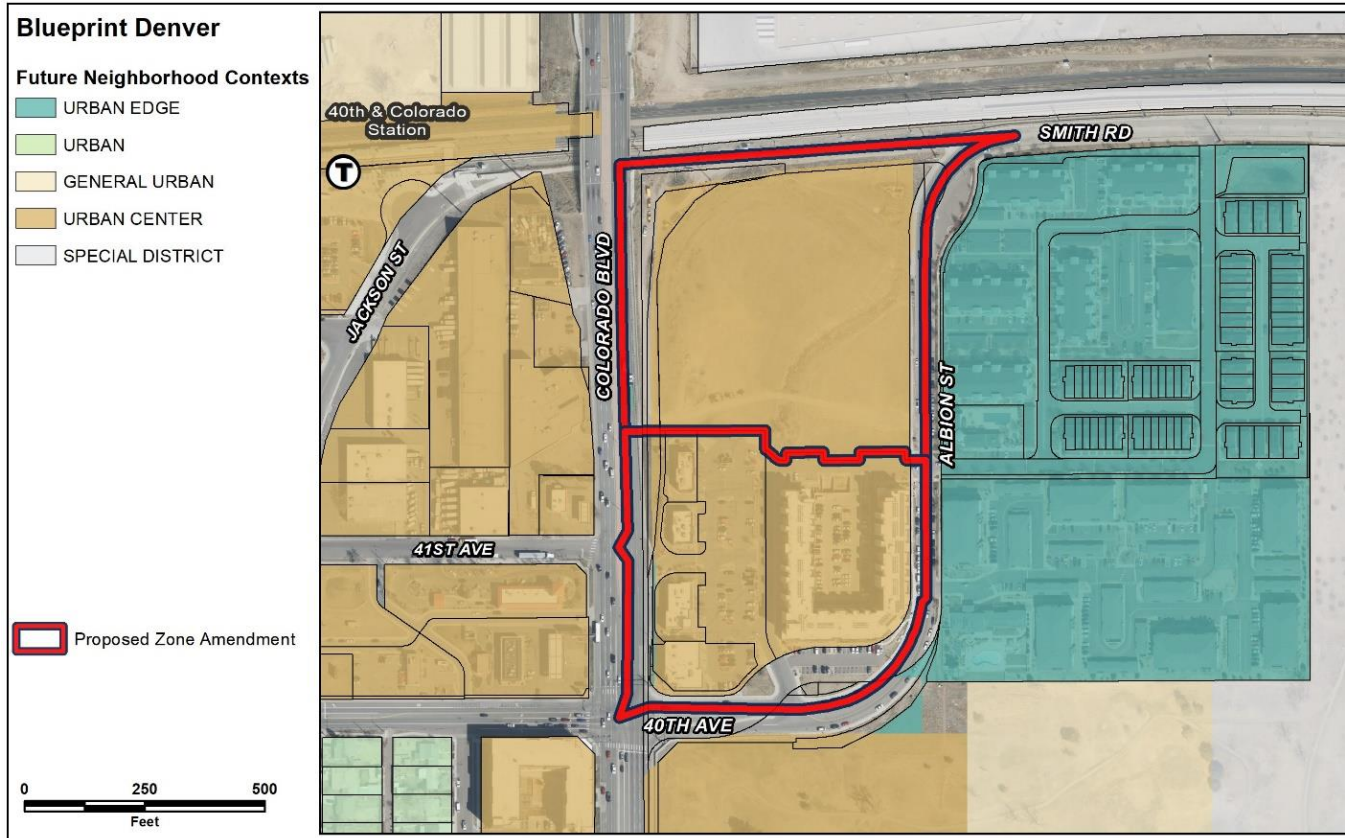
- **Equitable, Affordable and Inclusive** Goal 2 Strategy A - Create a greater mix of housing options in every neighborhood for all individuals and families
- **Equitable, Affordable and Inclusive** Goal 1, Strategy A – Increase development of housing units close to transit and mixed-use developments. (p. 28).
- **Strong and Authentic Neighborhoods** Goal 1, Strategy D – *Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities*

Climate

- **Environmentally Resilient** Goal 8, Strategy B – *Encourage mixed-use communities where residents can live, work, and play in their own neighborhoods*

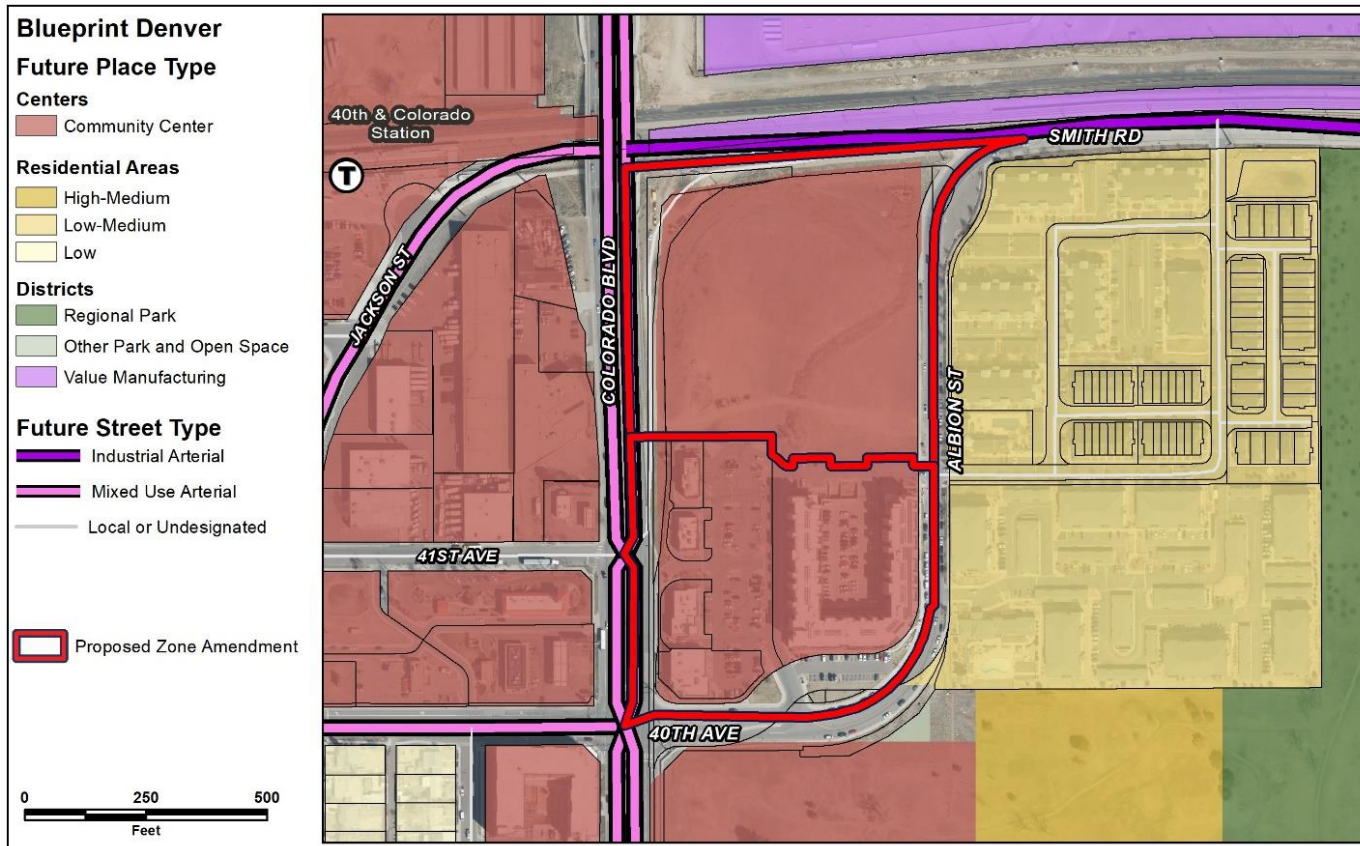


Blueprint Denver 2019



- Urban Center (C-) Neighborhood Context
 - Urban center neighborhoods are dense and vibrant areas that support residents and visitors. This context contains high intensity residential and significant employment areas.

Blueprint Denver 2019



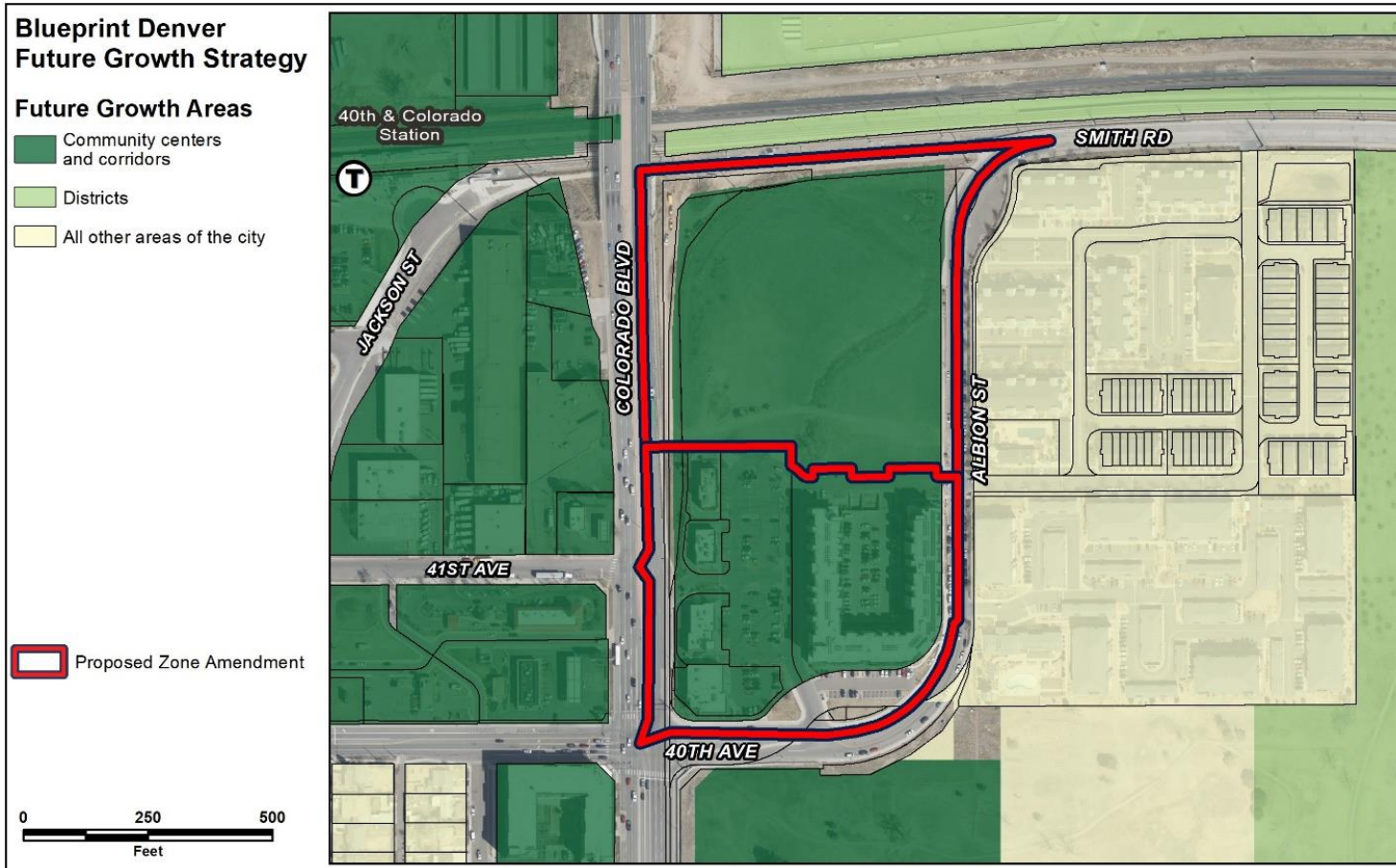
Community Center Future Place Type

- Provides some mix of office, commercial and residential uses. Heights are generally up to 12 stories.

Future Street Type

- Mixed Use- Arterial

Blueprint Denver 2019



Community Centers

- 20% of new employment
- 25% of new housing

Most growth is guided to regional centers, community centers and corridors, select districts and high and medium-high intensity residential areas. Other areas of the city are still expected to see some growth, however more limited.

Blueprint Denver 2019

- **Land Use & Built Form: General Policy 6:** *Increase the development of affordable housing and mixed-income housing, particularly in areas near transit, services and amenities*
- **Land Use & Built Form: General Policy 3:** *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*

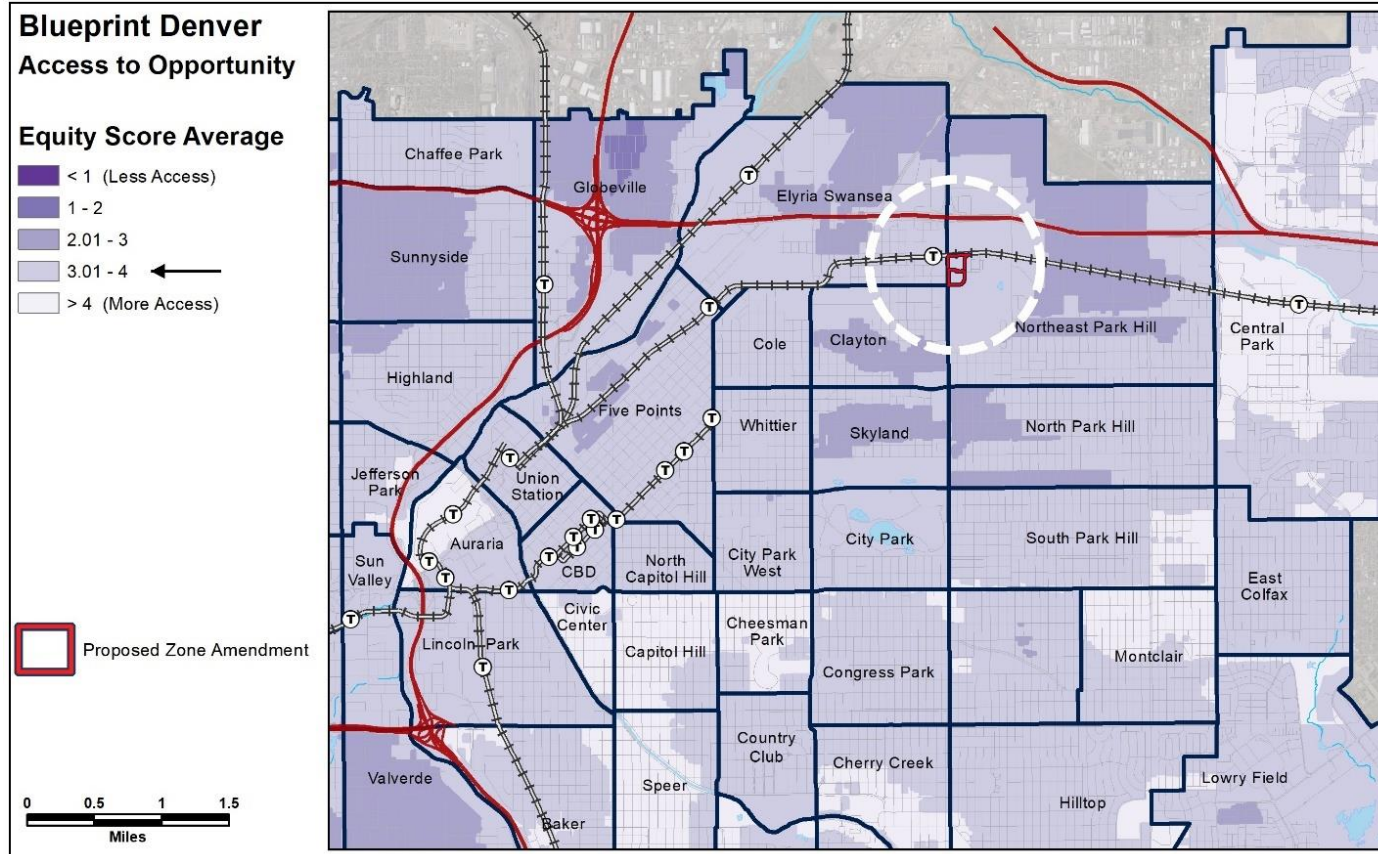
EQUITY ANALYSIS

Blueprint Denver Contains Three Major Equity Concepts

- Integrating these concepts into planning and implementation will help to create a more equitable Denver.

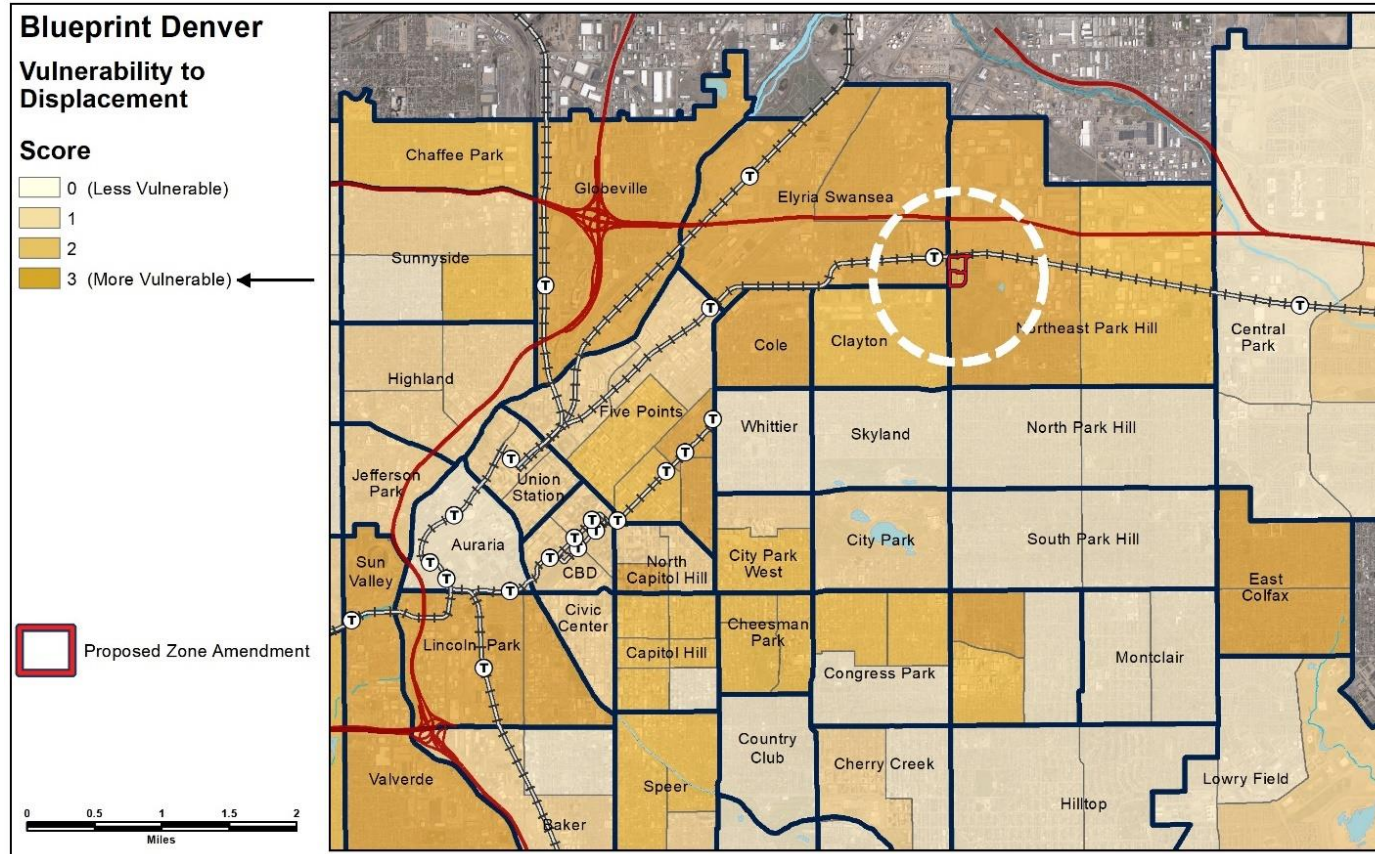


Blueprint Denver (2019) - Access to Opportunity



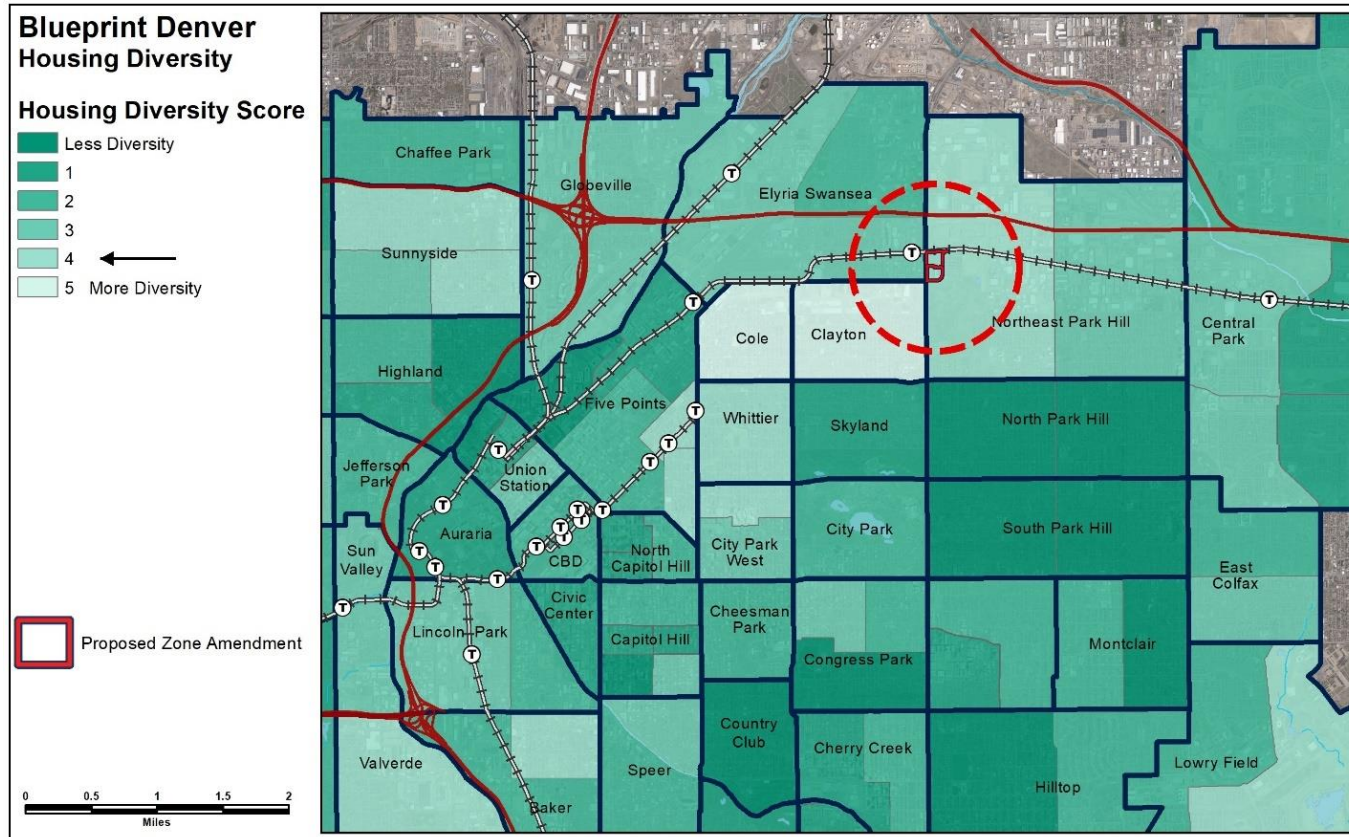
- Moderate access to opportunity
- Less access to Fresh Foods and higher than city wide average for Child Obesity

Blueprint Denver (2019) - Vulnerability to Involuntary Displacement



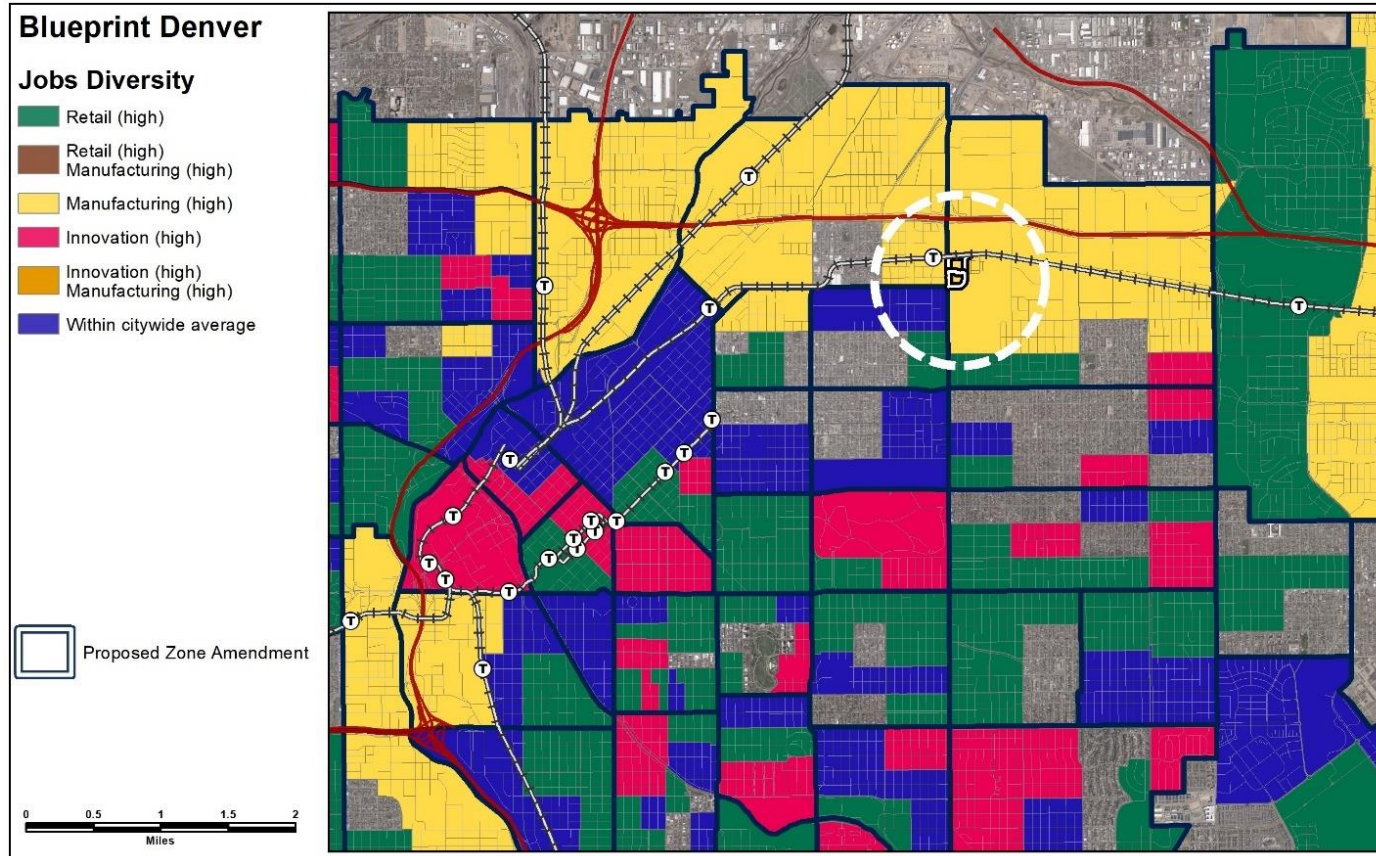
- High vulnerability to involuntary displacement
- Higher-than-average percentage of renters, Median income, and percent of population with less than a college degree

Blueprint Denver (2019) - Housing Diversity



- Moderate housing diversity
- Not diverse in terms of owners to renters and housing cost

Blueprint Denver (2019) - Jobs Diversity



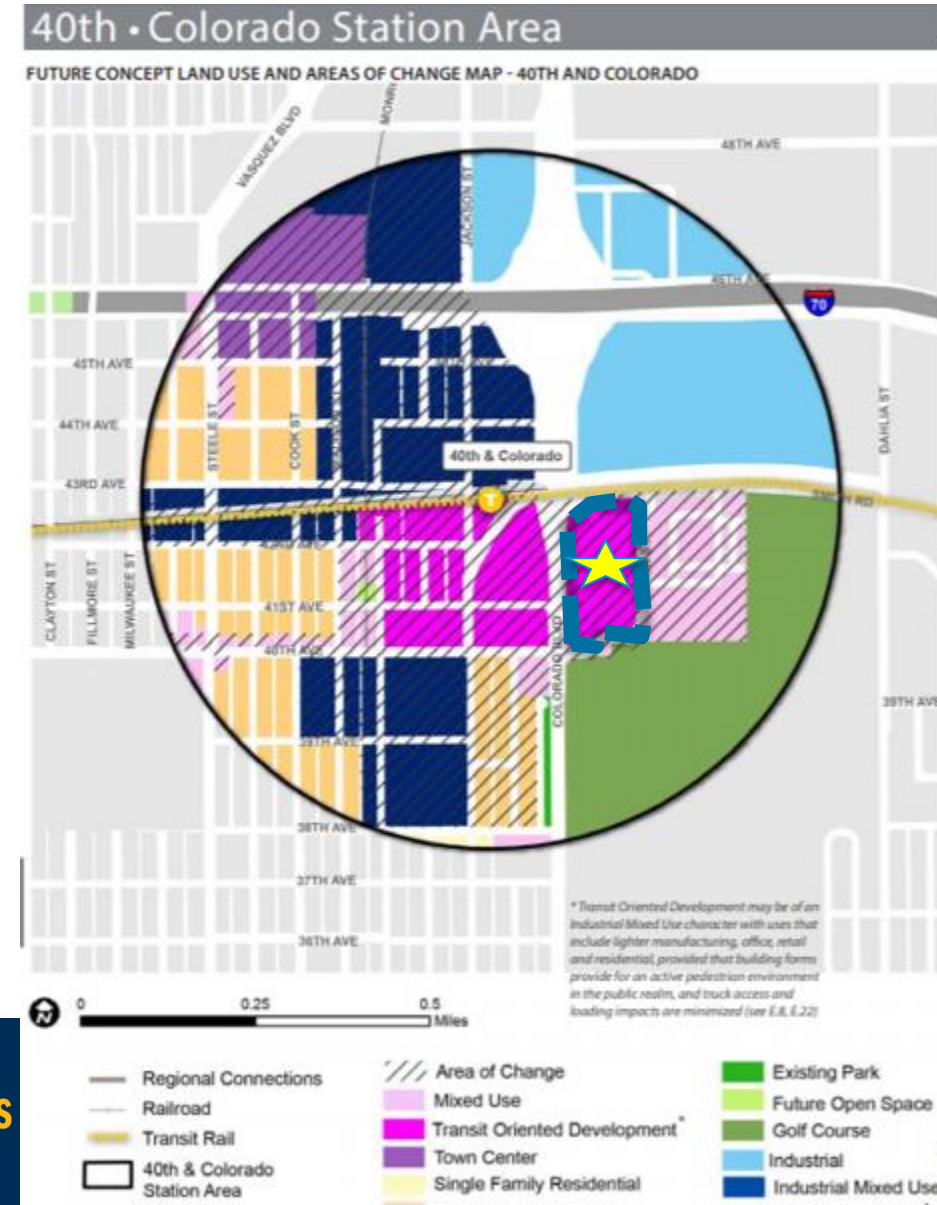
- The total number of jobs are 764 with 4.95 jobs per acre.
- Northeast Park Hill has 33.5% Retail jobs, 12.7% innovation Jobs and 53.8% Manufacturing Jobs. Manufacturing Jobs is significantly higher than city wide average.

Elyria Swansea Neighborhoods Plan (2015)

- Plan recommends that Transit Oriented Development take the form of “investment in higher-density housing, services and employment opportunities near rail stations”

Goal:

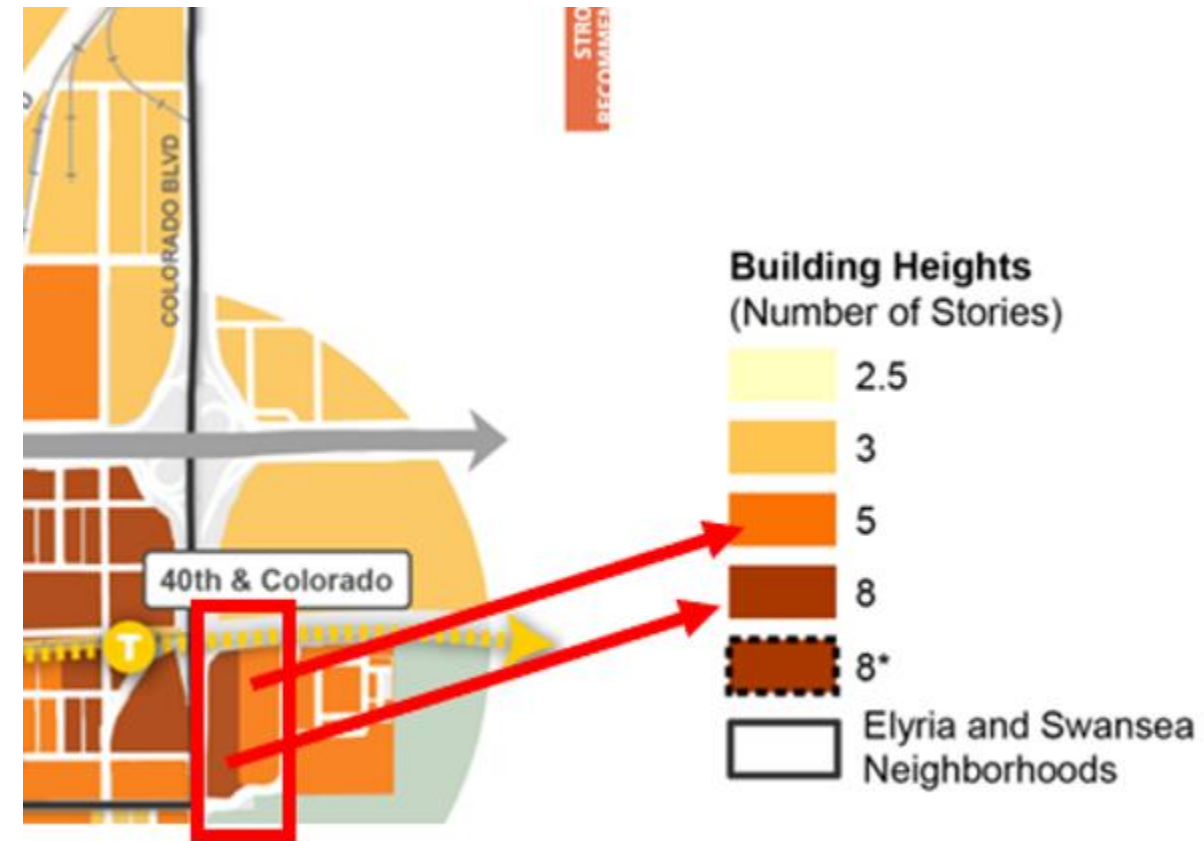
- Work with the development team selected by the Urban Land Conservancy to design and build a successful recreational space that could be accessible to the public as part of the 7-acre Transit-Oriented development area between Colorado Blvd. and Albion St (p.113).
- Encourage investment in higher density housing, services, and employment opportunities near rail stations to provide for a diverse population with safe and convenient pedestrian access to rail transit (p.29).



Elyria Swansea Neighborhoods Plan (2015)

Height Recommendations:

- Recommendation of 8 stories adjacent to N. Colorado Blvd and stepping down to 5 stories towards Albion and Smith Road.
- Protected District Standards
 - Limits height up to 75 feet within 175' of a protected district
 - Transition, Affordable Housing, Proximity to Transit



Park Hill Neighborhood Plan (2000)

The request meets the following goal and recommendation from the Park Hill Neighborhood Plan:

Land Use and Zoning 3: “Create and maintain a mix of housing types and sizes that are attractive and affordable to a diversity of ages, income, household types, sizes, cultural and ethnic backgrounds.”

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
 - Former Chapter 59 zoning
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

CPD Recommendation

CPD recommends approval, based on finding that all review criteria have been met:

Standard Rezoning 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