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TO: City Council Neighborhoods & Planning Committee
FROM: Kyle A. Dalton, AICP, Senior City Planner
DATE: December 4, 2014
RE: Official Zoning Map Amendment Application #2014I-00050
1555 – 1597 Stuart Street
Rezoning from PUD 559 to C-MX-3

Staff Report and Recommendation

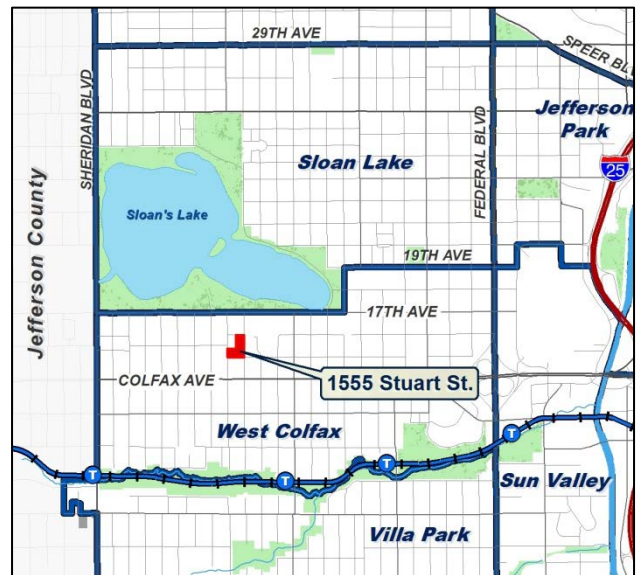
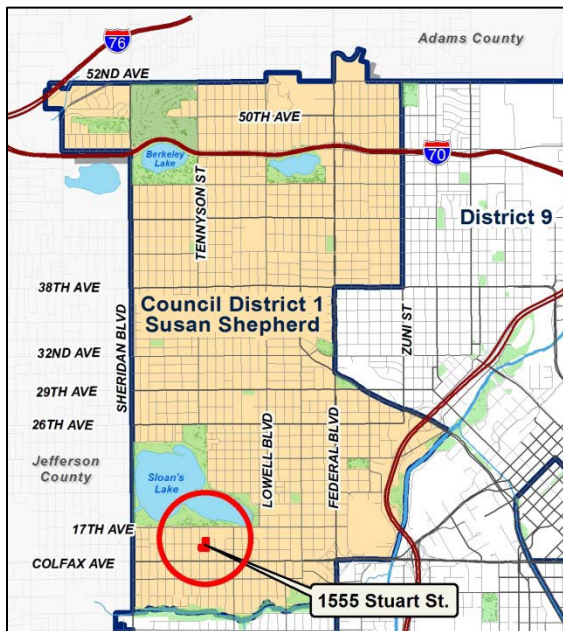
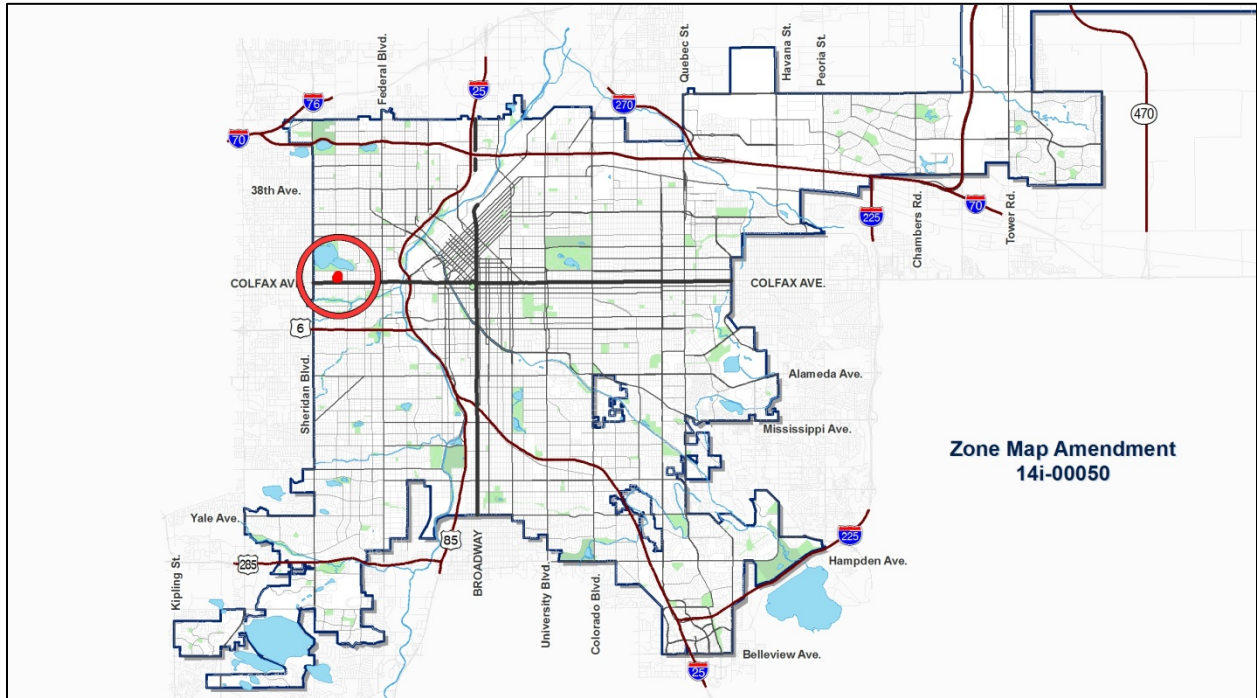
Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2014I-00050 for rezoning from PUD 559 to C-MX-3.

Request for Rezoning

Application:	#2014I-00050
Address:	1555 – 1597 Stuart Street
Neighborhood/Council District:	West Colfax / Council District 1
RNOs:	West Colfax Association of Neighbors, Sloan's Lake Citizen's Group, Northwest Quadrant Association, Sloan's Lake Neighborhood Association, West Colfax Business Improvement District, Denver Neighborhood Association, Inc., Inter-Neighborhood Cooperation
Area of Property:	64,535 sq ft
Current Zoning:	PUD 559
Proposed Zoning:	C-MX-3
Property Owner(s):	Yeshiva Toras Chaim
Owner Representative:	Jason Newcomer, City Projects Inc.

Summary of Rezoning Request

- The site is located on the west side of Stuart Street between Conejos Place and 16th Avenue, and extends to Tennyson Street, occupying about 2/3 of the entire block.
- The property consists of a former religious assembly facility being operated as a private secondary school. Originally built to serve a congregation which has since moved, the sanctuary building dominates the corner. If rezoned, the applicants propose to remove the sanctuary and construct an attached student dormitory in accordance with the design standards required by the proposed C-MX-3 zone district. The students currently reside at an off-site dormitory in a former apartment building at Colfax Avenue and Perry Street.
- The requested C-MX-3 zone district is in the Urban Center neighborhood context; permits a mix of residential, civic, and commercial uses; and has a maximum building height of 3 stories. Further details of the zone district can be found in Article 7 of the Denver Zoning Code (DZC).



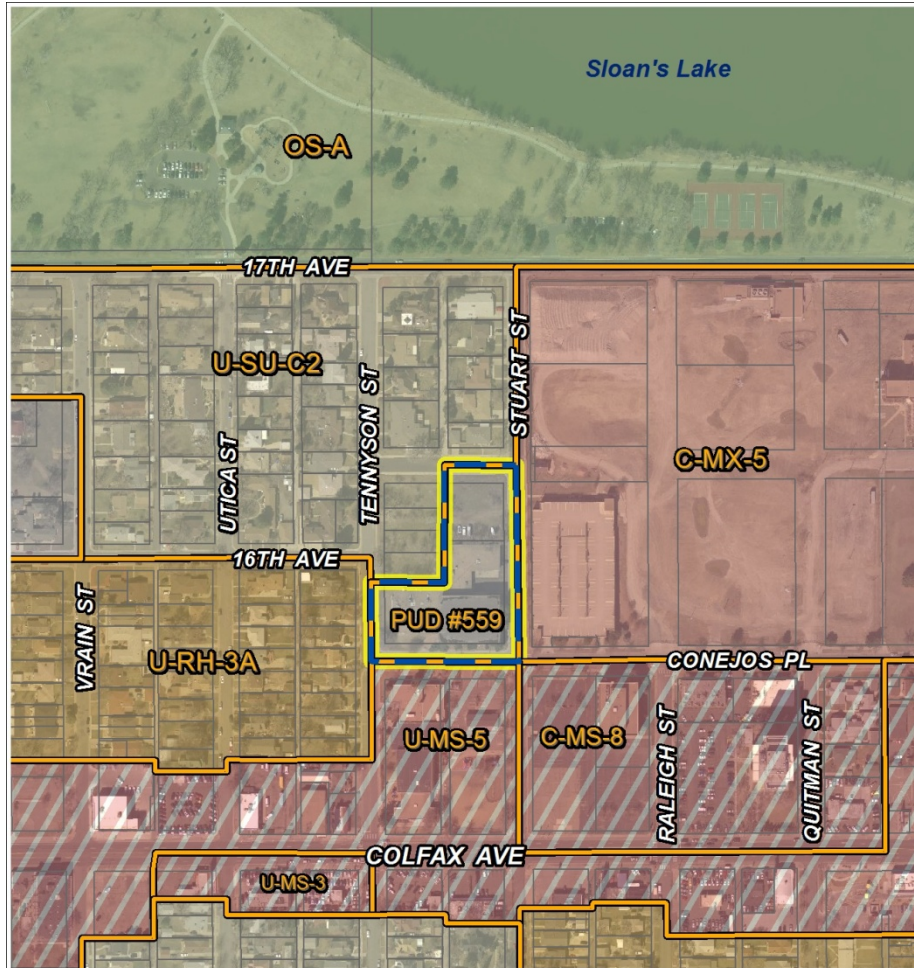


Existing Context

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

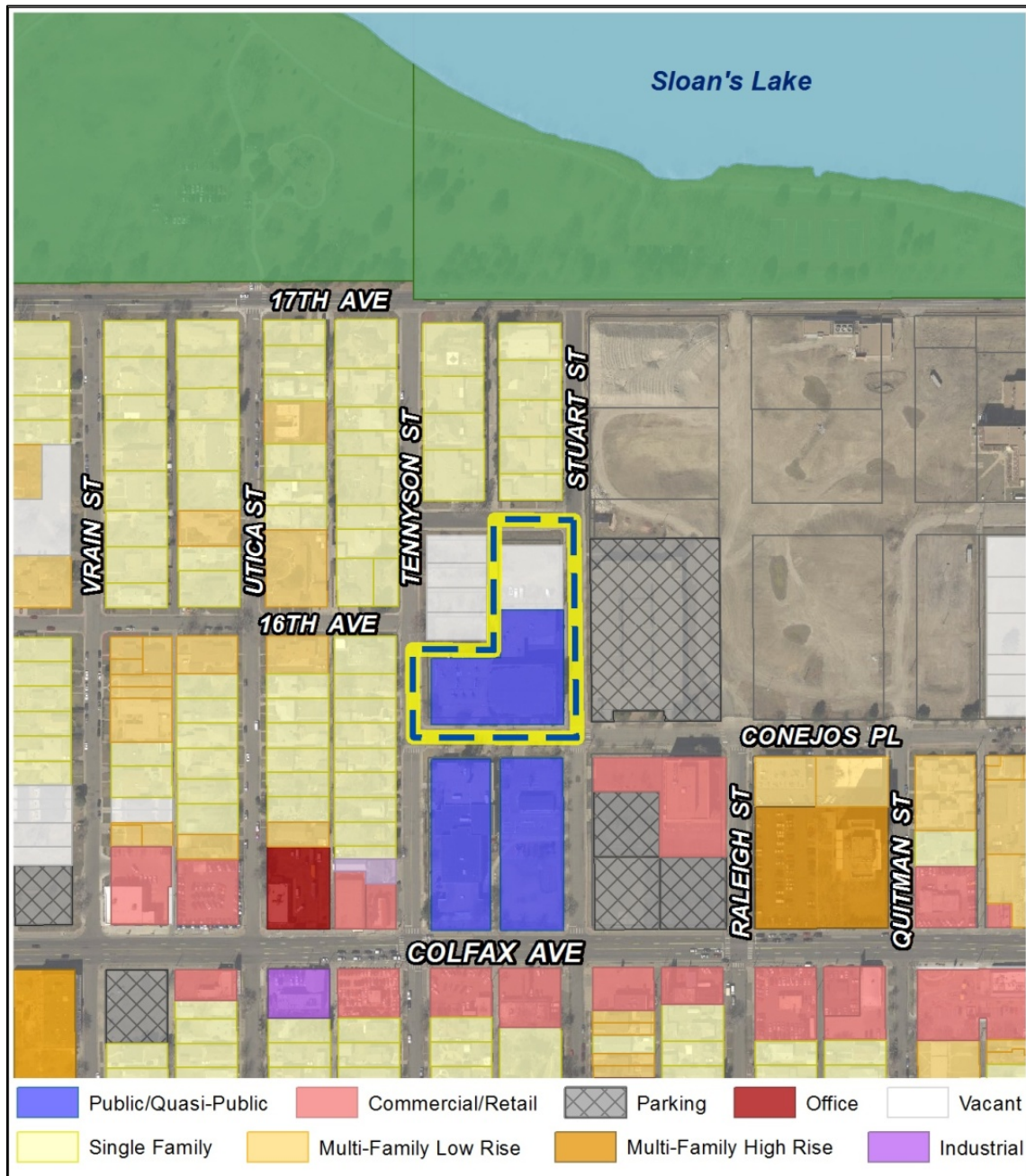
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	PUD 559	School (Yeshiva Toras Chaim)	Existing school structure reads as religious assembly (sanctuary) structure 2-stories in height, with adjoining 1-story accessory buildings	Generally regular grids of streets; Block sizes and shapes are consistent and rectangular. On residential sites, parking is typically accessed from alleys or sometimes from the street. Except the subject site, nonresidential buildings in this area do not have parking between the building and the street. Instead, nonresidential accessory surface parking is to the side or rear.
North	U-SU-C2	Single unit dwellings	1- and 2-story (some split-level) residential buildings	
South	C-MS-8	School (Colfax Elementary)	1- and 2-story school, with accessory surface parking immediately south of Conejos Place	
East	C-MX-5	Former St. Anthony's Hospital Campus – parking structure	4-story parking structure	
West	U-RH-3A, U-SU-C2	Single unit dwellings, vacant	Vacant at southeast corner of Tennyson and 16 th ; 1-story houses on west side of Tennyson	

1. Existing Zoning



The existing Former Chapter 59 PUD #559 was established in 2004 to permit the construction of a dormitory up to 25,330 square feet in size. The site was previously zoned R-1 and dormitory was not previously an allowed use. The PUD also allows the continuance of the existing school and religious assembly sanctuary, plus 10,000 square feet for new floor area in a future remodeling of the existing sanctuary. The district plan specifies that the dormitory is to be constructed on vacant land at the north end of the property. As is the case with many Former Chapter 59 PUDs, the regulations and district plan of the PUD are written too specifically to accommodate a change in the location of the proposed dormitory without rezoning. The applicant's desire to demolish the sanctuary and build the dormitory in the location of the existing sanctuary, instead of at the north end of the property, cannot be accomplished under the existing PUD.

2. Existing Land Use Map



3. Existing Building Form and Scale (Google Maps images)



Northwest corner of Conejos Place and Stuart Street, viewing existing sanctuary on the subject site.



View of the subject site on the west side of Stuart Street. Existing sanctuary is at left; school wing is at right with surface parking partially located in the public right-of-way.



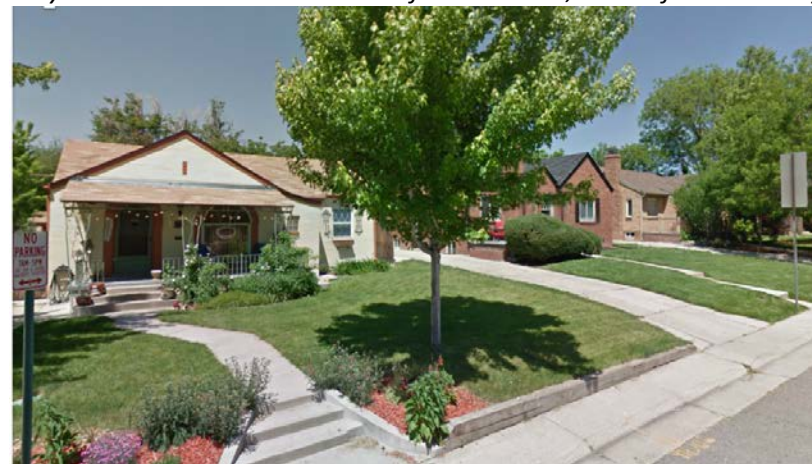
The back side of Colfax Elementary School, immediately across Conejos Place from the subject site.



Former St. Anthony's parking structure, directly across Stuart Street from the subject site.



Single-family residence on the north side of 16th Avenue, across from the subject site.



Single-family residences on the west side of Tennyson Street, across from the subject site.

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. Agencies responded as follows:

Asset Management: “Approved – No comments.”

Development Services – Project Coordination:

“The applicant should be aware of two aspects to the demolition of the sanctuary and construction of the dormitory.

1) Currently the existing structure is considered a conforming structure under the Former Chapter 59 PUD; however, if the rezoning is approved, the structure would then become a Compliant Structure per Section 12.6 of the Denver Zoning Code. If the structure were "voluntarily demolished," then all new development on site would need to come into full compliance with the C-MX-3 Zone District, particularly build-to requirements. Voluntary demolition means that 40% or more of the square footage of the structure's exterior walls are demolished. It appears that the demolition of the sanctuary might be close to the 40% threshold.

2) If the structure remains compliant, then any demolition, alteration or reconstruction can not reduce the amount of build-to that currently exists. For example, if 50 feet of the structure currently meets the build-to requirement, then 50 feet of the replacement structure must meet the build to requirement.

Based upon the proposed site plan, it appears that the proposed dormitory may need to be redesigned based upon these requirements. The applicant should review Division 12.6, particularly 12.6.3.2.D and E and 12.6.3.3.”

Development Services – Wastewater: “There is no objection to the rezone, however applicant should be under notice that the Public Works will not approve any development of this property without assurance that there is sufficient sanitary and storm sewer capacity. A sanitary study and drainage study may be necessary. These studies may results in a requirement for the developer to install major infrastructure improvements or a limit to development if current infrastructure is insufficient.”

Parks and Recreation: “Approved – No Comments.”

Public Works – City Surveyor: “Approved Legal Description: ‘Lots 1-5, inclusive, Block 2, Glen Park, and Lot 6-19, inclusive and the south 2 feet of Lot 20 and all of the vacated alley adjacent to lots 10-19 and adjacent to the south 2 feet of Lots 9 and 20, Block 2, Glen Park, second filing, City and County of Denver, State of Colorado.’”

Public Review Process

- CPD staff provided informational notice of receipt of the rezoning application to affected members of City Council and registered neighborhood organizations on September 17, 2014.
- On November 5, 2014, the property was posted to announce the November 19, 2014, Denver Planning Board public hearing, and written notification of the hearing was sent to all applicable registered neighborhood organizations and City Council members.
- On November 25, 2014, written notification of the December 10, 2014, Neighborhoods and Planning Committee meeting was sent to all applicable registered neighborhood organizations and City Council members.
- **Registered Neighborhood Organizations (RNOs)**
 - The West Colfax Association of Neighbors (WeCAN) submitted a letter in support of the application. On September 10, 2014, WeCAN held a general membership meeting at which over 40 members voted unanimously in support of the application.
 - The West Colfax Business Improvement District submitted a letter in support of the application. On October 14, 2014, the BID's board of directors voted unanimously in support of the application.
 - As of the date of this staff report, no other RNO comments had been received.
- **Other Public Comment:** As of the date of this staff report, no other public comment had been received.

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 2000
- Blueprint Denver (2002)
- West Colfax Plan (2006)

Denver Comprehensive Plan 2000

The proposal is consistent with many Denver Comprehensive Plan strategies, including:

- 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.*
- Mobility Strategy 4-E – *Continue to promote mixed-use development, which enables people to live near work, retail and services.*

Although the proposed zoning does not require the site to continue to be operated by the current owner, the applicants note that the rezoning will allow for physical reinvestment in a Jewish institution which is representative of a long-standing Jewish population in the West Colfax area since the early 20th century. Accordingly, the owners will be furthering the following Comprehensive Plan strategies:

- Denver’s Legacies, Strategy 7-B: *Uncover an area’s cultural values and take steps to honor their significance. These values may be historical associations such as the commemoration of a historical event or recognition of a traditional ethnic neighborhood.*
- Neighborhoods, Objective 1: *Strengthen the positive attributes and distinctive character of each neighborhood to help sustain Denver as a healthy, vital city. Respect the intrinsic character and assets of individual neighborhoods.*

Finally, by rezoning out of the archaic Former Chapter 59 and into the Denver Zoning Code, the proposed zone map amendment will be consistent with the City’s policy to improve zoning uniformity and remove old PUDs. The Denver Zoning Code is more consistent with the following Comprehensive Plan 2000 strategy:

- Land Use, Strategy 2-C: *Review and update City processes for enforcement of zoning and other land-use regulations. These processes should include a consistent and enforceable set of performance standards for the owners and operators of all land uses and a swift, efficient and fair inspection and compliance process.*

The proposed map amendment will enable mixed-use development at an infill location where services and infrastructure are already in place, with a broader mix of uses, under the improved Denver Zoning Code. Accordingly, the rezoning is consistent with these plan recommendations.

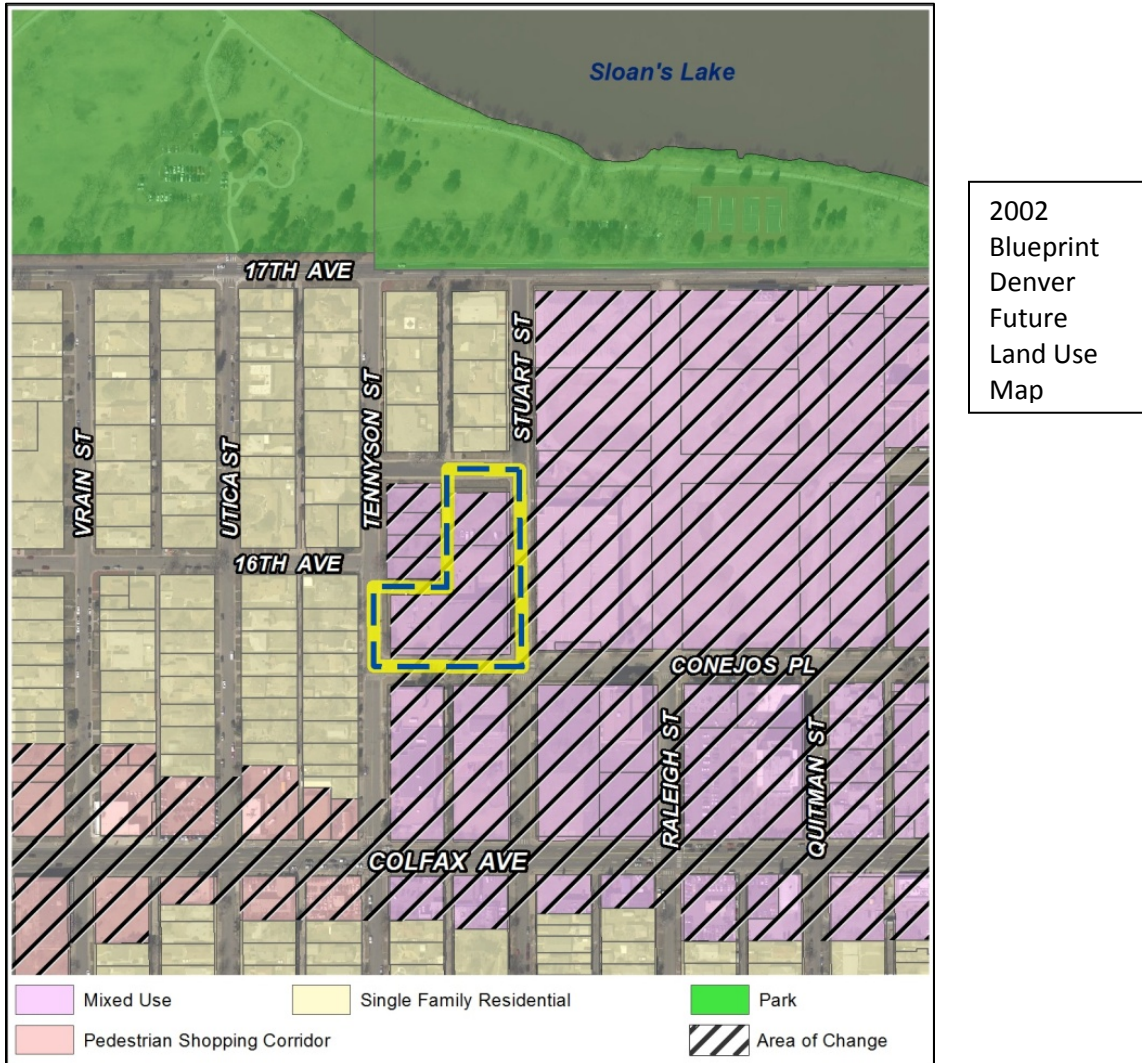
Blueprint Denver

According to the 2002 Plan Map adopted in Blueprint Denver, this site has a concept land use of Mixed Use and is located in an Area of Change.

Future Land Use

According to Blueprint Denver, Mixed Use “areas have a sizable employment base as well as housing. Intensity is higher in mixed-use areas than in other residential areas. Land uses are not necessarily mixed in each building or development or even within each block. But within the neighborhood, residential and non-residential uses are within walking distance of one another. The

proportion of residential to commercial uses varies considerably from one mixed-use district to another” (p. 41).



The C-MX-3 zone district is a mixed-use district which is consistent with this land use plan recommendation.

Area of Change / Area of Stability

As noted, the site is in an Area of Change. In general, “The goal for Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips” (p. 127). Further, “the base strategy for encouraging development [in Areas of Change] is to allow sufficient development intensity and appropriate mixes of uses so that planned land uses will be economically feasible” (p. 128).

The existing restrictive PUD strictly limits the development potential of this site. If the site is rezoned to the more flexible standard C-MX-3 zone district, growth and development will be made more feasible on this site, consistent with the plan's Area of Change designation.

Street Classifications

All streets surrounding this site are undesignated local streets in Blueprint Denver. Specific guidance is not provided in Blueprint Denver for undesignated streets. Blueprint Denver says local streets are "influenced less by traffic volumes and tailored more to providing local access. Mobility on local streets is typically incidental and involves relatively short trips at lower speeds to and from other streets." Given the generally lower-volume designation of these streets, it is appropriate to rezone this site to a lower-intensity zone district (i.e. C-MX-3). The adjacent areas to the south and east that have with the same land use and area of change designations, but are located along Main, Mixed Use, Arterial, or Collector streets, have more intense zoning (i.e. C-MX-5 and C-MS-8).

Other Land Use Recommendations

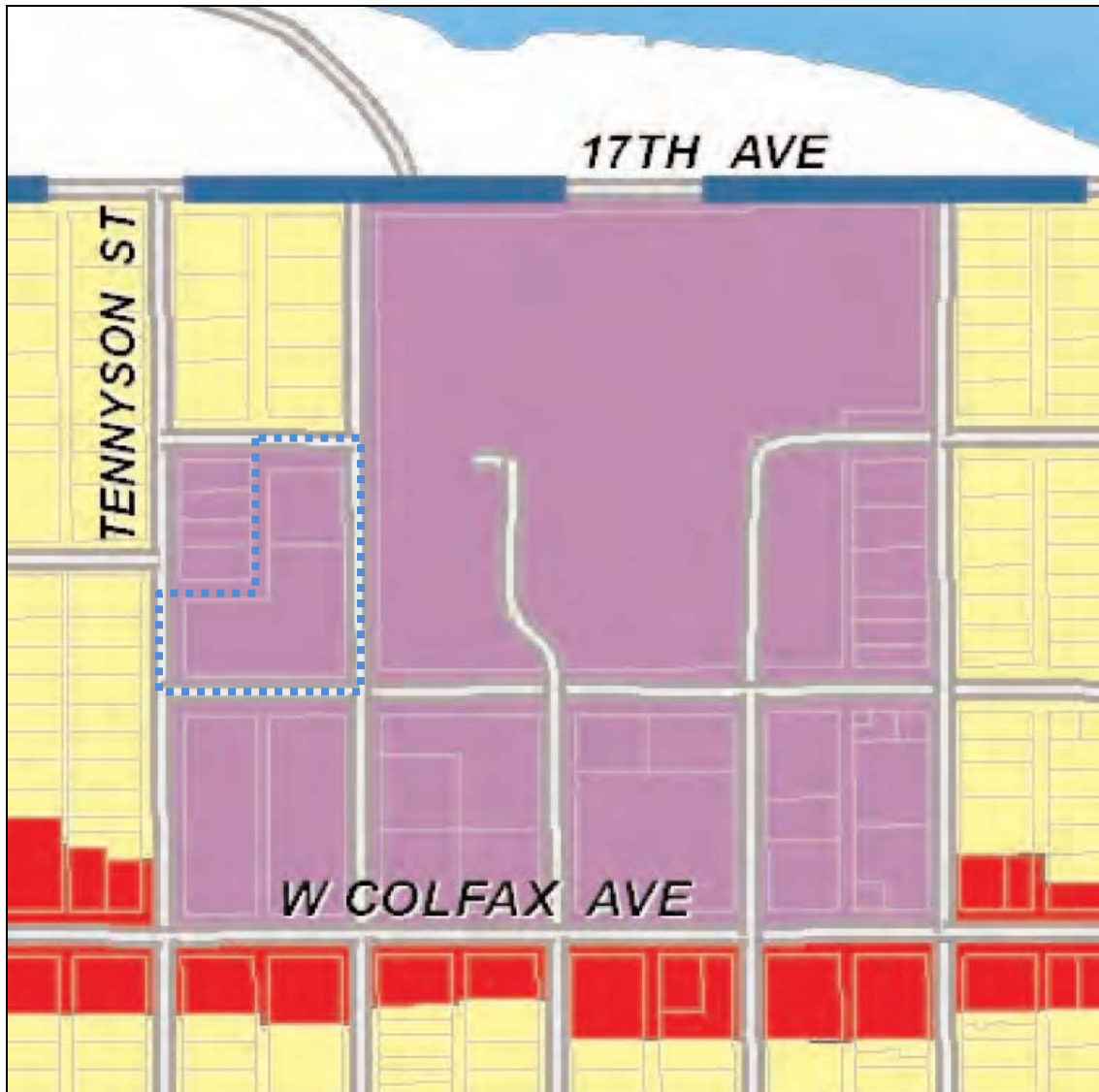
Among the specific strategies to implement Blueprint Denver, the plan calls for amending "the code to eliminate obsolete zone districts and amend map to apply new zone districts to affected areas" (p. 162-3). Rezoning from the obsolete Former Chapter 59 to a standard zone district in the new Denver Zoning Code is directly consistent with this plan recommendation.

Small Area Plan: West Colfax Plan (2006)

The West Colfax Plan contains a Framework Plan which provides the technical guidance for zoning regulatory changes in the plan area (p. 78). A Future Land Use Concept map sets the framework for urban design and land use goals.

In the excerpt from the Future Land Use Concept map of the West Colfax Plan shown on the following page, the subject site is outlined in the dashed line, and has a "Town Center" designation. According to the plan, Town Centers are compact with variable scale that is greatest in the core and radiates to lower intensity at the fringe (p. 83). Uses are mixed vertically and/or horizontally. Off-street parking is in structures or behind street-facing buildings. The plan calls for the Town Center to be an activity center with mixed-use retail, employment, plaza or green space, multiple housing types and options, dining and entertainment, as well as civic amenities. The street character will emphasize the pedestrian experience.

The C-MX zone district will implement these plan recommendations by allowing a rich, diverse mix of uses, encouraging buildings to relate to the desired street character, and disallowing parking between the building and the street. Since this site is located at the outer edge of the Town, a 3-story maximum height zone district will do a good job of radiating to lower intensity as compared to the higher heights allowed in the core of the Town Center area (presently zoned C-MX-5). Accordingly, the C-MX-3 zone district will implement the West Colfax Plan recommendations well.



Urban Neighborhood Urban Neighborhood Station Town Center Main Street

West Colfax Plan Future Land Use Concept Map (excerpt, p. 79)

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to C-MX-3 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 primarily through implementation of the city's adopted land use plans.

4. Justifying Circumstance

The application identifies changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, "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.” In the time since the previous PUD was adopted in 2004, significant changes include the new plan direction of the West Colfax Plan in 2006, the relocation of St. Anthony’s Hospital with subsequent demolition and ongoing redevelopment, reinvestment along the West Colfax corridor, and adoption of the Denver Zoning Code in 2010 resulting in new standard zone district options that better implement the City’s plans. Accordingly it is in the public interest to rezone in response to the changed conditions.

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

The requested C-MX-3 zone district is within the Urban Center Neighborhood Context. The neighborhood context generally consists of multi-unit residential and mixed-use commercial strips and commercial centers (DZC, Division 7.1). The neighborhood context consists of a regular pattern of blocks and an orthogonal street grid. Buildings have consistent orientation and parking at the rear and/or side. These characteristics are consistent with both the existing conditions in the neighborhood and the desired conditions expressed in the plans. Therefore, the proposed rezoning to C-MX-3 is consistent with the neighborhood context description.

The general purpose of mixed use zone districts is to ensure new development contributes positively to established neighborhoods and character, improve the transition between commercial and residential development, require pedestrian enhancements, promote pedestrian-scaled diverse areas, and create mixed neighborhoods (See DZC Sec. 7.2.2.1). According to the zone district intent stated in the Denver Zoning Code, the C-MX-3 zone district “applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired.” (DZC Section 7.2.2.2.A). The streets adjacent to this site are local streets, and the existing surrounding building character is 1 to 4 stories. Based on the plan direction discussed above to radiate intensity in the town center from more intense development on the former St. Anthony’s site to the residential areas to the west, the desired building scale is appropriately 1 to 3 stories. The street classifications and desired building heights in this area are consistent with the zone district purpose and intent statements.

Planning Board Recommendation

On November 19, 2014, the Denver Planning Board held a public hearing to consider this application. After hearing from the property owner and with no other speakers present to testify, the Planning Board voted unanimously to recommend approval of this application.

Staff Recommendation

Based on the analysis set forth above, CPD staff finds that the application for rezoning the property located at 1555 – 1597 Stuart Street to a C-MX-3 zone district meets the requisite review criteria. Accordingly, staff recommends the committee forward this application to the full City Council.

Attachments

1. Application, including WeCAN letter of support
2. West Colfax Business Improvement District letter of support

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Yeshivas Toras Chaim	Representative Name	Jason Newcomer
Address	1555 Stuart St	Address	1200 Cherokee St
City, State, Zip	Denver, CO 80204	City, State, Zip	Denver, CO 80204
Telephone	(303) 629-8200	Telephone	(303) 819-1524
Email	raw@theje.com	Email	jason@city-projects.com
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	1555 & 1597 Stuart St Denver, CO 80204		
Assessor's Parcel Numbers:	0231421013000, 0231421012000		
Area in Acres or Square Feet:	64,535 sqft		
Current Zone District(s):	PUD 559		
PROPOSAL			
Proposed Zone District:	C-MX-3		
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.13</p>	<p><input checked="" type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan</p> <p>Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p>
	<p><input checked="" type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p>
	<p><input checked="" type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.14</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input checked="" type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that rezoning that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code.</p> <p>Please provide an attachment describing the justifying circumstance.</p>
	<p><input checked="" type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>Please provide an attachment describing how the above criterion is met.</p>
	<p><input type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>Please provide an attachment describing how the above criterion is met.</p>
REQUIRED ATTACHMENTS	
<p>Please ensure the following required attachments are submitted with this application:</p>	
<p><input checked="" type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)</p> <p><input checked="" type="checkbox"/> Proof of Ownership Document(s)</p> <p><input checked="" type="checkbox"/> Review Criteria</p>	
ADDITIONAL ATTACHMENTS	
<p>Please identify any additional attachments provided with this application:</p>	
<p><input checked="" type="checkbox"/> Written Authorization to Represent Property Owner(s)</p>	
<p>Please list any additional attachments:</p>	
<p>Exhibit B: Public health, Safety and General Welfare; Exhibit E: Neighborhood Outreach Summary Update; RNO Outreach Packet; West Colfax Association of Neighbors Letter of Support</p>	

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION

We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	NO
Yeshiva Toras Chaim Talmudical Seminary of Denver	1555 Stuart St Denver, CO 80202	100%	<i>Abraham Y. Wasserman</i> Rabbi Wasserman President/CEO	8/27/2014	(A)	Yes

Last updated: June 20, 2014

Return completed form to rezoning@denvergov.org

Addendum to Proposed Official Zone Map Amendment Application for:

1555 & 1597 Stuart Street

Parcel Number(s): 0231421013000, 0231421012000

Current Zoning: PUD 559

Proposed Zoning: C-MX-3

Legal Description: Lots 1-5, inclusive, Block 2, Glen Park, and Lot 6-19, inclusive and the south 2 feet of Lot 20 and all of the vacated alley adjacent to lots 10-19 and adjacent to the south 2 feet of Lots 9 and 20, Block 2, Glen Park, second filing, City and County of Denver, State of Colorado.

Property Owner Information

Yeshiva Toras Chaim Talmudical Seminary of Denver

Rabbi Ahron Y. Wasserman, President and CEO

1555 Stuart St

Denver, CO 80204

Authorized Representatives:

Jason Newcomer

City Projects, Inc.

(303) 819-1524

jason@city-projects.com

Dana Rommerdahl

City Projects, Inc.

(303) 250-3451

dana@city-projects.com

Project Summary:

In 2004 Yeshiva Toras Chaim initiated a rezoning process to renovate their building and introduce a dormitory use to house their, currently off-site, students. As a result the subject property at 1555 and 1597 Stuart became subject to PUD 559 to accommodate a three level, 17,000 square feet dorm located on the north end of our property. Unfortunately, the renovation project was not completed at that time. The scope of the project has since shifted to a two level, 14,500 square feet dorm connected to the school. However, because the current design has moved the dorm building from its originally proposed location--coupled with a general policy shift away from the use of Planned Unit Developments since the 2004 PUD was generated--the Yeshiva is pursuing a standard zone district for the subject property.

With concern for the care, security and convenience of our students in mind, we believe attaching the dorm directly to the Yeshiva will be a better solution for both the Yeshiva and the neighborhood. The design will be a smaller scale than the current sanctuary, occupy a smaller footprint, and provide a better connection to the existing school as well as maintain a buffer of less intense development between the surrounding residential neighborhood and St. Anthony's redevelopment.

EXHIBIT A: DESCRIPTION OF CONSISTENCY WITH ADOPTED PLANS

The proposed zone map amendment is consistent with the following adopted plans:

Review Criteria: Denver Comprehensive Plan 2000

- The proposed renovation of the subject property represents an opportunity to reinvest in the physical character of a community asset representative the long-standing Jewish population present in the neighborhood since the early 20th century.
 - Denver’s Legacies, Strategy 7-B: *Uncover an area’s cultural values and take steps to honor their significance. These values may be historical associations such as the commemoration of a historical event or recognition of a traditional ethnic neighborhood.*
 - Neighborhoods, Objective 1: *Strengthen the positive attributes and distinctive character of each neighborhood to help sustain Denver as a healthy, vital city. Respect the intrinsic character and assets of individual neighborhoods.*
- The proposed zone amendment is consistent with the city’s desire to have uniformity and to not use PUDs anymore
 - Land Use, Strategy 2-C: *Review and update City processes for enforcement of zoning and other land-use regulations. These processes should include a consistent and enforceable set of performance standards for the owners and operators of all land uses and a swift, efficient and fair inspection and compliance process.*
- This project will provide an opportunity to improve and update an existing community asset as well as leverage the skills and expertise of an established architectural firm who expressly “believe[s] that design is an act of optimism that expresses hope for the future.”
 - Land Use, Strategy 1-B: *Ensure that the Citywide Land Use and Transportation Plan reinforces the city’s character by building on a legacy of high-quality urban design and stable, attractive neighborhoods; encouraging preservation of historic buildings, districts and landscapes*

Review Criteria: Blueprint Denver

Blueprint Denver has designated the subject property as an Area of Change with a land use designation of Mixed-Use in the West Colfax–West TOD sub-area. The plan defines mixed use as areas that have a sizable employment base as well as housing. Intensity is higher in mixed-use areas than in other residential areas. Land uses are not necessarily mixed in each building or development or even within each block. But within the neighborhood, residential and non-residential uses are within walking distance of one another.

Insofar that one of Blueprint Denver’s primary strategies is to funnel the infusion of economic activity and investment into Areas of Change, the proposed project made possible by this zone map amendment would be consistent with the plan’s strategy. Moreover, the plan encourages development to “*address edges between Areas of Stability and Areas of Change*” and provide “*compatibility between existing and new development.*” As described above, the subject property provides a logical transition between the surrounding residential neighborhoods and the more intense uses proposed and currently in place within the abutting St. Anthony’s redevelopment.

Finally, Blueprint Denver’s recommendations also include measures to “*Amend the code to eliminate obsolete zone districts and amend map to apply new zone districts to affected areas.*” It is reasonable to

assume this thinking led the plan to its subsequent conclusions about the use of PUDs in particular. Described as follows:

Concerns with PUDs are that their widespread proliferation has increased the complexity of regulating land use, and the conditions they place on development sometimes perform poorly and inflexibly once the PUD has been adopted. This issue can be addressed if the city acts on the authority to repeal obsolete PUD zoning and change it to a more appropriate district.

Within this context, allowing the subject property to assume a standard zone district only serves to reinforce the uniformity and enforceability of the new code thereby strengthening its authority as a regulatory tool.

West Colfax Plan 2006

Similar to Blueprint Denver, the West Colfax Plan also identifies the subject property in an Areas of Change where large and small scale redevelopment may be deemed appropriate over time. Specifically, the site is called out as part of, what the plan refers to as, the Holy Tony Town Center (a somewhat tongue-in-cheek reference to St. Anthony's hospital). The plan suggests the center benefit from "incentives to build, maintain, restore and adaptively reuse architectural resources that add value and character to a place" as well as "civic uses that support common needs of residents and reinforce public gathering."

The West Colfax Plan also spends a considerable amount of effort to address the rich cultural history and the related benefits of incorporating those traditions into the built environment:

The West Colfax study area is home to a diverse mix of ethnic groups and cultural heritages. The Jewish, Italian, and Latino cultures combine in a healthy urban mix in the West Colfax study area and form the basis for establishing a distinct set of identifiable districts within the context of the larger neighborhood and Denver community.

The plan even goes so far as to call out Yeshiva Toras Chaim specifically for its cultural contribution to the area, suggesting this site be included in the recommendation to "Establish identifiable gateways and focal points to signal arrival at key neighborhood destinations, town centers and station areas." Clearly this plan provides the mandate for the subject property to reposition itself as a core contributor to the cultural fabric of the neighborhood as well as Denver itself.

EXHIBIT B: PUBLIC HEALTH, AND GENERAL WELFARE

The proposed official map amendment furthers the public health, safety, and general welfare of the City in supporting the continued activities of a stalwart neighborhood institution. By way of background, Yeshiva Toras Chaim Talmudic Seminary (YTC) is a renowned all-male school and seminary located at 1555 Stuart in the West Colfax neighborhood. This esteemed institution is the only such establishment in the Rocky Mountain and Southwest region. As such, YTC vies to raise a generation of young men committed to leading a life guided by Torah values as well as to reach out to the Jewish community, raising the level of awareness, knowledge and appreciation of those Torah values that constitute the core of Jewish life.

Founded in 1967 and a steadfast presence in West Denver since the purchase of the current dormitory building at 1511 Perry St, YTC currently serves approximately 70 students in the high school,

undergraduate and post graduate. Their nationally accredited curricula includes the High School, Beis Medrash undergraduate and Chabura postgraduate programs. As the first Yeshiva in the United States to have hired a full-time outreach director, the organization contributes to the larger conversation amongst Jewry in Denver and throughout the region. With an array of outreach and educational services, including the particularly successfully Jewish Experience in East Denver, YTC has made every effort to reach out to the greater Jewish community with educational initiatives and information regarding Torah-true Judaism.

This larger conversation also includes the storied, and impressively Jewish, history of the West Colfax neighborhood of Denver. As a significant receiving community of Eastern European Jews in the late 19th and early 20th centuries, the area remained predominantly Jewish from the 1920s to the 1950s—even possessing the illustrious designation as Golda Meir’s teenage home. Unfortunately, an overriding trend of diminishing Jewish population and general disinvestment governed much of the West Colfax neighborhood throughout the second half of the 20th century.

Yet in the wake of difficulty, opportunity emerged. Currently, Yeshiva Toras Chaim sits at the epicenter the veritable rebirth of the region. With a sustained political will and various projects currently underway, including the considerable St. Anthony’s Hospital Redevelopment adjacent to the campus, YTC seeks to take significant part in this local renaissance. As the school and seminary continues to thrive, the leadership vies to strengthen their operations and provide the primary conditions to sustain their celebrated philosophy and heritage for future generations. The renovation of the main campus has been identified as the linchpin within the larger organizational goal to reinforce the Yeshiva’s local roots and reposition itself favorably in the community for the next fifty years.

EXHIBIT C: JUSTIFYING CIRCUMSTANCES

The surroundings of the subject property has changed and currently is changing to such a degree to justify the legal basis of the proposed rezoning amendment. Exemplified in both the larger historical shift within the West Colfax Neighborhood (from its beginnings as a receiving community for eastern European Jewish immigrants) to the most recent reinvestment activities, is squarely in the public interest to encourage a redevelopment of the area to recognize the changed character of the area.

EXHIBIT D: NEIGHBORHOOD CONTEXT AND ZONE DISTRICT

The proposed zone map amendment would allow Yeshiva Toras Chaim to pursue improvements consistent with the recognized neighborhood context, purpose and intent of the zone district implied by the proposed C-MX-3 designation. In that said context includes commercial centers and “*General Commercial forms*” the proposed project is compatible in both scale and use. Additionally, C-MX-3 “applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired”—note the subject property is served by two local streets as designated by Blueprint Denver.

The Mixed-Use Zone Standards are also intended to ensure new development contributes positively to established residential neighborhoods and character as well as improve the transition between commercial development and residential neighborhoods. Both of these strategies will be supported with the proposed zone amendment for the reasons described above.

EXHIBIT E: NEIGHBORHOOD OUTREACH SUMMARY UPDATE

A letter of invitation and informational packet to discuss the proposed re-zoning was distributed to all relevant Registered Neighborhood Organizations on Monday, August 18, 2014 (attached). Since that date, the following presentations and meetings have been administered by the project team to elicit dialogue about the proposed re-zoning with community members:

- Presentation to Sloan's Lake Citizen's Group: Wednesday, September 10, 2014
- Presentation to West Colfax Association of Neighbors: Tuesday, September 9, 2014 (Please see their attached letter of support)
- Informal debrief held with West Colfax BID Leadership: Thursday, September 11, 2014
- Debrief provided to Councilwoman Susan Shepherd: Monday, August 18, 2014
- Informal debrief held with Sloan's Lake Neighborhood Association Leadership: Thursday, September 11, 2014

Overall, the scope and nature of the project has been warmly received by the surrounding community, with only isolated instances of opposition.

Denver Property Assessment and Taxation System (3.1.8)

1555 STUART ST

Owner	PIN	Legal Description	Property Type	Tax District
YESHIVA TORAS CHAIMTALMUDICAL 1555 STUART ST DENVER , CO 80204-1246	160923354 Schedule Number 0231421013000	GLEN PARK 2ND FLG B2 L6 TO 19 & S 2FT L20 & VAC ALY ADJ L10 TO 19 & ADJ S 2FT L9 & 20	INDUSTRIAL - CHURCH	438A

Summary

Style:	OTHER	Reception No:	0000107100	Year Built:	1952
Recording Date:	9/1/1995	Building Sqr. Foot:	32757	Document Type:	WD
Bedrooms:		Sale Price:	000900000	Baths Full/Half:	0/0
Mill Levy:	83.090	Basement/Finish:	0/0	Zoning Used for Valuation:	URH
Lot Size:	48,200				

Note: Valuation zoning may be different from City's new zoning code.

Assessment

	Actual	Assessed	Exempt
Current Year			
Land	\$712,600	\$206,650	\$677,470
Improvements	\$1,623,500	\$470,820	
Total	\$2,336,100	\$677,470	
Prior Year			
Land	\$712,600	\$206,650	\$677,470
Improvements	\$1,623,500	\$470,820	
Total	\$2,336,100	\$677,470	

Denver Property Assessment and Taxation System (3.1.8)

1597 STUART ST UNIT VCNT

Owner	PIN	Legal Description	Property Type	Tax District
YESHIVA TORAS CHAIMTALMUDICAL 1400 QUITMAN ST DENVER , CO 80204-1415	160923346 Schedule Number 0231421012000	GLEN PARK 2ND FLG B2 L1 TO 5	VACANT LAND	DENV

Assessment

Actual Value Year: 2014 **Actual Value:** \$267,400

Property

Year Built: 0 **Square Footage:** 0

Comparables

PIN	Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price
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No comparables available for this property.



Rabbi Isaac Wasserman
Rosh Yeshiva/Dean

Tuesday, August 26, 2014

Rabbi Israel Kagan
Rosh Yeshiva/Dean

Rabbi Ahron Y. Wasserman
President/CEO

Rabbi Aaron B. Kagan
Vice President

Mr. Kyle Dalton
Associate City Planner
201 W Colfax Ave, Dept. 205
Denver, CO 80202

OFFICERS

Sheldon K. Beren, z"l
President, 1967-1996

Theodore Zvi Gelt
Board President

H. Michael Miller
Board Chair

Joel Unger
Vice Chair

Harvey E. Deutsch
Secretary

Lawrence P. Gelfond
Finance Chair

RE: Re-Zone Application
Yeshivas Toras Chaim
1555 Stuart St.

Dear Kyle,

This letter serves as authorization for Jason Newcomer and Dana Rommerdahl of City Projects, Inc. to act on behalf of Yeshiva Toras Chaim for the purposes of the rezoning described in this application.

If you have any questions regarding this matter please feel free to contact me directly.

Sincerely,

Rabbi Ahron Y. Wasserman
President and CEO, Yeshiva Toras Chaim



Rabbi Isaac Wasserman
Rosh Yeshiva/Dean

Rabbi Israel Kagan
Rosh Yeshiva/Dean

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Finance Chair

To Our Neighbors and Friends:

As you may know, Yeshiva Toras Chaim has been a proud and active member of the Sloan's Lake/West Colfax community since 1967. With the renewed interest and activities happening around the neighborhood, YTC has decided to take this opportunity to reinvest in our property and community by renovating our 1555 Stuart Location. This project will include:

- Remodeling the school building
- Replacing the existing sanctuary at 1511 Perry St. with a two-story, 14,500 square feet dormitory for our students.

The current Planned Unit Development (PUD) Zoning for our property has a three level, 17,000 square feet dorm located on the north end of our property. We want to build a two level, 14,500 square feet dorm connected to the school—this is one story shorter and nearly 3,000 square feet smaller than currently allowed by the zoning. With concern for the care, security and convenience of our students in mind, we believe connecting the dorm directly with the Yeshiva will be a better solution for both the Yeshiva and the neighborhood. The design will be a smaller scale than the current sanctuary, will occupy a smaller footprint, and will provide a better connection to the existing school. I would also like to note we are proposing no new uses on the site.

In order to build our dorm in a different location than is currently shown on the PUD, the city is requiring us to re-zone the property to a standard zone district. The designation we would like to propose is CMX-3 zoning. We believe this is most consistent with our current zoning and not as intense as our some of the adjacent CMX-5 properties.

We would like to make this as open and collaborative process as possible. Our team would be happy to meet with you and your members as soon as possible to review our plans and invite your consideration for support. Our desire is to complete this process by December 2014 in order to have construction completed prior to the start of the fall 2015 school year.

YTC have engaged City Projects, Inc. as our Owner's Representatives. Their team is eager to answer your questions. Their contact information is included in the attached email.

Please feel free to review the attached site plan and a copy of our current PUD and we look forward to answering any questions you may have.

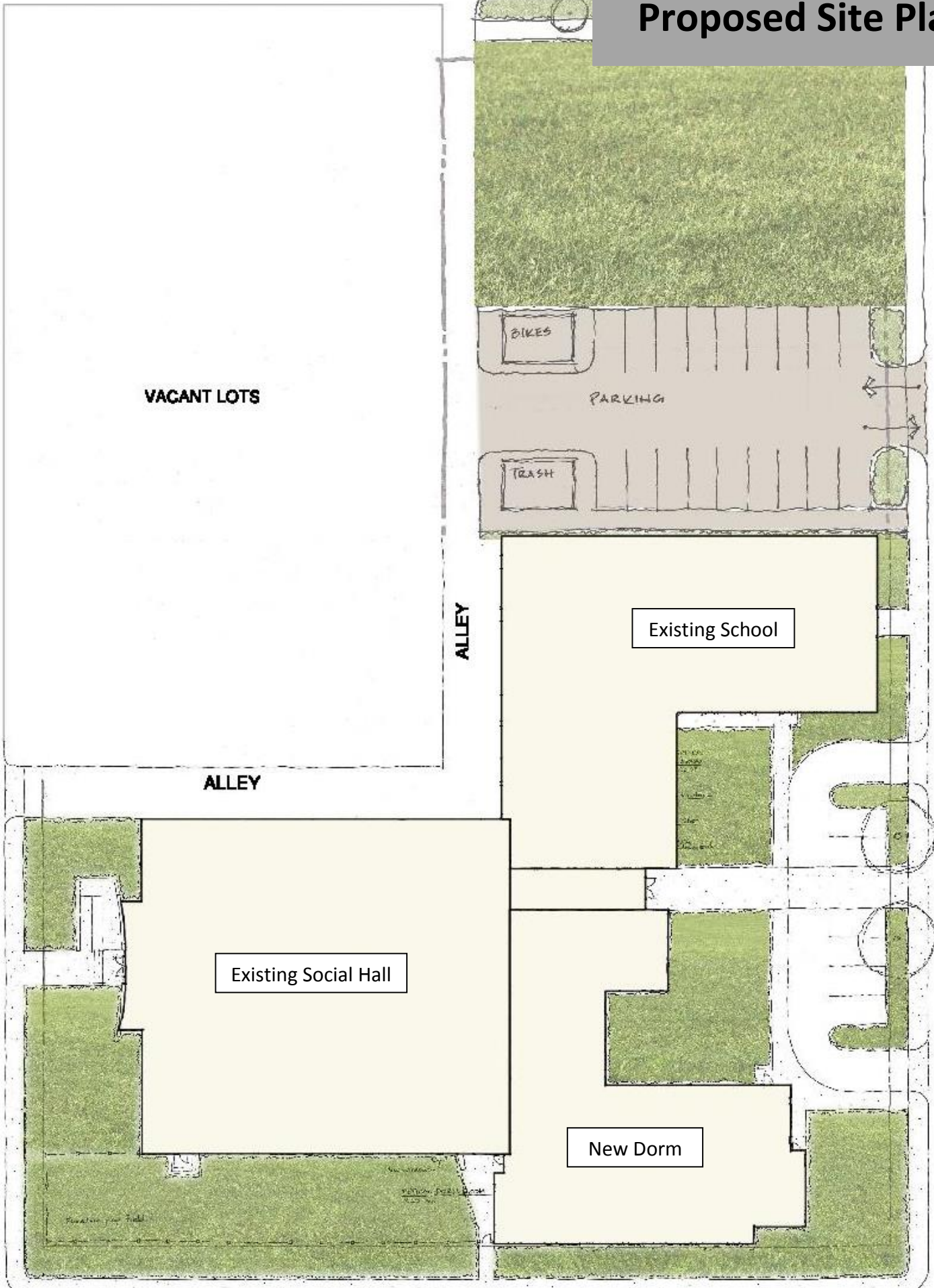
Best,

Rabbi Ahron Wasserman

President and CEO, Yeshiva Toras Chaim

Yeshiva Toras Chaim Proposed Site Plan

TENNYSON ST.



TENNYSON ST.

W. 16TH AVE.

H1-A

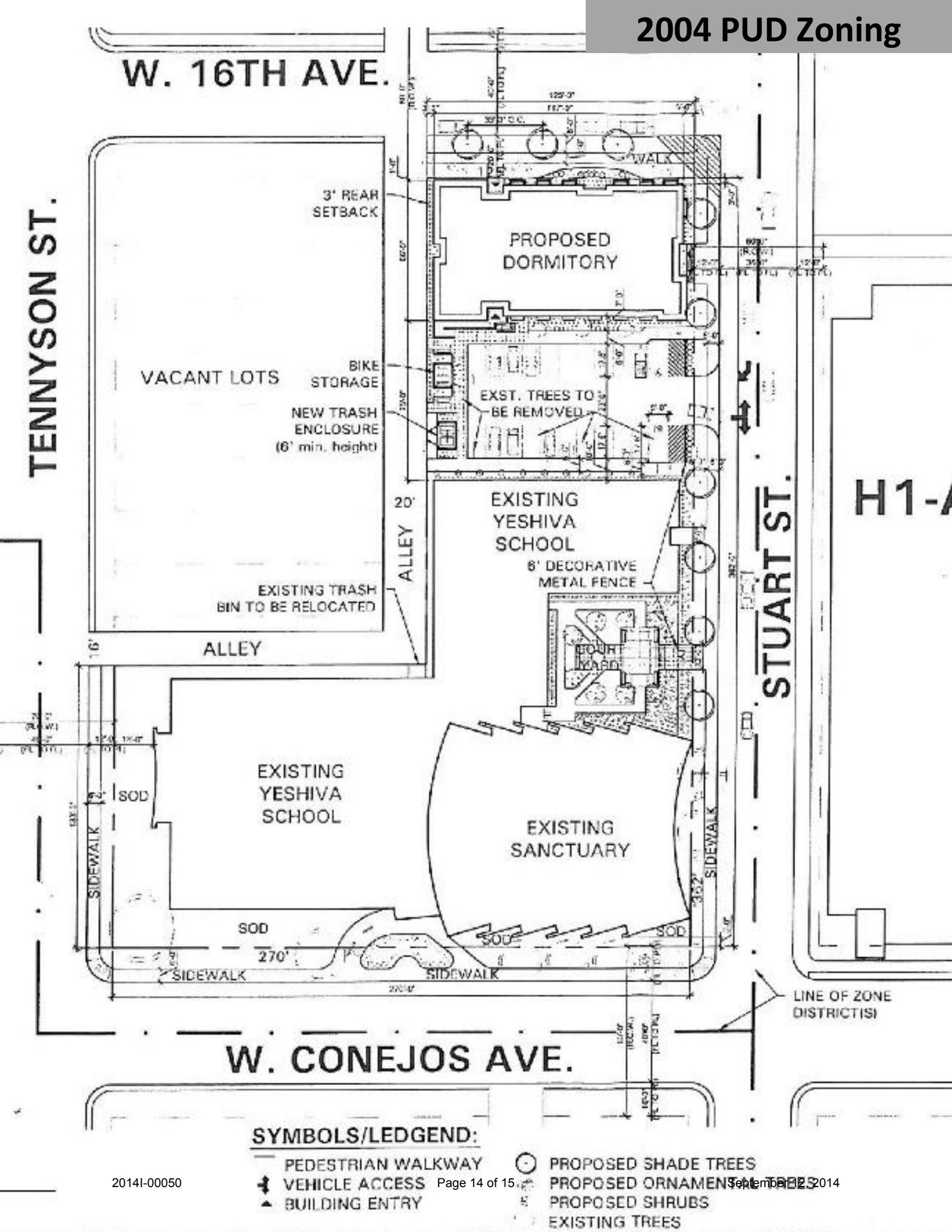
STUART ST.

W. CONEJOS AVE.

SYMBOLS/LEDGEND:

- PEDESTRIAN WALKWAY
- ↕ VEHICLE ACCESS
- ▲ BUILDING ENTRY

- PROPOSED SHADE TREES
- PROPOSED ORNAMENTS
- PROPOSED SHRUBS
- EXISTING TREES





September 10, 2014

Denver Planning Board and Planning Staff
Community Planning and Development
City and County of Denver

Dear Members of the Denver Planning Board and Planning Staff.

I am writing on behalf of the West Colfax Association of Neighbors (WeCAN) to express our support for the rezoning of the Yeshiva Tora Chiam (YTC) property at 1555 Stuart St. WeCAN is pleased to support the Orthodox Jewish Community within our neighborhood and the educational services that they provide. As such, our board of directors is in full support of this zoning change to insure that the YTC continues to operate in our neighborhood. Furthermore, on September 10th, YTC presented their proposal at our general membership meeting. During the meeting, the 40+ members in attendance voted unanimously to support this project.

WeCAN represents the needs and desires of the residents and business owners in the Denver's West Colfax Neighborhood. Our organization currently has over 550 registered members and is dedicated to creating a healthy safe and sustainable community in West Colfax. Please support us in approving this rezoning application.

Sincerely,

Chad Reischl
Co-president: WeCAN

Art Merek
Co-president: WeCAN



4500 W. Colfax Avenue
Denver, CO 80204
(303)623-3232

October 23, 2014

VIA EMAIL

Kyle A. Dalton, Senior City Planner
Community Planning & Development

Re: Yeshiva Torah Chaim Re-zoning of 1555 Stuart

Dear Mr. Dalton:

I am writing to express the West Colfax Business Improvement District's strong support for the above cited proposed re-zoning.

We support the re-zone as contributing to the overall redevelopment of the neighborhood. The re-zone will facilitate the conversion of a disused sanctuary, thereby activating the site, which lies immediately across the street from the Sloans' redevelopment and Colfax Elementary. The scale of the proposed building, under a new standardized zone district, will also blend better with those adjacent uses than the existing sanctuary. At the same time, this re-zoning will enable the Yeshiva to relocate its dormitory, which is currently on West Colfax and Perry. The relocation will open West Colfax and Perry, at the key central node of our district, for mixed residential and commercial redevelopment that will contribute importantly toward the revitalization of West Colfax.

For these reasons the West Colfax BID board of directors unanimously voted to support the proposed re-zoning on October 14th. We are confident that the Yeshiva's proposed relocation and investment into the neighborhood marks another positive step toward a vibrant neighborhood and commercial corridor for the benefit of diverse residents.

Thank you for your consideration of this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Shah', written over a horizontal line.

Dan Shah
Director

cc: Councilwoman Susan Shepherd
District 1, City and County of Denver