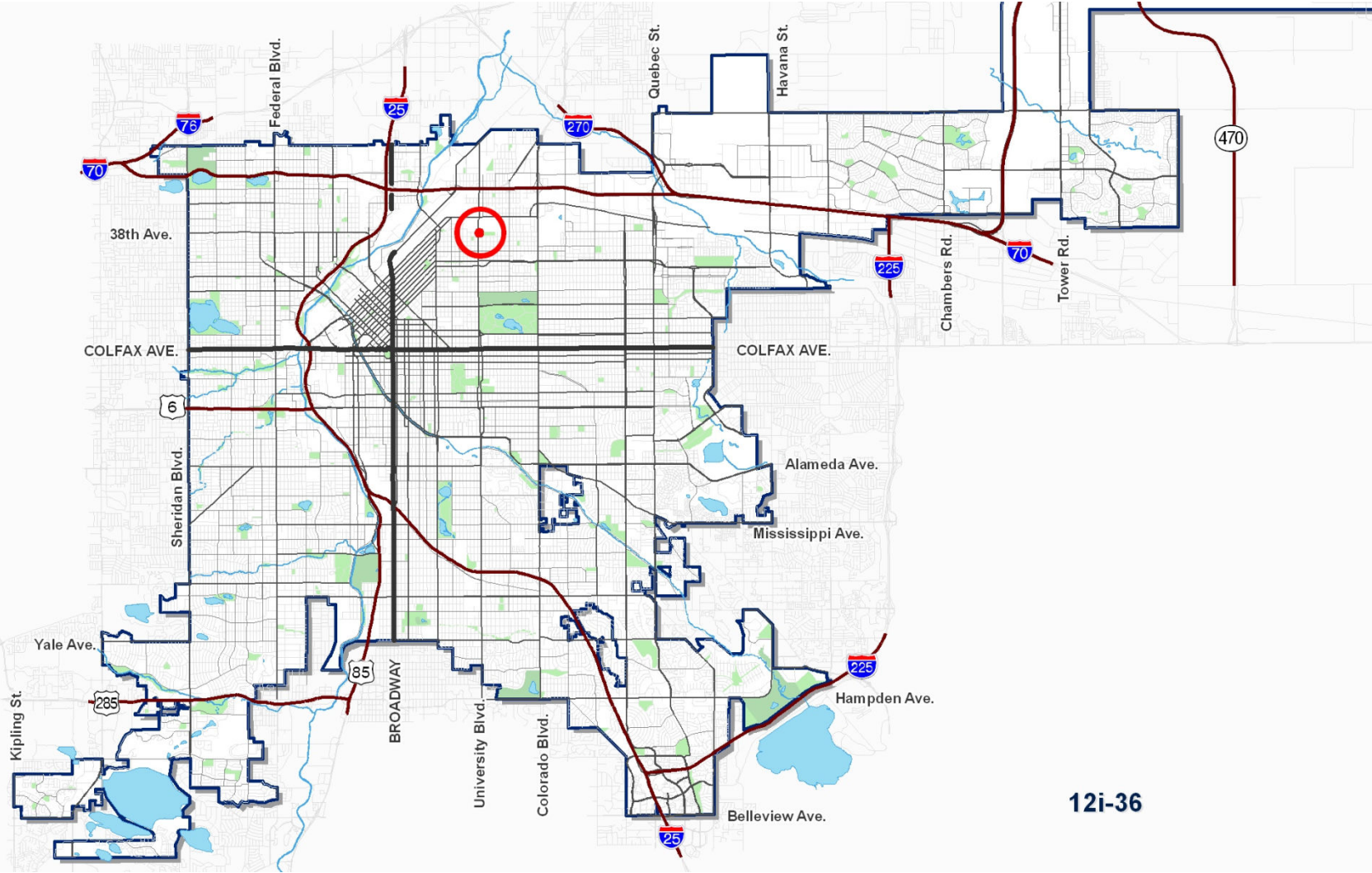


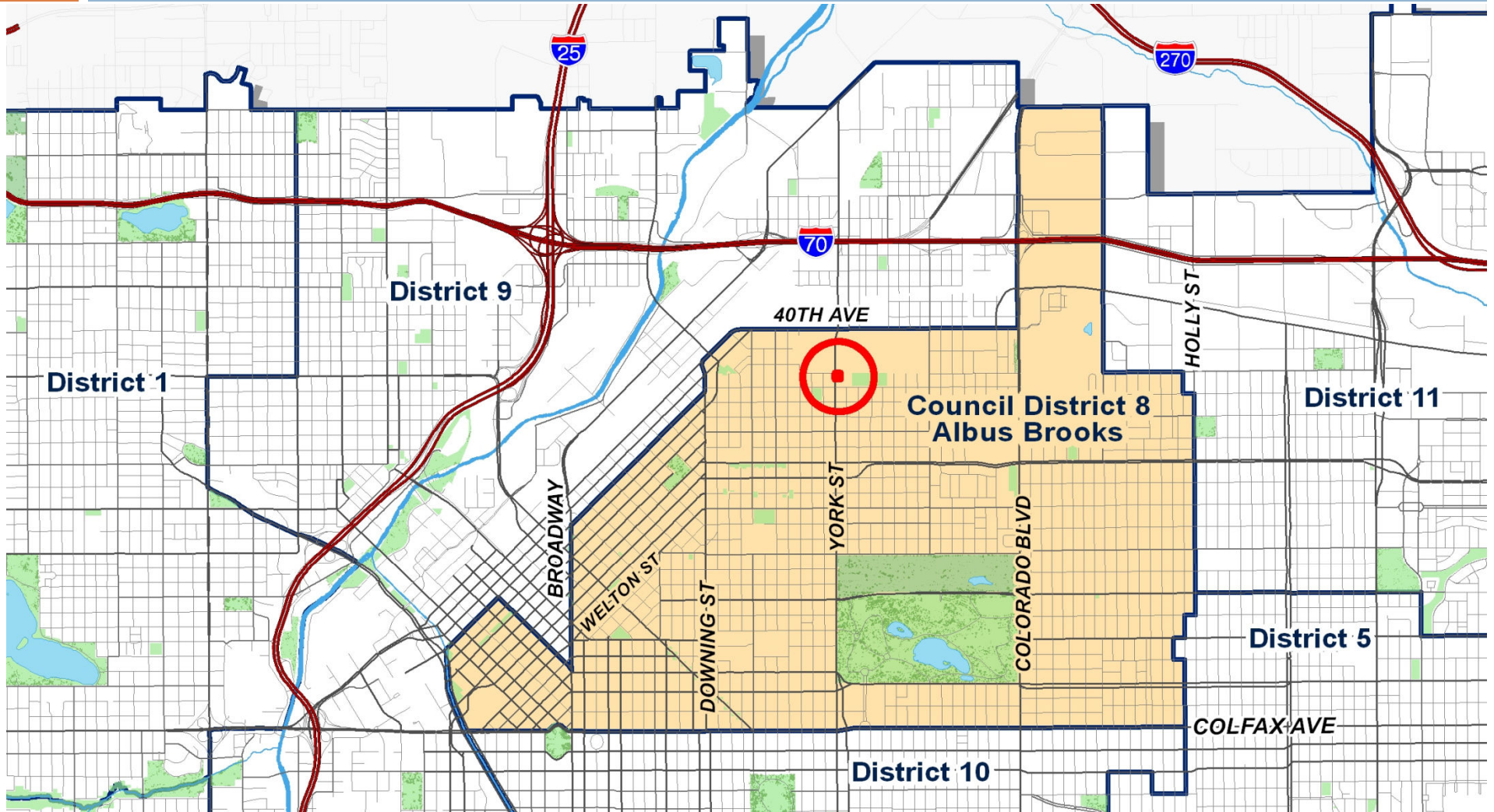
3740, 3750, 3754 & 3758  
YORK STREET, I-1  
W/WAIVERS, UO-2 TO U-  
MX-3

Zone Map Amendment #2012I-00036

# 3740, 3750, 3754 & 3758 Grove Street I-1 w/waivers, UO-2 to U-MX-3

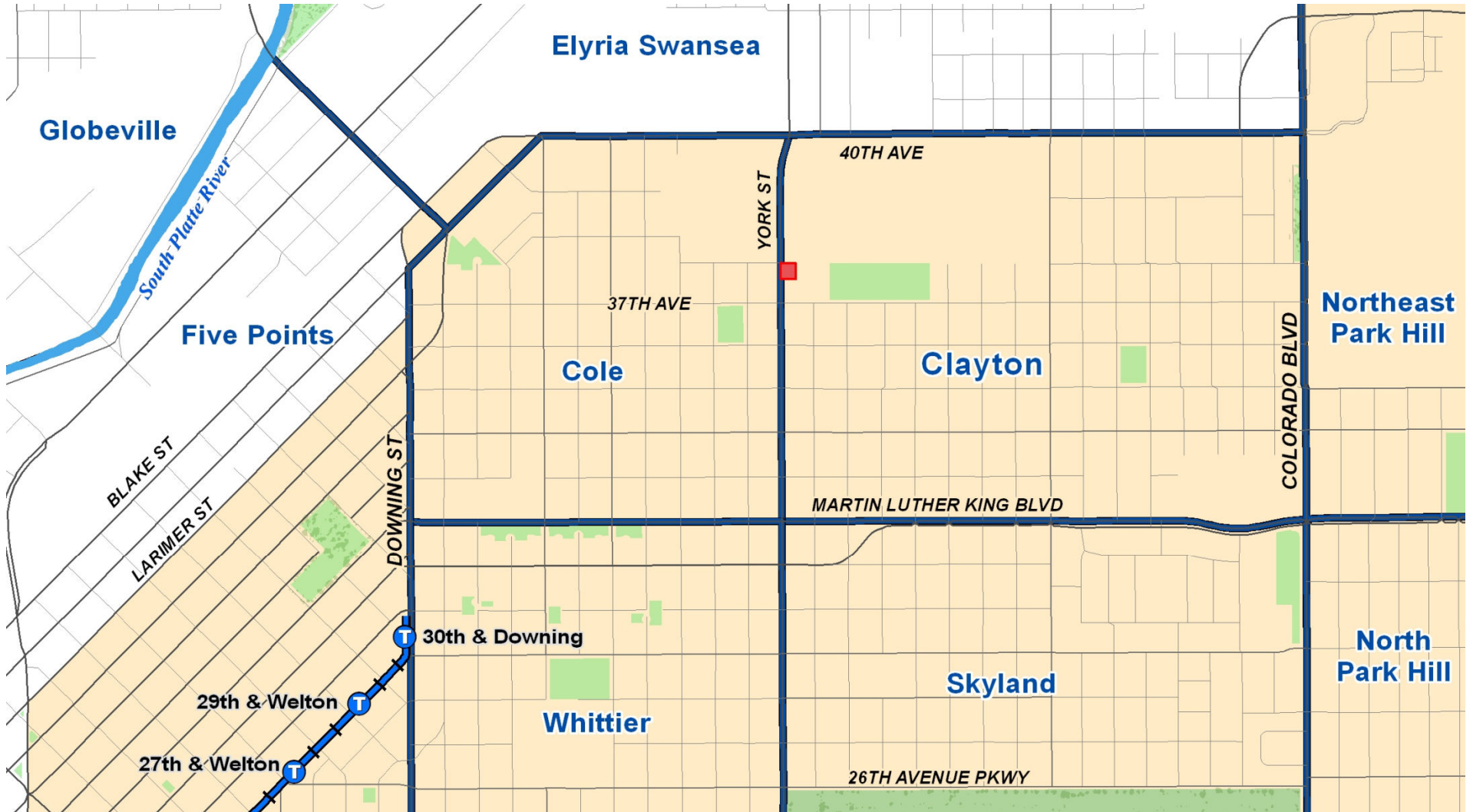


# City Council District 8

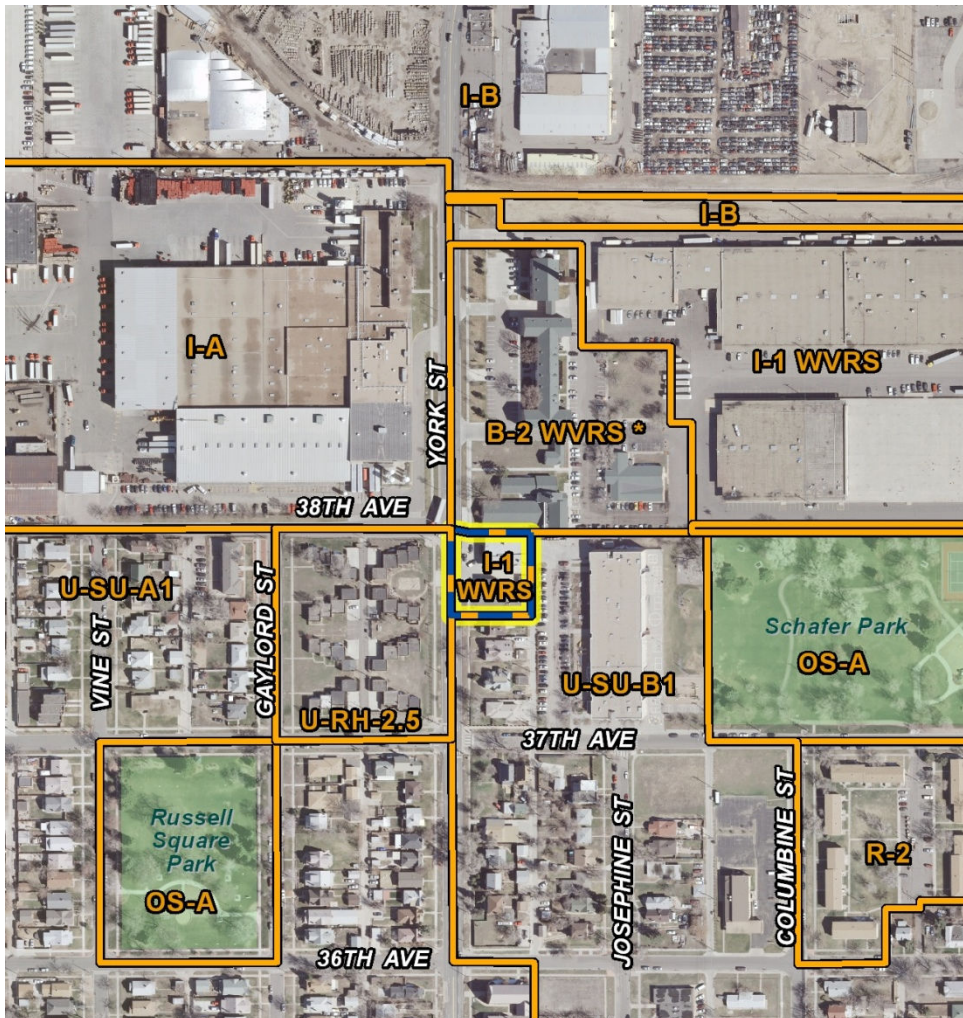




# Clayton Statistical Neighborhood



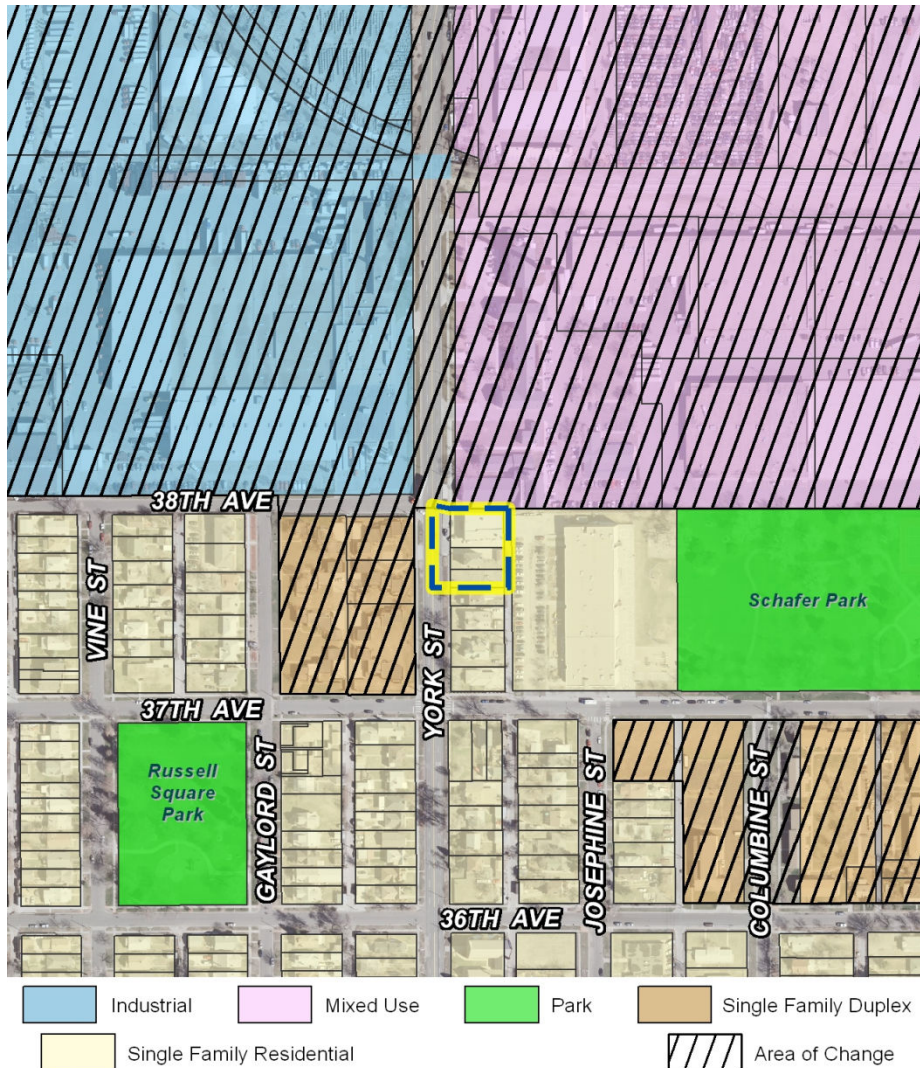
# Location



- Southeast corner of 38<sup>th</sup> Avenue and York Street
- Remnant of a rectilinear block with no alley
- 0.42 acres / 18,136 SF
- 1 commercial structure, vacant SF Residence and vacant parcel
- Surrounding Land Uses:
  - North - Business and industrial uses
  - South - SF/Duplex Residential uses
  - East - Elementary School
  - West - Low-rise multi-unit



# Request



- Applicant: Roger & Linda Rodine / Jason Hilliard
- Proposed addition of a new allowed land use in an existing commercial structure
- Rezone from I-1 with waivers, UO-2 to U-MX-3
  - U – **U**rbane Context
  - MX – **M**ixed **U**se
  - 3 – Maximum **3** stories

# About U-MX-3

Urban Neighborhood Context – Mixed Use – 3-story Maximum Height

Article 5. Urban Neighborhood Context  
Division 5.2 Districts

**SECTION 5.2.3**  
5.2.3.1 General Purpose

A. The Mixed Use District is generally characterized by:

B. The Medium Density Residential District is generally characterized by:

C. The Urban Neighborhood Context is generally characterized by:

D. Commercial uses are primarily located along local streets, residential and mixed use arterial streets, and main streets. Commercial uses are primarily located along mixed use arterial or main streets but may be located at or between intersections of local streets.

5.2.3.2 Street, Block and Access Patterns

SECTION 5.1.1 GENERAL CHARACTER  
The Urban Neighborhood Context is primarily characterized by single-unit and two-unit residential uses. Small-scale multi-unit residential uses and commercial uses are typically embedded in residential areas. Small-scale residential structures are typically Urban House forms. Multi-unit building forms are typically Row House forms primarily located along local and residential arterial streets. Single- and two-unit residential uses are primarily located along local and residential arterial streets. Multi-unit residential uses are located along local streets, residential and mixed use arterial streets, and main streets. Commercial uses are primarily located along mixed use arterial or main streets but may be located at or between intersections of local streets.

SECTION 5.1.2 STREET, BLOCK AND ACCESS PATTERNS  
The Urban Neighborhood Context consists of a regular pattern of block shapes surrounded by an orthogonal street grid. Orthogonal streets provide a regular pattern of pedestrian and vehicular connections through this context and there is a consistent presence of alleys. Block sizes and shapes are consistent and primarily include attached sidewalks (though detached sidewalks are also found), tree lawns where provided for by detached sidewalks, street and surface parking, and landscaping in the front setback.

SECTION 5.1.3 BUILDING PLACEMENT AND LOCATION  
Residential buildings typically have consistent, moderate front setbacks, shallow side setbacks and consistent orientation. Commercial buildings typically have consistent orientation and shallow front setbacks with parking at the rear and/or side of the building.

SECTION 5.1.4 BUILDING HEIGHT  
The Urban Neighborhood Context is characterized by low scale buildings except for some mid-rise commercial and mixed use structures, particularly at nodes or along arterial streets.

SECTION 5.1.5 MOBILITY  
There is a balance of pedestrian, bicycle and vehicle reliance with greater access to the multi-modal transportation system.

DENVER ZONING CODE  
June 25, 2010 | 5.1-1





# Existing Context



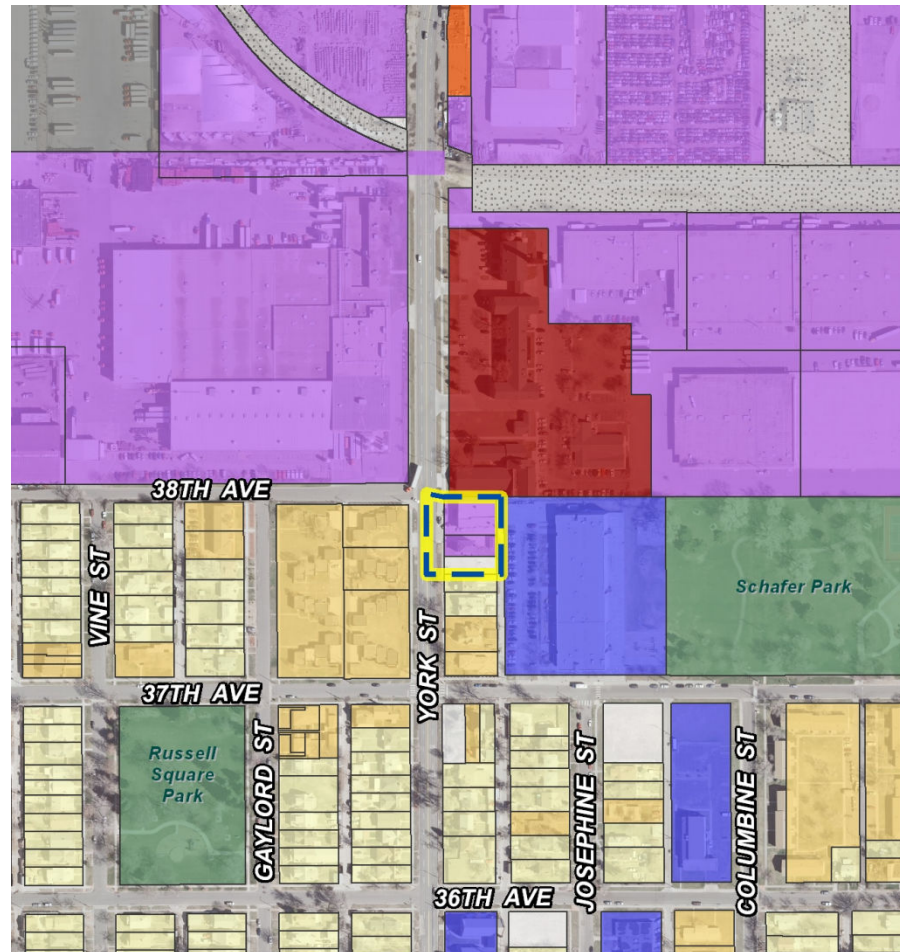
- General Character
  - Predominately low-rise mix of office, industrial and residential land uses
- Street, Block, Access Pattern
  - South of 38<sup>th</sup> Avenue - Rectilinear block pattern with alleys and detached sidewalks
  - North of 38<sup>th</sup> Avenue – Larger industrial lots of varying size and shape
  - No Alley Access
- Mobility
  - Reliance on automobile
  - York Street bus service
  - Light Rail in 2016



# Existing Context



# Existing Context – Land Use



<b>Within Map</b>	Retail	Park	Public	Transportation/Utility	Parking
	Single-Family	Multi-Family Low Rise	Office		
<b>Within Rezone Area</b>	Industrial	Vacant			



# Process

- Planning Board – October 17, 2012
  - Unanimous Recommendation of Approval
  - Notification signs posted on property
  - Notification of RNO's
    - Civic Association of Clayton
    - Clayton Neighborhood Association
    - Cole Neighborhood Association
    - Five Points Business District
    - Northeast Community Congress for Education
    - Points Historical Redevelopment Corporation
    - United Community Action Network Incorporated
    - Inter-Neighborhood Cooperation
- LUTI – October 23, 2012
  - Notification of RNO's
- City Council
- Public Outreach
  - No Public Comments Received

# Review Criteria



## 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



# Review Criteria



## 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:

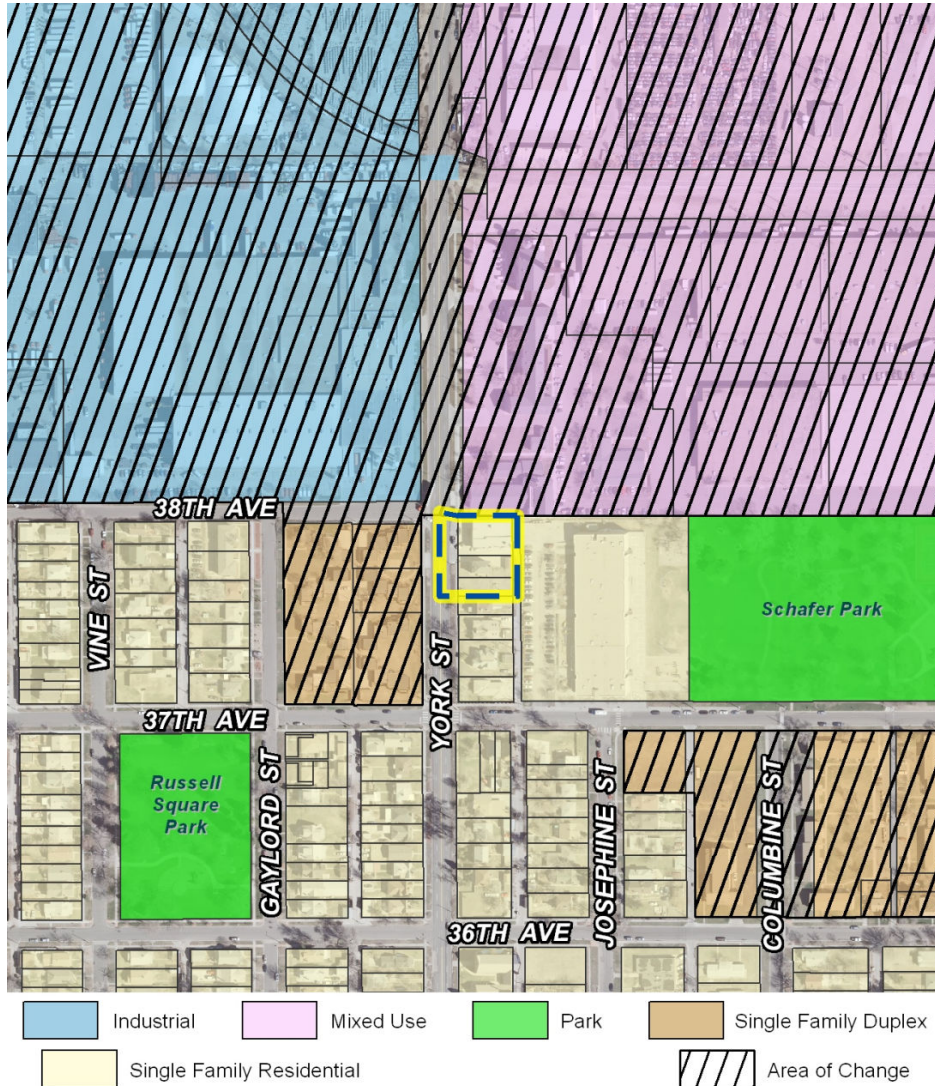
## Consistency with Adopted Plans

### Comprehensive Plan 2000

- The proposal is consistent with and positively addresses many Denver Comprehensive Plan strategies, including:
- Economic Activity chapter, Strategy 3-B is to “**Support retention and expansion of businesses in industries historically important to Denver, including small business, health care, manufacturing, and federal and state government.**” (p. 133)
- Economic Activity chapter, Strategy 5-A is to “**Support small-scale economic development in neighborhoods...**” (p. 136)
- Land Use chapter, Strategy 3-B is to “**Encourage quality infill development that is consistent with the character of the surrounding neighborhood...** (p.60).



# Review Criteria: Consistency with Adopted Plans



## Blueprint Denver

- Land Use Concept:
  - Area of Stability
  - Single Family Residential
    - The Single Family Residential land use concept for this property does not match the historic non-residential land use and pre-existing (1953) commercial structure.
  
- Future Street Classification:
  - York Street (south of 38<sup>th</sup> Ave.) – Residential Arterial
  - 38<sup>th</sup> Avenue (north of 38<sup>th</sup> Avenue) – Mixed Use Arterial

# Review Criteria



## 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

# Review Criteria

## 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**
  - ▣ **Changed Circumstances**
    - The U-MX-3 zone district will allow the re-use of an existing commercial structure and provide a transition between business and industrial uses to the north and residential uses to the south. Consistency with Neighborhood Context, Zone District Purpose and Intent



# Review Criteria



## 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. CPD concludes the existing conditions of the properties are consistent with both the Urban Neighborhood Context and with the U-MX-3 Zone District Purpose and Intent

# Staff Recommendation



CPD recommends approval of the U-MX-3 zone district, based on finding all review criteria have been met

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