



TO: Denver City Council
FROM: Kyle A. Dalton, AICP, Principal City Planner
DATE: June 14, 2018
RE: Official Map Amendment Application #20171-00013
4400 North Fox Street
Rezoning from I-B UO-2 to C-MX-12 UO-2, C-RX-12 UO-2, C-RX-8 UO-2

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #20171-00013.

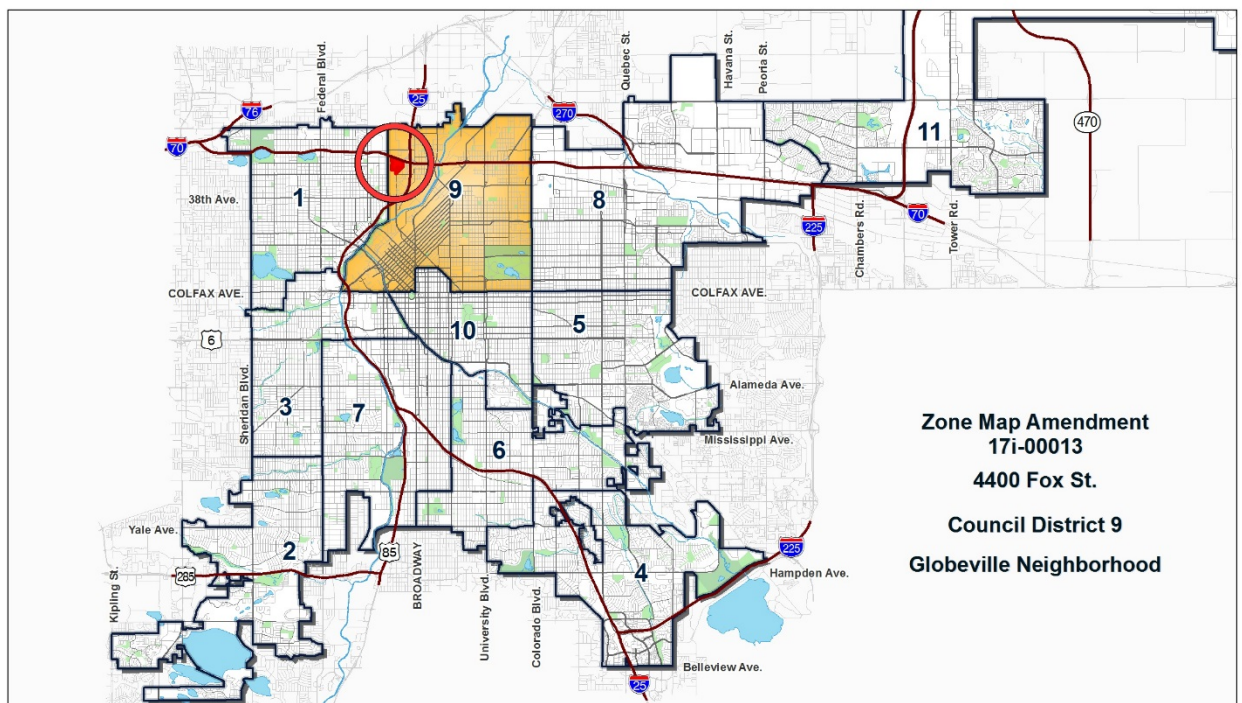
Request for Rezoning

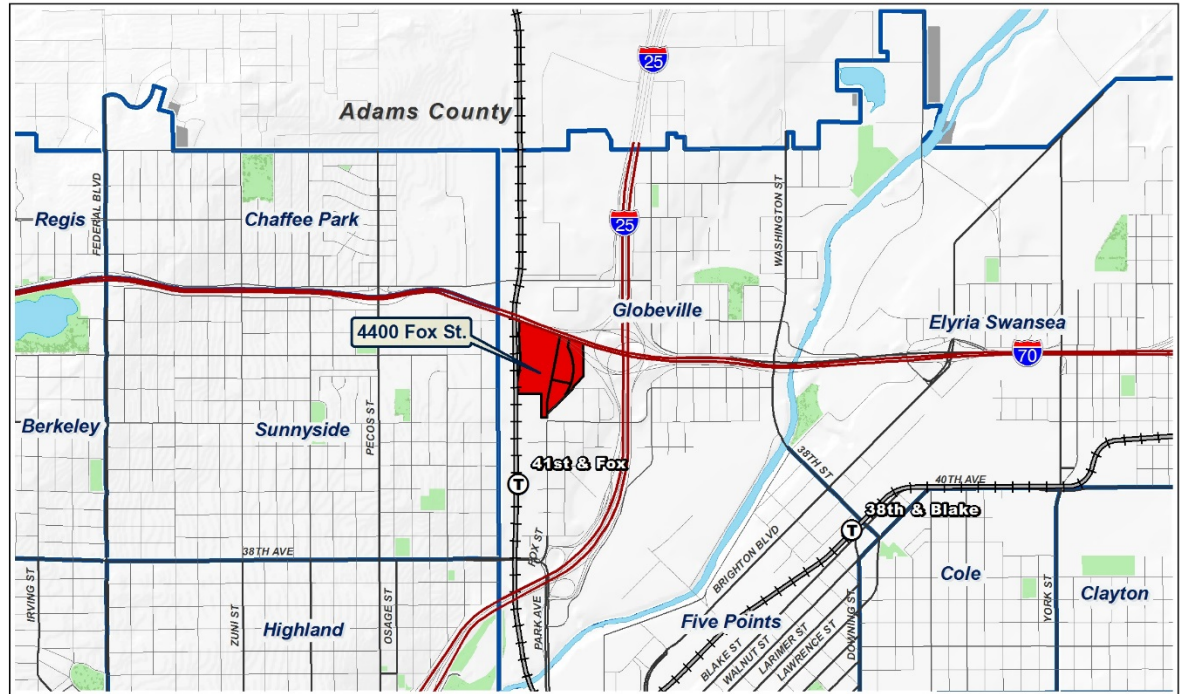
Address:	4400 North Fox Street
Neighborhood/Council District:	Globeville/Council District 9
RNOs:	Globeville Civic Partners, Globeville Civic Association #2, North Neighborhoods Democratic Council, North Highlands Neighbors Association, Comunidades Unidas Globeville Elyria & Swansea, United Community Action Network Inc., Inter-Neighborhood Cooperation (INC), Elyria Swansea/Globeville Business Association, Denver Neighborhood Association, Inc., Globeville K.A.R.E.S.
Area of Property:	30.56 Acres
Current Zoning:	I-B UO-2
Proposed Zoning:	C-MX-12 UO-2, C-RX-12 UO-2, C-RX-8 UO-2
Property Owner(s):	Ascendant Capital Partners DNA, LLC
Owner Representative:	Liz Adams, CRL Associates

Summary of Rezoning Request

- The subject property is located in the Globeville statistical neighborhood, near the intersection of North Fox Street and 44th Avenue. The site is currently occupied by the former Denver Post Printing Plant and surface parking lot.
- The property owners are requesting a rezoning from I-B UO-2 to C-MX-12 UO-2, C-RX-12 UO-2, and C-RX-8 UO-2 to allow for the redevelopment of the site consistent with the vision for the 41st and Fox Station area.
- Concurrent to the rezoning process, the applicants have applied to repeal the 25/70 General Development Plan (GDP). The GDP is proposed to be replaced with an Infrastructure Master Plan (IMP) and concurrent Development Agreement to address topics related to transportation infrastructure, open space, and phasing.
- Though a rezoning request does not approve a specific development, the property owner has indicated they want to make the parcel more attractive for redevelopment in the future as the area changes.

- The requested C-MX-12 zone district is in the Urban Center Neighborhood Context, allowing **Mixed**-uses, generally up to **12** stories in height. The zone district allows a wide mix of commercial, civic/institutional, and residential primary uses and establishes building form standards to relate ground stories to the public realm. Further details of the zone district can be found in Article 7 of the Denver Zoning Code (DZC).
- The requested C-RX-12 zone district is in the Urban Center Neighborhood Context, allowing **Residential Mixed**-uses, generally up to **12** stories in height. The requested C-RX-8 zone district is in the Urban Center Neighborhood Context, allowing **Residential Mixed**-uses, generally up to **8** stories in height. These zone districts allow retail and other commercial uses on the ground story, but only allow residential or lodging uses above the ground story. Further details of the zone districts can be found in Article 7 of the DZC.
- While no billboards currently exist on the site, the rezoning request does maintain the UO-2 Billboard Use Overlay that is currently mapped on this site. All outdoor general advertising uses in the use overlay district shall comply with the sign standards and limitations applicable to outdoor general advertising devices in Article 10 of the DZC.





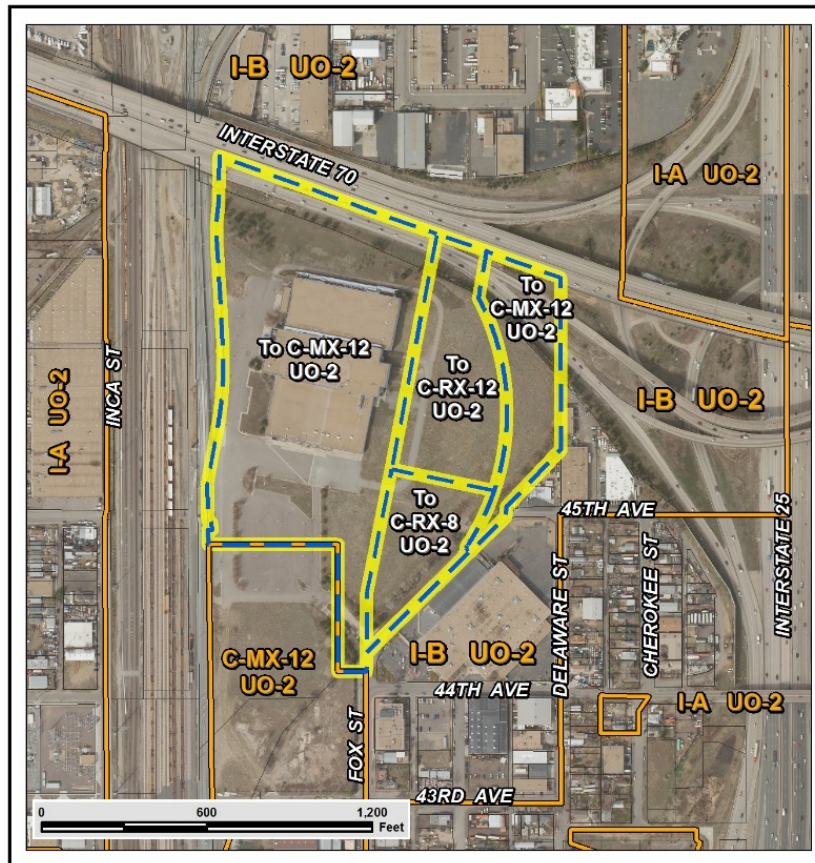
Existing Context

The site is located in the Globeville neighborhood, within Council District 9. The site is generally northwest of North Fox Street and West 44th Avenue. It is part of an approximately 164-acre portion of the Globeville Neighborhood that is separated from other parts of Globeville and other nearby neighborhoods by Interstates 25 and 70 to the north, east and south, and rail facilities (BNSF and RTD) to the west. Recent rezonings suggest this area is transitioning from an industrial context to an urban center neighborhood context consistent with the Station Area Plan vision, adopted in 2009. The site can be accessed by vehicles via 38th Avenue and Fox Street or West 44th Avenue to the east. In addition, a recently-constructed bridge provides bicycle and pedestrian access to the Sunnyside neighborhood with a multi-use path along Inca Street connecting into the South Platte River Trail. The subject property is located just beyond the quarter-mile radius from the 41st and Fox station which will be served by the G Line with anticipated opening in 2018.

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	I-B, UO-2	Vacant, former Industrial	Former Denver Post Building 1-Story	A limited orthogonal grid extends along Fox Street from 38 th Ave. to 44 th Ave. The grid is limited by the rail corridor to the west, I-25 to the south and east, and by large industrial sites and I-70 to the north. The area has limited access from other neighborhoods, including 44 th Ave. from the southeast portion of Globeville, 38 th Ave. from the Sunnyside neighborhood (west), and Fox Street to Park Avenue that provides direct access to downtown.
North	I-B, UO-2	Interstate 70 ROW	Elevated Highway	
South	C-MX-12, UO-2 I-B, UO-2	Vacant	N/a	
East	I-B, UO-2	Light industrial; I-25/I-70 interchange	1-2 Story	
West	I-B, UO-2	Railroad right-of-way	N/A	

1. Existing Zoning

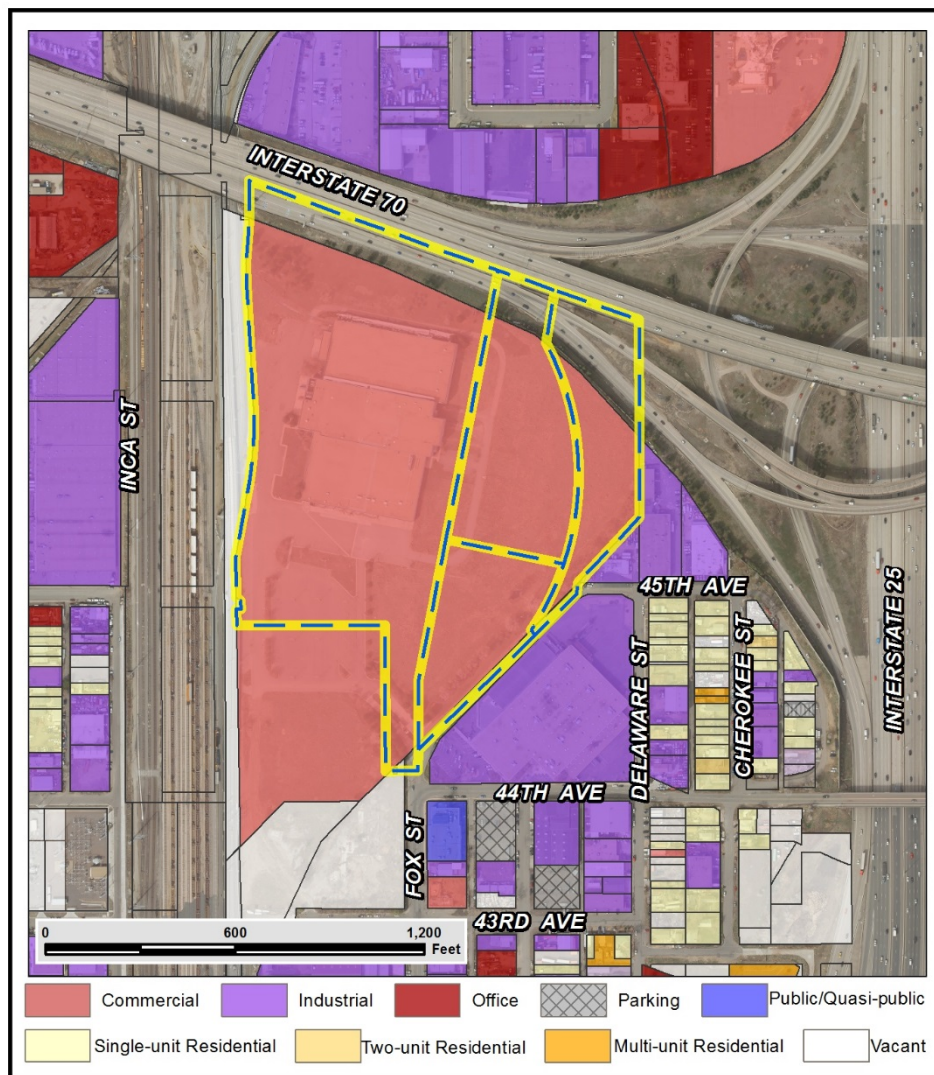


The zoning currently applied to this site and much of the surrounding area is I-B UO-2. The I-B zone district is within the industrial neighborhood context. It is described as the General Industrial zone district. More specifically, I-B allows for heavy industrial uses with a maximum FAR of 2.0. In addition to

the industrial uses permitted, other uses such as office and commercial are also permitted. Residential uses cannot be established in this zone district.

The purpose of Overlay districts is to “permit specific land uses in delineated parts of the city that otherwise include a variety of underlying zone districts and portions of zone districts” (DZC 9.4.4.1). The UO-2 Billboard Use Overlay permits “outdoor general advertising device” signs, also known as “billboards,” within the applicable area. Additional standards and limitations regarding minimum separation and distance requirements apply. There are no billboards currently on the subject site.

2. Existing Land Uses



As shown in the Existing Land Use Map, the subject property is characterized as commercial/retail as a result of the temporary commercial uses housed in the building. The surrounding lots are characterized by a mix of industrial, vacant and ROW or public utility.

3. Existing Building Form and Scale



Source: Fox North Infrastructure Master Plan (IMP)



Site fronting 43rd Ave. (Source: Google)



Bicycle/pedestrian bridge at the 41st and Fox Station platform construction site (Source: RTD)



North – former Denver Post Site (Source: Google)



West – BNSF Rail right-of-way corridor (Source: Google)



South - along 43rd Ave. (Source: Google)



East – along Fox Street, north of 43rd Ave. (Source: Google)

Summary of City Agency Referral Comments

As part of the DZC review process, the rezoning application is referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

Environmental Health: Approved. Comments following.

DEH does not object to the rezoning request; however, the property is adjacent to the historical locations of leaking underground storage tanks and is within the footprint of the Vasquez Boulevard and I-70 Superfund Site. Proper materials management protocol should be followed during redevelopment activities.

General Notes: Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas intrusion into buildings, DEH suggests installation of a radon mitigation system in structures planned for human occupation or frequent use. It may be more cost effective to install a radon system during new construction rather than after construction is complete.

Denver's Noise Ordinance (Chapter 36–Noise Control, Denver Revised Municipal Code) identifies allowable levels of noise. Properties undergoing Re-Zoning may change the acoustic environment, but must maintain compliance with the Noise Ordinance. Compliance with the Noise Ordinance is based on the status of the receptor property (for example, adjacent Residential receptors), and not the status of the noise-generating property. Violations of the Noise Ordinance commonly result from, but are not limited to, the operation or improper placement of HV/AC units, generators, and loading docks.

Construction noise is exempted from the Noise Ordinance during the following hours, 7am–9pm (Mon–Fri) and 8am–5pm (Sat & Sun). Variances for nighttime work are allowed, but the variance approval process requires 2 to 3 months. For variance requests or questions related to the Noise Ordinance, please contact Paul Riedesel, Denver Environmental Health (720-865-5410).

Scope & Limitations: DEH performed a limited search for information known to DEH regarding environmental conditions at the subject site. This review was not intended to conform to ASTM standard practice for Phase I site assessments, nor was it designed to identify all potential environmental conditions. In addition, the review was not intended to assess environmental conditions for any potential right-of-way or easement conveyance process. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

Asset Management: Approved, no comments.

Development Services Project Coordination: Approved, no comments.

Public Works – Development Engineering: Approved, contingent upon DA execution.

Public Works – City Surveyor: Approved, no comments.

Public Review Process

	Date
CPD provided informational notice of receipt of the rezoning application to all affected members of City Council and registered neighborhood organizations.	3/30/2017
Revised rezoning application submittal	10/13/2017
The property has been legally posted for a period of 15 days announcing the November 15, 2017, Denver Planning Board Public Hearing and CPD written notice has been sent to all affected members of City Council and registered neighborhood organizations.	10/30/2017
Planning Board public hearing	11/15/2017
Land Use, Transportation and Infrastructure Committee of the City Council	05/01/2018
The property has been posted for a period of 21 days announcing the June 18, 2018, Public Hearing and written notice has been sent to all applicable members of City Council and registered neighborhood organizations.	05/25/2018
City Council Public Hearing	06/18/2018

- **Registered Neighborhood Organizations (RNOs)**
 - The RNOs identified on page 1 were notified of this application. At the time of this staff report, one RNO comment had been received from Armando Payan, president of United Community Action Network Inc., in support of the application.
- **Public Meetings**
 - The applicants hosted a public meeting on February 2, 2017, to provide the public with an overview of the development proposal.
 - The city hosted a second public meeting on May 24, 2017, in accordance with the GDP required public meeting. While the focus of the meeting was on the Major Amendment to the GDP, the proposed rezoning was presented to the public.
- **Other Public Comment**
 - At the time of this staff report, no other public comments had been received.
- **Planning Board**
 - Following a public hearing on November 15, 2017, the Denver Planning Board recommended approval of this application by a vote of 7 in favor and 1 opposed.

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)
- 41st and Fox Station Area Plan (2009)
- Globeville Neighborhood Plan (2014)
- 25/70 General Development Plan (2015) – proposed to be repealed

Denver Comprehensive Plan 2000

The proposed rezoning is consistent with many Denver Comprehensive Plan 2000 strategies, including:

- Environmental Sustainability Strategy 2-F – Conserve land by: promoting infill development within 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. Creating more density at transit nodes. (pg 39)
- Environmental Sustainability Strategy 4-A – Promote the development of sustainable communities and centers of activity where shopping, jobs, recreation and schools are accessible by multiple forms of transportation, providing opportunities for people to live where they work. (pg 41)
- 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. (pg 60)
- Land Use Strategy 4-A - Encourage mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces impact on the environment, and encourages vibrant urban centers and neighborhoods. (pg 60)
- Mobility Strategy 4-E – Continue to promote mixed-use development, which enables people to live near work, retail and services. (pg 78)
- Denver’s Legacies Strategy 3-A – Identify areas in which increased density and new uses are desirable and can be accommodated. (pg 99)
- Neighborhoods Strategy 1-F -- 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. (pg 150)

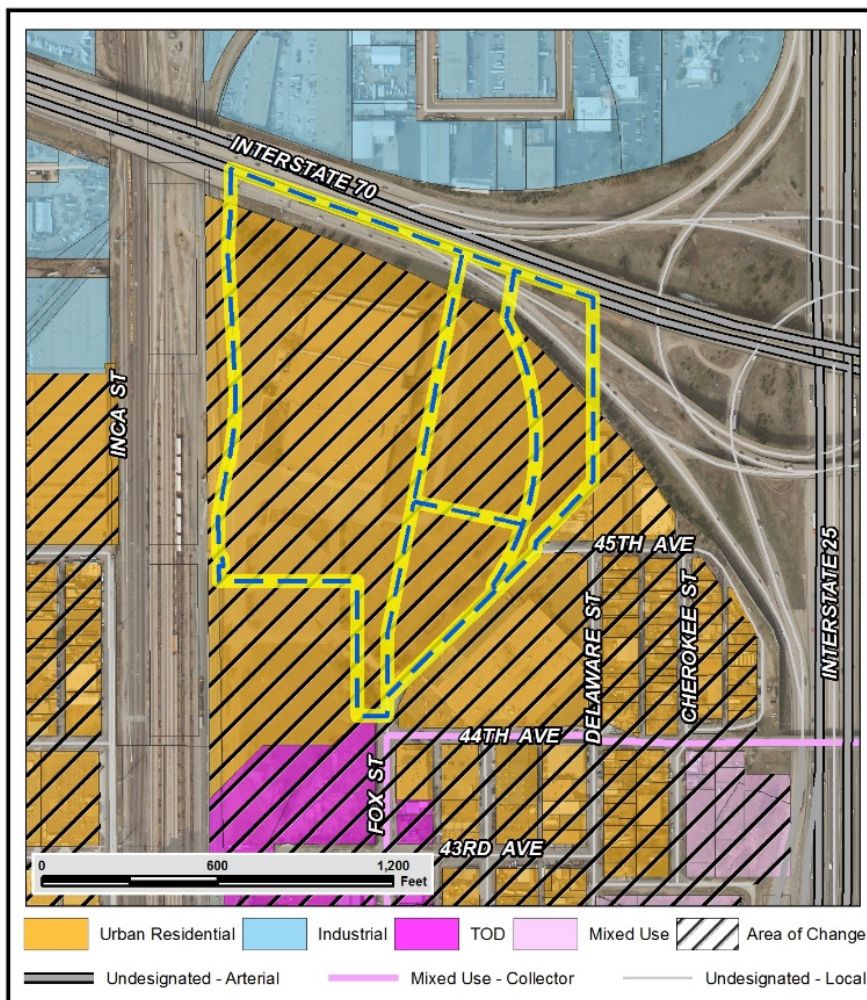
The proposed map amendment will enable mixed-use development and create density near a transit node. The C-MX-12 UO-2, C-RX-12 UO-2, and C-RX-8 UO-2 zone districts broaden the variety of uses and increased density appropriate for transit-oriented development infill development. The rezoning is consistent with these plan recommendations.

Blueprint Denver

The Blueprint Denver Land Use map was updated by the Globeville Neighborhood Plan (2014) which reinforced the 41st and Fox Station Area Plan. This site has a concept land use of “Urban Residential,” and the area of Globeville between Interstate 25, Interstate 70 and the railroad tracks is designated as an Area of Change.

Future Land Use

Blueprint Denver describes the concept land use of Urban Residential as “higher density and primarily residential,” with some complementary commercial uses. New housing in such neighborhoods “tends to be mid- to high-rise structures” mixed with existing single-family homes, small multi-family apartment structures and other housing types (p. 41-42). Blueprint Denver’s Recommended Design Standards for Urban Residential neighborhoods include “Pedestrian-scaled facades and contextual design,” “window transparency,” “prominent street facing entries,” and in some cases, “retail or similar active uses on the main floor.”



Blueprint Denver Future Land Use Plan Map

This proposed map amendment supports the Blueprint Denver Urban Residential concept land use designation by allowing for higher-density residential uses and limited non-residential uses. The General building form is the available building form for the C-RX and C-MX zone districts. The General building form includes build-to, transparency, entrance and upper story setback standards and prohibits the location of surface parking between the building and the primary and side streets, which will help implement Blueprint Denver's Urban Residential design recommendations. The C-RX (residential mixed use) zone districts are primarily intended to accommodate higher intensity residential uses with some commercial and office uses limited to the ground floor. The building form standards along with the use limitations for the C-RX zone districts is consistent with the Blueprint Denver concept land use for this area. The C-MX (mixed use) zone district is also generally consistent with the concept land use by allowing for a mix of residential and commercial uses within a building or across the district. The C-MX is more consistent than the current industrial (I-B) zoning that prohibits new residential uses. The proposed C-RX-12 UO-2, C-RX-12 UO-2, and C-RX-8 UO-2 zone district would permit the range of housing options envisioned by the Blueprint Denver concept land use for this area.

Area of Change / Area of Stability

Blueprint Denver designates the subject site and the immediately surrounding neighborhood as an Area of Change. The overarching goal of the Blueprint Plan is to direct growth toward Areas of Change, "where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips" (p. 127). Additionally, Blueprint Denver provides some specific strategies on page 20:

- Infill and redevelop vacant and underused properties
- Reuse of older buildings, including industrial buildings
- Compatibility between new and existing development
- Balanced mix of uses — no one use has a dominating impact within the mix
- Transit service and access
- Multi-modal streets
- Parking reduction strategies, such as shared parking and TMA
- Adequate parks and open space

In addition to the proposed zoning, the accompanying Development Agreement and Infrastructure Master Plan (IMP) also further these strategies through the adaptive reuse of the former Denver Post printing plant, transitioning of building heights and intensities to adjacent development, providing a mix of uses, creating new opportunities for increased transit service, enhances street scape with detached sidewalk and bike lanes, provision of park and open space amenities.

This proposed rezoning is consistent with the Areas of Change intent, as it will allow for a mix of residential and commercial opportunities that implement the desired attributes for areas of change.

Street Classifications

Blueprint Denver classifies North Fox Street as a Mixed-Use Collector and West 45th Avenue as an Undesignated Local. According to Blueprint Denver, "collectors are designed to provide a greater balance between mobility and land access within residential, commercial and industrial areas" (p. 52). Additionally, "Mixed-use streets are located in high-intensity mixed use commercial, retail and residential areas with substantial pedestrian activity" (p. 57). While North Fox Street currently ends at West 45th Avenue, it is anticipated that Fox Street will continue through the site to the north

providing a continuation of this key street for the 41st and Fox Station area and further detailed below in the 41st and Fox Station Area Plan. The Undesignated Local street of West 45th Avenue is intended to serve the “neighborhood” with lower levels of traffic and “tailored more to providing local access” (p. 51). The proposed rezoning is consistent with the Blueprint future street classifications.

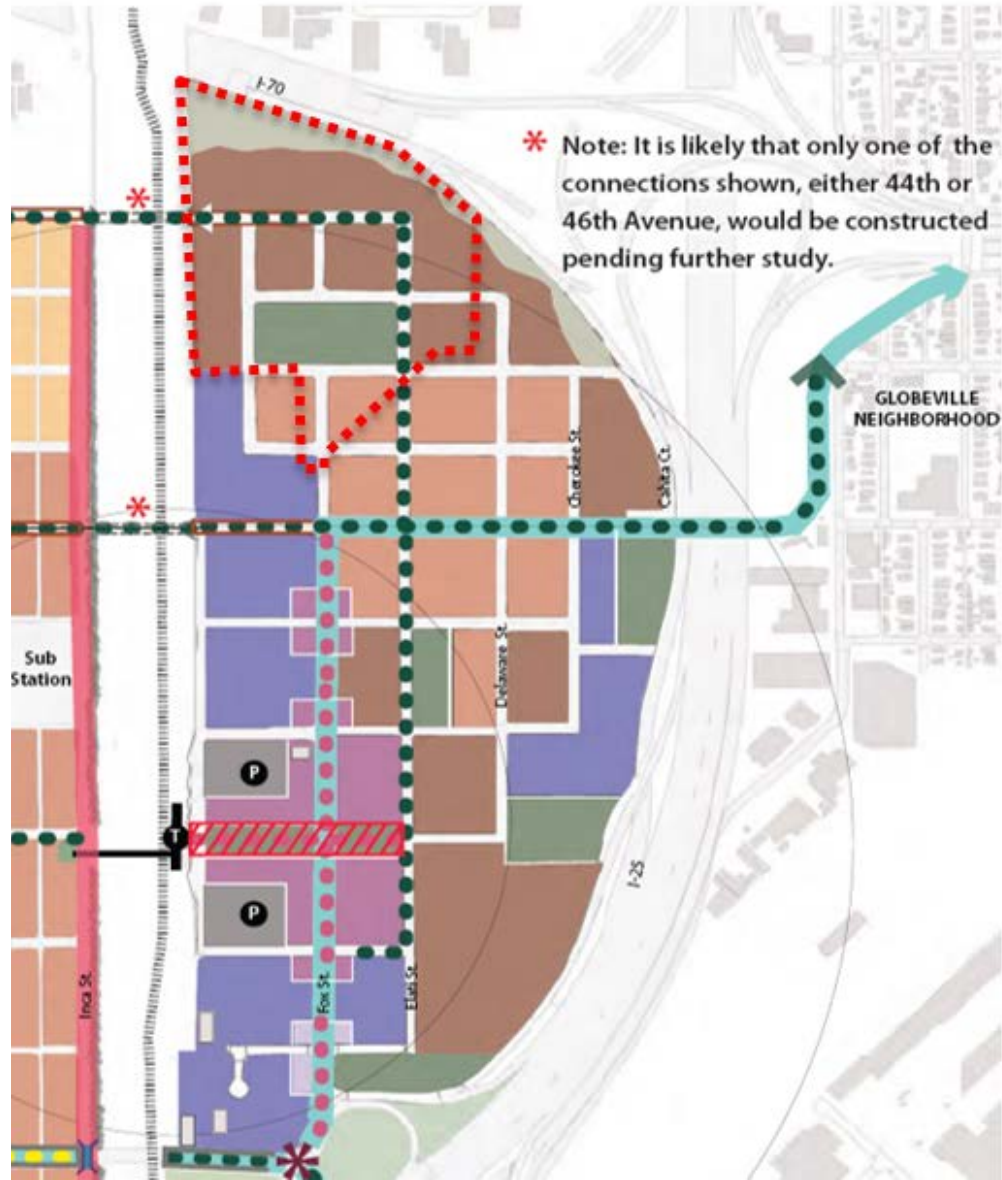
General TOD Plan Language

Blueprint Denver also provides guidance relating to the attributes of Transit Oriented Development (TOD). Some of the key attributes are providing “a balanced mix of uses (residential, retail, office, entertainment, public facilities and others); compact mid-to high-density development, close proximity to transit, emphasizing a pedestrian friendly and attractive pedestrian environment; access to open space and recreational amenities; a high degree of connectivity between the station area and the surrounding neighborhoods” (p. 44).

The proposed rezoning is a mix of Urban Center residential mixed use (RX) and mixed use (MX) zone districts. The proposed zone districts provide a balanced mix of uses including, but not limited to residential, retail, office. The proposed building heights of 12 and 8 stories reinforce the opportunity for a mid-to high-density development. The building form standards for the general building form ensure a pedestrian friendly environment through higher levels of transparency, active use, build-to and pedestrian entry requirement.

In summary, the proposed map amendment will enable growth in an area that Blueprint Denver identifies as appropriate for change and urban residential uses along streets that promote walkable development within higher-intensity mixed use areas.

Small Area Plan: 41st and Fox Station Area Plan



- Pedestrian Shopping District (2-8 stories)
- Pedestrian Shopping District (2-5 stories)
- Mixed-Use Office/Residential (3-20 stories)
- Urban Residential (2-12 stories)
- Urban Residential (2-8 stories)
- Urban Residential (1-3 stories)
- Single Family / Single Family Duplex
- Proposed Open Space/ Parks/ Plaza

The 41st and Fox Station Area Plan was adopted by City Council in 2009 and applies to the subject property. The plan focuses on the long-term redevelopment of the area east of the railroad tracks “to create a complete, transit-friendly neighborhood” (p. viii).

Primary goals for the station area are as follows (p. vii):

- Improve pedestrian connections to the station, between neighborhoods, and along major corridors
- Create opportunities to add more housing, jobs and services to the station area
- Incorporate plazas, parks and open space into redevelopment areas
- Capitalize on the station area’s proximity to Downtown and location on the Gold Line and Northwest Rail corridors
- Balance the needs of new development and existing uses

Key elements of the plan concept include the following (p. viii):

- Mixed-use redevelopment of the former Denver Post site
- Linked park and open space improvements to enhance neighborhood livability by providing positive orientation, buffering, aesthetics, recreational amenities, and storm water management
- Capture views of Downtown and buffer the station area by locating taller structures along I-25 and I-70

The plan also acknowledges the gradual long-term redevelopment for the entire area east of the tracks which will “require a transition over time through private redevelopment from heavy industrial uses to more light industrial, office, commercial, mixed-use, and residential uses located close to the transit station” (p. viii). The transition for the existing General Industrial I-B zoning to the C-MX-12 UO-2 zone district will ensure that some light industrial uses can be maintained in addition to commercial and mixed-use opportunities consistent with the plan. The proposed C-RX-8 UO-2 and C-RX-12 UO-2 zone districts will ensure residential uses that are complementary to the commercial and office ensuring a mixed use development of the subject site. The proposed zone district building form standards improve the pedestrian experience while creating new multi-modal connections throughout the site. The C-MX-12 UO-2 zone district will allow for a mix of housing, jobs and services to occur on the site while ensuring a balanced approach for the accommodation of new development and maintaining the use of the Denver Post printing plant building. The plan also provides specific building height guidance reinforcing the recommendation for taller structures to buffer the station abutting I-25 and I-70. The proposed mapping of the zone districts concentrates the greater heights along the rail corridor and I-70 with the lower 8-story C-RX-8 UO-2 zone district to the interior of the development site.

In addition to the proposed zoning, the accompanied Development Agreement and Infrastructure Master Plan (IMP) also further these strategies through the creation of a new multi-modal grid system that will improve mobility within the site and overall station area; the provision of parks, plazas and open space; and the mixed use redevelopment of the former Denver Post Printing Plant.

Small Area Plan: Globeville Neighborhood Plan

The Globeville Neighborhood Plan was adopted by City Council in 2014 and overlaps with the boundary of the 41st and Fox Station Area Plan on the subject site. The Globeville Neighborhood Plan reinforces the land use and building height recommendations established in the 41st and Fox Station Area Plan. It sets forth the following vision for this area of Globeville: “The 41st and Fox Station will develop over the

coming decades into the focal point of a diverse, transit supportive, and environmentally sustainable urban center. Many new residents and businesses will be drawn to the convenient location close to downtown and near some of Denver's most vibrant urban neighborhoods" (p. 15). The Globeville Plan specifies "that the concept land use and building height recommendations in this plan are intended to be fully consistent with the 41st and Fox Station Area Plan. Should any inconsistencies be found, please refer to the adopted Station Area Plan for the official Plan guidance" (p.34). The plan provides additional guidance to "explore opportunities to introduce privately-owned public open space as a component of larger redevelopments, such as those envisioned ...in the 41st and Fox Station Area... Opportunities could include plazas, outdoor seating areas, playgrounds, and public art" (p. 42). In the "Strong" section of the Plan, the 41st and Fox Station areas identified as an opportunity site to "create a broad base of new jobs in diverse economic sectors by redeveloping opportunity sites throughout the neighborhood" (p. 44).

As is the case with the 41st and Fox Station Area Plan, this proposed rezoning to the C-MX-12 UO-2, C-RX-12 UO-2, and C-RX-8 UO-2 zone districts is consistent with the Globeville Neighborhoods Plan's land use and maximum building height recommendations and the overall plan vision to create a strong economic base by providing a mix of employment and residential opportunities.

In addition to the proposed zoning, the accompanying Development Agreement and Infrastructure Master Plan (IMP) also further these strategies through the provision of open space plazas and recreational open space that will serve the development and broader community.

25/70 General Development Plan (2015)

At the time this rezoning application was submitted and this staff report was prepared, the 25/70 General Development Plan (GDP) applied to this property. However, the applicants have concurrently applied to repeal the GDP, the Planning Board recommended approval of the GDP repeal application, and the GDP has been approved to be repealed if City Council approves this rezoning application. Therefore, this rezoning application was not reviewed for consistency with the GDP.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to C-MX-12 UO-2, C-RX-8 UO-2, and C-RX-12 UO-2 will result in the uniform application of zone district building form, use and design regulations within each zone district.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety and general welfare of the City by implementing adopted land use plans, including the Comprehensive Plan 2000, Blueprint Denver, the 41st and Fox Station Area Plan and the Globeville Neighborhood Plan. The rezoning would allow the redevelopment of underutilized land into a new, safe, walkable, pedestrian-friendly environment. According to Public Works comments above, the traffic safety impacts of the proposed development will be mitigated through strategies outlined in a development agreement to be approved upon City Council approval of the rezoning application.

4. Justifying Circumstance

The application identifies several changed or changing conditions as the justifying circumstance under DZC Section 12.4.10.8.A.4., "Since the date of the approval of the existing Zone District, there has been a

change to such a degree that the proposed rezoning is in the public interest. Such change may include:
a. Changed or changing conditions in a particular area, or in the city generally; or, b. A City adopted plan;
or c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59
zoning.”

Several changed or changing conditions apply to the site and the surrounding area. These include the completion of the new 41st and Fox commuter rail station, which will help support higher-density mixed-use development in the area with rail service expected to begin in 2018; the rezoning of the approximately 10-acre southern portion of the site to C-MX-12 UO-2; and recent rezoning of nearby properties to similar zone districts, signaling new market interest in development. The former Denver Post printing plant on the site closed over ten years ago. Two significant recent infrastructure improvements have also been made to improve connectivity to this part of Globeville: the Inca Street Multi-Use Path over 38th Ave. and into Downtown, and the bicycle/pedestrian bridge between this area and Sunnyside that was completed with the commuter rail station. Finally, as discussed above, multiple adopted plans for this area state that redevelopment is desired and set forth a vision for a transition of this part of Globeville from industrial to Urban Center uses to capitalize on recent transportation investments.

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

Neighborhood Context Description

The proposed C-MX-12 UO-2, C-RX-8 UO-2 and C-RX-12 UO-2 districts are within the Urban Center Neighborhood Context. The neighborhood context generally consists of multi-unit residential and mixed-use commercial strips and commercial centers. The Urban Center Neighborhood Context consists of a regular pattern of block shapes surrounded by an orthogonal street grid, providing a pattern of pedestrian and vehicular connections and a consistent presence of alleys. Block sizes and shapes are consistent and include detached sidewalks, tree lawns, street and surface parking, and landscaping in the front setback. Buildings typically have consistent orientation and shallow setbacks with parking at the rear or side of a building. The Urban Center Neighborhood Context is characterized by moderate to high building heights to promote a dense urban character. There are also high levels of pedestrian and bicycle use with the greatest access to the multimodal transportation system (DZC, Division 7.1). It is appropriate to apply zoning within the Urban Center Neighborhood Context at this location through the adopted plan vision described earlier as well as the multimodal transportation context. The proposed rezoning to C-MX-12 UO-2, C-RX-8 UO-2 and C-RX-12 UO-2 will lead to development that is consistent with the neighborhood context description.

Zone District Purpose and Intent

According to DZC 7.2.2.1.A, the general purpose of the C-MX zone districts is to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public street edge. The Mixed Use Zone Districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's neighborhoods. District standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods. Mixed Use districts are intended for road application at the neighborhood scale. According to DZC 7.2.2.1.D, the specific intent of C-MX-12 is to apply to areas or intersections served primarily by major arterial streets where a building scale of 3 to 12 stories is desired. The rezoning to C-MX-12 is consistent with the zone district general purpose, and

resulting development will be consistent with the general purpose statement through the application of the C-MX-12 zone district standards.

According to DZC 7.2.3.1.A, the general purpose of the C-RX-12 and C-RX 8 Residential Mixed Use zone districts are intended to promote safe, active, and pedestrian scaled, diverse areas through the use of building forms that clearly define and activate the public realm. The Residential Mixed Use zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's residential neighborhoods. Residential Mixed Use zone district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods. Compared to the Mixed Use districts, the Residential Mixed Use districts are primarily intended to accommodate residential uses. Commercial uses are secondary to the primary residential use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance. According to the DZC 7.2.3.2.B-C, the specific intent of the C-RX-8 zone district is to apply to residentially-dominated areas served primarily by collector or arterial streets where a building scale of 2 to 8 stories is desired and the C-RX-12 zone district is to apply to C-RX-12 applies to residentially-dominated areas served primarily by arterial streets where a building scale of 2 to 12 stories is desired.

The rezoning to C-RX-12 and C-RX-8 is consistent with the zone district general purpose and specific intent resulting in development that will be consistent with the general purpose and specific intent statement through the application of the C-RX-12 and C-RX-8 zone districts.

Attachments

1. Rezoning Application
2. Comment: Armando Payan, United Community Action Network Inc.