



**TO:** LUTI  
**FROM:** Edson Ibañez, Associate City Planner  
**DATE:** June 4, 2020  
**RE:** Official Zoning Map Amendment Application #2018I-00181

### Staff Report and Recommendation

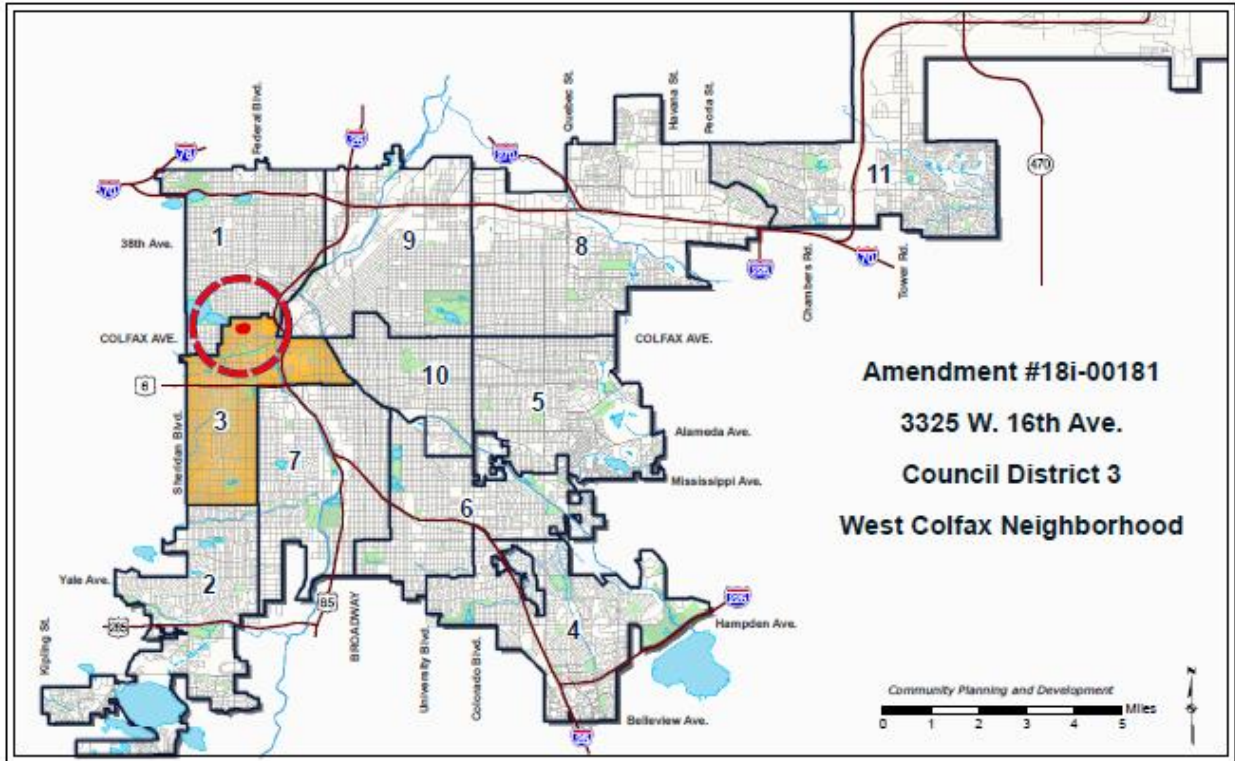
Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2018I-00181.

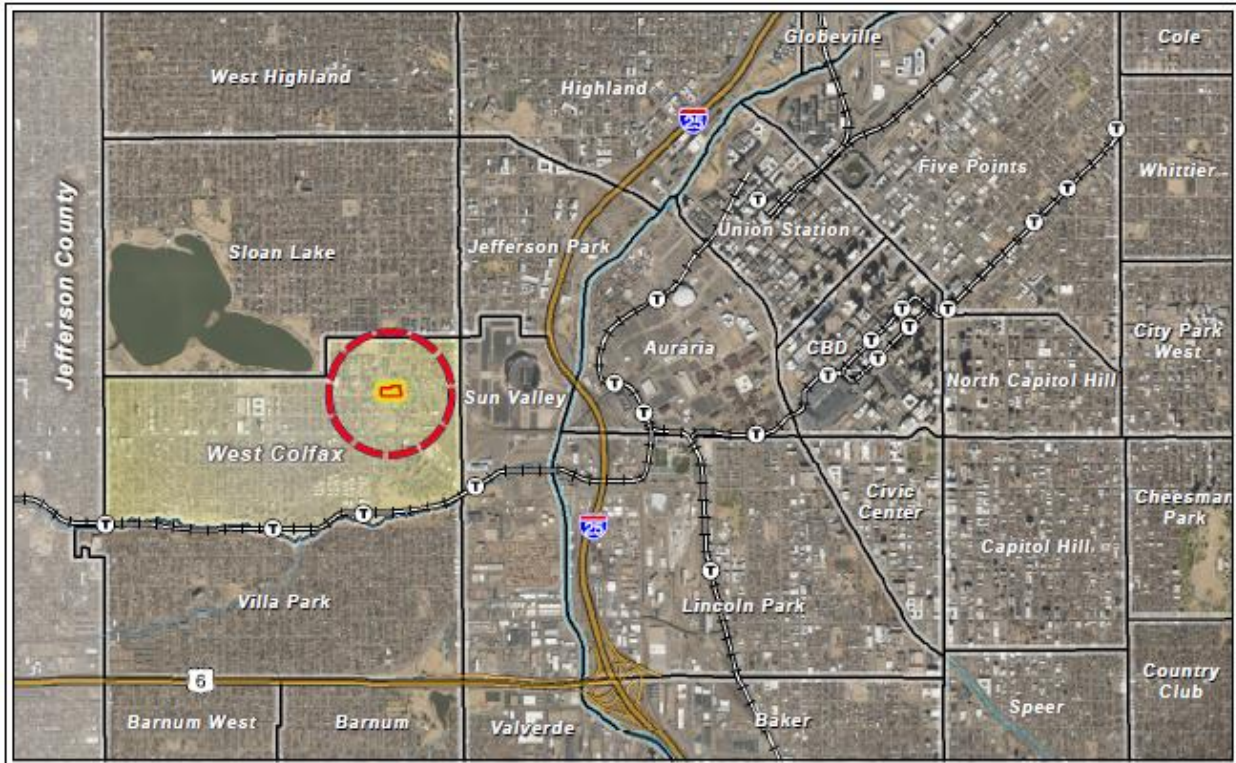
### Request for Rezoning

Address: 3325 W. 16<sup>th</sup> Avenue  
Neighborhood/Council District: West Colfax Neighborhood / Council District 3  
RNOs: Sloan's Lake Citizen's Group; Sloan's Lake Neighborhood Association; West Colfax Association of Neighbors (WeCAN); Federal Boulevard Corridor Improvement Partnership; West Colfax Business Improvement District; Inter-Neighborhood Cooperation (INC)  
Area of Property: 56,540 square feet or 1.3 acres  
Current Zoning: G-MU-3  
Proposed Zoning: G-MX-3  
Property Owner(s): BOYS CLUBS OF DENVER INC  
Owner Representative: Kim Davidson, Boys & Girls Club – Metro Denver

### Summary of Rezoning Request

- The property is located in the West Colfax neighborhood on the northwest corner of 16<sup>th</sup> Avenue and Irving Street.
- The subject property is a one-story Boys & Girls Club facility.
- The applicant is requesting this rezoning to allow the construction of a two-story training center/office adjacent to the to the existing structure of the Johnson Boys & Girls Club that has served the neighborhood since the 1960's. There are no plans for demolition of the existing structure and the property owner intends to maintain the existing building.
- The G-MX-3 (General Urban neighborhood context, **M**ixed Use, **3** stories maximum) zone district is intended for areas or intersections served primarily by local or collector streets where a building scale is 3 stories, or 45 feet, is desired. The G-MX-3 district is intended for use in the General Urban Neighborhood Context which is characterized by predominantly multi-unit structures. 1-unit and 2-unit residential and low scale mixed-use sites are embedded within the multi-unit areas. Shopfront, General, Drive Thru Services, Drive Thru Restaurant and Town House are the primary building forms allowed. Further details of the G-MX-3 zone district can be found in Article 6 of the Denver Zoning Code.
- The site is currently zoned G-MU-3 does not allow a mix of commercial uses.



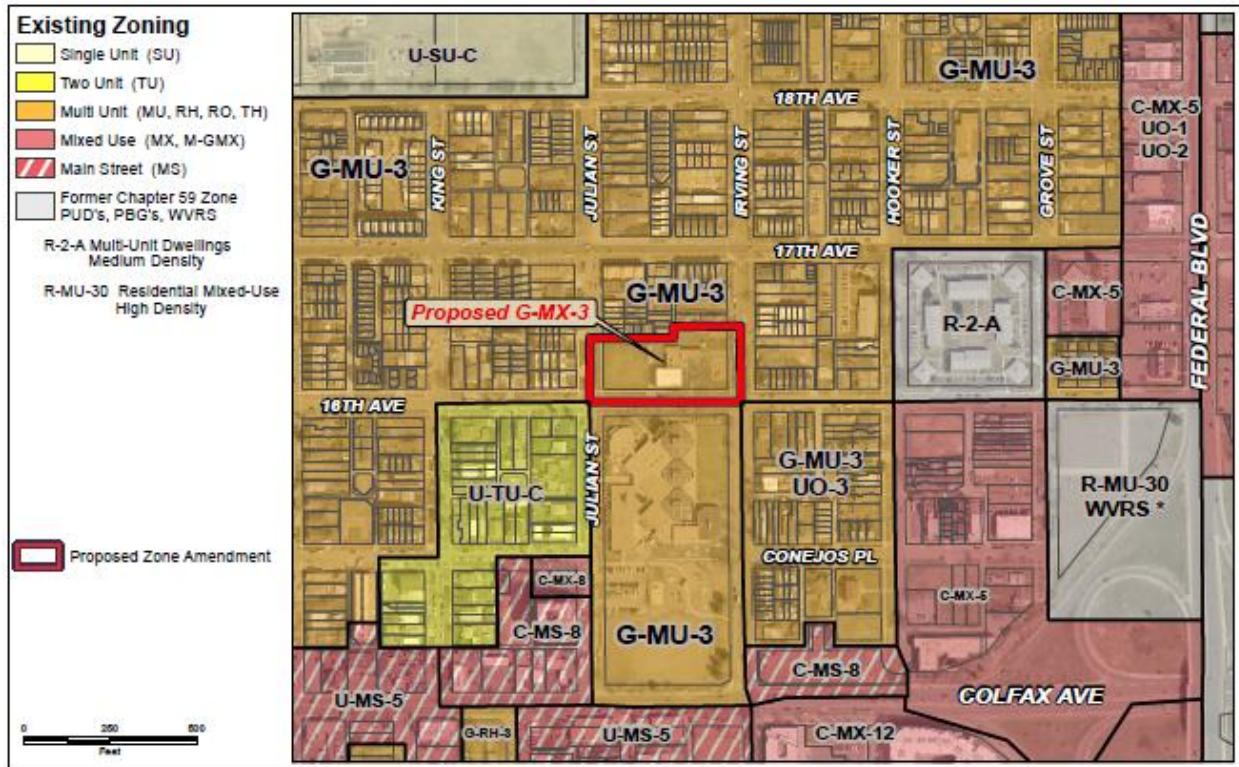


### Existing Context

The subject property is on the northwest corner of 16<sup>th</sup> Avenue and Irving Street. It is less than a half mile southeast of Sloan’s Lake Park. 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	G-MU-3	Public/Quasi-public	1-story Boys & Girls Club facility with a moderate setback with parking located at the rear of the building.	Block sizes and shapes are consistent and rectangular and shaped with by a grid street pattern. There is a mixture of blocks with and without alleys.
North	G-MU-3	Single- and Multi-Unit Residential	1- to 2-story single unit and 3-story multi-unit residential town houses with moderate setbacks with parking located at the rear of the building.	
South	G-MU-3	Public/Quasi-public	1-story elementary school with moderate setbacks with parking located at the rear	
East	G-MU-3	Multi-Unit Residential	3-story multi-unit residential town houses with moderate setbacks with parking located at the rear.	
West	G-MU-3	Multi-Unit Residential	3-story multi-unit residential town houses with moderate setbacks with parking located at the center and rear.	

### 1. Existing Zoning



The existing zoning is G-MU-3, which is a zone district that mostly allows residential uses. G-MU-3 is a multi-unit district allowing urban house, duplex, row house, garden court, town house, and apartment building forms. Prior to the G-MU-3, the property was zoned R-2. Buildings are allowed up to 3 stories and up to 40 feet. Further details of the G-MX-3 zone district can be found in Article 6 of the Denver Zoning Code.

## 2. Existing Land Use Map



## 3. Existing Building Form and Scale

All images are from Google Street View.



Subject property facing north from 16<sup>th</sup> Avenue.



Single-story, elementary school building directly south of the subject site, facing east from Julian Street.



Three-story multi-unit residential building west of the subject site, facing west from Julian Street.



Three-story multi-unit residential building north of the subject site, facing east from Julian Street.



Three-story multi-unit residential building east of the subject site, facing north from 16<sup>th</sup> Avenue.

### Proposed Zoning

The requested G-MX-3 zone district has a maximum height of 45 feet and allows the Shopfront, General, Drive Thru Services, Drive Thru Restaurant and Town House primary building forms. A wide variety of residential, civic, and commercial land uses are allowed.

The primary building forms allowed in the existing zone district and the proposed zone district are summarized below.

Design Standards	Existing G-MU-3	Proposed G-MX-3
Primary Building Forms Allowed	Urban House, Duplex, Row House, Garden Court, Town House, and Apartment	Shopfront, General, Drive Thru Services, Drive Thru Restaurant and Town House



Design Standards	Existing G-MU-3	Proposed G-MX-3
Height in Stories / Feet (max)	3 stories / 35-40’*	3 stories / 38-45’*
Primary Street Build-To Percentages (min)	60% to 70%*	70% to 75%*
Primary Street Build-To Ranges	10’ to 15’, 10’ to 20’*	0’ to 10’, 10’ to 15’*
Minimum Zone Lot Size/Width	6,000 SF, 9,000 SF*	N/A
Primary Street Setbacks (min)	10’ to 20’*	0’ to 10’*
Building Coverage (max)	50%	N/A

\*Standard varies between building forms

### 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:

**Assessor:** Approved – No Response.

**Asset Management:** Approved – No Comments.

**Denver Public Schools:** Approved – No Response

**Department of Public Health and Environment:** Approved – No Response.

**Denver Parks and Recreation:** Approved – No comments.

**Public Works – R.O.W. - City Surveyor:** Approved – No comments.

**Development Services - Transportation:** Approved – No response.

**Development Services – Wastewater:** Approved – See comments.

DES Wastewater approves the subject zoning change. The applicant should note that redevelopment of this site may require additional engineering including preparation of drainage reports, construction documents, and erosion control plans. Redevelopment may require construction of water quality and detention basins, public and private sanitary and storm sewer mains, and other storm or sanitary sewer improvements. Redevelopment may also require other items such as conveyance of utility, construction, and maintenance easements. An easement may be required along the north property line for the Denver public sanitary main pending 2-story building location. The extent of the required design, improvements and easements will be determined during the redevelopment process. Please note that no commitment for any new sewer service will be given prior to issuance of an approved SUDP from Development Services.

**Development Services – Project Coordination:** Approved – See comments.

Rezoning Only - Will require additional information at Site Plan Review.

The G-MX-3 zone allows for 0' setbacks at the Primary and Side Street edges for both the General and Shopfront building forms. The G-MU-3 zone requires a minimum of 10' Primary Street setback if the Block Sensitive setback is not applicable and a minimum 5' Side Street setback for the Apartment form. Care should be taken to respect the existing neighborhood context with regards to building placement and setbacks to retain the existing character of the neighborhood.

**Development Services – Fire Prevention:** Approved – No response.

**Public Review Process**

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	12/4/2019
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	5/19/2020
Planning Board voted unanimously to recommend support:	6/3/2020
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:	5/31/2020
Land Use, Transportation and Infrastructure Committee of the City Council (tentative):	6/9/2020
Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations (tentative):	6/29/2020
City Council Public Hearing (tentative):	7/20/2020

- **Registered Neighborhood Organizations (RNOs):** To date, staff has received no comment letters from Registered Neighborhood Organizations.

- **Other Public Comment:** To date, staff has received 8 public comment letters in opposition and one phone call in support.

## **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 currently apply to this property:

- *Denver Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *West Colfax Plan (2006)*

### ***Denver Comprehensive Plan 2040***

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, which are organized by vision element.

The requested G-MX-3 zone district will enable mixed-use development close to transit and a mix of uses in close proximity to West Colfax Avenue. The intended use of the Boys & Girls club will provide access to education which includes early childhood care and child development services. It is consistent with the following strategy in the Equitable, Affordable and Inclusive vision element:

- Equitable, Affordable and Inclusive Goal 1, Strategy A – *Increase development of housing units close to transit and mixed-use developments (p. 28).*
- Equitable, Affordable and Inclusive Goal 1, Strategy C – *Improve equitable access to resources that improve quality of life, including cultural and natural amenities, health care, education, parks, recreation, nutritious food and the arts (p. 28).*
- Equitable, Affordable and Inclusive Goal 9, Strategy B – *Improve the quality, availability and affordability of early childhood care, education and child development services. (p. 30).*

The current use, the Boys & Girls Club, has been serving the community since the 1960's and is one of five locations in Denver. The use is consistent with the following strategy in the Economically, Diverse and Vibrant vision element:

- Economically Diverse and Vibrant – Goal 3, Strategy A: Promote small, locally-owned businesses and restaurants that reflect the unique character of Denver (pg. 46).

In addition to providing a mix of uses, this site is also an infill location where infrastructure is already in place, and it provides a transition between the corridor along Irving Street and the primarily residential neighborhood to the north, west and east. It is consistent with the following strategies in the Strong and Authentic Neighborhoods vision element:

- Strong and Authentic Neighborhoods Goal 1, Strategy A – *Build a network of well connected, vibrant, mixed-use centers and corridors* (p. 34).
- Strong and Authentic Neighborhoods Goal 1, Strategy B – *Ensure neighborhoods offer a mix of housing types and services for a diverse population* (p. 34).
- Strong and Authentic Neighborhoods Goal 1, Strategy D – *Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities* (p. 34).

Similarly, the land use pattern detailed in the previous paragraph is also consistent with the following strategies in the Environmentally Resilient vision element:

- Environmentally Resilient Goal 8, Strategy A – *Promote infill development where infrastructure and services are already in place* (p. 54).
- Environmentally Resilient Goal 8, Strategy B – *Encourage mixed-use communities where residents can live, work and play in their own neighborhoods* (p. 54).

The requested map amendment will enable mixed-use development at an infill location where services and infrastructure are already in place. The requested G-MX-3 zone district broadens the variety of uses allowing residents to live, work and play in an area. Therefore, the rezoning is consistent with Denver Comprehensive Plan 2040 recommendations.

### ***Blueprint Denver***

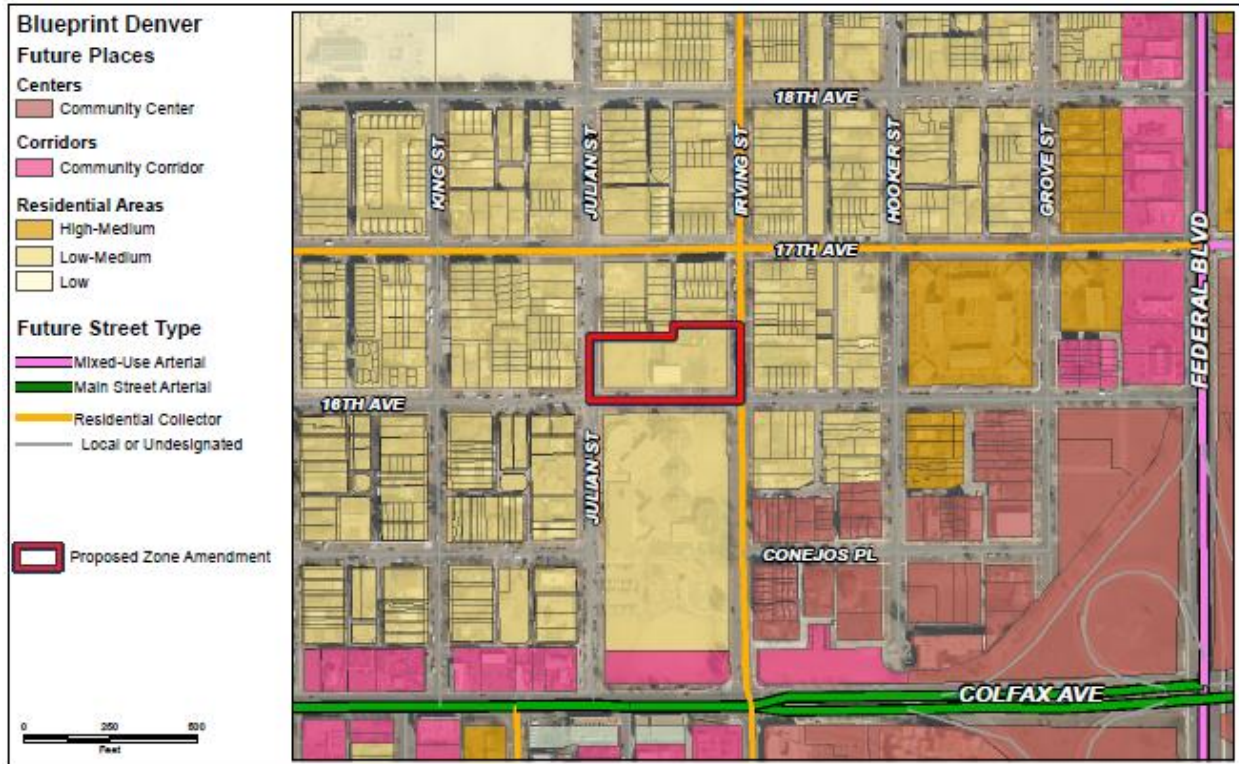
*Blueprint Denver* was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city's land use and transportation decisions. *Blueprint Denver* identifies the subject property as a Low-Medium Residential Area within the General Urban Neighborhood Context and provides guidance from the future growth strategy for the city.

**Blueprint Denver Future Neighborhood Context**



The subject property is shown on the context map as General Urban neighborhood context. The neighborhood context map and description help guide appropriate zone districts (p. 66). The General Urban neighborhood context is described as “vibrant places with proximity to Denver’s major centers like Downtown and Cherry Creek. Homes in this context vary from multi-unit complexes to compact single-unit homes. Development should be sensitive to the existing neighborhood character and offer residents a mix of uses, with good street activation and connectivity.” (p. 237). The proposed G-MX-3 zone district is part of the General Urban context that is “intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.” (DZC 6.2.3.1.C). The proposed rezoning is to G-MX-3 is appropriate and consistent with the General Urban context plan direction.

**Blueprint Denver Future Places**



The Future Places Map shows the subject property as a Low-Medium Residential Area within the General Urban context. *Blueprint Denver* describes these areas as, “This area is primarily residential, with a mix of unit types. Single- and two-unit homes are interspersed with lower-scale multi-unit buildings. Limited neighborhood serving commercial can be found, particularly at intersections. Heights are generally up to 3 stories. Lot coverage may be high and setbacks should generally respect the existing character with buildings orienting to the street.” (p. 246). The building form standards of the proposed G-MX-3 zone district are consistent with this plan direction, including three-story heights, high building coverage, and low to moderate setbacks. But the land uses allowed could be more intense than contemplated by the plan direction. The G-MX-3 zone district allows restaurants, retail, and offices, which could result in significant intensity if the entire property were to redevelop. The application acknowledges the plan statement that “limited neighborhood serving commercial can be found.” G-MX districts are “intended to ensure new development contributes positively to established residential neighborhoods and character and improves the transition between commercial development and adjacent residential neighborhoods” (DZC 6.2.3.1.C).

**Street Types**

In *Blueprint Denver*, street types work in concert with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). *Blueprint Denver* classifies 16<sup>th</sup> Avenue as an undesignated local street. Local streets “are designed for the highest degree of property access and the lowest amount of through movement” (p. 154). Irving Street is a Residential Collector. Collectors “are in

between a local street and an arterial street; they collect movement from local streets and convey it to arterial streets” (p. 154). The proposed G-MX-3 district is consistent with this plan direction for this location as it is intended to be applied to “areas served primarily by local or collector streets” (DZC Section 6.2.3.2.A).

**Growth Strategy**



*Blueprint Denver's* growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject property is located within “All other areas of the city, which are anticipated to see around 20% of new housing growth and 10% of new employment growth by 2040” (p. 51). The proposed map amendment to G-MX-3 will enable compatible growth for this location.

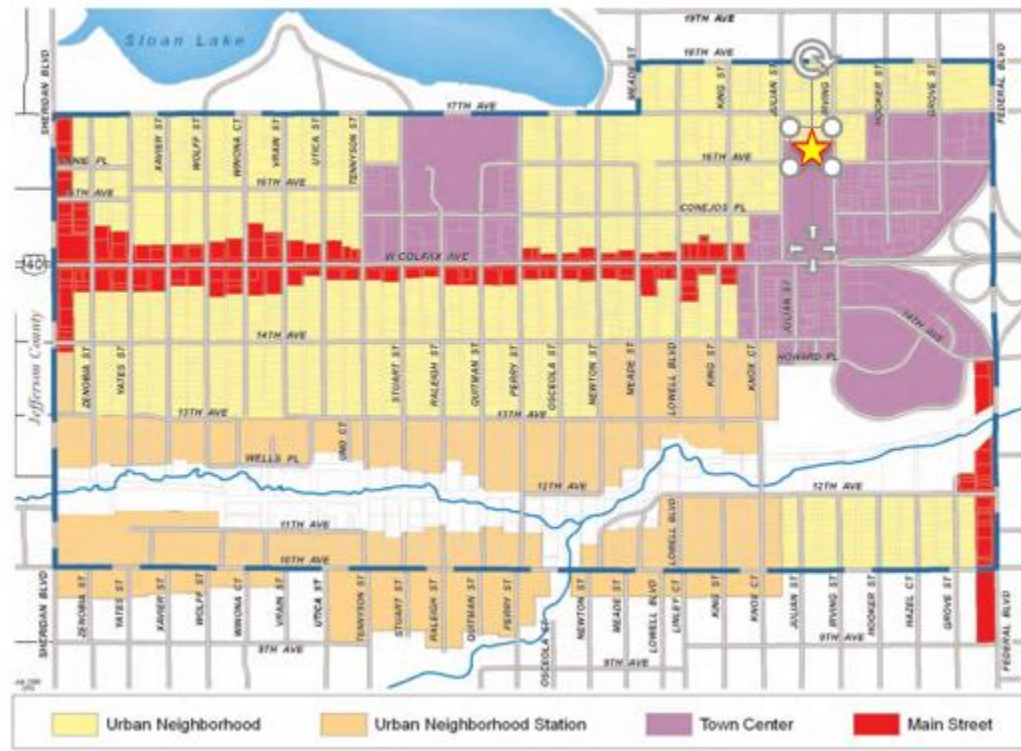
**West Colfax Plan (2006)**

The West Colfax Plan has a vision for a “safe and attractive mixed-use commercial and residential corridor that complements and sustains the adjacent residential neighborhoods” (p. 74). The West Colfax Plan mentions several components that resonate with the vision of West Colfax such as improved urban design, strengthening the mix of land uses, and enhancing mobility options for residents (p.75).

In the West Colfax Plan, the “Framework Plan provides the overarching goals and recommendations for these places within the study area; it provides technical guidance for zoning regulatory changes, infrastructure planning and policy direction.” The framework plan includes a Future Land Use Concept

map, which maps the subject site as Town Center. The subject site is identified in the Cheltenham Heights area of the Town Center District.

Future Land Use Concept



Urban Town Centers are areas that “contain a compact mix of destination, employment and residential uses. With careful design treatment these places provide opportunities for both formal and informal community gathering.” (p.83). The plan goes on to include another description of Town Center as, “mixed vertically and/or horizontally, highest intensity destination and employment uses in the core, civic amenities and housing dispersed throughout” (p.83). The Plan also describes, “Town Centers are perfect locations for destination retail, employment, dining and entertainment venues as well as elderly housing, housing for low- to moderate-income workers, daycare and youth programs.” (p. 83). The plan also includes a recommendation under Town Center Regulatory Tools, Recommendation 2 to “Establish form-based zoning tools appropriate for the mix of buildings types and uses that define a town center. Ensure that these zoning tools consider, define and respect the traditional and desired forms of town center patterns of development” (p. 94). This recommendation gives specific direction on a “mix of land uses that support the function of town centers (retail, restaurants, services, office, civic, residential, entertainment, open space)” (p.95).

Additional guidance is provided in the District Plans section of the West Colfax Plan, though “District Plans do not imply zoning changes per se (please refer to the framework plan for guidance about zoning changes). ... The district plans augment the prevailing goals and recommendations contained in the framework plan [cited above]” (p. 120). Under the Town Center District Planning, Goal 2, Town Center Function, is to “develop town centers to function as the heart of the community with a concentration of housing, employment, civic amenities and services, as well as destination entertainment venues, shops



and restaurants” (p.128). Recommendation 2 encourages a “dynamic mix of uses to serve the daily needs of nearby residents and destination itineraries of regional visitors” (p.129). These District Plan recommendations all are suggestive of the more vibrant, horizontal and vertical mixed-use places that a G-MX-3 zone district would allow along with heightened street level activation and transparency requirements.

On balance, the proposed G-MX-3 is consistent with the adopted plan direction. It provides an appropriate transition that complements the surrounding uses with the allowance of mixed uses. Although it may not be the best fit for the future place recommendation of Blueprint Denver, it is consistent with other recommendations including street type, building height, and growth strategy, and is consistent with the recommendations of the adopted West Colfax Plan.

## **2. Uniformity of District Regulations and Restrictions**

The proposed rezoning to G-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 through implementation of the city’s adopted land use plans. Additionally, the proposed G-MX-3 allows a mix of uses in proximity to transit and other amenities, which has been linked to increased physical activity<sup>1</sup> and other health benefits.

## **4. Justifying Circumstance**

The application identifies 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 changed or changing conditions in an area, or in the city generally.” Over the years, the West Colfax Neighborhood has seen substantial redevelopment and reinvestment, including significant commercial and residential construction in the vicinity. Several multi-unit residential townhomes have been built and are under construction adjacent to the subject site to the north, west and east. Other constructions include Rodolfo "Corky" Gonzales Branch Library south of the subject site and the mixed-use development at 1515 N. Julian Street south of the subject site. Changed or changing conditions in an area is an appropriate justifying circumstance.

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

The proposed G-MX-3 zone district is within the General Urban neighborhood context. The Denver Zoning Code describes the General Urban neighborhood context as “characterized by multi-unit residential uses in a variety of building forms. Single-unit and two-unit residential uses are also found in

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<sup>1</sup> Ewing, R., and R. Cervero. 2010. "Travel and the Built Environment: A Meta-Analysis." *Journal of the American Planning Association* 76 (3): 265-94

a mix of residential building forms. Low-scale commercial areas are embedded within residential areas. Commercial uses occur in a variety of building forms that may contain a mixture of uses within the same structure” (DZC 6.1.1). There is a regular street grid pattern with some alleys. The proposed G-MX-3 is consistent with the neighborhood context description and appropriate at this location.

The General Urban residential mixed-use zone districts are intended to “promote safe, active, and pedestrian-scaled, diverse areas through the use of town house, row house, apartment, and shopfront building forms that clearly define and activate the public street edge” (DZC 6.2.3.1.A). These districts 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” (DZC 6.2.3.1.C). Mixed Use districts are “focused on creating mixed, diverse neighborhoods. Where Main Street districts are applied to key corridors and retail streets within a neighborhood, the Mixed-Use districts are intended for broader application at the neighborhood scale” (DZC 6.2.3.1.D). The proposed G-MX-3 is consistent with the zone district purpose and appropriate for this neighborhood location at heights consistent with those of the multi-unit residential surrounding context.

The specific intent of the G-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 6.2.3.2.A). The subject site is located on a local and collector street, and the desired building height, character, and uses are consistent with the intent statements and appropriate at this location.

## **Attachments**

1. Application
2. Letters of Opposition