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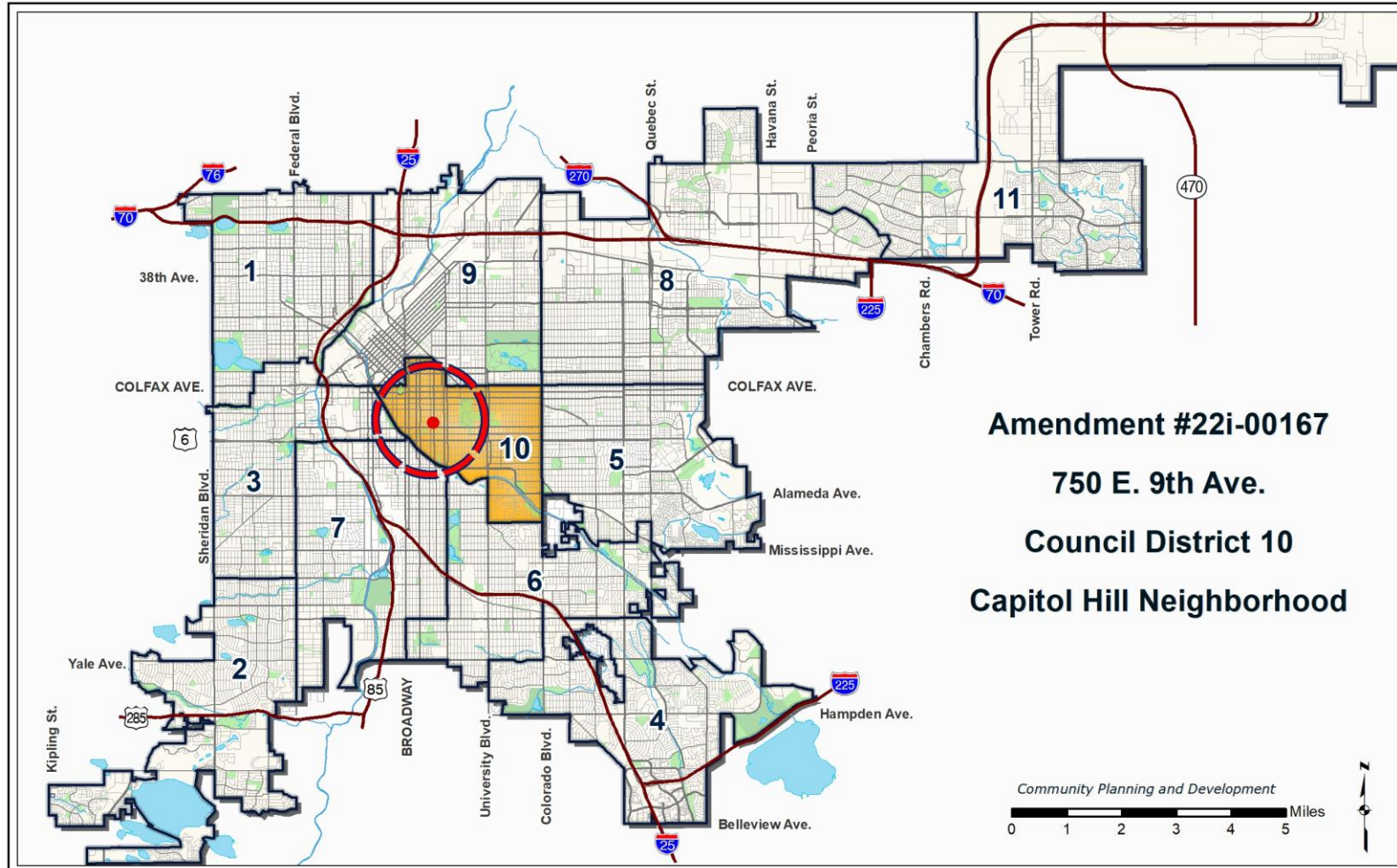
# 750 East 9<sup>th</sup> Avenue

2022I-00167

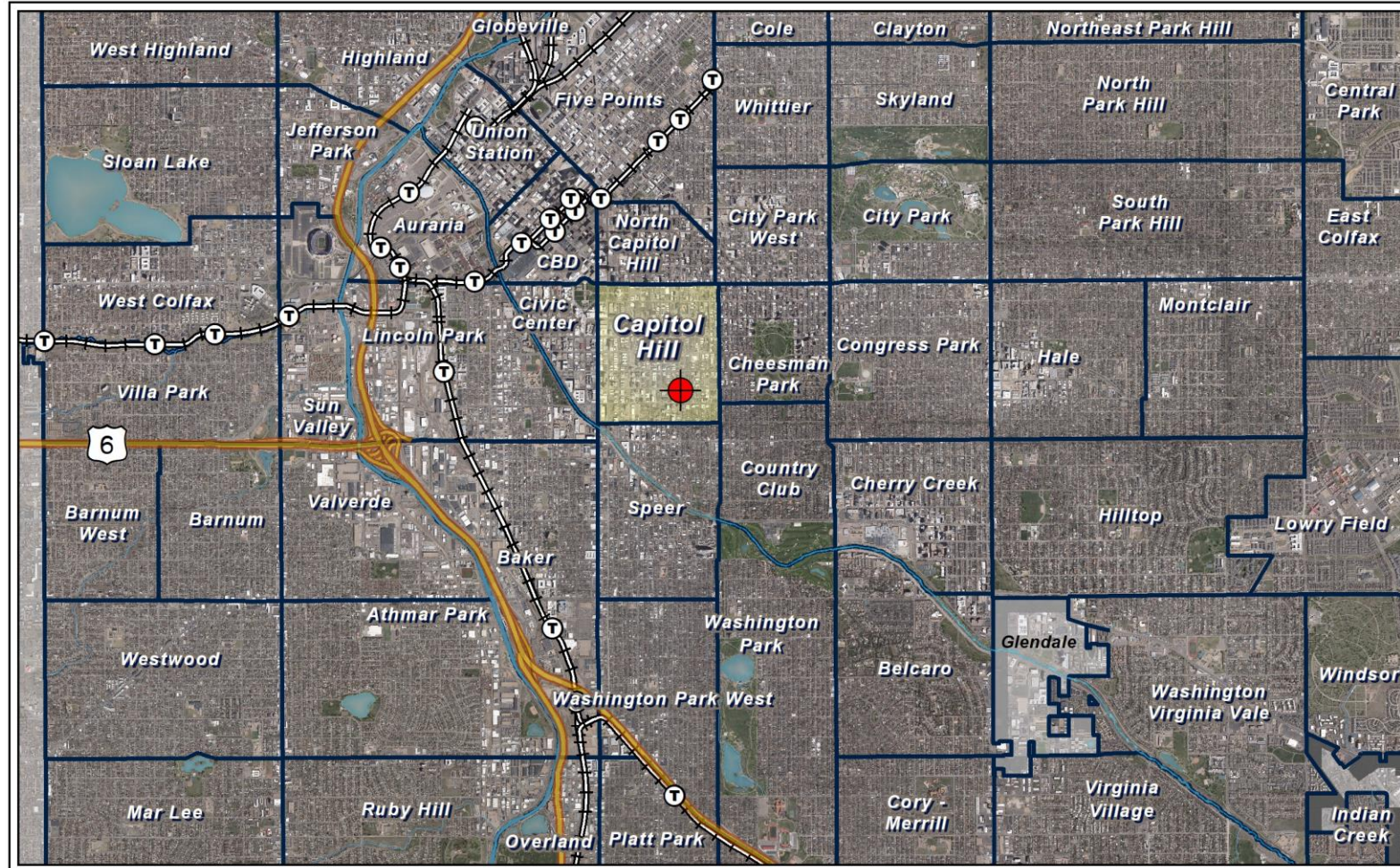
Request: PUD 499 to G-MU-3

City Council Hearing: 4/10/2023

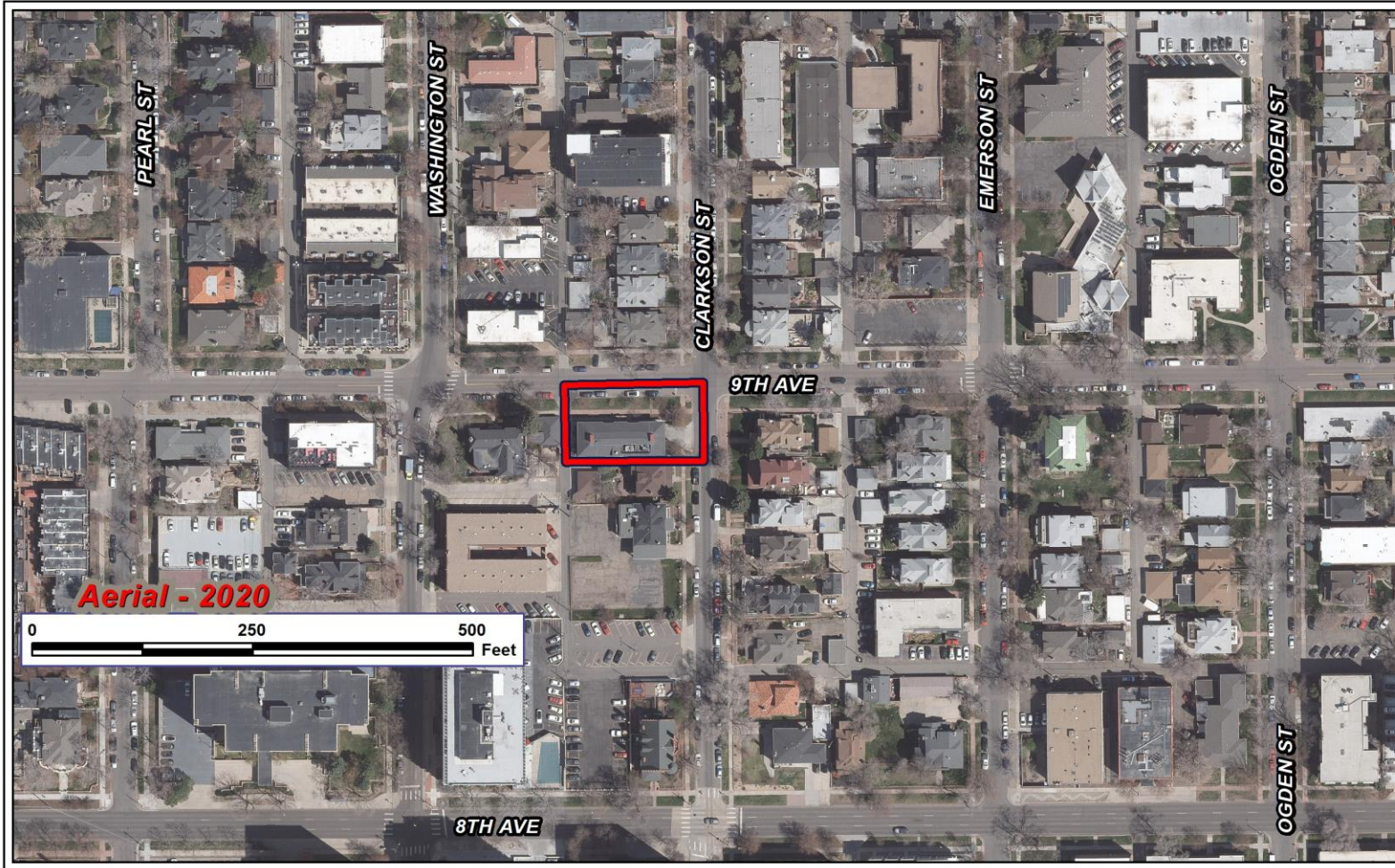
# Council District 10: Councilmember Hinds



# Capitol Hill Neighborhood

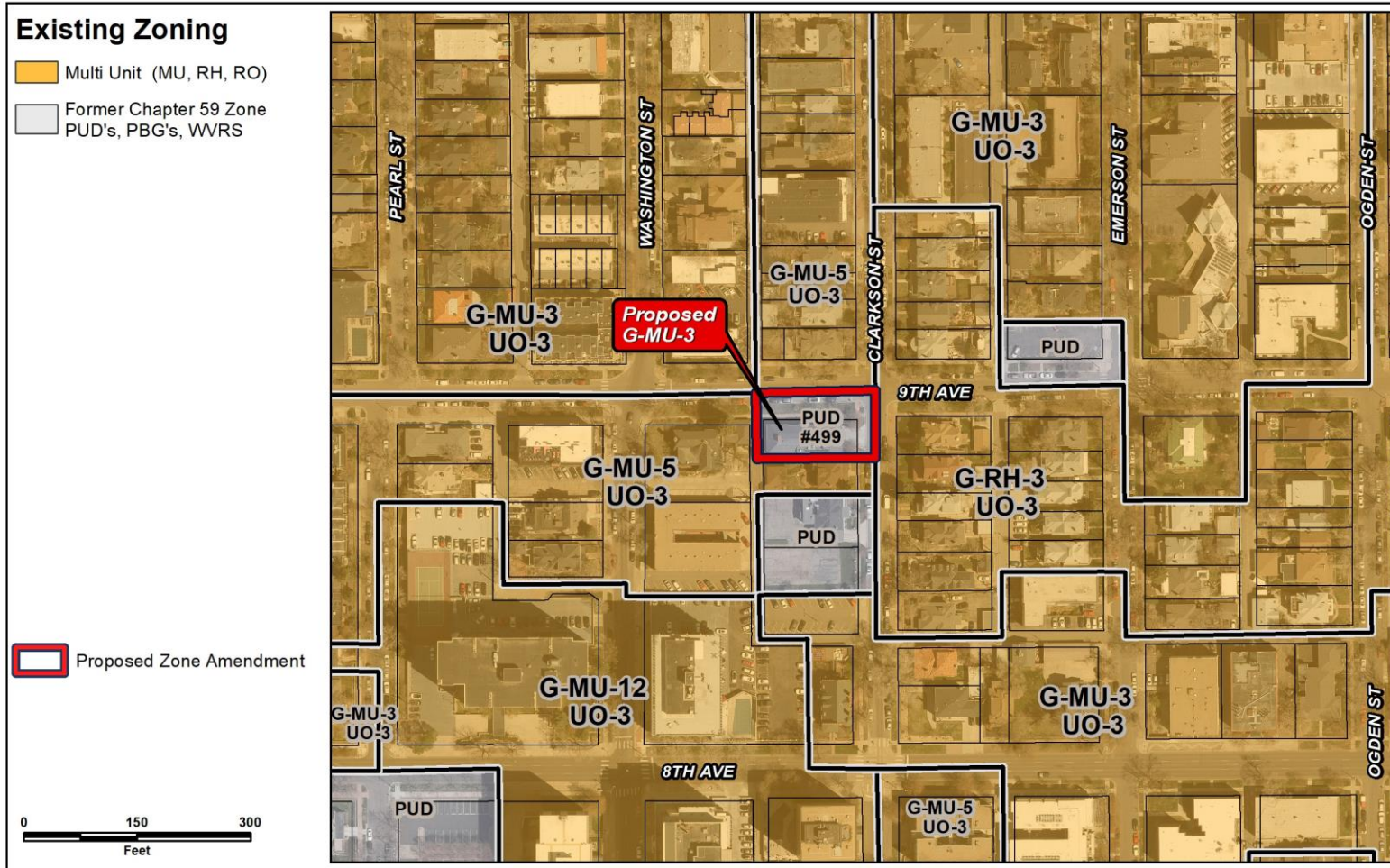


# Request: G-MU-3



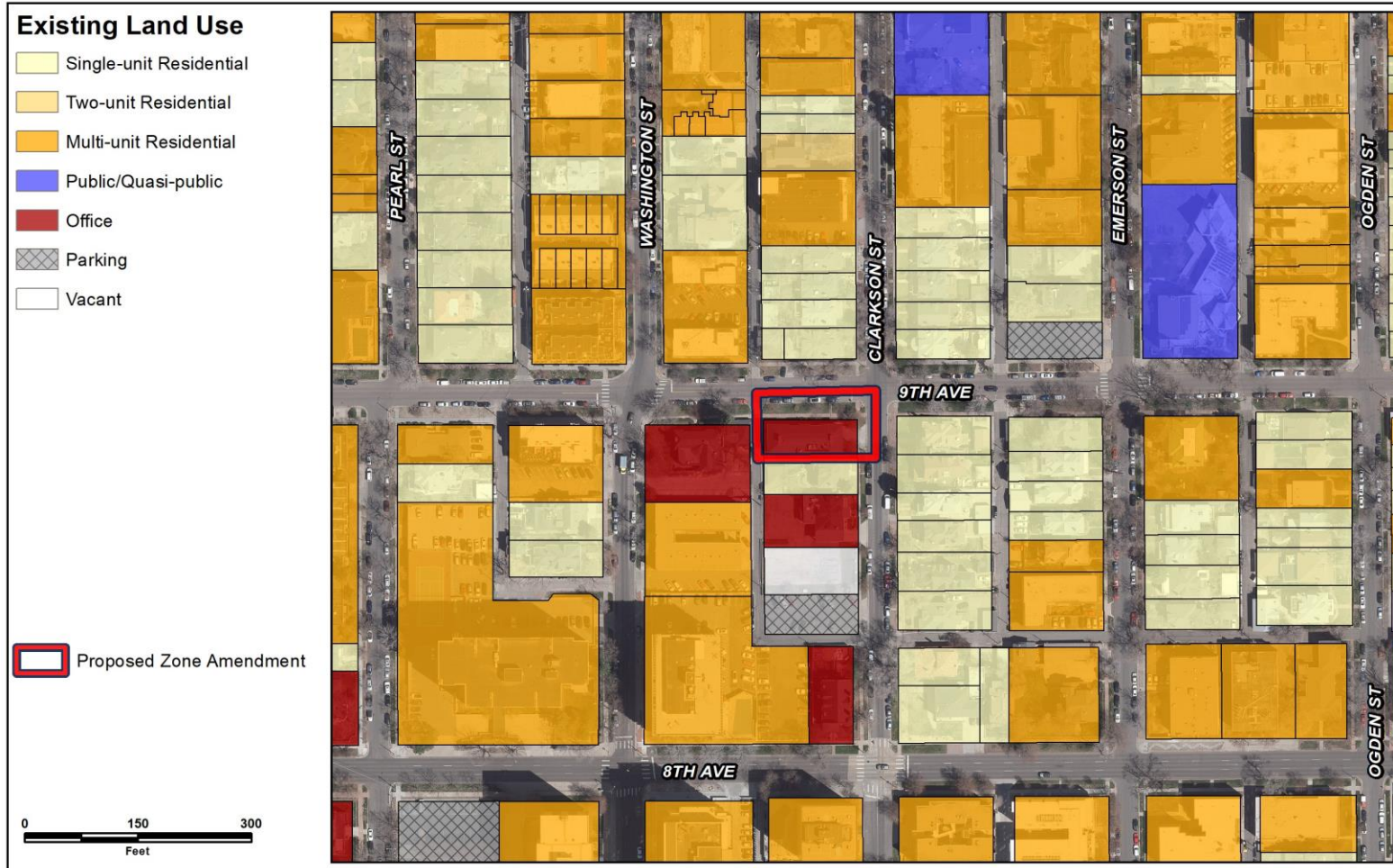
- Location
  - Approx. 6,257 square feet
  - Office
- Proposal
  - Rezoning from PUD 499 to G-MU-3
    - Allows Urban House, duplex, garden court, town house, and apartment
    - Max. building height 30-40 feet

# Existing Zoning



- **Current Zoning:**  
PUD 499
  - 2-story
  - Up to 35 feet
  - Used as clinic or office for “holistic, naturopathic practitioners”

# Existing Land Use



Land Use: Office

## Surrounding Land Uses:

- Single-unit Residential
- Two-unit Residential
- Multi-unit Residential
- Public/Quasi-public
- Office

# Existing Building Form/Scale:



Subject Property



# Process

- Informational Notice: 11/29/2022
- Planning Board Notice: 1/30/2023
- Planning Board Public Hearing: 2/15/2023
- LUTI Committee: 2/28/2023
- City Council Public Hearing: 4/10/2023
  
- Public Comment
  - One letter of support from an RNO
  - 13 comments in opposition or expressing concerns



# 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 2040*
- *Blueprint Denver(2019)*
- *East Central Area Plan (2020)*

### 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

# Consistency with Adopted Plans: *Comprehensive Plan 2040*

## Equity

- Equitable, Affordable and Inclusive Goal 2, Strategy A: Create a greater mix of housing options in every neighborhood for all individuals and families (p. 28).

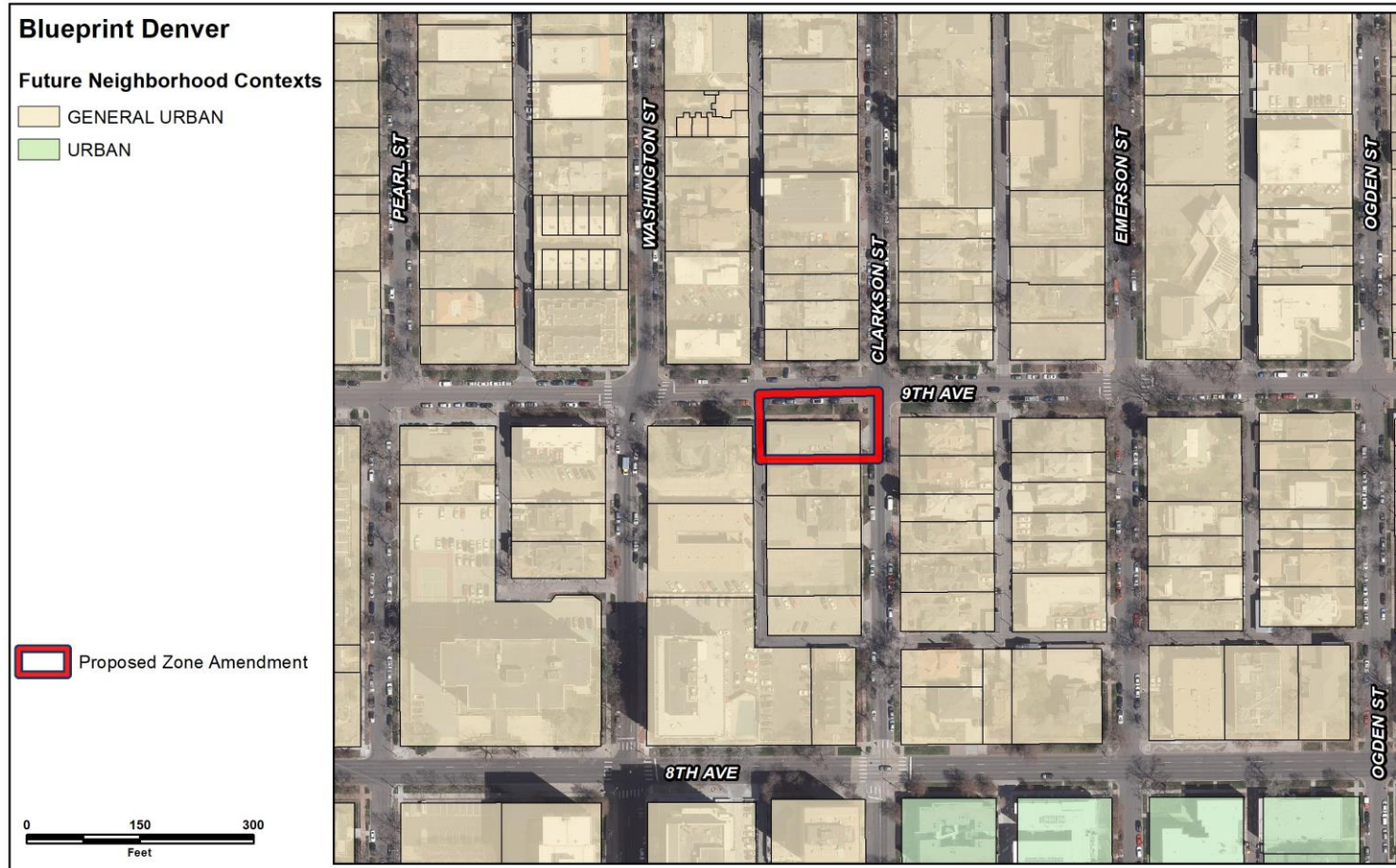


## Neighborhoods

- Strong and Authentic Neighborhoods Goal 1, Strategy B – Ensure neighborhoods offer a mix of housing types and services for a diverse population (p. 34).

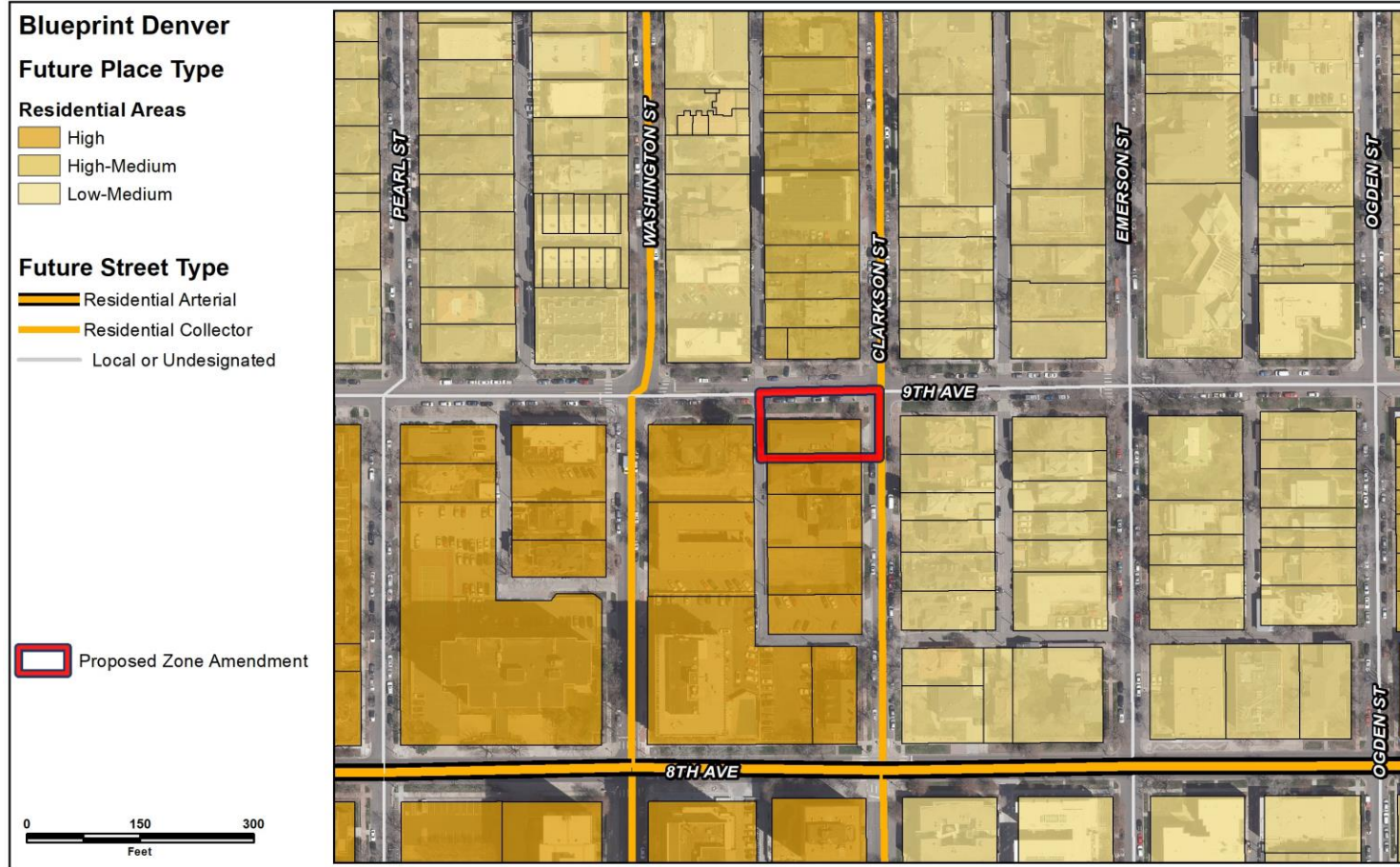


# Consistency with Adopted Plans: *Blueprint Denver 2019*



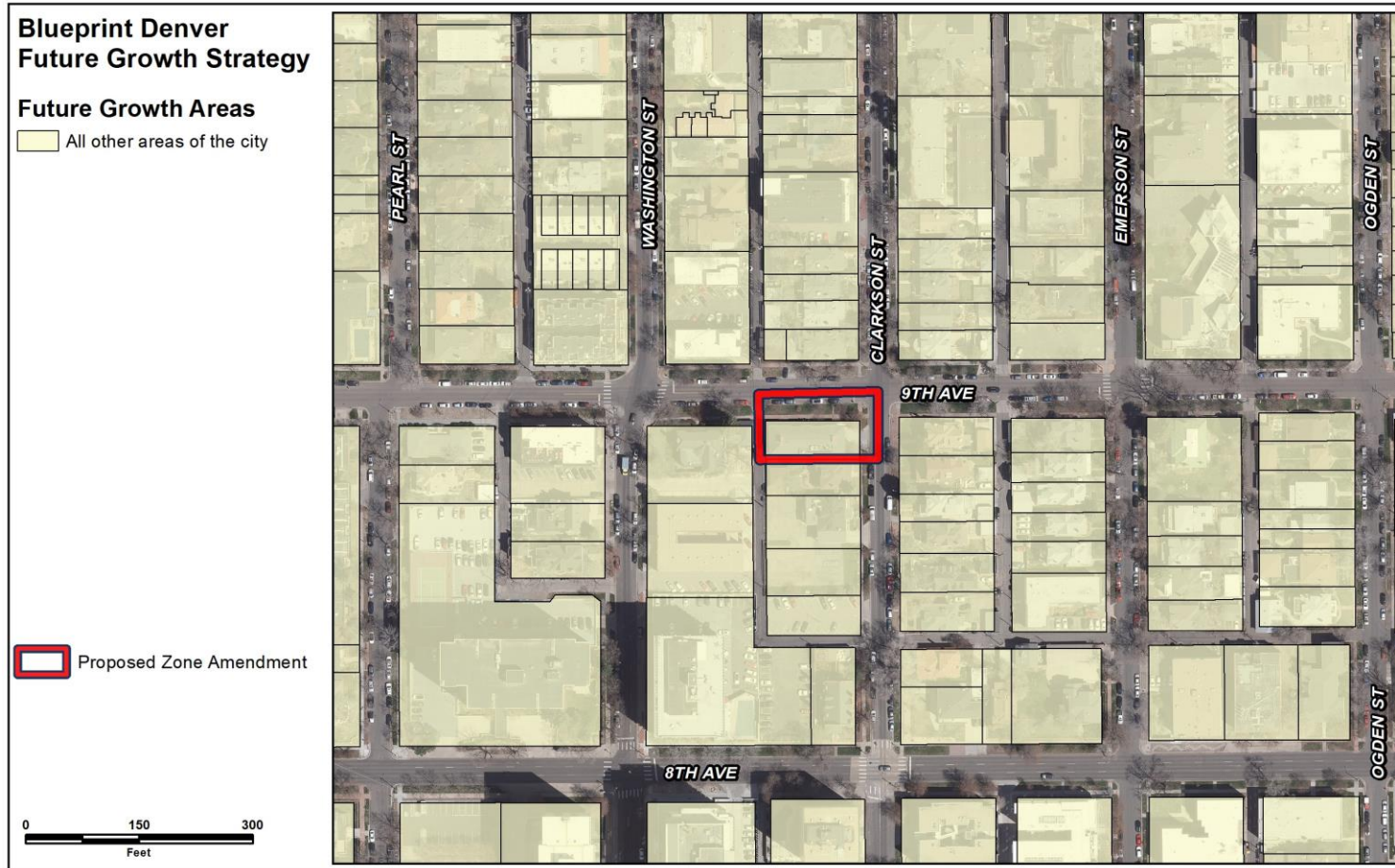
- **General Urban (G-)  
Neighborhood Context**
  - Predominantly multi-unit structures
  - Block patterns are generally regular with alley access.

# Consistency with Adopted Plans: *Blueprint Denver 2019*



- **High Residential**
  - Predominantly multi-unit residential
  - Compatible commercial interspersed
- **Future Street Type**
  - East 9<sup>th</sup> Avenue: Local – characterized by residential use

# Consistency with Adopted Plans: *Blueprint Denver 2019*

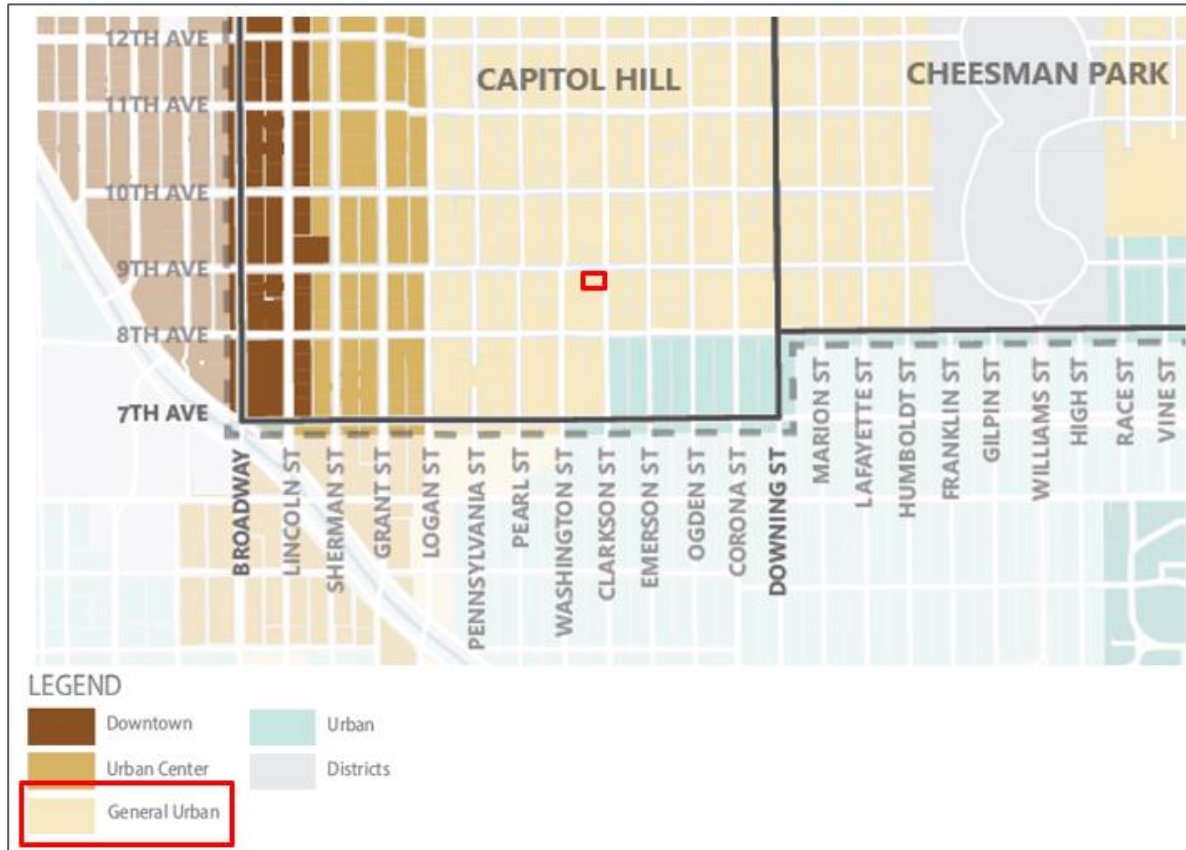


- **Growth Areas Strategy:**  
All other areas of the city
  - 10% jobs by 2040
  - 20% housing by 2040

# Consistency with Adopted Plans: *Blueprint Denver 2019*

- **Land Use & Built Form: General Policy 3, Strategy B:** *Rezone properties from the Former Chapter 59 zoning code so that the entire city is covered by the DZC, including continuing to incentivize owners to come out of the old code (p. 73).*
- **Land Use & Built Form: General Policy 3, Strategy B:** *Limit the use of site-specific, customized zoning tools—such as Planned Unit Developments (PUDs) and waivers/conditions—to unique and extraordinary circumstances. The zoning code offers a wide variety of zone districts that cover the diverse contexts and places of Denver. Custom zoning tools are most effective when a standard zone district does not exist to implement the adopted plans for an area (p. 73).*

# Consistency with Adopted Plans: East Central Area Plan (2020)



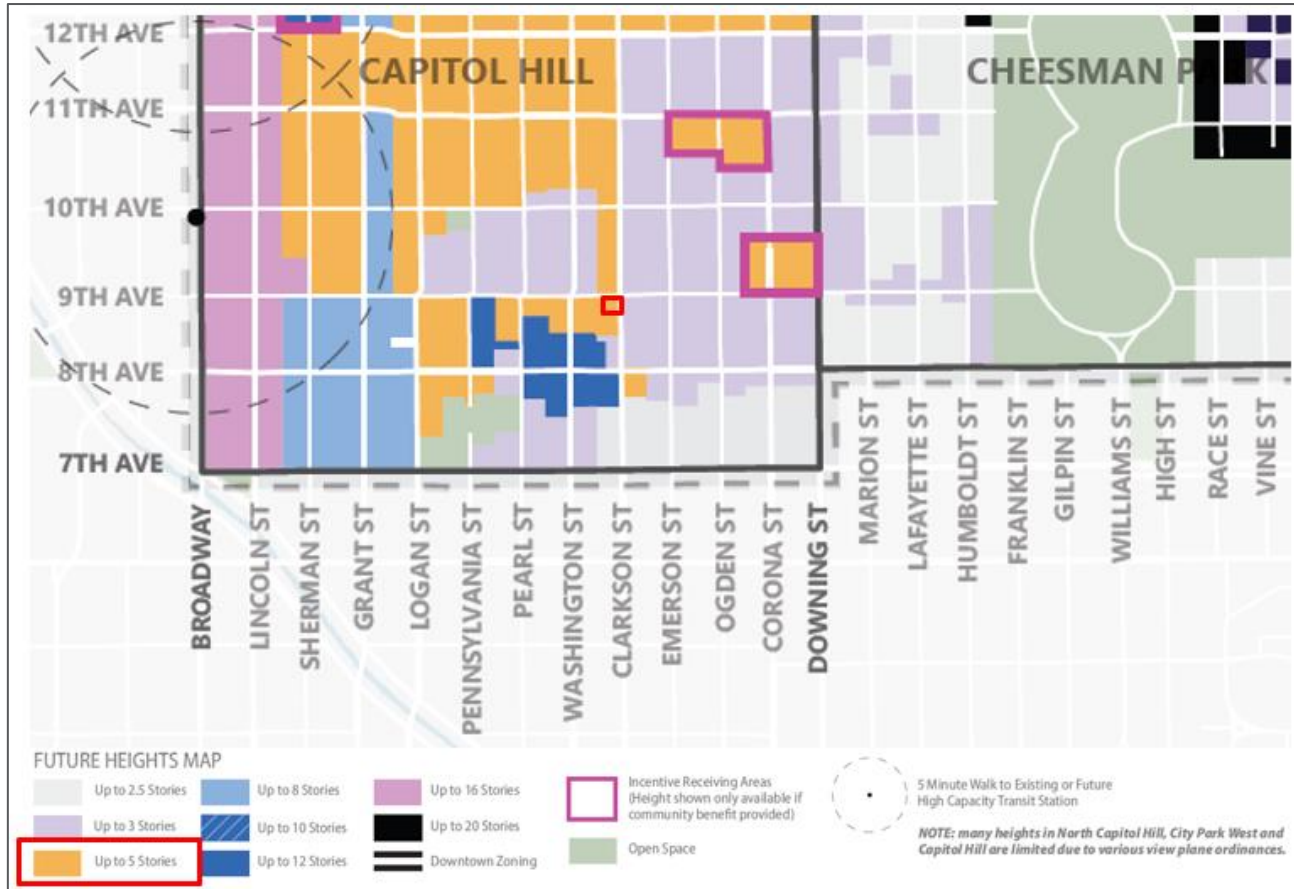
Future Neighborhood Context Map



Future Places Map



# Consistency with Adopted Plans: *East Central Area Plan (2020)*



Future Heights Map

# Review Criteria

## Denver Zoning Code Review Criteria

### 1. Consistency with Adopted Plans

### 2. Uniformity of District Regulations

- Proposed rezoning will result in uniform application of zone district building form, use and design regulations

### 3. Further Public Health, Safety and Welfare

- Implements adopted plans
- Allows for a broader number of uses including multi-unit residential

### 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
  - Former Ch. 59 Zoning
  - A City adopted plan:
    - *Blueprint Denver (2019)*
    - *East Central Area Plan (2020)*
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
5. Consistency with Neighborhood Context, Zone District Purpose and Intent
  - General Urban Neighborhood Context primarily consists of multi-unit residential
  - Residential Districts are intended to
    - Promote and protect residential neighborhoods within the character of the General Urban Neighborhood context
    - The building form standards, design standards, and uses work together to promote desirable residential areas
  - G-MU-3 zoning's intent is to provide certainty to property owners and neighborhoods about the limits of what is allowed in a residentially-zoned area and reinforce desired patterns in existing neighborhoods.

# CPD Recommendation

CPD recommends approval, 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