



TO: Denver Planning Board
FROM: Jason Morrison, AICP, Senior City Planner
DATE: April 13th, 2022
RE: Official Zoning Map Amendment Application #2021I-00232

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2021I-00232.

Request for Rezoning

Address: 1895 N. Quebec Street & 1800 N. Oneida Street (and other associated addresses on identified parcels)

Neighborhood/Council District: South Park Hill Neighborhood / Council District 8

RNOs: Greater Park Hill Community, Inc., Central Park United Neighbors, Opportunity Corridor Coalition of United Residents, Denver for ALL, East Colfax Neighborhood Association, Master Community Association, District 8 Neighborhood Coalition, Inc., Inter-Neighborhood Cooperation (INC)

Area of Property: 730,678 square feet or 16.76 acres

Current Zoning: CMP-EI, UO-3

Proposed Zoning: CMP-EI, w/ waivers

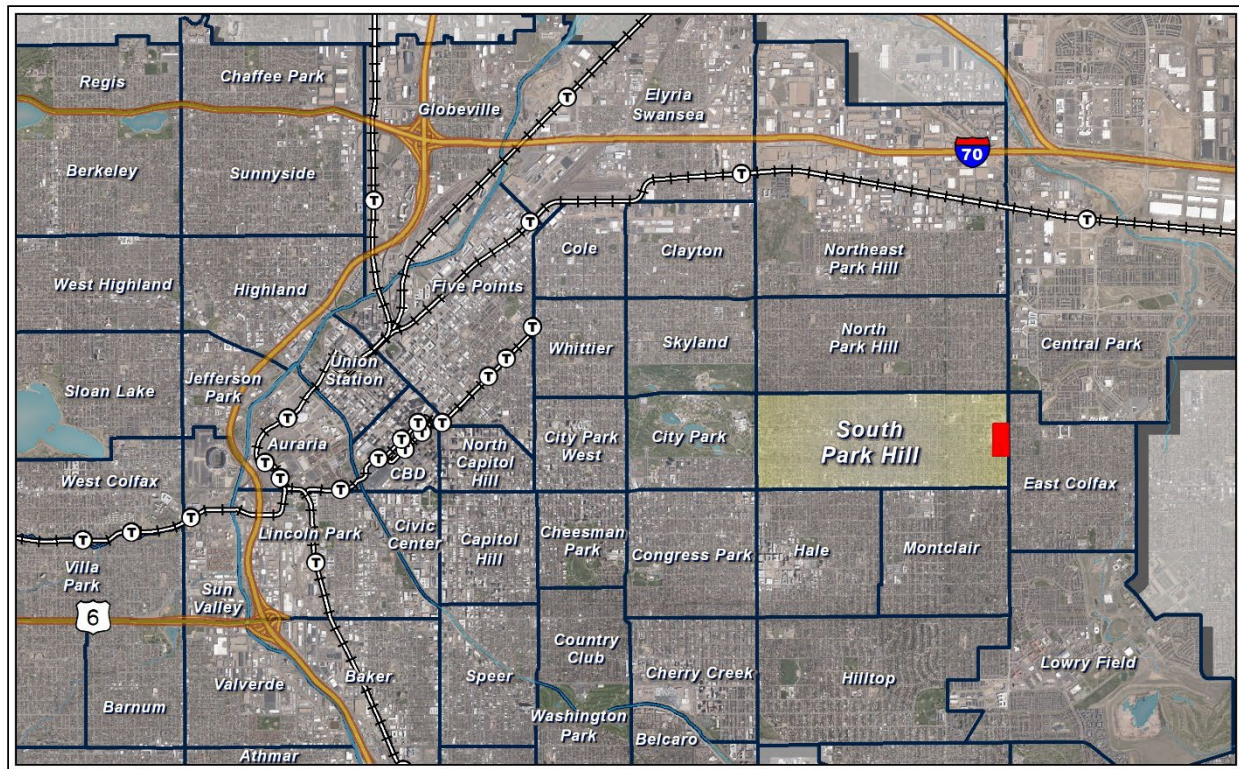
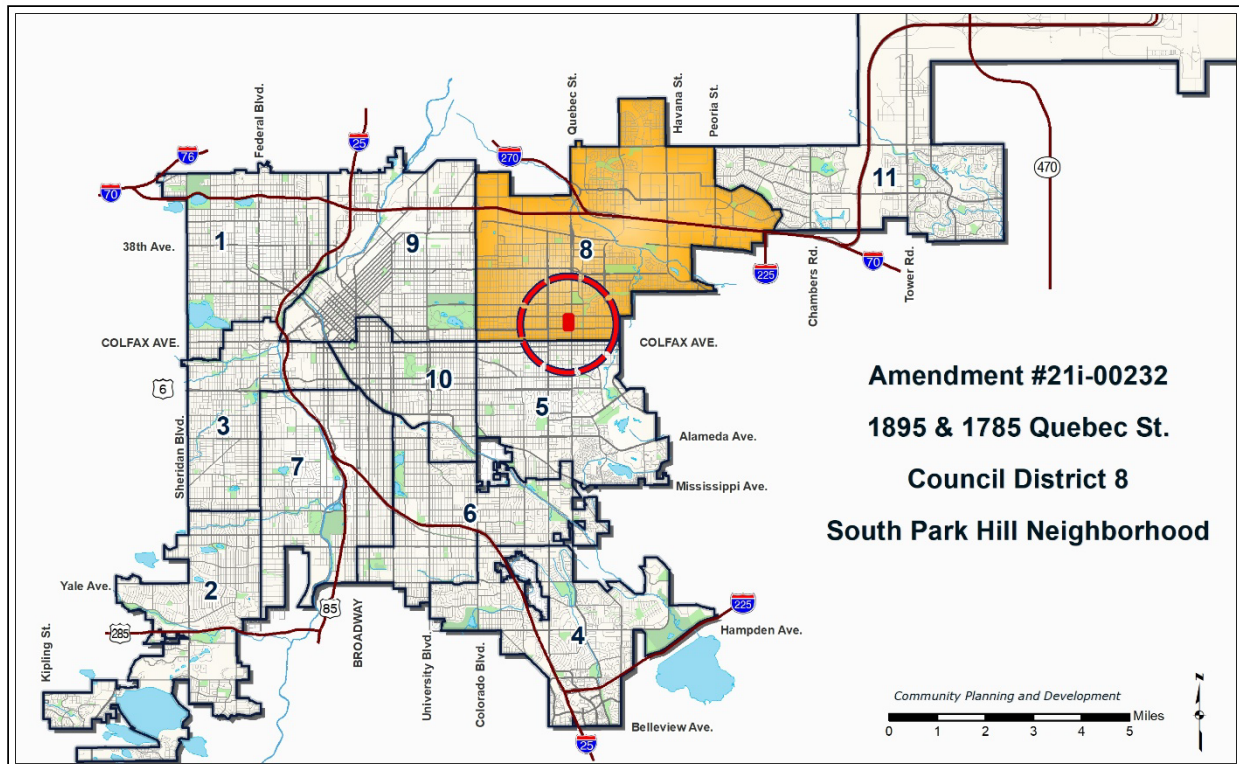
Property Owner(s): DEP LLC.

Owner Representative: Will Wagenlander, David Evans and Associates

Summary of Rezoning Request

- The subject site is in the South Park Hill statistical neighborhood
- In 2021, the approximately 25-acre Johnson and Wales University campus was sold to the Urban Land Conservancy, Denver Public Schools, and the Denver Housing Authority. The former campus includes 13 buildings and a variety of open space. Demolition is not proposed for any of the existing structures but rather these buildings will be adaptively reused for a mix of educational, residential, and other purposes
- The proposed rezoning includes only the east (13.47 acres) and south (3.29 acres) parcels of the former campus
- The proposed zone district is CMP-EI w/ waivers. The CMP-EI Zone District is intended to be applied to institutions and campuses of larger areas and scale, where additional flexibility is desired to accommodate master planned campus elements such as flexible placement of buildings, internal pedestrian walkways and connections, indoor and outdoor recreational facilities, open plazas, and green spaces.
- The applicant is proposing maintain the existing CMP-EI district with the addition of a waiver to allow for the *Food Preparation and Sales, Commercial* use in the Denver Zoning Code which will allow local small business to use the existing industrial kitchens to produce a range of food items. The programming will also allow The Kitchen Network, which is an anticipated tenant on the site, to provide workforce development and training in culinary arts and business management. This use is currently not allowed in the existing CMP-EI Zone District.

Existing Context





The subject site is comprised of 16.76 acres on the former 25-acre Johnson and Wales University campus in northeast Denver. The eastern and southern parcels of the former campus make up this map amendment request. The subject site is generally defined by Montview Boulevard to the north, North Quebec Street to the east, East 17th Street to the south, and North Pontiac Street to the west. The subject site includes 13 educational buildings, and a variety of open space.

The Denver School of the Arts is located across Montview Boulevard to the north, and both Ashley Elementary School and the Odyssey School of Denver are located less than ½ mile to the east and northwest, respectively. William H. McNichols Park is located ¼ mile to the east and Fred Thomas Park is located approximately ½ mile to the northeast. The subject site is also located three blocks to the north of local business along East Colfax Avenue. Finally, the site is served by a bike lane along Montview Boulevard and transit service provided by the Regional Transportation Service along North Quebec Street (RTD Route 73).

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	CMP-EI, UO-3	Public/Quasi-Public	Multiple institutional buildings with varying heights and large setbacks. Parking lots and open space throughout	Generally regular grid of streets; North Pontiac Street and East 19 th Avenue

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
North	E-SU-DX, UO-3	Public/Quasi-Public	Denver Public Schools, 1-2 stories in height, large setbacks with surface parking	interrupted by Former Johnson and Wales University campus Block sizes and shapes are consistent and rectangular to the east and south Vehicle parking generally to the side or rear of buildings (alley access)
South	E-SU-DX	Single-Unit Residential	Single-Unit residential buildings, 1-2 stories with moderate setbacks with a mix of curb cuts and garage entrances off alley	
East	E-SU-DX	Single-Unit Residential	Single-Unit residential buildings, 1-2 stories with moderate setbacks with curb cuts and garage entrances off alley	
West	CMP-EI, UO-3	Public/Quasi-Public	Multiple institutional buildings with varying heights and large setbacks. Parking lots and open space throughout	

1. Large Development Review (LDR)

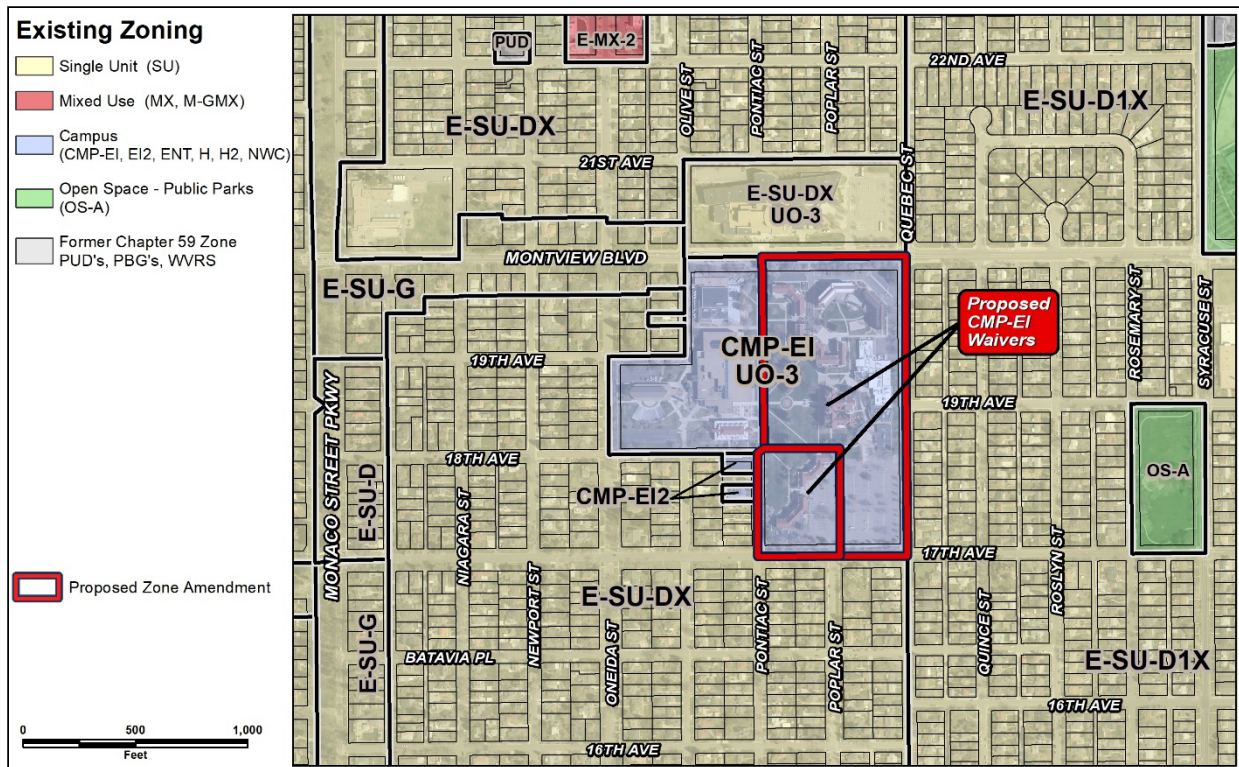
This rezoning application was reviewed by the Development Review Committee to see if the proposal would subject to the Large Development Plan (LDR) process outlined in Section 12.4.12 of the Denver Zoning Code and require the creation of a Large Development Framework. After review, it was determined that the project would be subject to LDR review because the unique programming and size of the property warrant a coordinated master framework process to guide the future redevelopment. The subject area is not part of General Development Plan or other approved regulatory plan that already establishes a coordinated master framework process. Additionally, the redevelopment, open space, housing, and infrastructure issues on the subject property cannot be adequately addressed through other regulatory processes, such as site development plan review. As a result, the applicants are working with Community Planning and Development Staff to outline project requirements and the entitlement process as it pertains to housing, open space, and infrastructure.

As part of the 2021 sale of the former Johnson and Wales University, Urban Land Conservancy's affiliate entity, DEP, LLC has signed a Letter of Intent with Archway Communities for the purchase of four student housing buildings for future use as affordable housing for families. DEP has also leased the Culinary Arts Building and Vail Hall to Kitchen Network to provide public access to commercial cooking and baking equipment, food storage, business development resources, and related services. In the longer term, Kitchen Network requires authorization for a commissary kitchen use, which is not currently permitted within the CMP-EI zone district and requires a rezoning to allow for the *Food Preparation and Sales, Commercial* use.

2. Historic District or Structures

The former Johnson and Wales University campus is home to several iconic buildings which honor the history of the campus. Once such building, Treat Hall (aka Centennial Hall), was fully rehabilitated by Johnson and Wales University and is now protected by an easement held by Historic Denver. Originally this building was a dormitory, dining hall and contained classrooms for the entire college. It is Richardson Romanesque in architectural style.

3. Existing Zoning

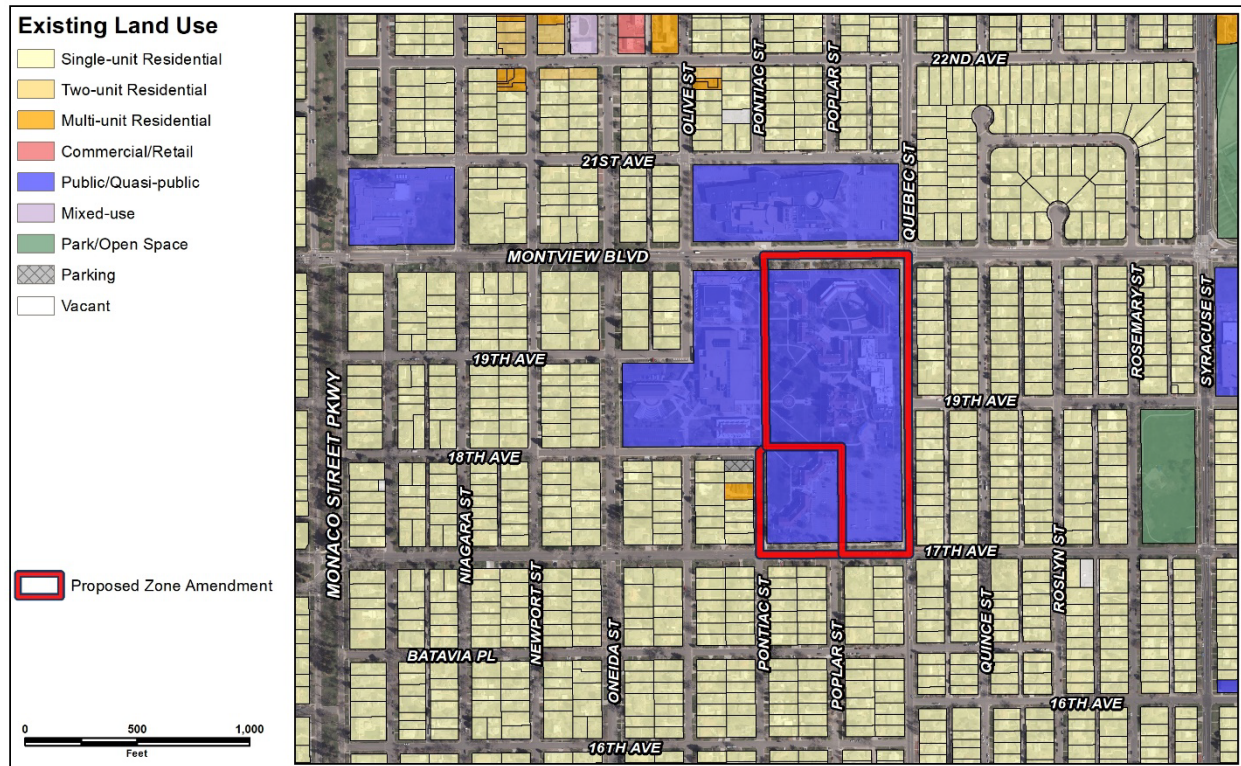


The current CMP-EI, UO-3 Zone District is intended to be applied to institutions and campuses of larger areas and scale, where additional flexibility is desired to accommodate master planned campus elements, such as flexible placement of buildings, internal pedestrian walkways and connections, indoor and outdoor recreational facilities, open plazas, and green spaces. The CMP-EI Zone District allows for a maximum building height of 150 feet (maximum of 75 feet within 175 feet of a protected district), a minimum primary street setback of 10 feet, and upper story setbacks above 40 feet and when adjacent to a protected district. These regulations allow for the campus use to transition to neighborhoods with primarily single-unit and two-unit uses. This district allows for a variety of educational, residential, and office uses. For additional details of the current zone district, please see Article 9 of the Denver Zoning Code.

Additionally, the Historic Structure Use Overlay (UO-3) applies to the subject site. The intent of this use overlay district is to encourage preservation, protection, adaptive use, and enhancement of

historic structures. The overlay also allows for some commercial uses including art studios and bed and breakfast lodging, with limitations. The Historic Structure Use Overlay may only be established in conjunction with an underlying Residential Zone District; therefore, it is not part of the applicant's rezoning request because the requested zone district is a Mixed-Use Zone District. For additional details of this use overlay, please see Article 9 of the Denver Zoning Code.

4. Existing Land Use Map



5. Existing Building Form and Scale

All images are from Google Street View.



Subject site, facing north from 17th Avenue



Subject site, facing west from South Quebec Street



North of the subject site, facing North from Montview Boulevard



East of the subject site, facing east from South Quebec Street



South of subject site, facing south from 17th Avenue



West of subject site, facing east from North Oneida Street

Proposed Zoning

The requested CMP-EI Zone District is found in the Special Districts context. The CMP-EI Zone District is intended to be applied to institutions and campuses of larger areas and scale, where additional flexibility is desired to accommodate master planned campus elements, such as flexible placement of buildings, internal pedestrian walkways and connections, indoor and outdoor recreational facilities, open plazas, and green spaces. The district is established to allow for flexible placement of buildings, and unified treatment of signs, open space, landscaping, and other site elements while providing compatible transitions between the campus and adjacent neighborhoods (DZC, Section 9.2.4.1). This transition is achieved through a maximum building height of 75 feet when within 125 feet of a protected district, a minimum primary street setback of 10 feet, and upper story setbacks above 40 feet and when adjacent to a protected district. Permitted uses within the CMP-EI Zone District include group living, community center, day care center, eating and drinking establishments, and several other residential, educational, and office uses. Additional details of the CMP-EI zone district can be found in article 9 of the Denver Zoning Code.

The applicant is proposing a waiver to the underlying CMP-EI zoning to allow for the *Food Preparation and Sales, Commercial* use in the Denver Zoning Code which will allow local small business to use the existing industrial kitchens to produce a range of food items. The programming will also allow the Kitchen Network to provide workforce development and training in culinary arts and business

USE CATEGORY	SPECIFIC USE TYPE <ul style="list-style-type: none"> •Vehicle Parking Requirement -# of spaces per unit of measurement •Bicycle Parking Requirement - # of spaces per unit of measurement % required spaces in indoor facility/% required spaces in fixed facility) 	CMP-H CMP-H2	CMP-E1 CMP-E12	CMP-ENT	CMP-NWC	CMP-NWC-C	CMP-NWC-G	CMP-NWC-F	CMP-NWC-R	APPLICABLE USE LIMITATIONS
Industrial Services	Contractors, Special Trade - General	NP	NP	NP	NP	NP	NP	NP	NP	\$11.5.3
	Contractors, Special Trade - Heavy/ Contractor Yard*	NP	NP	NP	NP	NP	NP	L-ZP	NP	\$11.5.4
	Food Preparation and Sales, Commercial <ul style="list-style-type: none"> •Vehicle: .5/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: No requirement 	NP	NP	NP	L-ZP	L-ZP	L-ZP	L-ZP	NP	\$11.5.5
	Laboratory, Research, Development and Technological Services <ul style="list-style-type: none"> •Vehicle: .5/ 1,000 s.f. GFA •CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R Districts - Vehicle: No requirement •Bicycle: No requirement 	P-ZPIN	E1: P-ZPIN E12: NP	L-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	\$11.5.6
	Service/Repair, Commercial Manufacturing, Fabrication & Assembly – Custom	NP	NP	NP	NP	NP	NP	L-ZP	NP	\$11.5.7

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 Comments

Asset Management: Approved – No Comments

Denver Public Schools: Approved – No Response

Department of Public Health and Environment: Approved – No Comments

Denver Parks and Recreation: Approved – No Comments

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

Development Services – Project Coordination: Approved – See Comments Below

1. A Zone Lot Amendment (ZLAM) has been requested by staff to separate the Denver Public Schools portion of the campus into a separate zone lot. At this time, the formal ZLAM application has not been received and the Denver Public Schools portion of the campus is a current owner of the property under rezoning consideration. Approval of the ZLAM is needed before Zoning and Building permits can be issued for the Denver Housing and Archway residential projects proposed for the buildings to the north and south of the proposed commissary kitchen.
2. A separate zoning use permit application will be needed to approve the commissary kitchen uses if the rezoning is approved.
3. Operations of food trucks (for purposes of selling food as a retail operation) require separate permits.
4. Using the north portion of the Culinary arts building for food truck loading creates a potential adverse impact to the proposed residential uses in both Johnson and Wales Halls due to the narrow one-way drive lane and limited turn around loading space. Loading from the south end of Vail Hall provides better turning movements for food trucks on site and into the public right-of-way and is less impactful to the proposed residential uses.

Development Services - Fire Protection: Approved – No Comments

Development Services – Transportation: Approved – No Comments

Development Services- Wastewater: 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:	2/8/2022
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:	4/5/2022
Planning Board public hearing	4/20/2022
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 (tentative):	4/18/2022
Land Use, Transportation, and Infrastructure Committee of the City Council (tentative):	5/3/2022
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):	5/31/2022
City Council Public Hearing (tentative):	6/20/2022

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

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 2040*
- *Blueprint Denver (2019)*
- *East Area Plan (2019)*

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 application notes that the proposed rezoning will allow for the creation of commissary kitchens which will be available for a diverse range of users and small businesses. Improving access to this type of flexible and in-demand facility will allow both startup and established food-oriented businesses the space to grow, learn, and provide culturally relevant food for east Denver and other communities. The rezoning is, therefore, consistent with the following strategies in the **Equitable, Affordable, and Inclusive** vision element:

- 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 C – *Promote and encourage use of the Denver Public Library system, community centers, schools and other resources that provide opportunities for life-long learning* (p. 30).

The application states that the addition of the *Food Preparation and Sales, Commercial* use to the CMP-EI Zone District will provide a more complete neighborhood that provides additional services along with a healthy diversity of employment opportunities. Additionally, this proposed rezoning only introduces an additional use to the former Johnson and Wales University campus and will not require demolition to any of the existing structures on the former campus. The adaptive reuse of these culinary buildings will allow the campus character to continue well into the future. Finally, the anticipated addition of new employees, educational uses, incubation spaces, and community-serving food and beverage services will contribute to the community's mix of employment and commercial services, leading to a more economically stronger and resilient neighborhood. The rezoning is, therefore, consistent with the following strategies in the **Strong and Authentic** vision element:

- 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 3, Strategy E – *Support the stewardship and reuse of existing buildings, including city properties* (p. 34).
- Strong and Authentic Neighborhoods Goal 4, Strategy A – *Grow and support neighborhood-serving businesses* (p. 34).

According to the application, The Kitchen Network was specifically created to develop, support, and assist in the creation of food-oriented businesses. The introduction of the *Food Preparation and Sales, Commercial* use will provide small businesses the necessary space and equipment required for long-term longevity by significantly reducing the high-overhead costs often associated with starting a new food-oriented business. This type of commissary kitchen use is in short supply in Denver and the addition of this type of space will help fill a market gap and diversify east Denver's economy. Finally, the application notes that one of the guiding principles of The Kitchen Network is learning and job training for youth and young adults interested in starting their career in the food industry. The introduction of this use to the CMP-EI Zone District will allow professionals from The Kitchen Network to share best practices to support, teach, and grow Denver's future entrepreneurs and vibrant food economy. The rezoning is, therefore, consistent with the following strategies in the **Economically Diverse and Vibrant** vision element:

- Economically Diverse and Vibrant Goal 1, Strategy A – *Improve economic mobility through workforce training, career development, quality education and wealth creation.* (p. 46)
- Economically Diverse and Vibrant Goal 2, Strategy B – *Facilitate the growth of a diverse business sector that serves as the foundation for a global, innovative economy* (p. 46)
- Economically Diverse and Vibrant Goal 3, Strategy A – *Promote small, locally-owned business and restaurants that reflect the unique character of Denver* (p. 46)
- Economically Diverse and Vibrant Goal 3, Strategy C – *Address the needs of culturally relevant businesses that are most vulnerable to involuntary displacement* (p. 46)
- Economically Diverse and Vibrant Goal 6, Strategy A – *Create partnerships between employers and educators to directly connect students to entrepreneurs and business leaders.* (p. 47)
- Economically Diverse and Vibrant Goal 10, Strategy C – *Spur innovation and entrepreneurship across food and agricultural industries.* (p. 48)

The proposed waiver will maintain current CMP-EI zoning code standards on the subject site, ensuring quality development that is appropriate for the neighborhood and adjacent to transit services. Additionally, the introduction of the *Food Preparation and Sales, Commercial* use will contribute to a more complete food system that provides small and emerging food businesses with a place to grow. It is anticipated that this will promote economically resilient businesses that provide a diversity of food items and services for the community. Finally, as previously stated, The Kitchen Network will be adaptively reusing existing buildings, kitchens, and equipment in these new culinary facilities. The introduction of this use through the proposed waiver will not require additional land or buildings which will help to facilitate adaptive reuse and infill development where infrastructure and buildings are already in place. The rezoning is, therefore, 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).
- *Environmentally Resilient Goal 10, Strategy B – Expand and preserve regional food system assets and infrastructure* (p. 54).

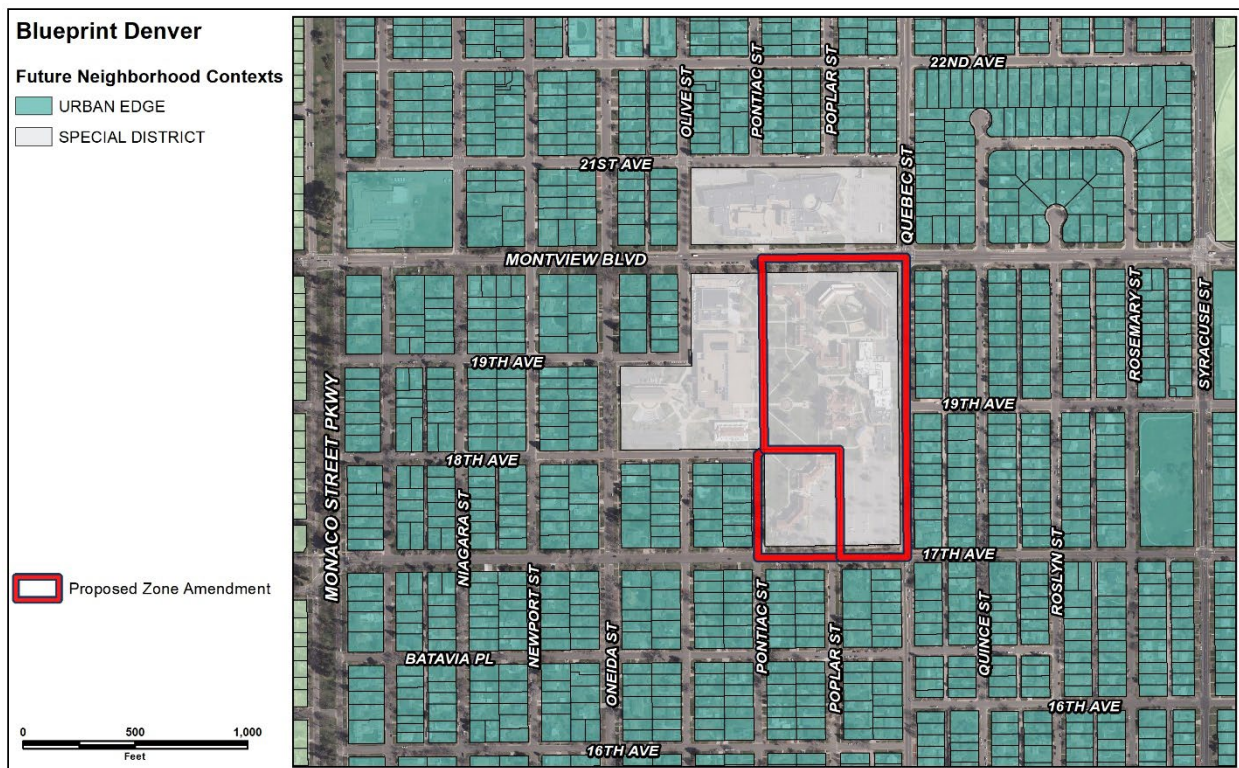
According to the application, the introduction of the *Food Preparation and Sales, Commercial* use will allow a wide range of businesses and users equitable access to the commissary kitchens. Many of these businesses are operated by owners from diverse backgrounds and the commissary kitchens are an important resource for these food entrepreneurs. It is anticipated that The Kitchen Network's east Denver location will provide these users with the resources and space needed to successfully create culturally diverse food options. The rezoning is, therefore, consistent with the following strategies in the **Healthy and Active** vision element:

- Healthy and Active Goal 3, Strategy B – *Expand community food production and sharing* (p.58).

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 site as "Campus" within the "Special District" neighborhood context and provides guidance from the future growth strategy for the city.

Blueprint Denver Future Neighborhood Context

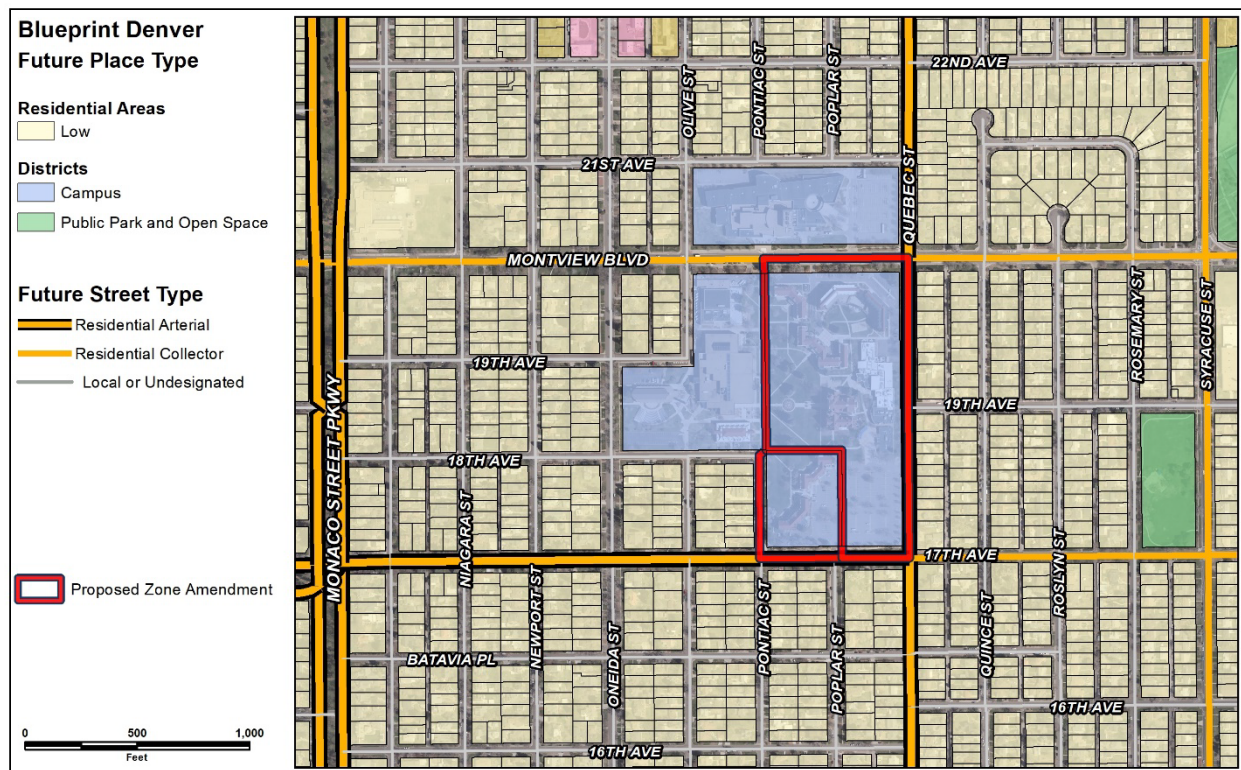


The subject property is shown on the context map as the Special Districts neighborhood context. The Special Districts neighborhood context is described as "areas that serve a specific purpose, usually highly specific based on uses, such as education, industry or healthcare" (p. 137). Campus buildings vary greatly in size and form and multi-story, single-use and mixed-use buildings are typical.

The CMP-EI Zone District is intended to be applied to institutions and campuses of larger areas and scale, where additional flexibility is desired to accommodate master planned campus elements, such as flexible placement of buildings, internal pedestrian walkways and connections, indoor and outdoor recreational facilities, open plazas, and green spaces.

The proposed rezoning is appropriate and consistent with the Special District context plan direction as it will allow for the adaptive reuse of existing buildings and introduce a new community-serving and educational use in a campus setting. Although the former Johnson and Wales Campus will no longer serve one designed purpose, the adaptive reuse of existing buildings with the expanded use allowance of *Food Preparation and Sales, Commercial* use will help maintain and further promote the vision for a unique campus feel. Existing building forms vary in height and intensity and respond to the surrounding community. CMP-EI includes form standards that limit height adjacent to protected districts, ensuring an appropriate transition to the adjacent single-unit context.

Blueprint Denver Future Places



The Future Places map shows the subject property as part of a Campus area within the Districts context. *Blueprint Denver* describes these areas as having a “primary purpose such as education or medical services. These environments often provide retail, restaurants, offices and residential uses to support the primary use and serve the surrounding neighborhoods” (p. 291). When adjacent to lower intensity development, campuses should transition gradually to respect the surrounding neighborhood.

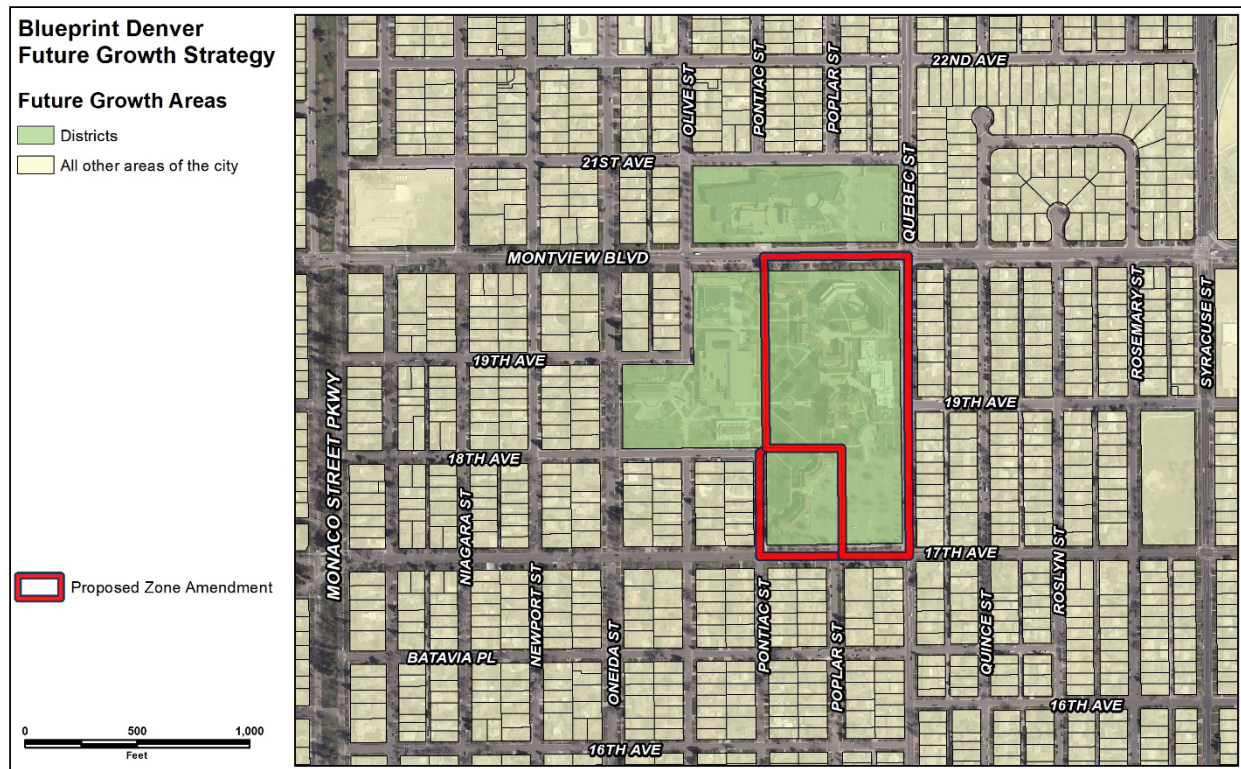
The CMP-EI Zone District will continue to serve as a transition to neighboring single-unit and two-unit uses within the neighborhood. Furthermore, the introduction of this new use to the CMP-EI Zone District will allow professionals from The Kitchen Network to share best practices to support, teach, and grow Denver's future entrepreneurs and vibrant food economy. Concurrent with proposed office use and affordable housing on the subject site, it is anticipated that the addition of new employees, educational uses, incubation spaces, and community-serving food and beverage services that will result from this rezoning will contribute to the community's mix of employment and commercial services. The proposed rezoning to CMP-EI w/ waivers is appropriate and consistent with the Campus plan direction and will provide community access to educational, residential, and restaurant services.

Street Types

Blueprint Denver street types work in concert with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). The subject site is generally bounded by Montview Boulevard to the north (Residential Collector), Quebec Street to the east (Residential Arterial), and East 17th Avenue to the south (Residential Arterial). Residential Collector streets collect movement from local streets and convey it to the arterial streets. Residential Arterial streets "are designed for the highest amount of through movement and the lowest degree of property access" (p. 154). These streets contain primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses.

The proposed CMP-EI Zone District is designed to transition between more intense campus districts and adjacent residential districts, and because it enables both residential and quasi-public uses, the proposed CMP-EI Zone District is consistent with this plan direction for this location and is appropriate along the existing Residential Collector and Residential Arterial Street.

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 the "Districts" growth area, these areas are anticipated to see around 5% of new housing growth and 15% of new employment growth by 2040 (p. 51).

The proposed map amendment to CMP-EI w/ waivers is consistent with the Districts growth area in that it will allow a broad range of educational, residential and job opportunities. The application further notes that the optimal location of this use provides multimodal access and a variety of transportation choices to future users, customers, and employees.

Other Applicable *Blueprint Denver* Policy Recommendations and Strategies

Redevelopment of Institutional Sites

Blueprint Denver provides strategies to implement zoning code revisions to facilitate the compatible redevelopment of institutional sites within neighborhoods. Land Use and Built Form: General Policy 6, Strategy B says,

"Consider changes to the zoning code that would allow greater land use flexibility for these types of sites that vacate, such as appropriately scaled higher-density housing or limited neighborhood services. This approach could require adaptive reuse of existing structures in exchange for

greater land use flexibility or requirements for providing community improvements such as affordable housing, open space or community-serving spaces” (p.75).

Additionally, Strategy D says, “Study potential revisions to the campus zone districts to better reflect the intent of these districts to apply to true, actively functioning campuses” (p.75).

The application notes that the departure of the Johnson and Wales University has created the opportunity to reimagine a “new campus” that combines the former site’s singular focus on education with new community-serving affordable housing, employment, education, and retail uses. The addition of the *Food Preparation and Sales, Commercial* use to the CMP-EI Zone District furthers these strategies by contributing to a truly mixed-use campus that envisions to be community-centered rather than inwardly focused. The addition of commissary kitchens will help to reactivate the former campus and is responsive to the region’s current economic conditions.

Healthy Foods and Active Living

Blueprint Denver provides strategies to improve access to healthy foods to support community health outcomes. Quality-of-Life: General Policy 8, Strategy A says, “Evaluate city regulations to remove barriers to community-supported agriculture and to expand access to fresh food and produce” (p. 122).

With the addition of the *Food Preparation and Sales, Commercial* use to the CMP-EI Zone District, the Kitchen Network can bring together food related organizations to provide workforce development and training, culinary arts, and business management to east Denver. In addition to providing much needed vocational and job training, these commissary kitchens will provide the community with the support and training of an organization committed to business incubation and the production and access of healthy foods.

Custom Zoning

Blueprint Denver provides the following direction on how to limit the use of custom zoning including waivers: “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).

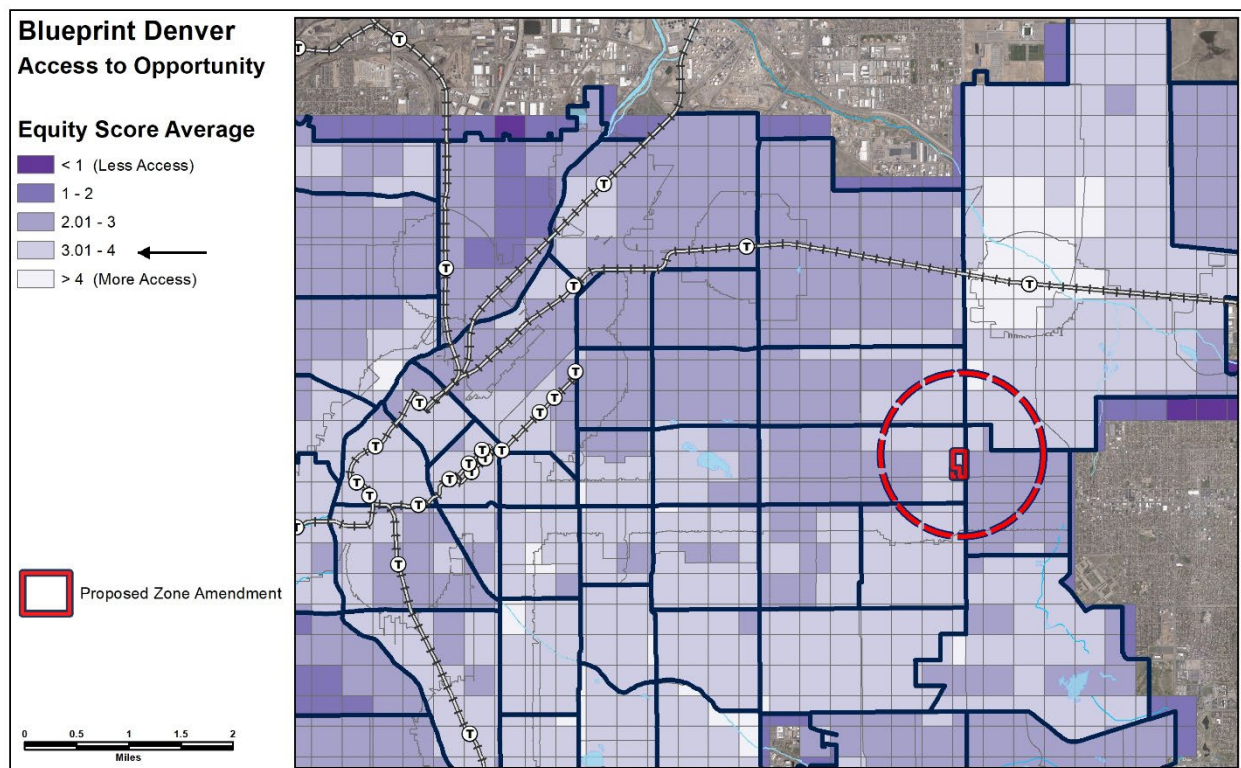
The waiver to allow for the *Food Preparation and Sales, Commercial* use will assist in implementing Land Use and Quality-of-Life recommendations found in *Comprehensive Plan 2040*, *Blueprint Denver*, and the *East Area Plan*. The proposed waiver supports the recommendation to explore code changes that allow more flexible uses on vacant institutional sites and other recommendations that support food access and small businesses. Furthermore, this request is a unique and extraordinary opportunity to rethink and reactivate the former Johnson and Wales University campus without impacting the campus’ existing contextual relationship with the surrounding community. Therefore, the use of a standard district with waivers is consistent with the recommendations of *Blueprint Denver*.

Equity Concepts

Blueprint Denver contains three equity concepts to help guide change to benefit everyone. Each equity concept has associated measurements that helps inform implementation actions through large rezonings along with other implementation actions. This evaluation, also known as an equity analysis, identifies gaps related to equity that should be considered and addressed as part of the Large Development Review and/or rezoning processes. A more detailed equity analysis will be included in the signed Large Development Framework.

Access to Opportunity

The basis for measuring access to opportunity is a composite of the neighborhood equity index developed by Denver's Department of Public Health and Environment, proximity to high-capacity and frequent transit, and access to centers and corridors. Access to opportunity helps us to consider if we are making progress towards achieving the vision for complete neighborhoods across the city.



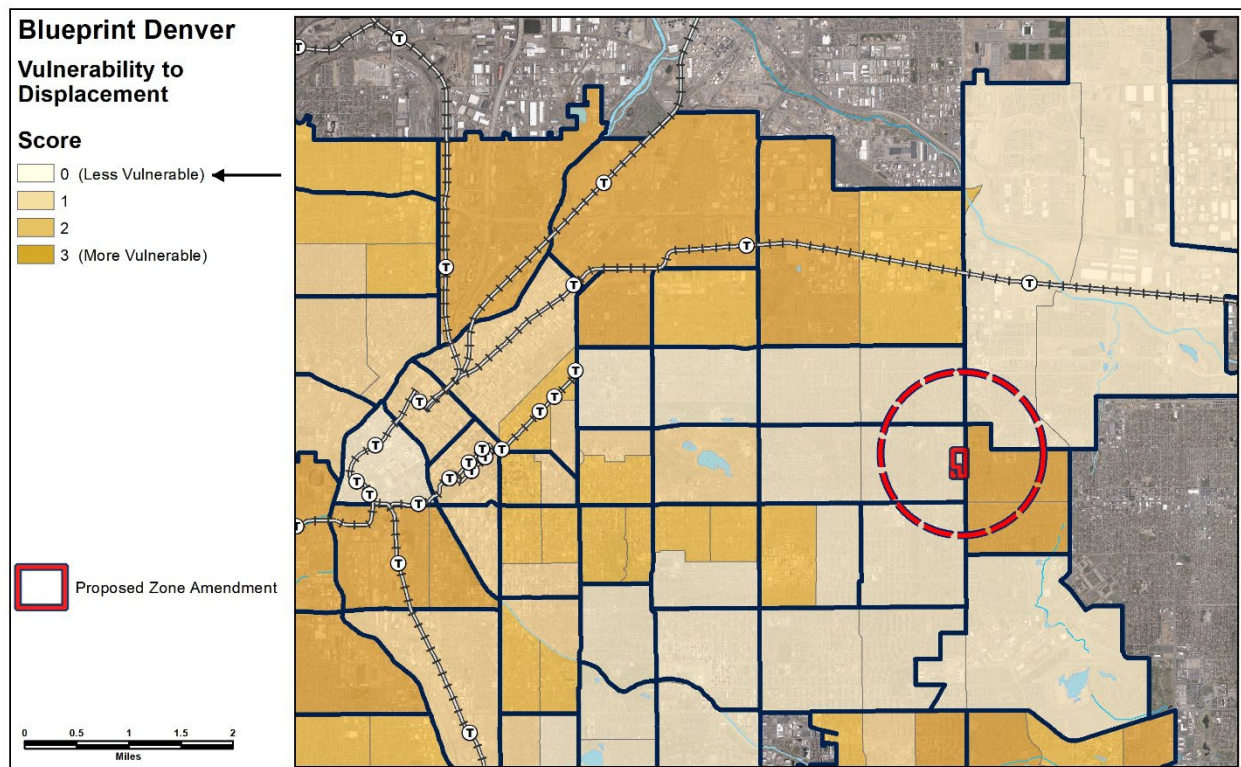
The subject property is in an area with high access to opportunity, specifically for the neighborhood equity index measurement (social determinants of health, access to healthcare, childhood obesity and life expectancy). The area has a more moderate score when it comes to the built environment measure (access to parks and access to fresh food), including a score of zero for access to transit.

The proposed rezoning to CMP-EI w/waivers will introduce the *Food Preparation and Sales, Commercial* use and it is anticipated that this will provide much needed access to commercial cooking and baking

equipment, business development resources, and fresh food for the growing residential population in the South Park Hill neighborhood. Additionally, by maintaining the CMP-EI base zone district the applicant is exploring commitments to preserve public access to existing campus open space areas and intends to keep existing campus walkways accessible to the community, thus improving the access to parks measurement. Finally, the area is less equitable when it comes to access to transit because the area is more than ½ mile from high-capacity and frequent transit. Through both the rezoning and the Large Development Review process, the applicant has committed to working with the City of Denver and other campus partners to create a walkability analysis to identify additional pedestrian opportunities both inside and outside of the campus to improve access to adjacent transit lines. The applicant has also committed to providing bicycle parking areas and maintenance areas to improve bikeability to transit and high frequency rail service in the area which will help to strengthen the score for this equity indicator.

Vulnerability to Involuntary Displacement

The basis for measuring vulnerability to involuntary displacement is the vulnerability to displacement index developed by the Denver Economic Development and Opportunity office. This combines data from median household income, percentage of people who rent housing, and percent of population with less than a college degree.

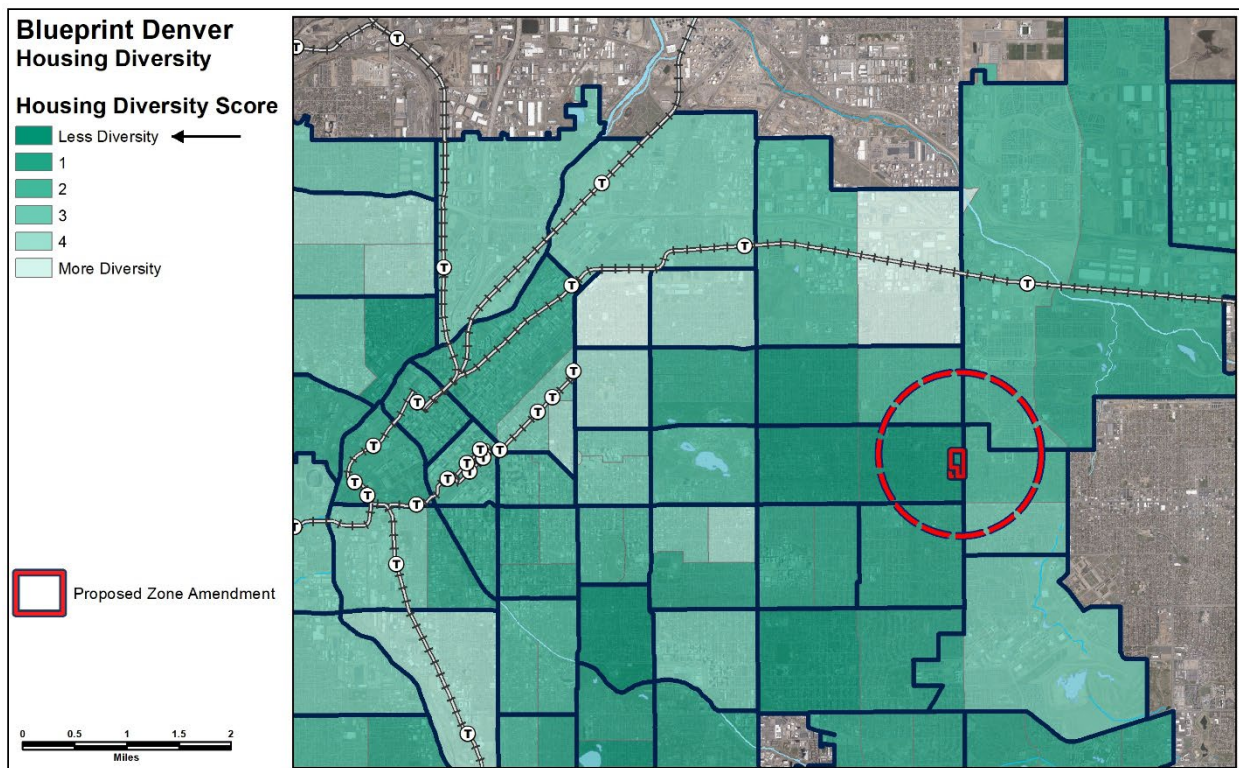


The subject site is in an area that has low vulnerability to involuntary displacement. However, in areas with low vulnerability to involuntary displacement it is important to maintain affordable housing options

so that residents of all income levels can continue to live in these neighborhoods especially when adjacent to more vulnerable neighborhoods like the East Colfax Neighborhood across North Quebec Street. The existing educational facility on the subject site no longer serves one specific use but no new redevelopment is proposed through this rezoning. Nevertheless, the introduction of *Food Preparation and Sales, Commercial* use will allow the applicant to provide food-focused vocational training and education for future residents and the surrounding neighborhood. Additionally, an affordable housing agreement is being developed concurrent with this rezoning through the Large Development Review process. Once formalized, this agreement will ensure the provision of for-rent affordable housing units on the subject site. These affordable units will be available to households of diverse income levels, dispersed equitably throughout the site, and sized to accommodate a variety of households. The supply of these affordable housing options is key to encouraging a complete neighborhood where families and households of all types and incomes can choose to live. This voluntary affordable housing commitment helps strengthen the application's consistency with *Blueprint Denver*. Staff finds that this rezoning application will not have a negative impact on this measurement and that no housing or business will be displaced as a result of its approval.

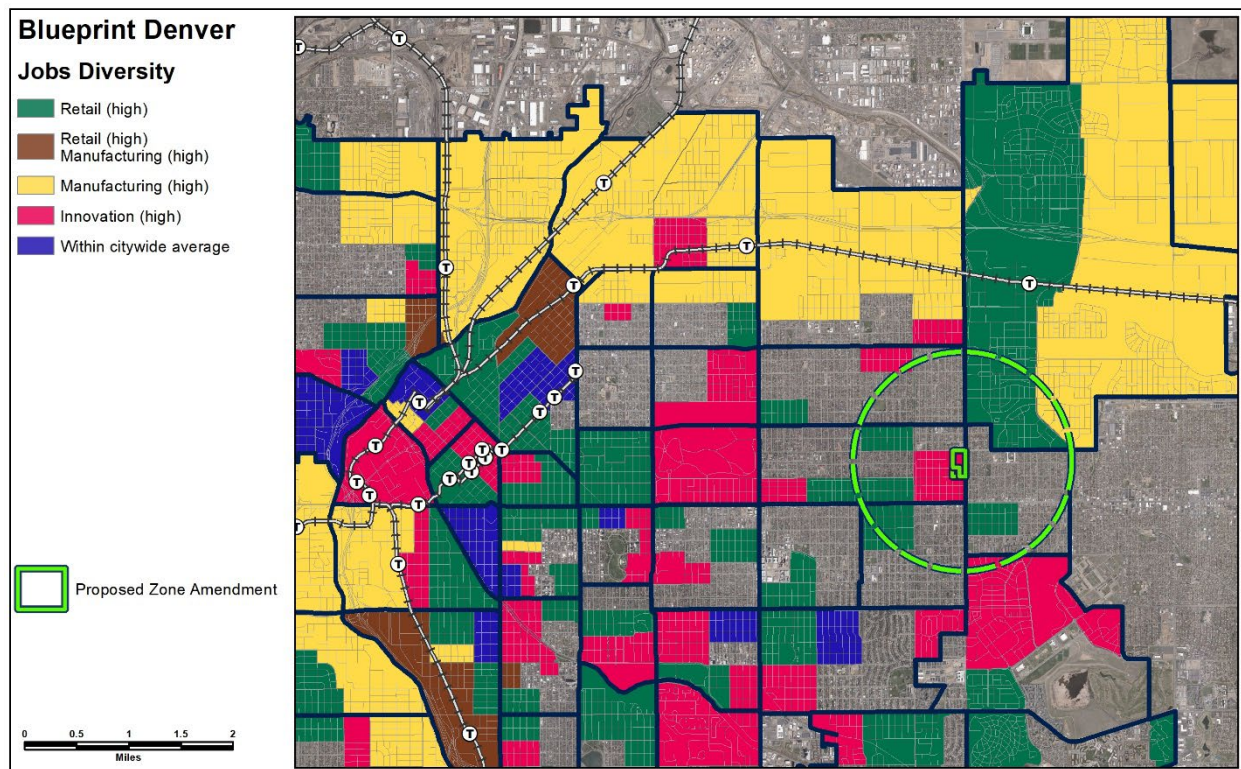
Expanding Housing and Jobs Diversity

The housing diversity map combines census tract-level data measuring the percentage of middle-density housing (housing with 2-19 units), home size diversity, ownership vs. rental, housing costs and the number of income-restricted units.



The subject site is in an area that has below-average housing diversity. In fact, the area scores low on all the indicators mentioned above. Although the current rezoning application to allow the *Food Preparation and Sales, Commercial* use doesn't propose residential uses, multi-unit residential is an allowed use in the existing and proposed base zone district – CMP-EI. Maintaining this base zone district has allowed for the provision of affordable multi-unit housing on the former Johnson and Wales campus through a voluntary housing agreement as described above. These units will provide one-to-three-bedroom income-restricted rental units which will improve all the housing diversity metrics including: missing middle housing, diversity of bedroom count per unit, owners to renters, and income restricted units. Staff finds that this rezoning application will promote a positive impact on the housing diversity metrics in this area.

Expanding Jobs Diversity



The map above shows the mix of jobs in an area with the dominant industry depicted by color. The subject property has a job mix that is dissimilar to the city's overall mix of job types with a greater emphasis on innovation jobs. As a result, there are less-than-average job diversity scores for manufacturing and retail jobs in the area.

The applicant is proposing a waiver to allow for the *Food Preparation and Sales, Commercial* use which will allow local small business to use the existing industrial kitchens to produce a range of food items. The programming will also allow the Kitchen Network to provide on-site workforce development and training in culinary arts and business management creating a more inclusive range of employment

options, thus improving the area's low jobs diversity score. Staff finds that, on balance, this rezoning application will have a positive impact on the area's jobs diversity.

East Area Plan

The *East Area Plan* was adopted by Denver City Council in 2020 and contains a framework plan for the entire rezoning area. The plan addresses key neighborhood needs like helping local businesses remain and thrive, affordable housing, preserving the diversity of East Colfax Avenue as well as neighborhood architecture, trees, and open spaces. The plan also includes several general recommendations that make it easier and safer to get around east Denver.

In addition to the general plan recommendations, the *East Area Plan* provides several specific recommendations relevant to the former Johnson and Wales University Campus and the South Park Hill neighborhood. At the time of adoption, Johnson and Wales University continued to operate at this location and the plan noted that the campus played an important role in the South Park Hill community as a major employer and educational institution. Continued use as an educational campus is supported by the *East Area Plan* and if a new property owner proposed to change the use from an educational campus, more detailed planning and community outreach would be required.

As previously mentioned, the Large Development Review process is applicable to the subject site and has introduced a coordinated master framework process to guide the future redevelopment. As mentioned previously, the applicant is not anticipating a major redevelopment of the site. Rather, they are proposing to adaptively reuse buildings while maintaining the campus environment and buildings. The proposed rezoning is consistent with the vision of supporting continued educational uses on the site. As part of the LDR process, a community information meeting was held in September of 2020 for the South Park Hill community. During the meeting, the applicant demonstrated how the proposed rezoning and overall redevelopment carries forward many general recommendations in the *East Area Plan* including:

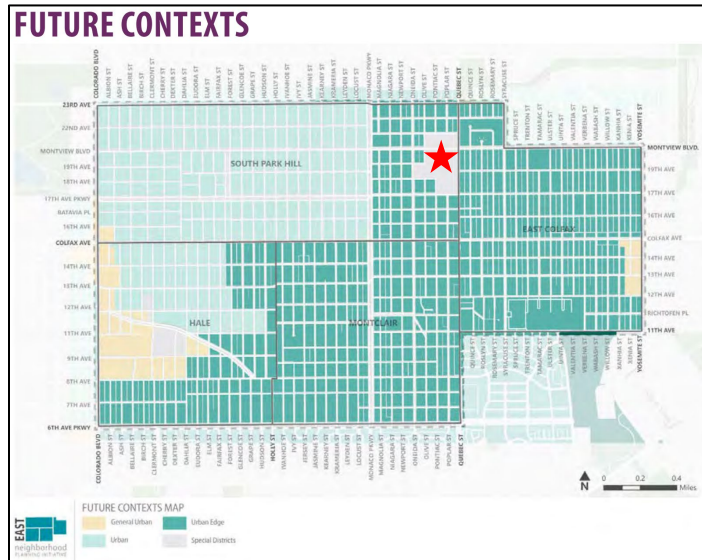
- Preservation of campus character, including publicly accessible open space
- Housing affordability
- Safe and convenient transportation for a variety of modes
- Community service uses and incubator spaces
- Employment, education, and job training
- Access to healthy food and public events
- Adaptive reuse of existing buildings

The proposed rezoning maintains the campus zoning on the site with a waiver that expands access for small businesses and promotes healthy food access. Therefore, it is consistent with the vision set forth *East Area Plan*.

East Area Plan Future Context and Future Place Maps

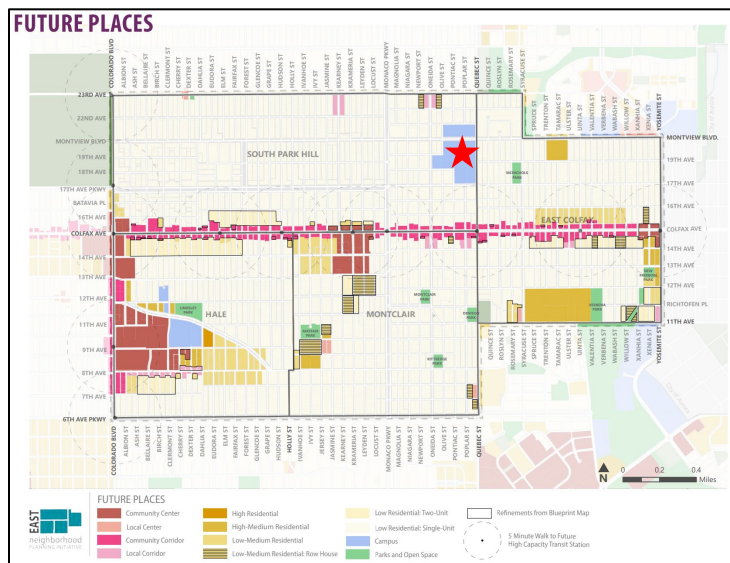
Consistent with the *Blueprint Denver* mapping and analysis (detailed earlier in this staff report), the subject site is mapped as "Special District" on the Future Context Map in the *East Area Plan*. The Special Districts neighborhood context is described as "areas that serve a specific purpose, usually highly specific based on uses, such as education, industry or healthcare". These areas typically contain large

schools, hospitals, large parks, and civic spaces. In the East Area, districts include: Rose Medical Center and surrounding medical uses, Johnson & Wales University campus, and Denver School of the Arts.



Although the former Johnson and Wales Campus will no longer serve only one specifically designed purpose, the preservation of existing buildings, maintenance of existing open space, and incorporation of affordable housing and the *Food Preparation and Sales, Commercial* use will help maintain and further educational uses and promote for the vision for a unique campus feel.

Consistent with the *Blueprint Denver* mapping and analysis (detailed earlier in this staff report), the subject site is mapped as “Campus” on the Future Context Map in the *East Area Plan*. The *East Area Plan* notes that these areas are typically dominated by a single, large institutional user where some supporting retail and residential uses may occur.



The introduction of this new use to the CMP-EI Zone District will allow professionals from The Kitchen Network to teach and grow Denver's future entrepreneurs and vibrant food economy. It is anticipated that the addition of new employees, educational uses, incubation spaces, and community-serving food and beverage services that will result from this rezoning will contribute to the community's mix of employment and commercial services. The CMP-EI w/ waivers district will also continue to allow residential uses as it does today.

Staff finds that the proposed rezoning to CMP-EI w/waivers is consistent with the general recommendations in the *East Area Plan* as well as the specific recommendations for the former Johnson and Wales University campus and the Park Hill Neighborhood.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to CMP-EI w/waivers will result in the uniform application of zone district building form, use, and design regulations on this site.

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 the implementation of the City's adopted plans. In addition to facilitating the preservation and reuses of some of the existing structures on the former campus, the application notes that the proposed waiver to allow for the *Food Preparation and Sales, Commercial* use will add new employees, educational uses, incubation spaces, and community-serving food and beverage services that will contribute to the community's mix of employment and commercial services. As such, a broadened mix of uses and mobility improvements can provide better health outcomes through increased physical activity and lessen the need for driving as services and amenities can be accessed within walkable and bikeable distances.

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: b. a City adopted plan."*

The application cites the recently adopted *East Area Plan* and many of the general Land Use and Quality-of-Life recommendations found in *Blueprint Denver* as a justifying circumstance for this proposed rezoning. This new plan guidance encourages potential revisions to the campus zone districts to better reflect needs of the community and documents an increasing demand for affordable housing, open space, and new community-serving uses such as the *Food Preparation and Sales, Commercial* use. The proposed rezoning will allow the flexibility to facilitate investment and continued active use while preserving the existing buildings on the former campus. The updated plan guidance for this area and the

changing conditions justifies the rezoning to allow additional uses and reinvestment in the public interest.

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

The Campus Context generally consists of midsize to large medical, institutional, educational or entertainment sites (DZC Section 9.2.1). The context allows flexible placement of buildings and a unified treatment of site elements like signage, landscaping, and open space. The context may have transitional areas that taper off in intensity towards adjacent residential neighborhoods, or they may be adjacent to more intense development. Buildings may be oriented either to a street, or to an internal courtyard, or to an open space area and building massing varies with greater massing generally interior to the site. In this district the General primary building form is the only allowed building form. The Campus Context often has high levels of access to the multimodal transit system.

The CMP-EI Zone District is intended to be applied to institutions and campuses of larger areas and scale, where additional flexibility is desired to accommodate master planned campus elements, such as flexible placement of buildings, internal pedestrian walkways and connections, indoor and outdoor recreational facilities, open plazas, and green spaces. (DZC Section 9.2.4.1).

Staff finds that the proposed rezoning to CMP-EI w/waivers is consistent with the Neighborhood Context Description and Zone District Purpose and Intent Statements because the proposed rezoning will maintain the varying height, building orientation, and publicly accessible open space currently found on the subject site. Furthermore, the introduction of the *Food Preparation and Sales, Commercial* use and preservation of open space will allow the former campus to expand community-serving uses and preserve the vision for a unique campus feel.

Attachments

1. Application (including proposed waiver)