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TO: Denver City Council
FROM: Libby Kaiser, Senior City Planner
DATE: September 22, 2022
RE: Official Zoning Map Amendment Application #2021I-00052

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2021I-00052.

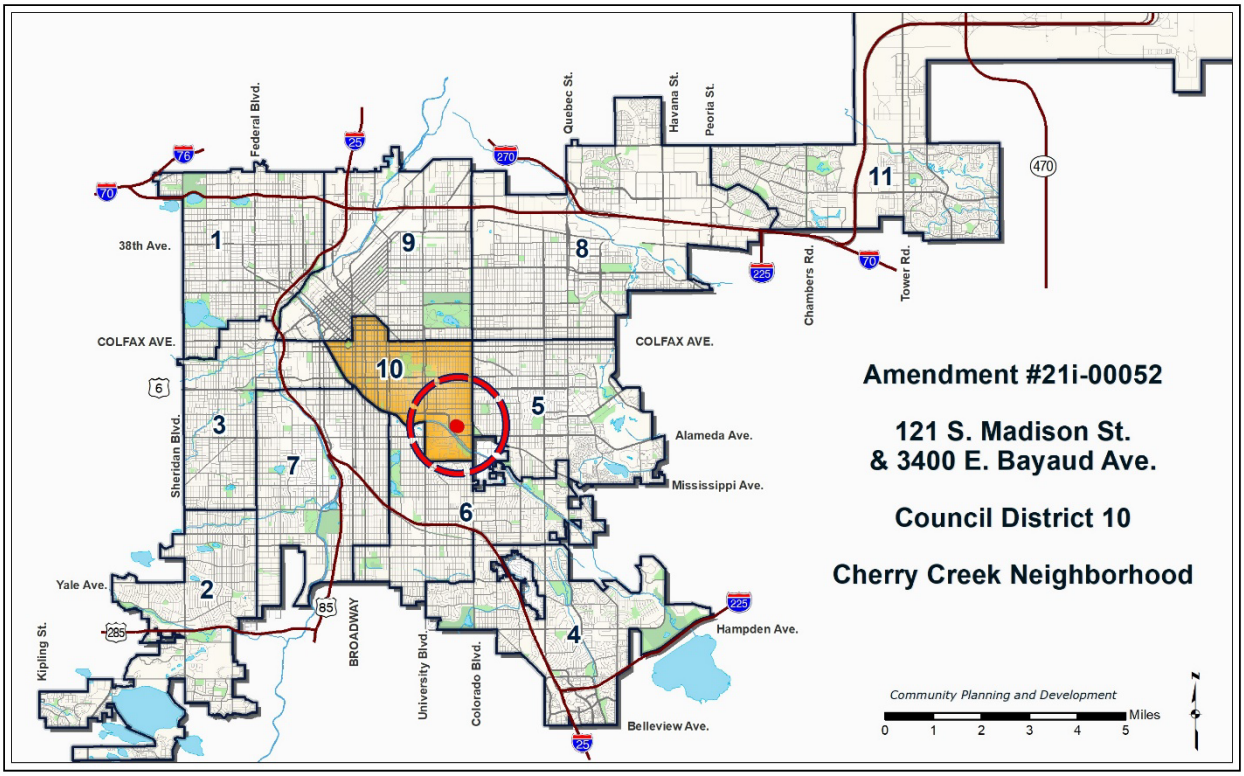
Request for Rezoning

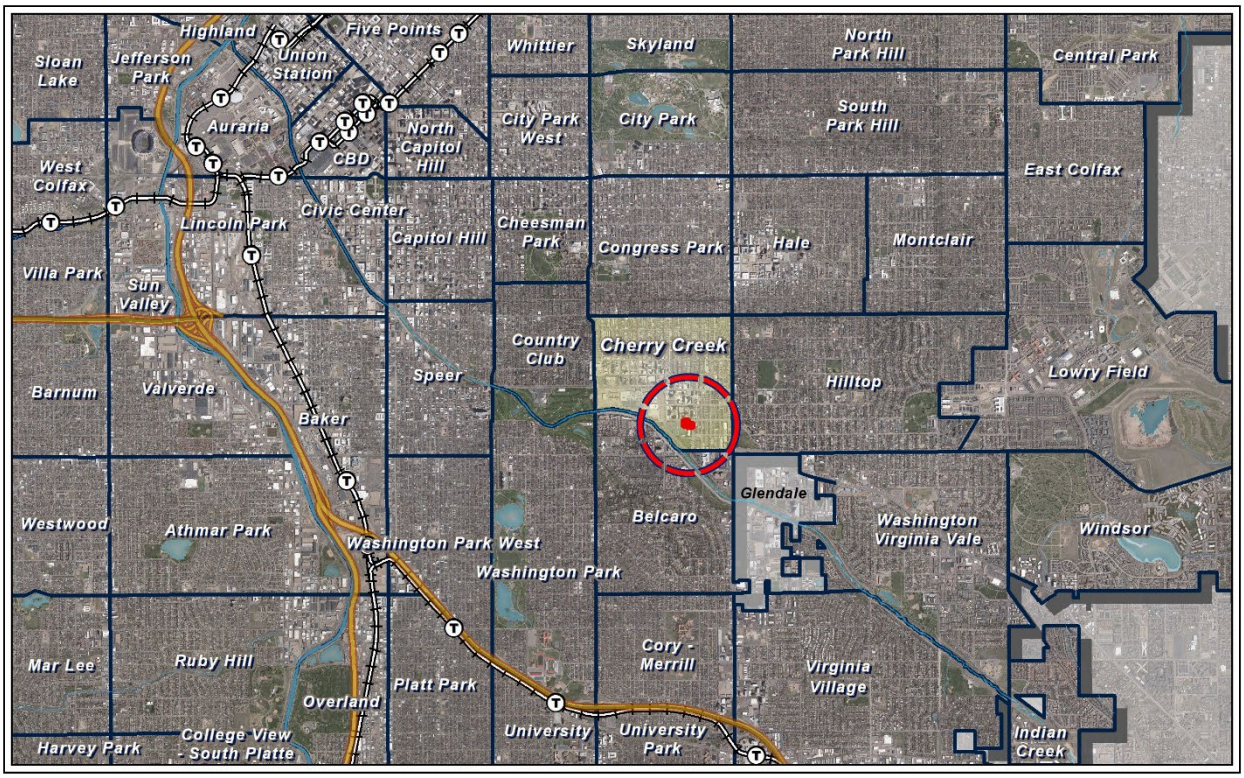
Address:	3400 E. Bayaud Avenue and 121 S. Madison Street
Neighborhood/Council District and CM:	Cherry Creek Neighborhood / Council District 10, CM Chris Hinds
RNOs:	Cherry Creek East Association, Green Cherry Creek, Inter-Neighborhood Cooperation (INC)
Area of Property:	40,978 square feet or 0.94 acres
Current Zoning:	C-MX-3
Proposed Zoning:	G-RX-5
Property Owner(s):	PIII Bayaud Street LLC and PIII S Madison St LLC
Owner Representative:	Brian Levitt

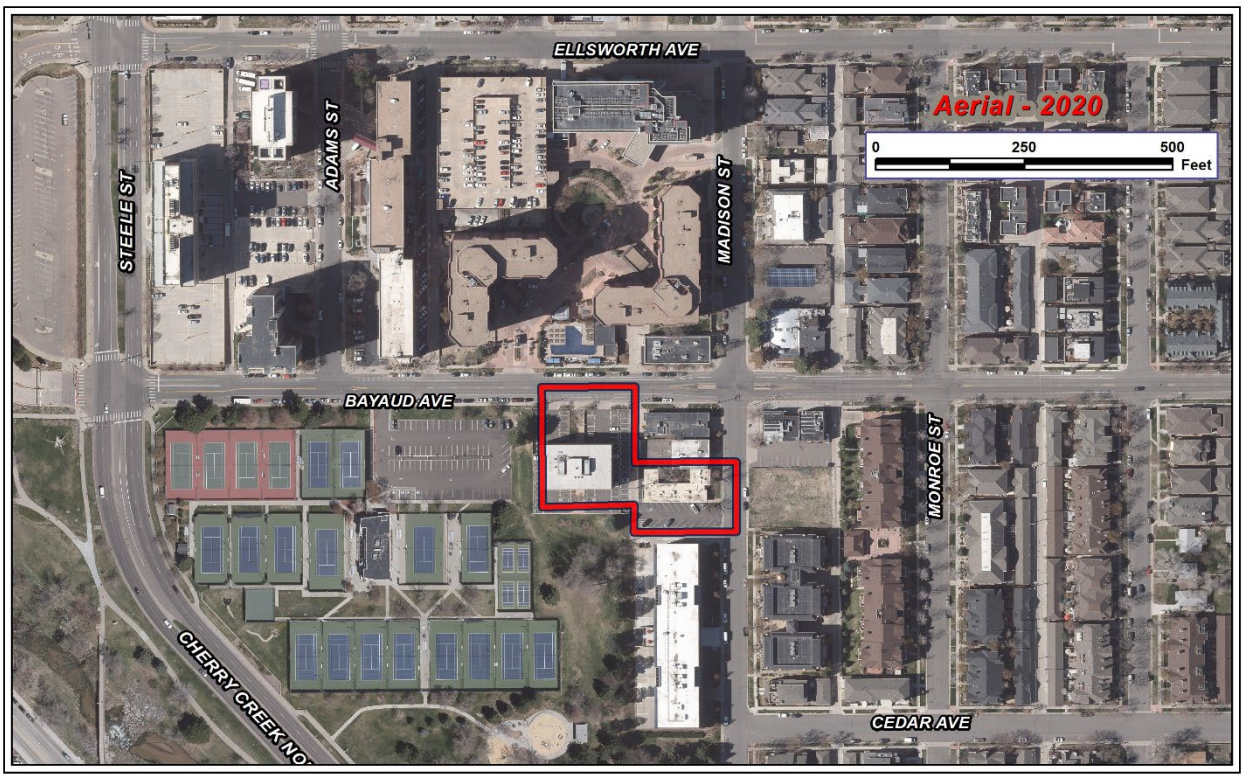
Summary of Rezoning Request

- The property is in the Cherry Creek statistical neighborhood on E. Bayaud Avenue and S. Madison Street.
- The property is occupied by a 2-story office building constructed in 1960, a 4-story office building constructed in 1978, and surface parking.
- The applicant is requesting this rezoning to enable a mixed-use development with housing.
- The site is currently zoned C-MX-3 (Urban **C**enter **Mix**ed Use - **3** stories) which allows a broad range of residential, civic, commercial, and industrial uses up to a maximum height of 3 stories or 45 feet.
- The proposed zone district is G-RX-5 (**G**eneral Urban **R**esidential Mi**x**ed Use - **5** stories) which allows a range of residential, civic, and commercial uses up to a maximum height of 5 stories or 70 feet.
- Further details of the existing and requested zone districts can be found in Articles 6 and 7 of the Denver Zoning Code (DZC).

Existing Context







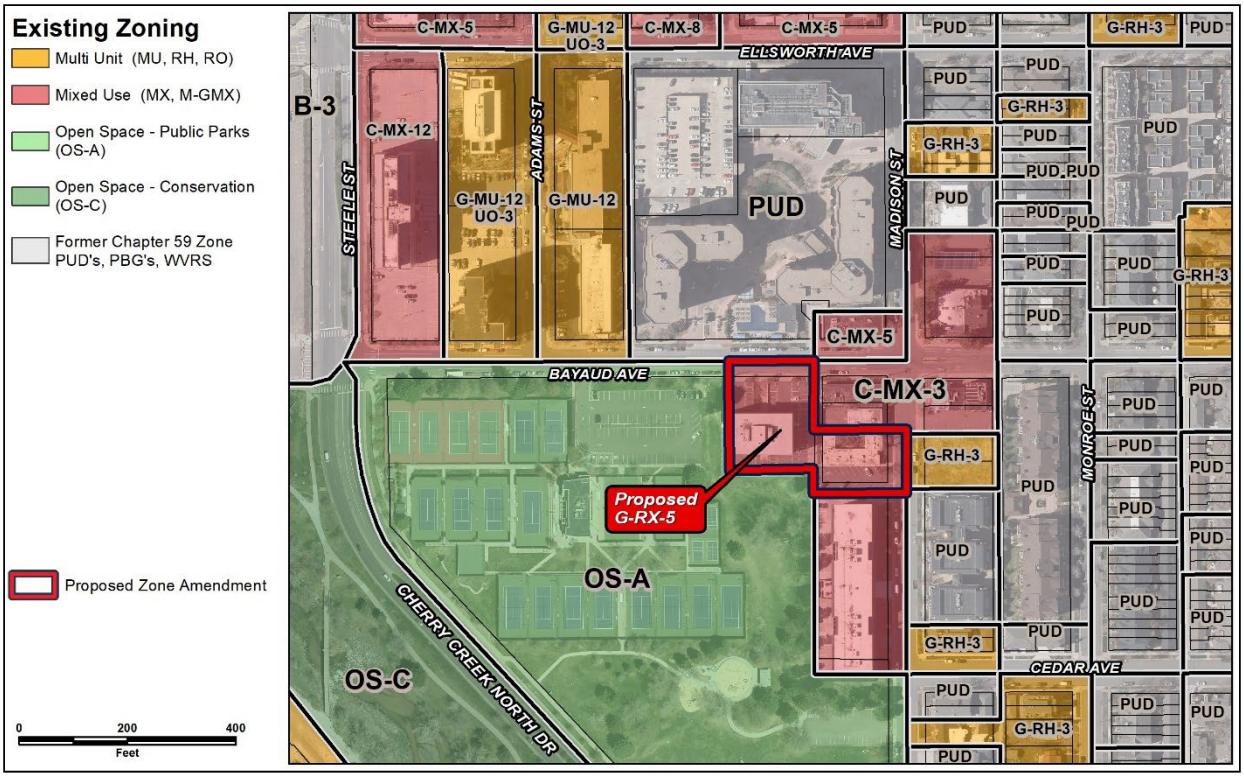
The subject property is located within the Cherry Creek Neighborhood on E. Bayaud Ave. and S. Madison St. and is currently occupied by 2-story and 4-story commercial buildings. Residential towers north of E. Bayaud Ave. are 15 stories high while lower-scale residential buildings exist east of S. Madison St. The Cherry Creek Mall is a 10-minute walk to the west. Pulaski Park, the Gates Tennis Center, and the Cherry Creek greenway with a multiuse trail are southwest of the site. A bike lane traverses E. Bayaud Ave. and bus routes 3, 3L, and 83 run along the Steele St./Cherry Creek Dr. N./Alameda Ave. corridor.

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	C-MX-3	Office and commercial/retail	2-story and 4-story buildings and surface parking	Streets are generally orthogonal with the exception of Cherry Creek Dr. N. which runs diagonally southwest of the site. Blocks are generally rectangular and alleys
North	C-MX-3, C-MX-5, PUD	Office and multi-unit residential	2-story office building and 15-story residential towers	
South	C-MX-3	Office	3-story building with tuck under parking	

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
East	C-MX-3, G-RH-3	Office, vacant and multi-unit residential	2-story office building and 3-story apartment buildings	are typical with the exception of a superblock northwest of Bayaud and Madison and the park to the southwest. Building setbacks and street orientation are varied. Parking is provided in surface lots, structures, and on street.
West	OS-A	Park	Green space and tennis courts	

1. Existing Zoning



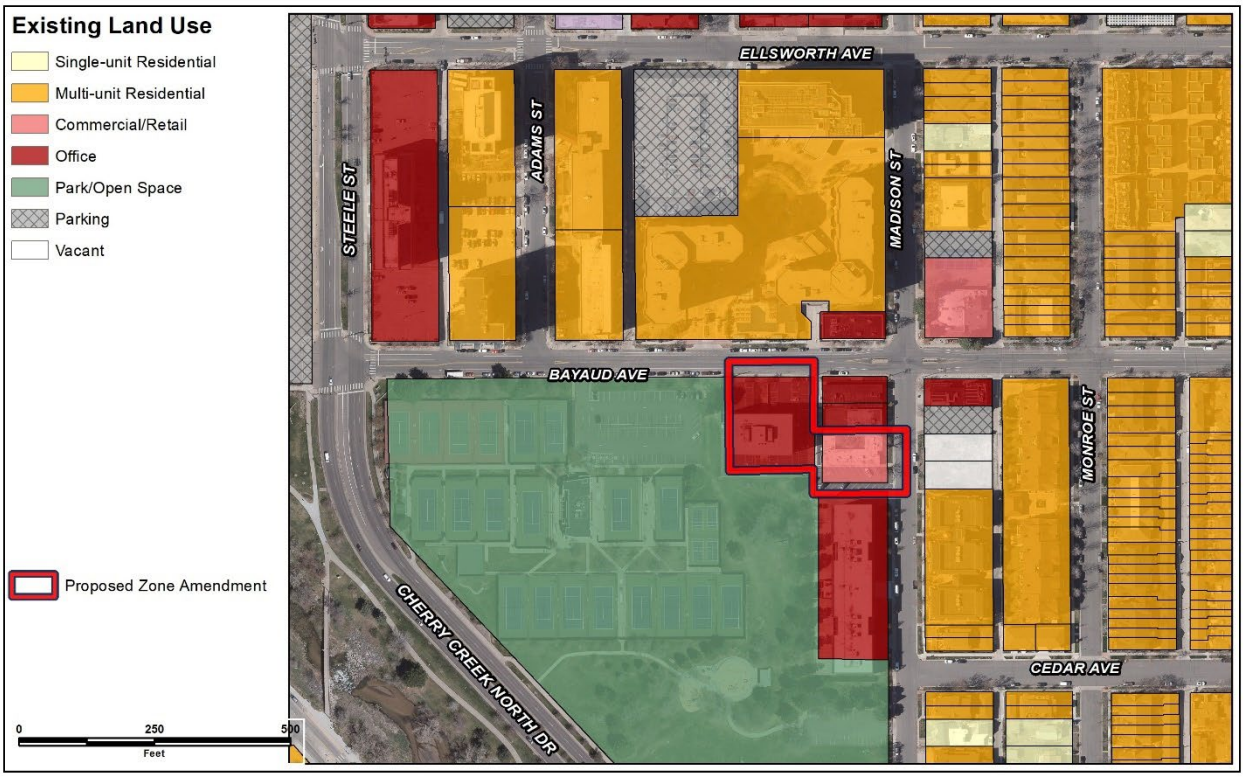
The existing zoning on the subject site is C-MX-3. The C-MX-3 district allows a broad range of residential, civic, commercial, and industrial uses and "applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired." (DZC 7.2.2.2). Allowed building forms include the Town House, General and Shopfront; Drive Thru Services and Drive Thru Restaurants are

also allowed subject to limitations. Parking standards are use specific. For additional details of the C-MX-3 district, see DZC Article 7.

2. View Planes

The Cranmer Park view plane applies to the subject property. It protects mountain views from Cranmer Park and limits building heights on the site to approximately 144 to 150 feet.

3. Existing Land Use Map



4. Existing Building Form and Scale (Source: Google Maps)

Site (western) - *Looking south from E. Bayaud Ave.*

Site (eastern) - *Looking west from S. Madison St.*

North - *Looking northwest from E. Bayaud Ave.*

Northeast - *Looking northeast from E. Bayaud Ave. and S. Madison St.*

East - *Looking west from S. Madison St.*

Southwest - *Looking north from Cherry Creek Drive North*

Proposed Zoning

The **G-RX-5** (**G**eneral **R**esidential Mi**x**ed Use - **5** stories) is a residential mixed use zone district in the General Urban Neighborhood Context. It allows a range of residential, civic, and commercial uses and "applies to residentially-dominated areas served primarily by local or collector streets where a building scale of 2 to 5 stories is desired." (DZC 6.2.4.2.B). Allowed building forms include Town House and Shopfront; unlike the existing zoning of C-MX-3, the General, Drive Thru Services, and Drive Thru Restaurant building forms are not allowed. Another key difference is that Street Level active uses are required in the existing C-MX-3 district but not in the proposed G-RX-5 district. Street Level active uses exclude such uses as storage, accessory car wash bays, and parking. In addition, buildings in a G-RX district allow only housing or lodging accommodation uses on the second floor and above. For additional details of the requested G-RX-5 district, see Article 6 of the DZC.

The primary building forms allowed in the existing zone district and the proposed zone districts are summarized here:

Design Standards	Existing C-MX-3	Proposed G-RX-5
Primary Building Forms Allowed	Town House, General and Shopfront; Drive Thru Services and Drive Thru Restaurant w/ limitations	Town House and Shopfront
Height in Stories / Feet (max)	3 stories / 38'-45'*	5 stories / 70'
Primary Street Build-To Percentages and Ranges	Town House: 70% within 10'-15' General: 70% within 0'-10' Shopfront: 75% within 0'-5' Drive Thrus: 50% -70% within 0'-15'*	Town House: 70% within 10'-15' Shopfront: 75% within 0'-10'
Primary Street Setbacks (min)	Town House: 10' All Other Forms: 0'	Town House: 10' Shopfront: 0'
Transparency, Primary Street	Shopfront: 60% All Other Forms: 40%	Town House: 40% Shopfront: 60%
Street Level Active Uses	Drive Thrus: 40% All Other Forms: 100%	Town House: N/A Shopfront: N/A

* Standards vary based on building form

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: Approve Rezoning Only - Will require additional information at Site Plan Review.
Areas of buried historical urban fill are potentially located nearby the proposed areas of rezoning. A map of potential areas of buried historical urban fill in Denver is available at https://www.denvergov.org/opendata/dataset/city-and-county-of-denver-historical-fill-areas. Historical urban fill may contain buried wastes, building debris, contaminated environmental media, and subsurface soil vapors, including methane gas. The locations of buried fill areas are approximations and should not be used for detailed planning or engineering purposes.
Also, a gas station(s) may have historically operated in the vicinity of the Site.
Historically, gas stations have been related to releases of petroleum products or solvents to soil and groundwater.
Applicants for future building projects could consider completing environmental site assessments prior to redevelopment to help determine the presence, nature and extent of potential contamination at the Site and to identify specific cleanup needs. If encountered, contaminated environmental media and regulated materials must be properly managed in accordance with applicable regulations.
The DDPHE Division of Environmental Quality (EQ) may have additional information about specific localized potential environmental concerns. However, given the scale of the proposed rezoning, providing information about specific addresses is beyond the scope of these comments. Applications for building projects with subsurface excavation are reviewed by EQ staff on an individual basis and comments provided when appropriate. Building project applicants are also welcome to contact EQ for information on their specific site.

Denver Parks and Recreation: Approved – See Comments Below.
No development or construction will be allowed on adjacent parkland. No equipment or material staging is allowed on parkland.

Transportation and Infrastructure - Surveyor: Approved – No Comments.

Development Services – Project Coordination: Approved – No Response.

Development Services – Fire Protection: Approved – No Response.

Development Services - Transportation: Approved – No Response.

Development Services – Wastewater: Approved – See Comments Below.
DS 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. 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.

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:	**5/17/2022**
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:	**7/19/2022**
Planning Board public hearing (unanimously recommended approval):	**8/3/2022**
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 (10) working days before the meeting:	**8/3/2022**
Land Use, Transportation and Infrastructure Committee of the City Council moved the bill forward:	**8/16/2022**
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:	**9/5/2022**
City Council Public Hearing:	**9/26/2022**

- **Public Outreach and Input**
  As mentioned in the applicant's narrative, they presented their rezoning request and development plans to the Cherry Creek East Association several times, held two open houses in August 2021, and presented at a community meeting on July 26.

  - **Registered Neighborhood Organizations (RNOs)**
    - The RNOs identified on page 1 were notified of this application. The Cherry Creek East Association submitted the results of a survey that garnered more than 200 responses with 64% of respondents opposing the rezoning. Some of the reasons for opposition were that the rezoning request is inconsistent with the Cherry Creek Area Plan, would cause traffic and parking congestion, and increase crime.

  - **General Public Comments**
    - To date, staff has received 14 public comments, with two opposing the rezoning because of parking and disruption, and 12 supporting the rezoning as it will add housing near transit, improve urban design, activate the park, and be a positive redevelopment.

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* (2019)
- *Blueprint Denver* (2019)
- *Cherry Creek Area Plan* (2012)

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 proposed rezoning will allow for access to shops, services and green space within walking distance of more residents and will provide affordable housing units. The subject property is within less than one-half mile from bus stops serving three bus routes and the Steele St./Cherry Creek Dr. N./Alameda Ave. corridor is envisioned as a Hight Capacity Transit Priority Street per *Blueprint Denver*. The rezoning is, therefore, consistent with the following strategies 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 2, Strategy A - *Create a greater mix of housing options in every neighborhood for all individuals and families* (p. 28).

The proposed rezoning and subsequent development will be required to comply with the city's recently adopted affordable housing policy. Additionally, the allowed building forms within the requested zone district will ensure that future infill development improves the quality of the urban environment and is compatible with the area. The request is, therefore, consistent with the following strategies from the Strong and Authentic Neighborhoods 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 1, Strategy D – *Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities* (p. 34).

Finally, the proposed zone district will promote infill development in an area well served by existing infrastructure and a mix of uses proximate to a future High Capacity Transit corridor. The request is, therefore, consistent with the following strategies from the Environmentally Resilient vision element:

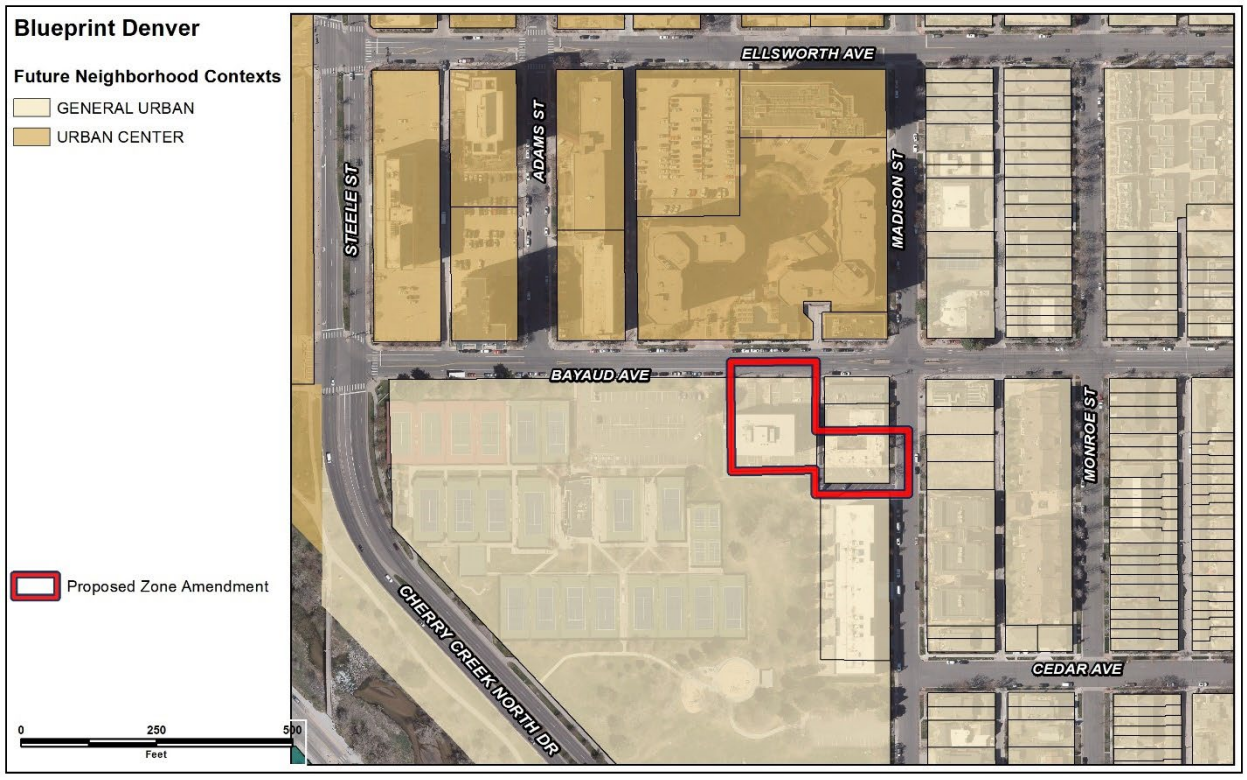
- Environmentally Resilient Goal 8, Strategy A – *Promote infill development where infrastructure and services are already in place* (p. 54).
- Environmentally Resilient Goal 8, Strategy B – Encourage *mixed-use communities where residents can live, work and play in their own neighborhoods* (p. 54).
- Environmentally Resilient Goal 8, Strategy C – *Focus growth by transit stations and along high- and medium-capacity transit corridors* (p. 54).

The proposed zone district allows for a variety of uses, particularly residential, near transit and includes form standards that will ensure infill development is compatible with the surrounding neighborhood. Thus, the rezoning is consistent with the *Denver Comprehensive Plan 2040*.

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 part of a Local Center place type within the General Urban Neighborhood Context and provides guidance from the future growth strategy for the city.

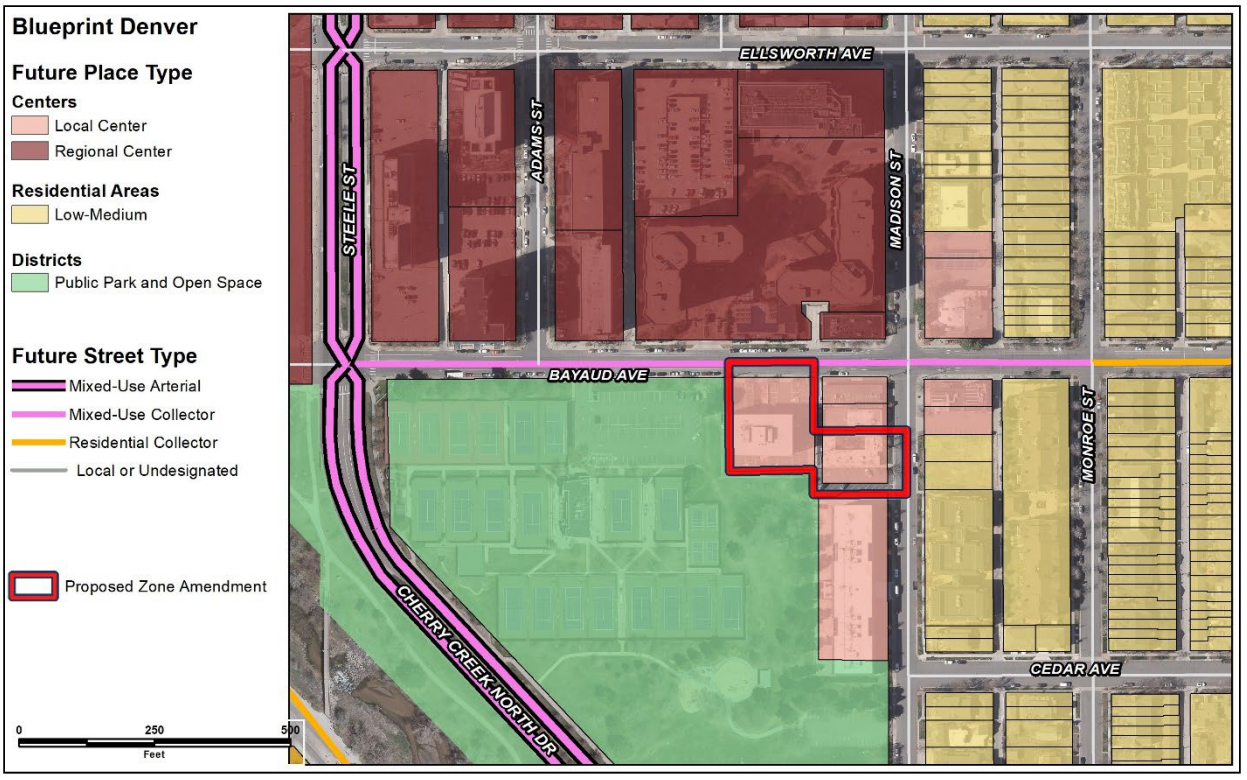
Blueprint Denver **Future Neighborhood Context**



In *Blueprint Denver*, future neighborhood contexts are used to help understand differences in things like land use and built form and mobility options at a higher scale, between neighborhoods. The subject property is within the General Urban Neighborhood Context. "General urban neighborhoods are 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. Residents living in this context are well served by transit and enjoy access to abundant amenities and entertainment options" (p. 237).

The proposed G-RX-5 zone district is part of the General Urban context in the DZC. This residential mixed use zone district is "intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public realm…to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's residential neighborhoods." Further, the district 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 6.2.4.1). The proposed G-RX-5 district will allow a residential mixed-use development in Cherry Creek, served by transit, with walkable access to a wide variety of uses, and it will improve the character of the immediate area. Therefore, the proposed rezoning is consistent with *Blueprint Denver's* context guidance.

Blueprint Denver **Future Places and Street Types**

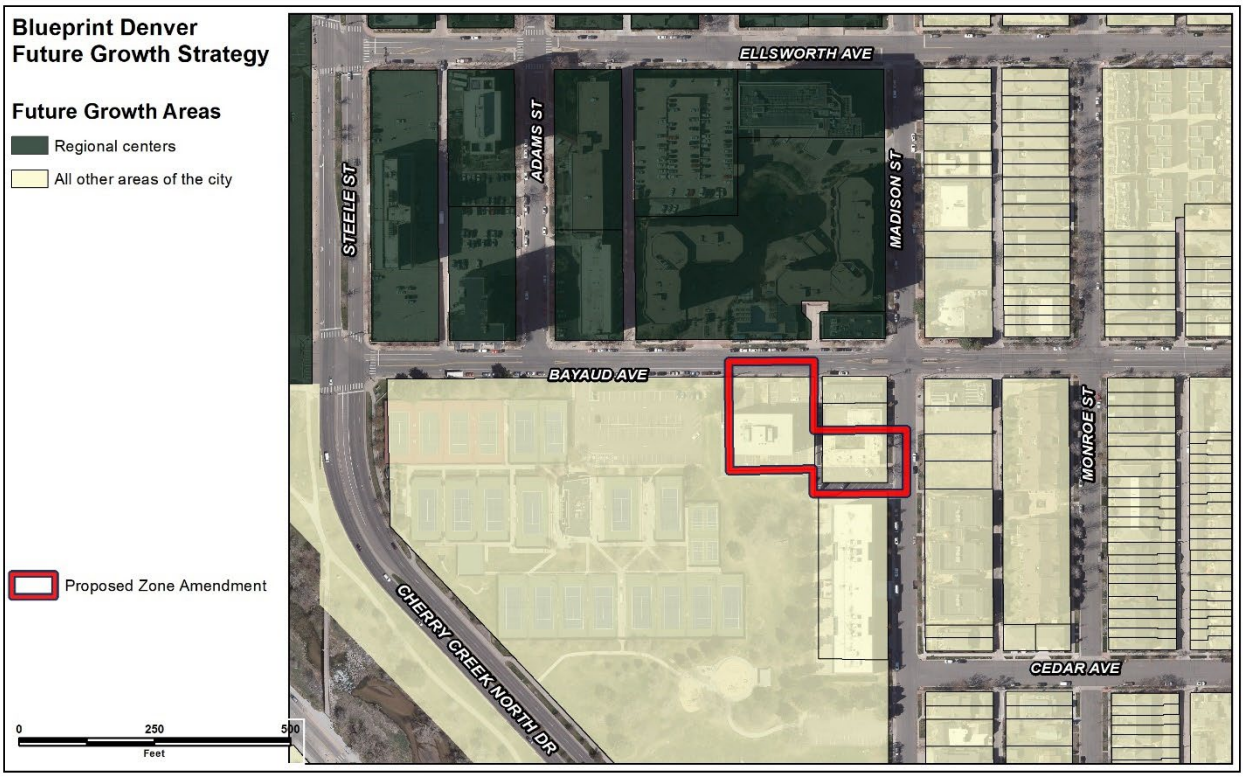


The Future Places Map designates the subject property as part of a Local Center place type. *Blueprint Denver* describes the aspirational characteristics of Local Centers in the General Urban context as, "Primarily provides options for dining, entertainment and shopping. May also include some residential and employment uses. Typically frequented by residents of the neighborhood. Activity levels are lower than other center types, with the highest activity during evenings and weekends. When residential occurs, it should primarily be located to encourage active street frontages. Provides a more intimate, pedestrian scale. The public realm is typically defined by lower-scale buildings with active frontages. Heights are generally up to 5 stories. Should transition gradually within the center to the surrounding residential areas." (p. 244). The proposed G-RX-5 district is consistent with the future place type as it will allow retail, office, and residential uses with a maximum height of 5 stories and building form standards will ensure future development has a linear orientation and clearly defines the street.

In *Blueprint Denver*, future street types work in concert with the future place type to evaluate the appropriateness of the intensity of the adjacent development (p. 67). *Blueprint Denver* classifies E. Bayaud Ave. as a Mixed-Use Collector. According to the plan, mixed use streets contain a "varied mix of uses including retail, office, residential and restaurants. Buildings are pedestrian-oriented, typically multi-story, usually with high building coverage with a shallow front setback. A street wall is present, but may vary." (p. 159). S. Madison St. is classified as a local, or undesignated, street, "which can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses." (p. 161). The proposed G-RX-5 zone district is consistent with these street types as it

would allow a range of moderately-intense uses, particularly residential, in a multi-story, pedestrian-oriented building.

***Blueprint Denver* 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 part of the growth area categorized as "All other areas of the city", which are anticipated to attract 10% of new jobs and 20% of new households by 2040 (p. 51). The proposed map amendment is consistent with this growth area as it will facilitate additional housing opportunities.

Cherry Creek Area Plan (2012)

The proposed rezoning is generally consistent with the *Cherry Creek Area Plan*. Per the plan, the subject property is within the Cherry Creek East subarea, which "supports a mix of residential and office uses and some of the highest residential and employment densities in all of Cherry Creek." The plan says that "Madison Street serves to define two character areas: east of Madison Street is low- to medium-scale residential and west is a mid- to high-rise mixed-use area." (p. 70). The subject property is west of Madison Street and within an area defined as Town Center, also called the Madison-Bayaud village center. The plan says this small commercial node has seen little reinvestment since the 1980s and lacks a pedestrian-friendly streetscape. To address these issues, the plan provides the following recommendations:

- **Respect the existing scale.** Enhance the existing pattern of development intensity with low scale buildings in the residential areas. Mid-rise buildings may be appropriate near Alameda and Colorado. The mixed-use area between Steele and Madison will remain the most intensely developed portion of the neighborhood, with building heights ranging from 5 to 12 stories, per the maximum building heights map.
- **Create a "village center".** The mixed-use node at the intersection of Madison and Bayaud has long been envisioned as a village center for Cherry Creek East.
    - Encourage property owners to reinvest and redevelop in manner that results in a vibrant mixed-use node, including ground floor commercial with office or residential uses above. Small scale, neighborhood-serving retail and commercial uses are encouraged.
    - Upgrade the streetscape with detached sidewalks and landscaped tree lawns. Desired enhanced streetscape amenities include removal of the median, on-street parking, curb extensions, pedestrian lighting, benches, and trash receptacles.

The G-RX-5 zone is a mixed-use district that allows retail, office and residential development, among other uses, with a maximum height of 5 stories. The allowed building forms would ensure redevelopment would improve the urban design of the immediate area with buildings that better address the street and create a more pedestrian-friendly environment. The rezoning would also facilitate the redevelopment of the streetscape with detached sidewalks and improved landscaping. Therefore, the rezoning is consistent with several of the recommendations in the area plan. However, as shown on the map below, the area plan recommends a maximum height of 3 stories on the subject property, while the more recent plan guidance in *Blueprint Denver* recommends building heights up to 5 stories are appropriate.

Cherry Creek Area Plan **Land Use and Building Heights Maps**

Future land use map - Cherry Creek East neighborhood

Regional Center
Town Center
Urban Residential
Other subareas

Maximum building heights map - Cherry Creek East neighborhood

12 Stories
8 Stories
5 Stories
3 Stories
Other subareas

Blueprint Denver provides several factors to consider when applying the plan's building height guidance (p 66):

- *Guidance from a current small area plan:* While the above map shows the subject property in the 3-story category, much of the text within the small area plan indicates that the area west of Madison Street should contain mid- to high-rise buildings ranging from 5 to 12 stories. As previously mentioned, the plan says that "Madison Street serves to define two character areas: east of Madison Street is low- to medium-scale residential and west is a mid- to high-rise mixed-use area." (p. 70). The plan also says that "West of Madison, the district supports primarily high-rise residential and office uses with buildings reaching 16 stories." (p. 70).
- *Surrounding context, including existing and planned building height:* The existing buildings on the subject property are 2 and 4 stories. Buildings east of S. Madison St. are between 1 and 3 stories. The maximum height allowed under current zoning is 3 stories on the northeast, southeast and southwest corners of E. Bayaud Ave. and S. Madison St. However, on the northwest corner of the intersection, there is a 5-story district occupied by a 2-story building. West of that parcel are 15-story residential buildings developed under a Planned Unit Development (PUD) in 1987. Between the PUD and Steele St., 12-story zone districts line the north side of E. Bayaud Ave. The planned building height surrounding the site, including guidance from *Blueprint Denver* and the *Cherry Creek Area Plan,* varies from 3 stories to the south and east, and 5 to 12 stories (and higher) to the north and west. The proposed zone district will allow height that provides a compatible transition with the planned and existing heights surrounding the site.
- *Transitions, including transitions from higher intensity to lower intensity areas: Blueprint Denver* defines the subject property as Local Center while the area plan calls it a Town Center and

existing development is medium intensity. Both plans categorize most of the area east of S. Madison St. as a low-medium residential scale of up to 3 stories with existing development reflecting such. Northwest of E. Bayaud Ave. and S. Madison St., both plans define the area as a Regional Center, which typically contain the highest intensity development and existing buildings are the tallest in Cherry Creek. Similarly, the subject property is within the lowest intensity growth area of the city in the "All other areas of the city" category while the highest intensity growth area, "Regional Centers" is across E. Bayaud Ave. to the north. The proposed 5-story district provides an appropriate transition between the regional center and low-medium residential areas and supports the town center designation in the area plan.

- *Adjacency to transit, especially mobility hubs:* Bus routes 3, 3L and 83 run along Steele St., Cherry Creek Dr. N., and Alameda Ave. within walking distance of the subject property, and the corridor is envisioned as a High Capacity Transit street in *Blueprint Denver*. The proposed district will allow for the development of additional housing with strong access to transit.
- *Achieving plan goals for community benefits, including affordable housing:* Redevelopment of the subject property will have to comply with the city's recently adopted affordable housing policy, which helps achieve several plan goals. The applicant's narrative also mentions that future development would improve the subject property's relationship to Pulaski Park.
- *Furthering urban design goals:* The redevelopment of the subject property under the current Denver Zoning Code would result in a building form with build-to and transparency requirements that would better address the street compared to the existing development. Reconstruction of the streetscape with a detached sidewalk and landscaping would also help further urban design goals.

In consideration of the factors outlined in *Blueprint Denver* above and the small area plan guidance, the proposed district is on balance consistent with the adopted plans. The G-RX-5 zone district is appropriate as a transition between the neighborhood's highest and lowest development intensities, within walking distance of a future enhanced transit corridor, and it will facilitate affordable housing in one of the city's most expensive neighborhoods, while improving development adjacent to the park and improving the streetscape.

5. Uniformity of District Regulations and Restrictions

The proposed rezoning to G-RX-5 will result in the uniform application of zone district building form, use and design regulations.

6. 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. The rezoning would allow redevelopment of an underutilized site into a new mixed use community in proximity to transit, bike

lanes and a mix of uses, which have been linked to increased physical activity,[1] decreased obesity,[2] and decreased driving.[3]

7. Justifying Circumstance

Justifying circumstances for a rezoning are defined by DZC Section 12.4.10.8.A.4, which states, "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…"

In this case, the rezoning is justified as the steady population growth in the City has created a need "in the city generally" for additional density and a variety of housing types. In addition, the Cherry Creek neighborhood has been steadily changing with numerous redevelopments and the proposed Cherry Creek West development, west of the shopping center, will further transform the area with a mix of housing, shops, services, and amenities. In addition, *Blueprint Denver*, which was adopted in 2019, provides more recent height guidance for the subject property than the *Cherry Creek Area Plan*, which was adopted in 2012.

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

The requested G-RX-5 zone district is within the General Urban Neighborhood Context, which "is characterized by multi-unit residential uses in a variety of building forms. Single-unit and two-unit residential uses are also found in 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. Residential uses are primarily located along local and residential arterial streets. Commercial uses are primarily located along mixed-use arterial and main streets but may be located at or between intersections of local streets." (DZC 6.1.1). The proposed rezoning of this property to G-RX-5 is consistent with this neighborhood context description.

The requested rezoning is also consistent with the General Purpose of Residential Mixed-Use Districts, which 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…to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's residential neighborhoods." Further, the district 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 6.2.4.1). The proposed rezoning will facilitate redevelopment of the streetscape to provide detached sidewalks adjacent to building forms that will clearly define the public realm while providing more residents with better access to the neighborhood's many shops, services, parks, and other amenities. Finally, the requested rezoning is consistent with the Specific Intent of the G-RX-5 district, which "applies to residentially-dominated areas

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

[2] Ewing, R., T. Schmid, R. Killingsworth, A. Zlot, and S. Raudenbush. 2003. "Relationship between Urban Sprawl and Physical Activity, Obesity, and Morbidity." American Journal of Health Promotion 18: 47-57.

[3] Frumkin, Frank, and Jackson 2004; Fran et al. 2006; Ewing et al. 2008; Stone 2008.

served primarily by local or collector streets where a building scale of 2 to 5 stories is desired." (DZC 6.2.4.2.B).

Attachments

1. Application
2. Public comments