



TO: Land Use, Transportation and Infrastructure Committee of Denver City Council
FROM: Jason Morrison, AICP, Senior City Planner
DATE: May 11th, 2023
RE: Official Zoning Map Amendment #2022I-00261

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends that the Land Use, Transportation, and Infrastructure Committee move Application #2022I-00261 forward for consideration by the full City Council.

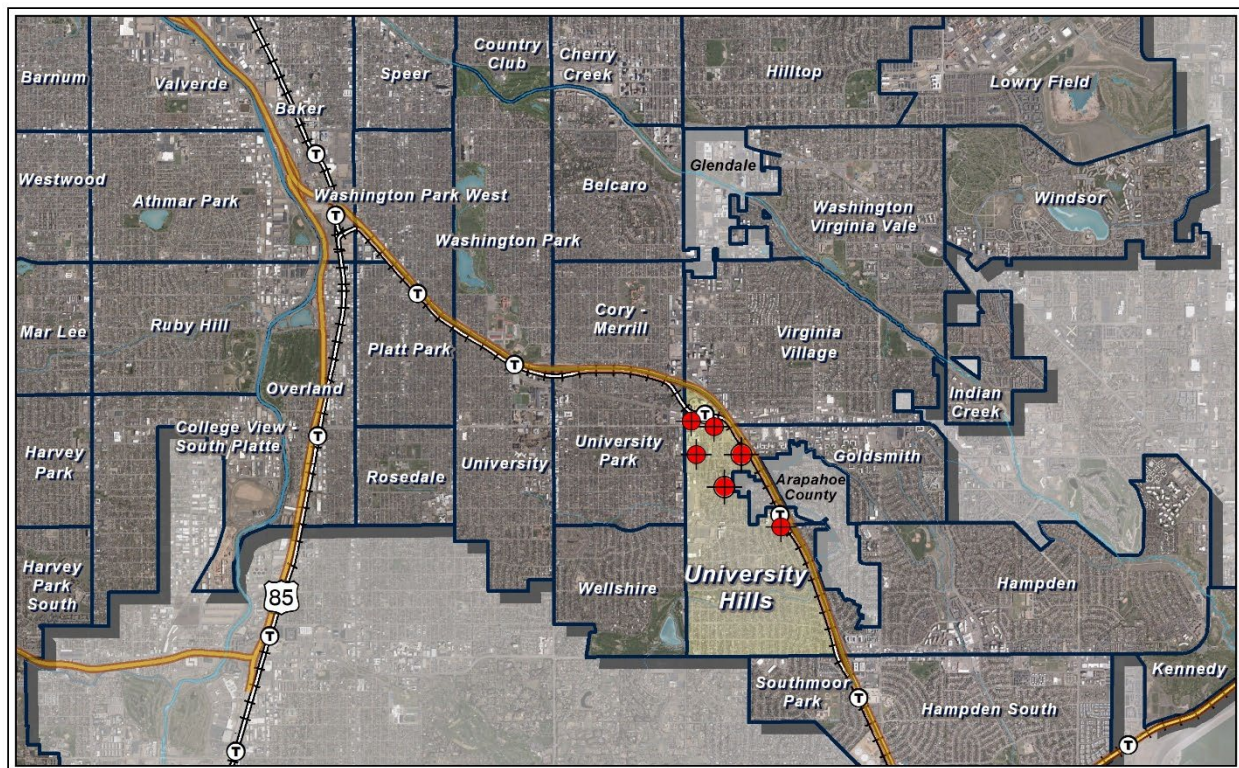
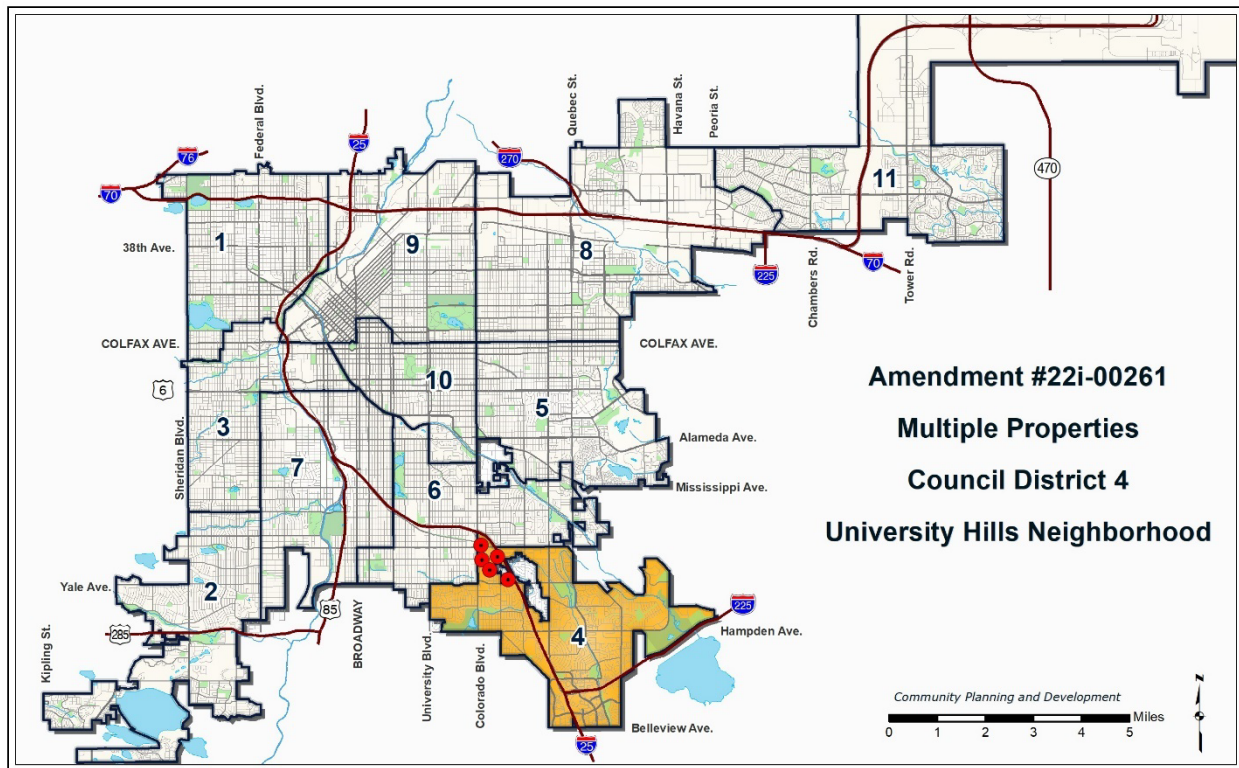
Request for Rezoning

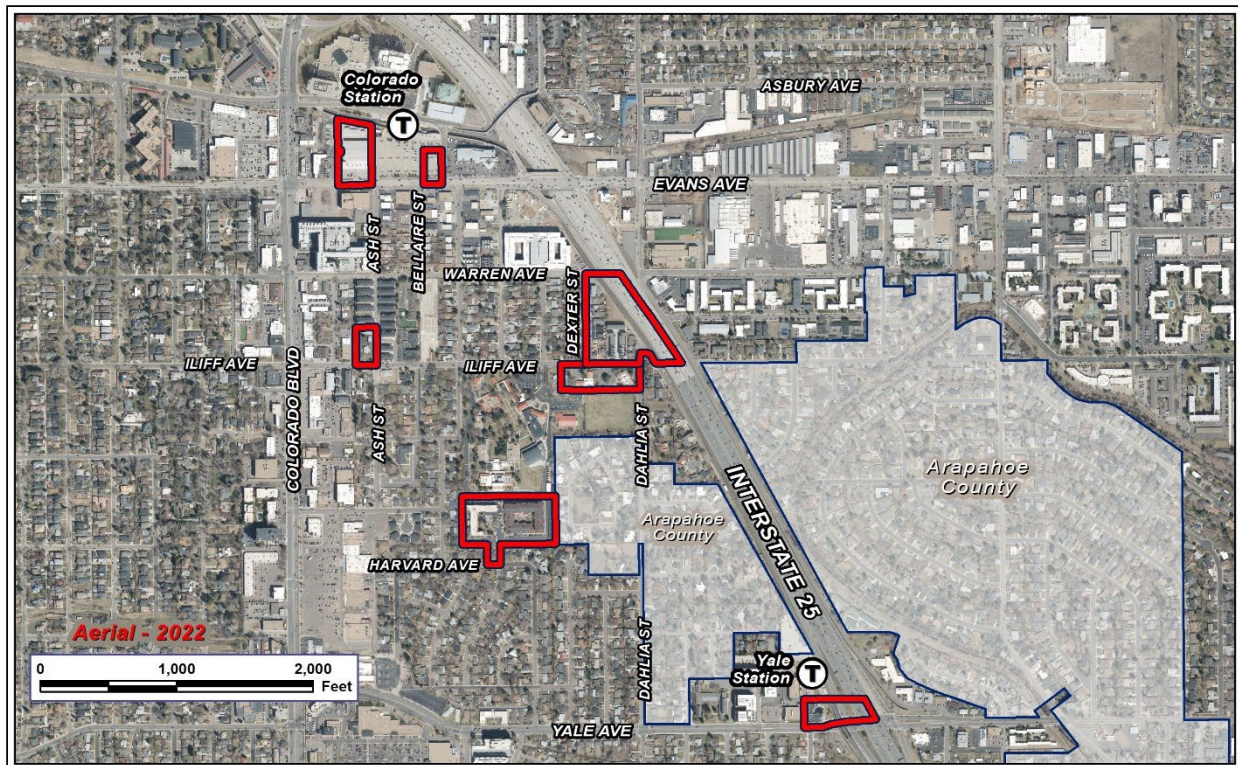
Address:	Multiple properties in the University Hills neighborhood
Neighborhood/Council District:	University Hills Neighborhood / Council District 4
RNOs:	East Evans Business Association, University Hills North Community, Strong Denver, and Inter neighborhood Cooperation (INC)
Area of Property:	7,162,291 square feet or 164.42 acres
Current Zoning:	B-4 w/UO-1, UO-2, PUD 109, R-MU-30 w/waivers, C-MU-20 w/waivers, CMP-H, G-MU-8, and CMP-EI2
Proposed Zoning:	C-MX-16, C-MX-16, UO-1, S-MX-5A, S-MX-3, S-MU-3, G-MU-5, and G-RO-3
Property Owner(s):	Multiple, see legislative proposal attachment
Application Sponsor:	Councilmember Kendra Black

Summary of Rezoning Request

- Councilmember Black has proposed this legislative rezoning to implement several of the land use recommendations in the Near Southeast Area Plan (2023) for the University Hills neighborhood.
- It would rezone some affected properties out of Former Chapter 59 districts and Denver Zoning Code campus zone districts into more appropriate districts within the Denver Zoning Code, and would update zoning for other properties to establish maximum building heights more consistent with the existing character of the neighborhood.
- If adopted, this application would rezone affected properties to various districts from the Denver Zoning Code, including C-MX-16, C-MX-16, UO-1, S-MX-5A, S-MX-3, S-MU-3, G-MU-5, and G-RO-3.
- The properties included in the rezoning are currently used for commercial/retail, parking mixed-use, and multi-unit residential.

Existing Context





The multiple subject properties are located in the northern part of the University Hills Neighborhood, bounded by Interstate 25 to the north and east, Colorado Boulevard to the west, and Yale Avenue to the south. The northern portion of the University Hills neighborhood is a mix of single-unit residential uses with more multi-unit residential, office, and commercial/retail uses closer to Colorado Boulevard and the Colorado and Yale RTD Transit Stations. The block pattern is mostly a grid with alley access between Interstate 25 and Harvard Avenue, and the block pattern south of Harvard Avenue is more curvilinear with no alley access. The E and H light rail lines serve the Colorado and Yale RTD Transit Stations located at Interstate 25 and Colorado Boulevard, and Interstate 25 and Yale Avenue, respectively.

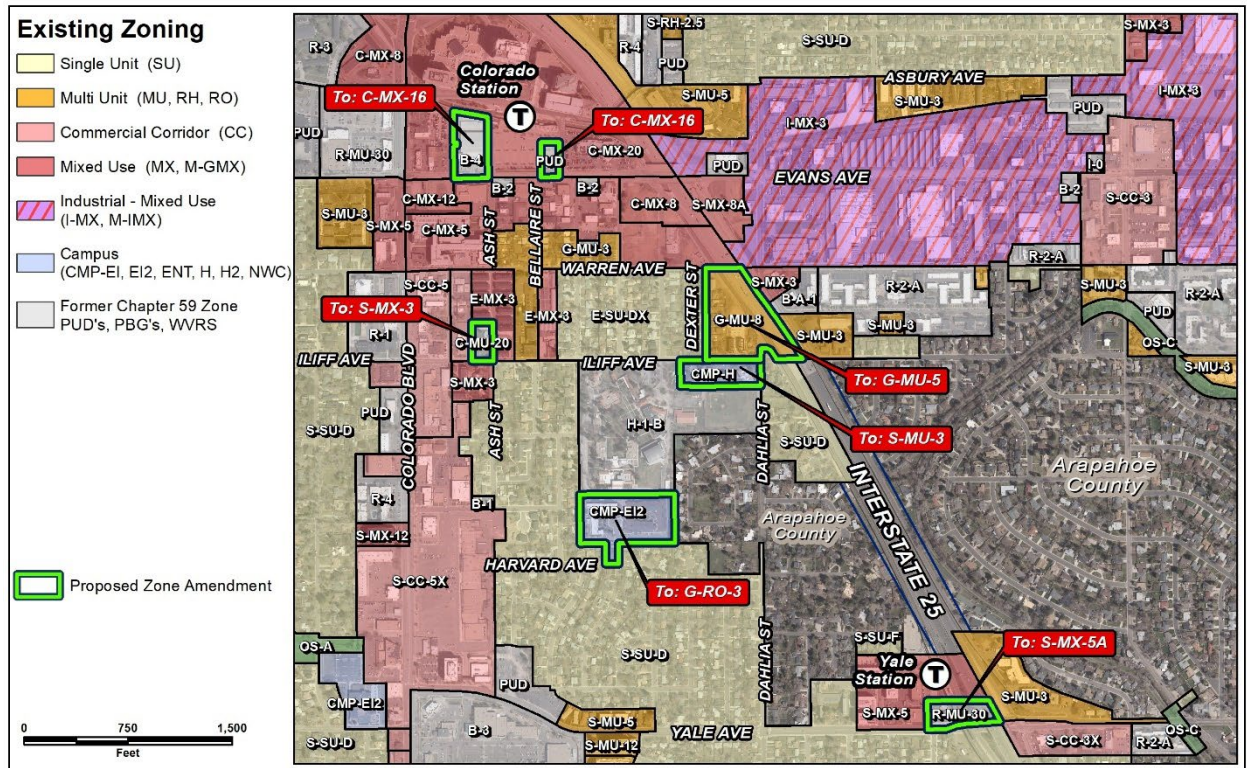
A table summarizing the existing context proximate to the subject sites is attached at the end of this report (see Attachment 3 Existing Context Table – Subject Properties and Attachment 4 Existing Context Table – Surrounding Properties).

1. Large Development Review

This rezoning application was reviewed by the Development Review Committee (DRC) to determine if the proposal would be subject to the Large Development Plan (LDR) process outlined in Section 12.4.12 of the Denver Zoning Code (DZC) and require the creation of a Large Development Framework (LDF).

After review, it was determined that the project would not be subject to LDR review because there is no specific development concept for this legislative map amendment proposal, no adopted plan recommends use of the LDR process for this proposal, and no infrastructure network or system improvements are anticipated at this time.

2. Existing Zoning



4101 and 4301 East Evans Avenue and 5307 East Yale Avenue:

- 4101 E Evans Avenue is zoned B-4, UO-1, UO-2. B-4 is a business district in the Former Chapter 59 zoning code with the adult and billboard use overlays. This district allows a maximum gross floor area of twice the area of the zone lot. This property is located in the East Evans Avenue Public Storage PBG, which allows for public storage uses with a maximum height of 40 feet, a total floor area of 82,217 square feet, and 52 parking spaces.
- 4301 E Evans Avenue is zoned PUD 109. This PUD is a zone district in the Former Chapter 59 zoning code. It allows for a Pier 1 to remain on the site with more than 20% of the gross floor area to be used for retail sales. It sets the maximum height at 30 feet and the maximum gross floor area to 16,000 square feet.
- 5307 E Yale Avenue is zoned R-MU-30 w/waivers. R-MU-30 is a high-density residential district in the Former Chapter 59 zoning code typically found in the center of the city or near activity centers such as near light rail stations. The waivers allow a maximum height of 90 feet.

4175 East Iliff Avenue:

- This property is zoned C-MU-20 w/waivers. C-MU-20 is a commercial mixed-use district that “provides for a mix of commercial, residential, and industrial uses along or near arterials or other high traffic streets” (Former Chapter 59, Sec. 59-301(a)(5)). The waivers included with the zoning require a 10-foot setback and waivers a variety of uses

including gas station, auto polish shop, large scale consumer retail, large eating place, large food sales, motel, laundry, parking of vehicles, indoor theater, wholesale sales, manufacturing, and warehousing.

2210-2290 South Dexter Street, 2255-2285 South Dahlia Street, and 4719-4765 East Iliff Avenue:

- This property is zoned G-MU-8. G-MU-8 is a multi-unit district in the Denver Zoning Code's General Urban neighborhood context that is "intended to promote and protect higher density residential neighborhoods" (DZC 6.2.2.1). The G-MU-8 district allows the Urban House, Duplex, Town House, and Apartment building forms with heights up to 8 stories or 110 feet.

4640, 4700, 4770 East Iliff Avenue:

- This property is zoned CMP-H. CMP-H is a campus healthcare district that is "intended to promote and encourage the maintenance and concentration of existing and proposed healthcare facilities and their related uses" (DZC 9.2.3.1). It allows the General building form with heights up to 200 feet and 75 feet within 125 feet of a protected district.

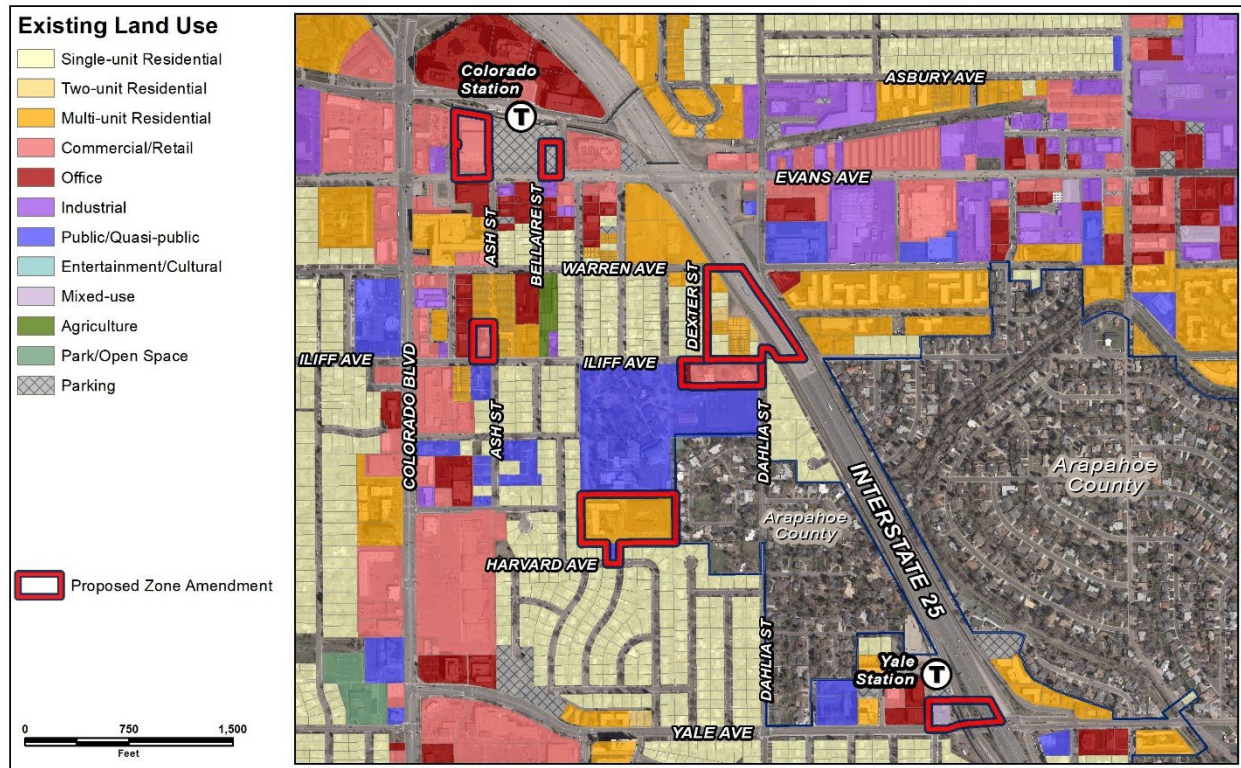
2479 South Clermont Street:

- This property is zoned CMP-EI2. CMP-EI2 is a campus education district that is "intended for educational institutions that incorporate primary, intermediate, high school, college and university uses and associated programming including student boarding facilities" (DZC 9.2.4.1). It allows a maximum height of 150 feet and 75 feet within 175 feet of a protected district.

3. General Development Plan

The two properties near the Colorado RTD Station are part of the Colorado Station General Development Plan (GDP), approved in 2008. The property is in Development Area 3 of the Secondary GDP Area, where the "primary land use is office due to proximity to major travel corridors." The GDP anticipates building heights of 9 to 20 stories and ground floor commercial and retail uses. However, the GDP also states "this GDP is a framework plan only and does not specifically allocate building height, mix of uses or density of the development. Changes to these items will not require any amendment, minor or major, to this GDP."

4. Existing Land Use Map



5. Existing Building Form and Scale (Images obtained from Google Maps)

4101 and 4301 East Evans Avenue and 5307 East Yale Avenue:

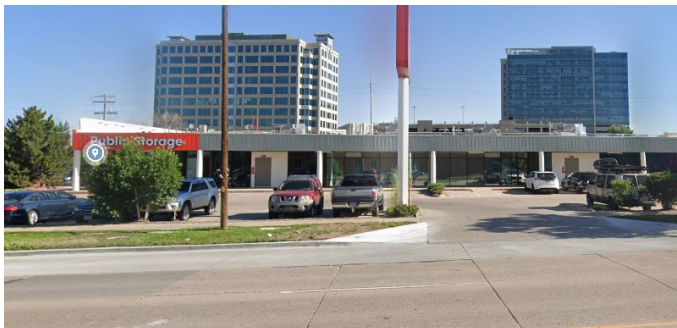


Image of subject site, 4101 E. Evans Avenue, from Evans Avenue looking north

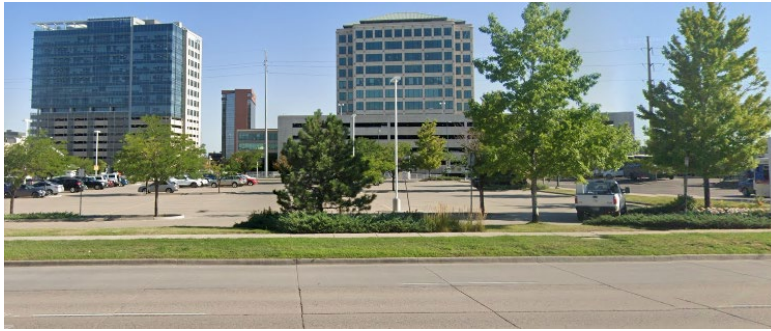


Image of subject site, 4301 E. Evans Avenue, from Evans Avenue looking north

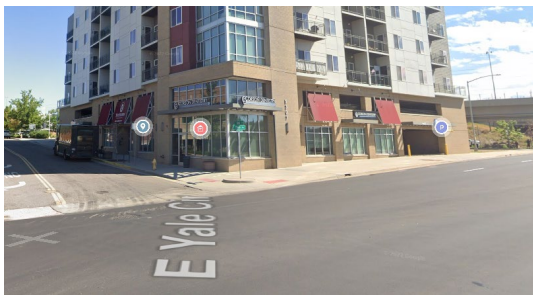


Image of subject site, 5307 E. Yale Avenue, from Yale Avenue looking north

4175 E. Iliff Avenue



Image of subject site, 4175 E. Iliff Avenue, from Iliff Avenue looking north

2210-2290 South Dexter Street, 2255-2285 South Dahlia Street, and 4719-4765 East Iliff Avenue



Image of a portion of the subject site, looking east from Dexter Street

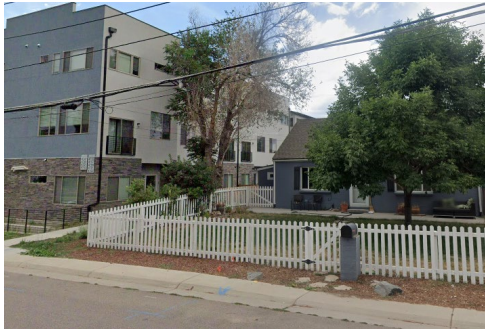


Image of a portion of the subject site, looking north from Iliff Avenue
4640, 4700, 4770 East Iliff Avenue

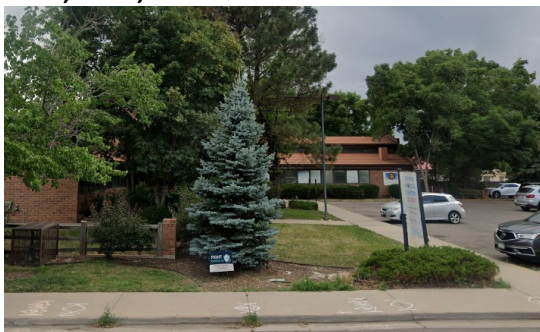


Image of a portion of the subject site, looking south from Iliff Avenue

2479 South Clermont Street



Image of a portion of the subject site, looking north from Clermont Street

Proposed Zoning

4101 and 4301 East Evans Avenue:

C-MX-16 and C-MX-16, UO-1: The C-MX-16 zone district is a mixed-use district in the Urban Center context which allows the Town House, Drive Thru Services, Drive Thru Restaurant, General, and Shopfront building forms with heights up to 16 stories or 70 to 200 feet, depending on the building form. The Drive Thru forms are not permitted within ¼ mile of a transit station platform so these forms will not be permitted on the properties where C-MX-16 is proposed because of their proximity to the Colorado RTD Station. The minimum primary street setback is 0 feet, and parking is not permitted between the primary street and the building. The Town House form requires a build-to percentage of

70% between 10 and 15 feet, General form requires a build-to percentage of 70% between 0 and 10 feet, and the Shopfront form requires a build-to percentage of 75% between 0 and 5 feet. A variety of uses are permitted including residential and commercial uses. Additionally, where applicable, the UO-1 and UO-2 zone districts will be retained as part of this legislative rezoning. The UO-1 overlay is a use overlay district that allows for adult business uses. All adult business uses must comply with DZC spacing requirements in DZC Section 9.4.4.6. For more information on this zone district, see Article 7 of the Denver Zoning Code.

5307 East Yale Avenue:

S-MX-5A: The proposed S-MX-5A district is a mixed-use district allowing the General and Shopfront building forms with heights up to 5 stories or 70 feet. The minimum primary street setback is 0 feet, and parking is not permitted between the primary street and the building. It requires a build-to percentage of 60% for the General building form and 75% for the Shopfront building form within a range of 0 to 20 feet for the General form and 0 to 5 feet for the Shopfront form. A variety of uses are permitted including residential and commercial. For additional detail of the requested zone district, see Denver Zoning Code, Article 3.

4175 East Iliff Avenue:

S-MX-3: S-MX-3 is a mixed-use district in the Suburban context allowing the Drive Thru Services, Drive Thru Restaurant, General, and Shopfront building forms with heights up to 3 stories or 45 feet. The minimum primary street setback is 0 feet, and parking is permitted between the primary street and the building. There is no build-to required for the Drive Thru Services form, a build-to percentage of 50% between 0 and 80 feet for the Drive Thru Restaurant and General forms, and 75% for the Shopfront building form within a range of 0 to 5 feet. A variety of uses are permitted including residential and commercial. For additional detail of the requested zone district, see Denver Zoning Code, Article 3.

2210-2290 South Dexter Street, 2255-2285 South Dahlia Street, and 4719-4765 East Iliff Avenue:

G-MU-5: G-MU-5 is a multi-unit residential district in the General Urban context allowing the Urban House, Duplex, Garden Court, Town House, and Apartment building forms with heights up to 3 to 5 stories or 30 to 70 feet, depending on the building form. The primary street setback ranges from 10 feet in the Garden Court, Town House, and Apartment building forms, and 20 feet for the Urban House and Duplex forms. There is no build-to requirement for the Urban House, Duplex, and Garden Court forms. A build-to percentage of 70% between 10 and 15 feet is required for the Town House form, and a build-to percentage of 60% between 10 and 20 feet for the Apartment form. This is primarily a residential district, but it also allows some residential care, community serving, education, and civic uses. Additional information on the G-MU-5 zone district can be found in Article 6 of the Denver Zoning Code.

4640, 4700, 4770 East Iliff Avenue:

S-MU-3: S-MU-3 is a multi-unit district in the Suburban context allowing the Suburban House, Duplex, Row House, and Apartment building forms with heights up to 3 stories or 30 to 40 feet. The primary street setback ranges from 10 to 20 feet depending on the building form. There are no build-to requirements for the Suburban House or Duplex forms. A build-to percentage of 50% between 0 and 80 feet is required for the Row House and Apartment forms. This is a residential district that allows for single, two, and multi-unit uses, and limited residential care and community and public serving uses. More information on the requested zone district can be found in Article 3 of the Denver Zoning Code.

2479 South Clermont Street:

G-RO-3: The G-RO-3 district is a residential office district within the General Urban context that allows the Urban House, Duplex, Townhouse, and Apartment building forms with heights up to 3 stories or 30 to 40 feet, depending on the building form. The primary street setback minimum is 20 feet. There is no build-to requirement for the Urban House and Duplex Forms. The Town House form requires a build-to percentage of 70% between 10 to 15 feet, and the Apartment form requires a build-to percentage of 60% between 10 and 20 feet. The G-RO-3 zone district allows for residential, residential care, and office uses. Additional information on the proposed zone district can be found in Article 6 of the Denver Zoning Code.

The primary building forms allowed in the existing zone district and the proposed zone district are summarized in an attached table (see Attachment 5: Primary Building Form Standards in Existing and Proposed Zone Districts Tables).

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. See comments below:

Denver Department of Public Health & Environment - Division of Environmental Quality (EQ) does not guarantee approval of any proposed development project at this site by providing a response to this Official Map Amendment Referral Agency Review Request. Future development is subject to existing land use controls and other environmental requirements in accordance with applicable local, state, and federal environmental regulations and statutes. EQ recommends the Property Owner conduct an environmental site assessment to determine the potential presence, nature, and extent of possible contamination on the site and to identify specific cleanup needs associated with future development. EQ may have additional information about localized potential environmental concerns at the site. However, providing such information about a specific site is beyond the scope of these zoning application comments.

Denver Parks and Recreation: Approved – No Comments

Transportation & Infrastructure – R.O.W.- City Surveyor: Approved – No Comments

Development Services – Project Coordination: Approved – See Comments Below
Re: 4175 E. Iliff Ave. ONLY

The proposed zone district for 4175 E. Iliff is not conducive to the adjacent zone district- S-CC-5X, in that these districts do not have overlapping building forms. In the S-CC-5x zone district only the General- Type 1 building form is allowed and in the S-MX-3 zone district, only the General Type 2 or Shopfront building forms can be used. I would suggest choosing a different zone district that has a compatible building form to S-CC-5X.

Development Services – Fire Protection: Approved – No Comments

Site 1 - Approved - No Comments

Site 2 - Approved - No Comments

Site 3 - Approved - No Comments

Site 4 - Approved - No Comments

Site 5 - Approved - No Comments

Site 6 - Approved - No Comments

Site 7 - Approved - No Comments

Development Services – Transportation: Approved – No response

Development Services- Wastewater: Approved – See Comments Below:

DES Wastewater approves the subject zoning change.

The applicant should note that redevelopment of this site may require additional engineering including preparation of drainage reports, construction documents, and erosion control plans. Redevelopment may require construction of water quality and detention basins, public and private sanitary and storm sewer mains, and other storm or sanitary sewer improvements. Redevelopment may also require other items such as conveyance of utility, construction, and maintenance easements. The extent of the required design, improvements and easements will be determined during the redevelopment process. Please note that no commitment for any new sewer service will be given prior to issuance of an approved SUDP from Development Services.

Development Services- Zoning Administration: 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:	3/14/2023
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	4/18/2023

City Council, registered neighborhood organizations, and property owners:	
Planning Board voted 8-1 to recommend denial of the application	5/3/2023
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:	5/1/2023
Land Use, Transportation and Infrastructure Committee of the City Council:	5/16/2023
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:	5/30/2023
City Council Public Hearing (tentative):	6/30/2023

Planning Board Recommendation: Denver Planning Board reviewed the application against the Denver Zoning Code review criteria and recommended denial of the application, citing plan consistency and other concerns. The concerns centered around increasing the height at both Colorado Station and Yale Station to be more consistent with the maximum building height guidance in the *Near Southeast Area Plan*, and concerns that the proposed rezoning was not consistent with equity principles regarding outreach to all stakeholders with regards to 4640, 4700 and 4770 East Iliff Avenue. The Board felt that additional time and dialogue would allow for a broader agreement between stakeholders on a zone district that was still consistent with the plan guidance. After discussing several ways to potentially provide that additional time, the board moved a recommendation of denial forward so that dialogue could continue while the map amendment proceeds on its current schedule, and so that the current City Council could act on it before the end of their term later this summer. Councilwoman Black is in the process of meeting with these specific property owners and is considering how she may ask for a modification from Council prior to the City Council Public Hearing. Additionally, a Documentation of Deliberation will be available to City Council after the first reading of this application.

Staff consideration: In consideration of the Planning Board’s recommendation and feedback, staff continues to recommend approval of the legislative map amendment proposal. While staff agrees that alternative zone districts could also potentially be consistent with plan guidance, those currently proposed are consistent with the Denver Zoning Code’s criteria as outlined later in this report and are an important step in implementing the community vision outlined in the *Near Southeast Area Plan*.

- **Registered Neighborhood Organizations (RNOs):** To date, staff has received one letter of support from the University Hills North RNO.
- **Other Public Comment:** To date, staff has received 34 letters of support and 11 letters of opposition for this application. Each letter of opposition specifically references 4640, 4700, 4770 East Iliff Avenue. In general, the opposition centers around a reduction in future maximum building height established by the *Near Southeast Area Plan*.

Criteria for Review / Staff Evaluation

1. Consistency with Adopted Plans

City Council may approve a legislative map amendment if the proposed rezoning complies with the specified criteria found in Denver Zoning Code Section 12.4.10.7, “the proposed official map amendment is consistent with the City’s adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of the adoption of the City’s plan.”

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

The following adopted plans currently apply to this property:

- *Denver Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Near Southeast Area Plan (2023)*

Comprehensive Plan 2040

4101 and 4301 East Evans Avenue and 5307 East Yale Avenue:

The proposed legislative rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* goals and strategies. The following goals apply from 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 7, Strategy B – *Prioritize infrastructure improvements that allow for residents of all abilities to access and live in any neighborhood (p.30).*

The proposed map amendment will further the *Comprehensive Plan 2040*’s Equitable, Affordable and Inclusive Goal to ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities. The C-MX-16, UO-1, C-MX-16, and S-MX-5A zone districts allow for a variety of uses including public services, cultural, commercial, and residential uses. The list of permitted uses will provide basic services and amenities to the residents in the surrounding neighborhoods. In addition, the design standards in the proposed districts will promote greater walkability and accessibility to the uses established near the Colorado and Yale RTD Stations. The

rezoning is, therefore, consistent with the above strategies in the Equitable, Affordable and Inclusive vision element.

The following goals and strategies apply from the Strong and Authentic Neighborhoods vision element:

- Strong and Authentic Neighborhoods Goal 1, Strategy A – *Build a network of well-connected, vibrant, mixed-use centers and corridors (p.34)*
- Strong and Authentic Neighborhoods Goal 1, Strategy C – *Ensure neighborhoods are safe, accessible and well-connected for all modes (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 increases amenities (p. 34).*
- Strong and Authentic Neighborhoods Goal 2, Strategy C – *Create people-oriented places that embrace community character with thoughtful transitions, aspirational design and an engaging public realm (p. 34).*
- Strong and Authentic Neighborhoods Goal 2, Strategy D – *Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture, and quality of life (p. 34).*

This proposed rezoning to C-MX-16, UO-1, C-Mx-16, and S-MX-5A is consistent with the abovementioned Strong and Authentic Neighborhoods goals to create people-oriented places that embrace community character with thoughtful transitions, aspirational design and an engaging public realm. The proposed zone districts design standards for transparency, active use, reduced visibility of parking and building entrance locations enable the creation of an active and human-scaled experience at the street level. The zone districts also allow for a variety of uses such as housing, retail services, and employment at an intensity consistent with the desire for dense, walkable, mixed-use neighborhoods near transit. The application is consistent with the strategies in the Strong and Authentic Neighborhoods vision element.

Similarly, the proposed legislative rezoning meets 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 8, Strategy C – *Focus growth by transit stations and along high- and medium- capacity transit corridors (p. 54).*

Moreover, the proposed legislative rezoning will promote high quality mixed-use communities at infill locations where infrastructure is already in place. The requested rezoning areas currently have Former Chapter 59 zone districts and by rezoning out of Former Chapter 59 to the C-MX-16 and S-MX-5A zone districts, the city is enabling mixed-use development with better design standards and a variety of uses which allow for residents to “live, work and play” in the same area, which reduces resource consumption. Additionally, the proposed legislative rezoning to C-MX-16 and S-MX-5A is consistent with *Comprehensive Plan 2040*’s strategy of focusing growth near transit stations. These transit priority areas “benefit from investments, such as transit-priority signals, which make transit faster and more

reliable in mixed traffic lanes” (*Blueprint Denver*, p. 176). The C-MX-16 and S-MX-5A zone districts feature transit-supportive uses and more pedestrian-friendly design standards, promoting infill, growth and activation in and around the Colorado and Yale RTD Station Areas.

4175 East Iliff Avenue:

The proposed rezoning from C-MU-20 w/waivers to S-MX-3 meets the following Equitable, Inclusive and Affordable strategies:

- Equitable, Affordable and Inclusive Goal 1 – *Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities* (p. 28).

C-MU-20 is a mixed use district that is primary commercial and includes restrictive floor area ratio requirements. The proposed S-MX-3 will allow for a greater mix of uses and building forms more consistent with the University Hills neighborhood, consistent with the above strategy.

The following Strong and Authentic Neighborhoods strategies apply to the rezoning of this property:

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

This rezoning will allow for a mixed-use infill development with close proximity to transit and a major corridor within the city, consistent with the above strategies.

The proposed rezoning meets the following Environmentally Resilient strategies:

- 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).

S-MX-3 will allow for a greater mix of uses where residents and live, work and play close to the Colorado RTD station and Colorado Boulevard.

2210-2290 South Dexter Street, 2255-2285 South Dahlia Street, and 4719-4765 East Iliff Avenue:

The following Equitable, Affordable and Inclusive strategies apply to the proposed rezoning of the multi-unit properties along Dexter, Dahlia, and Iliff.

- 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 2, Strategy A – *Create a greater mix of housing options in every neighborhood for all individuals and families* (p. 28).

The proposed G-MU-5 zone district will allow for a diversity of housing types in close proximity to frequent transit and a dense, walkable, mixed-use neighborhood, consistent with the strategies mentioned above.

The following strategies from the Strong and Authentic Neighborhoods vision element apply:

- 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 neighborhood and offers opportunities for increased amenities* (p. 34).

G-MU-5 will offer a variety of housing types that are more consistent with the existing land uses and surrounding area, particularly the single-unit residential uses to the west, than the current district.

The following strategy from the Environmentally Resilient vision element is relevant:

- Environmentally Resilient Goal 8, Strategy A – *Promote infill development where infrastructure and services are already in place* (p. 54).

Rezoning to G-MU-5 will allow for infill development at an appropriate scale for the neighborhood as it transitions from high intensity with a mix of uses to low-scale residential uses, consistent with the above strategy.

4640, 4700, 4770 East Iliff Avenue:

The following Equitable, Inclusive, and Affordable strategies apply:

- 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 2, Strategy A – *Create a greater mix of housing options in ever neighborhood for all individuals and families* (p. 28).

Rezoning from CMP-H, a campus hospital district, to S-MU-3, a multi-unit residential district, will allow for more housing options. The S-MU-3 zone district allows for a variety of housing types and building forms from single-unit residential to multi-unit residential in an apartment form. Additionally, the Colorado RTD Station is less than a half mile away so this would allow for more units where transit is more easily accessible.

The below strategies in the Strong and Authentic Neighborhoods vision element are applicable to these properties:

- 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).

S-MU-3 will offer a variety of housing types at a scale that is more consistent with the surrounding area than the existing campus hospital zoning, which allows for a height of up to 75 feet even when in close

proximity to a protected district. Therefore, the proposed zoning change is consistent with the above strategies.

2479 South Clermont Street:

Rezoning from CMP-EI2 to G-RO-3 meets the following Equitable, Affordable and Inclusive strategy:

- 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 G-RO-3 district would allow for a diversity of housing uses and building forms in a largely single-unit area consistent with the above strategy.

The following Strong and Authentic Neighborhoods strategies are applicable:

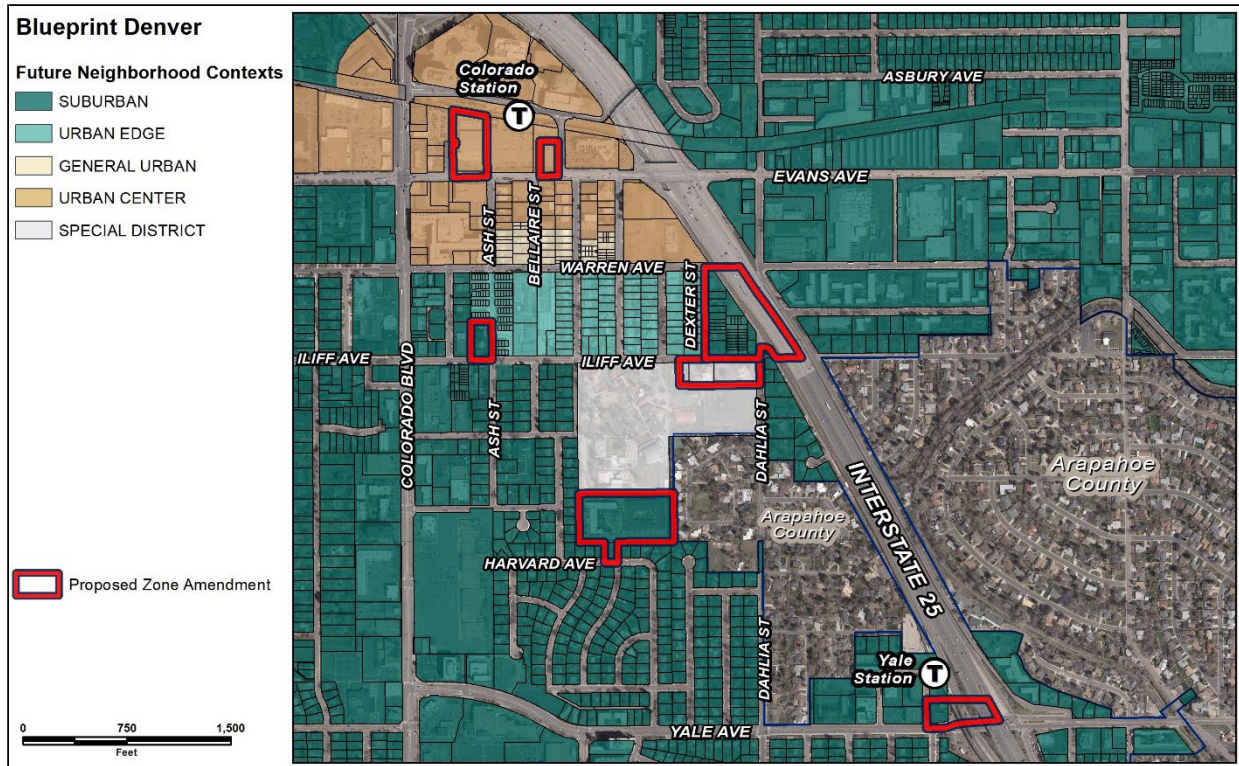
- Strong and Authentic Neighborhoods Goal 1, Strategy B – *Ensure neighborhoods offer a mix of housing types and services for a diverse population* (p. 34).
- Strong and Authentic Neighborhoods Goal 1, Strategy D – *Encourage quality infill development that is consistent with the surrounding neighborhoods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

Likewise, the G-RO-3 district allows for a variety of housing types with limited commercial uses at a scale that is more consistent with the surrounding area than the existing campus education zone district, which allows for significantly greater height in a single-unit residential area. Therefore, it is consistent with the above strategies.

Blueprint Denver

Blueprint Denver is Denver's citywide, long range, land use and transportation plan, adopted by City Council in 2019 as a supplement to *Comprehensive Plan 2040*.

Blueprint Denver Future Neighborhood Context



4101 and 4301 East Evans Avenue and 5307 East Yale Avenue:

The properties along East Evans Avenue at Colorado Station are shown on the context map as Urban Center. The Urban Center context is described as containing “high intensity residential and significant employment areas. Development typically contains a substantial mix of uses, with good street activation and connectivity” (p. 255). The proposed C-MX-16, UO-1 and C-MX-16 zone districts are part of the Urban Center context and are “intended to promote safe, active, and pedestrian-scaled diverse areas through the use of building forms that clearly activate the public street edge” and “the Mixed-Use districts are focused on creating mixed, diverse neighborhoods” (DZC 7.2.2.1). The proposed districts allow for a substantial mix of uses and allowable building forms that contribute to street activation consistent with the future neighborhood context.

The property near the Yale RTD Station is identified as the Suburban neighborhood context in *Blueprint Denver*. The Suburban context includes “the most varied development in Denver’s neighborhoods” with commercial development “focused along main corridors and centers bordering residential areas” (p. 189). Additionally, “compared to other parts of the metro area, Denver’s suburban areas are still more urban in nature and suburban places should reflect that” (p. 189). The S-MX-5A zone district is within the Suburban context and includes “Design standards [that] provide flexibility in building siting while supporting a consistent pattern of buildings placed closer to the street to offer an active street front” (DZC 3.2.4.2.G) and is consistent with the aspiration to have more urban areas in the Suburban

context. Additionally, the proposed district is located near a light-rail station and a shopping center that borders the University Hills residential area.

4175 East Iliff Avenue:

Blueprint Denver identifies the future context of this site as Suburban. These areas have a “range of uses from single-unit and multi-unit residential to commercial corridors and centers. Block patterns are generally irregular with curvilinear streets. Alleys are not commonly found. Buildings are typically set back from the street and range in scale” (p. 126). The proposed S-MX-3 zone district is a mixed-use district within the Suburban context in the Denver Zoning Code and is consistent with the future context description.

2210-2290 South Dexter Street, 2255-2285 South Dahlia Street, and 4719-4765 East Iliff Avenue:

The multi-unit properties along Dexter Street, Dahlia Street, and Iliff Avenue are identified as the Suburban context. The proposed *Near Southeast Area Plan* will update this guidance to General Urban, which is consistent with both the existing district and proposed G-MU-5 zone district.

4640, 4700, 4770 East Iliff Avenue:

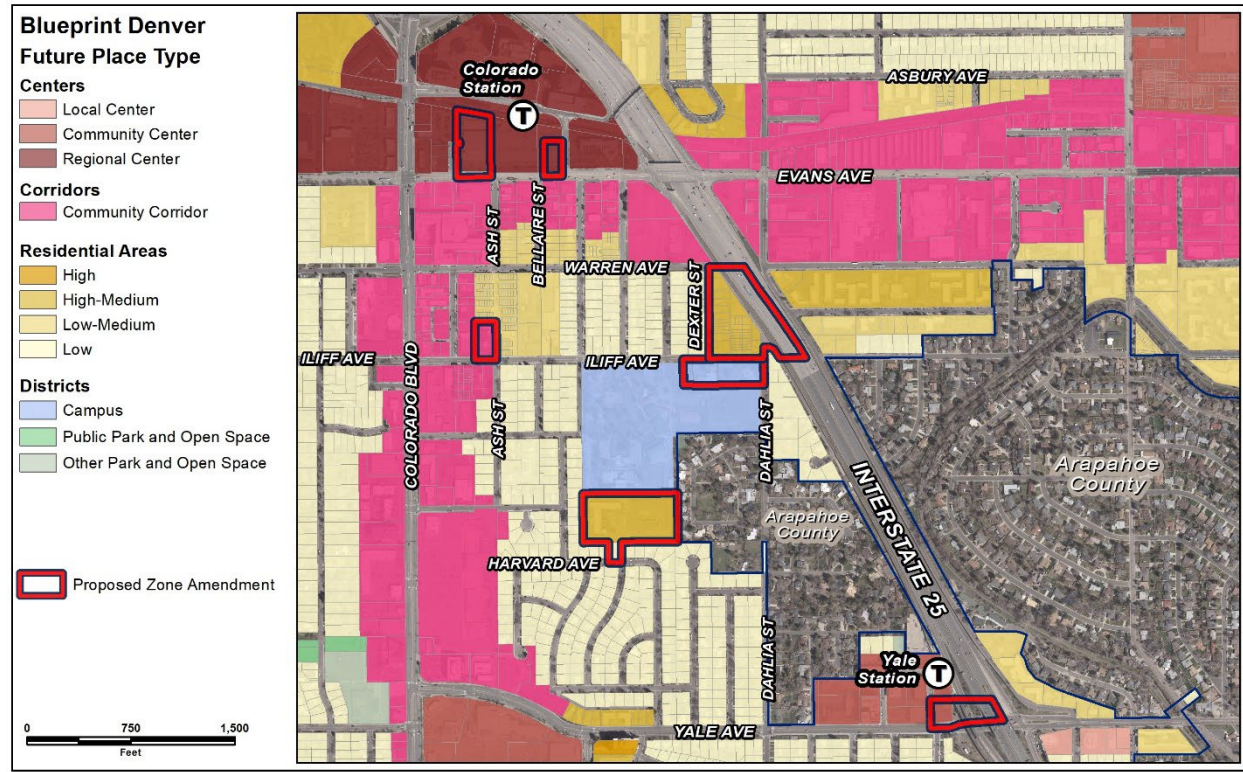
Blueprint identifies the future context as Districts. Districts are “areas that serve a specific purpose, usually highly specific based on uses, such as education, industry or health care. Block patterns, urban design and mobility connections vary based on specific use” (p. 137). Currently, the property is not used for a highly specific use as *Blueprint* contemplates. The proposed S-MU-3 district is consistent with the guidance.

This staff report analyzes the application as originally submitted in March of 2023 which proposes a change in context of this property from Districts to Suburban. However, during the Planning Board Public Hearing on April 19th, the Board approved the Near Southeast Area Plan, with the condition that the future neighborhood context of this property be updated to General Urban. Staff finds that the S-MU-3 district would be consistent with this plan guidance as it would result in building forms and uses that further the vision a Suburban multi-unit context. However, the Councilmember also intends to request a modification of the rezoning application to be more consistent with this updated guidance.

2479 South Clermont Street:

Blueprint Denver identifies the future context of the property along Clermont Street as Suburban. These areas have a “range of uses from single-unit and multi-unit residential to commercial corridors and centers. Block patterns are generally irregular with curvilinear streets. Alleys are not commonly found. Buildings are typically set back from the street and range in scale” (p. 136). Similar to the above site, the *Near Southeast Area Plan*, adopted by the Planning Board on April 19, updated the future context to General Urban, which is consistent with the proposed G-RO-3 zone district.

Blueprint Denver Future Places



4101 and 4301 East Evans Avenue and 5307 East Yale Avenue:

The future places map shows the properties along Evans at Colorado Station as part of a Regional Center. *Blueprint Denver* describes the aspirational characteristics of the Regional Centers in the Urban Center context as containing “a high mix of uses...larger scale missed-use buildings are common. Structures should respond in form and mass to the streets and public spaces around them. High degree of urbanism with continuous building frontages to define the public realm. Heights are generally the tallest in the context and transition gradually within the center to the surrounding residential areas” (p. 256). The proposed zone districts of C-MX-16, UO-1 and C-MX-16 provide a wide range and mix of uses. The future proposed height of up to 16 stories is appropriate for a regional center in this location, given its proximity to transit, central location within the regional center, and the allowed and existing building heights in the area.

The future places map identifies the property near the Yale RTD Station as Community Center. Community Centers in the Suburban context “typically provide some medium mix of office, commercial and residential uses...[with] heights generally up to 5 stories” (p. 194). The S-MX-5A district allows a variety of uses, including office, commercial, and residential, with structures up to 5 stories consistent with the future place type description found in *Blueprint Denver*.

4175 East Iliff Avenue:

The future place type designation in *Blueprint Denver* is Community Corridor for the existing medical office property along East Iliff Avenue. These place types “typically provides some mix of office, commercial and residential...Heights are generally up to 5 stories. Due to shorter lot depths, special attention is needed for transitions to nearby residential areas” (p. 196).

The S-MX-3 zone district allows for a mix of uses and is “intended to promote safe, active, pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping and public gathering within and around the city’s neighborhoods” (DZC 3.2.4.1.A). Additionally, the proposed zone district will provide a transition between the more intense uses and proposed heights along Colorado Boulevard and the multi-unit residential to the east. Therefore, the S-MX-3 zone district is consistent with the future place type designation.

2210-2290 South Dexter Street, 2255-2285 South Dahlia Street, and 4719-4765 East Iliff Avenue:

Blueprint identifies the properties as Residential High-Medium on the future places map. These areas “contain a mix of medium-scale, multi-unit residential types and can accommodate compatible commercial/retail uses. Buildings are generally up to 5 stories in height” (p. 201).

In the Denver Zoning Code, G-MU-5 is a “multi unit district and allows the urban house, duplex, row house, garden court, town house, and apartment building forms. The tallest building form has a maximum height of five stories” (DZC 6.2.2.2.C), which is consistent with the Residential High-Medium future place type.

4640, 4700, 4770 East Iliff Avenue:

The future places map identifies the existing office properties along East Iliff Avenue as within the Campus place type. “Campus buildings vary greatly in size and form. Multi-story and single-use and mixed-use buildings are typical. Some campus buildings may exhibit prominent architecture. These areas are typically dominated by a single, large institutional user. Universities, medical centers, and large research facilities are examples. Some supporting retail and residential uses may occur. When adjacent to lower intensity development, campuses should transition gradually to respect the surrounding neighborhood” (p. 291).

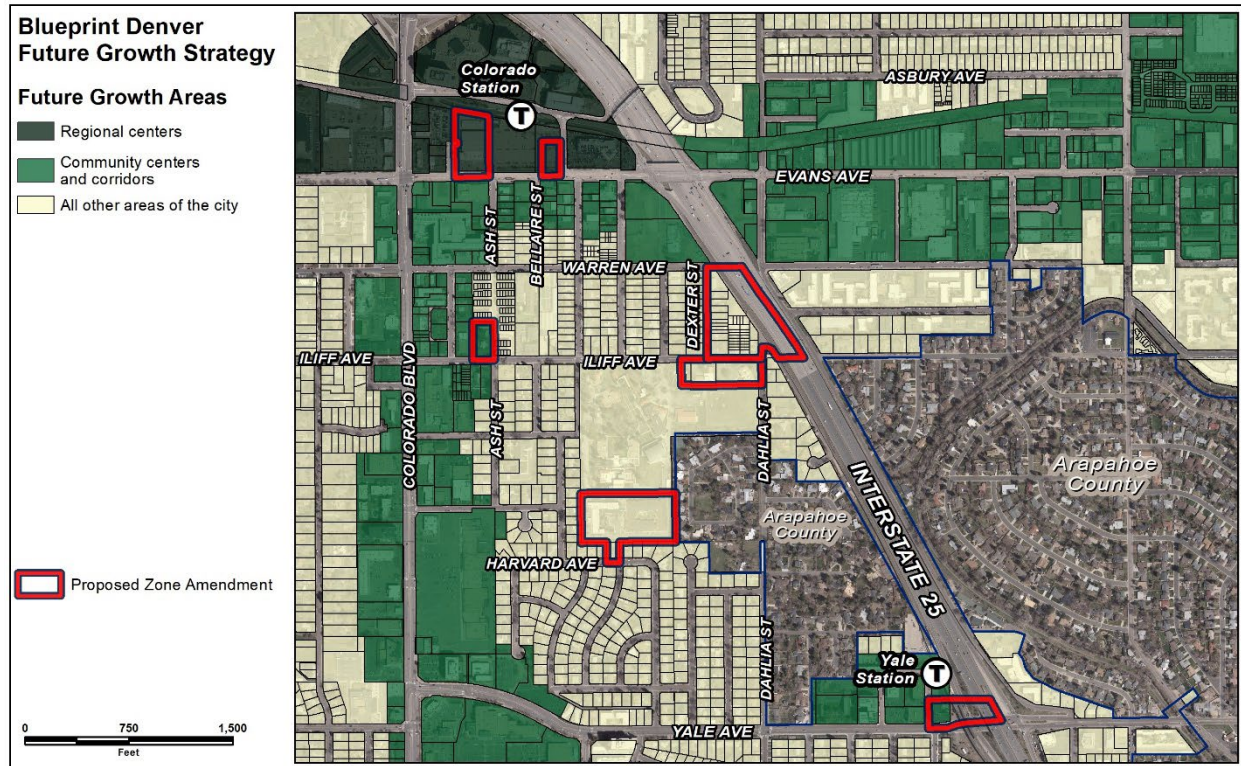
While this site is currently in a campus zone district, it is not a part of a campus, and the future place type will be updated in the *Near Southeast Area Plan*, which was adopted by the Planning Board on April 19. The S-MU-3 zone district is consistent with the future place type in the *Near Southeast Area Plan*.

2479 South Clermont Street:

Blueprint identifies the property on Clermont Street as Residential High-Medium on the future places map. These areas “contain a mix of medium-scale, multi-unit residential types and can accommodate compatible commercial/retail uses. Buildings are generally up to 5 stories in height” (p. 201).

In the Denver Zoning Code, G-RO-3 is a “multi unit and office district allowing urban house, duplex, row house, town house, and apartment building forms. The tallest building form has a maximum height of three stories” (DZC 6.2.2.2.G), which is consistent with the future place type.

Growth Strategy



4101 and 4301 East Evans Avenue and 5307 East Yale Avenue:

The properties along East Evans Avenue at Colorado Station are part of a Regional Center, which are anticipated to capture 30% of new housing growth and 50% of new employment growth by 2040 (p. 51). "Focusing growth in centers and corridors helps to provide a variety of housing jobs and entertainment options within a comfortable distance to all Denverites and is a key element of building complete neighborhoods throughout Denver" (p. 49). The proposed rezoning to C-MX-16, UO-1 and C-MX-16 will focus mixed-use growth to a Regional Center near frequent transit where it has been determined to be most appropriate.

The site near the Yale RTD Station is in the Community Centers and Corridors growth area strategy where it's anticipated to see 25% of new housing growth and 20% of new employment growth by 2040 (p. 51). "Regional Centers and community centers and corridors should attract almost two-thirds of all new jobs and half of new households... a critical component of the growth strategy's success will be to coordinate the development of transit supportive land uses in community centers and corridors." (p. 49). Rezoning to S-MX-5A will allow for transit supportive uses, including office, commercial, and residential consistent with the growth area strategy.

4175 East Liff Avenue:

The medical office property on Liff Avenue is in the Community Centers and Corridors growth area strategy where it's anticipated to see 25% of new housing growth and 20% of new employment growth

by 2040 (p. 51). “Regional Centers and community centers and corridors should attract almost two-thirds of all new jobs and half of new households... a critical component of the growth strategy’s success will be to coordinate the development of transit supportive land uses in community centers and corridors...” (p. 49). Rezoning to S-MX-3 will allow for both housing and employment growth on the site as well as transit supportive uses, including office, commercial, and residential consistent with the growth area strategy.

2210-2290 South Dexter Street, 2255-2285 South Dahlia Street, and 4719-4765 East Iliff Avenue:

Blueprint Denver’s growth strategy map shows these multi-unit properties in the “All other areas of the city” growth area. These areas anticipate experiencing around 20% of new housing growth and 10% of new employment growth by 2040. The growth area is mostly composed of “residential areas with embedded local centers and corridors” that are planned to “take a smaller amount of growth intended to strengthen the existing character of our neighborhood” (p. 49). This proposed rezoning will allow continued redevelopment of this area with new, high-density residential uses while establishing a more realistic maximum building height for these smaller parcels that is consistent with the existing, recent redevelopment.

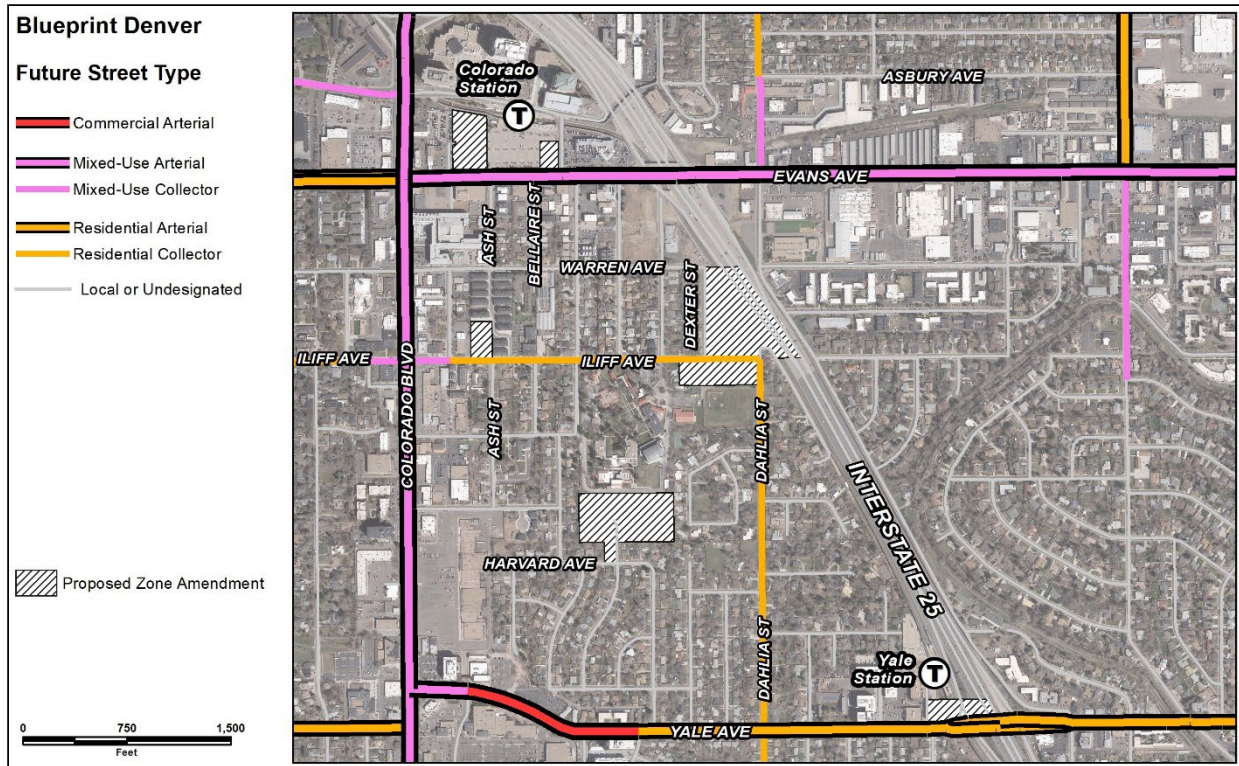
4640, 4700, 4770 East Iliff Avenue:

Blueprint Denver’s growth strategy map shows the property in the “All other areas of the city” growth area. These areas anticipate experiencing around 20% of new housing growth and 10% of new employment growth by 2040. The growth area is mostly composed of “residential areas with embedded local centers and corridors” that are planned to “take a smaller amount of growth intended to strengthen the existing character of our neighborhoods” (p. 49). Rezoning to S-MU-3 is consistent with the growth area strategy because it will allow for the addition of new housing units at this location.

2479 South Clermont Street:

The growth strategy map in *Blueprint Denver* shows the property along Clermont in the “All other areas of the city” growth area. These areas anticipate experiencing around 20% of new housing growth and 10% of new employment growth by 2040. The growth area is mostly composed of “residential areas with embedded local centers and corridors” that are planned to “take a smaller amount of growth intended to strengthen the existing character of our neighborhoods” (p. 49). Rezoning to G-RO-3 is consistent with the growth area strategy because it will allow for more housing growth that is consistent with the established character than the existing campus education zone district.

Future Street Types



4101 and 4301 East Evans Avenue and 5307 East Yale Avenue:

Blueprint Denver classifies Evans Avenue as a Mixed-Use Arterial. "Arterial streets are designed for the highest amount of through movement and the lowest degree of property access" (p. 154). These streets include retail, office, residential and restaurants with buildings that are pedestrian-oriented with shallow setbacks and high building coverage. The proposed C-MX-16, UO-1 and C-MX-16 districts are consistent with these descriptions, with surrounding local streets providing connections from the property to the arterial, which is intended for more intense development.

East Yale Avenue is identified as a Residential Arterial. "Arterial streets are designed for the highest amount of through movement and the lowest degree of property access" (p. 154). These streets are primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses" (p. 160). The proposed S-MX-5A zone district allows for residential uses as well as commercial near frequent transit.

4175 East Iliff Avenue:

East Iliff Avenue is identified in *Blueprint Denver* as a Residential Collector. Collector streets "are in between a local street and an arterial street; they collect movement from local streets and convey it to arterial streets" (p. 154). Residential streets are described as "primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses" (p. 160). The proposed S-MX-3 district will allow for low-scale retail nodes consistent with the future street type.

2210-2290 South Dexter Street, 2255-2285 South Dahlia Street, and 4719-4765 East Iliff Avenue:

Blueprint Denver identifies Iliff Avenue as a Residential Collector. Collector streets “are in between a local street and an arterial street; they collect movement from local streets and convey it to arterial streets” (p. 154). Residential uses are described as “primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses” (p. 160). Dexter and Dahlia Streets are identified as local streets, 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-MU-5 zone district is a residential zone district consistent with the future street type designations.

4640, 4700, 4770 East Iliff Avenue:

Blueprint Denver identifies Iliff Avenue as a Residential Collector. Collector streets “are in between a local street and an arterial street; they collect movement from local streets and convey it to arterial street” (p. 154). Residential streets are described as “primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses” (p. 160). The proposed S-MU-3 zone district is a residential district consistent with the Residential Collector street type designation.

2479 South Clermont Street:

South Clermont Street is identified as a local 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-RO-3 district is a residential zone district consistent with the future street type designation.

Other Applicable *Blueprint Denver* Policy Recommendations and Strategies

4101 and 4301 East Evans Avenue and 5307 East Yale Avenue:

The proposed rezoning includes properties that retained the Former Chapter 59 zoning. Rezoning to C-MX-16, UO-1, C-MX-16, and S-MX-5A, standard zone districts in the Denver Zoning code is consistent with the following policy:

- Land Use & Built Form General, Policy 3, Strategy A – *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).

Blueprint Denver encourages legislative rezonings as a vehicle to implement the Plan’s goals.

- Land Use & Built Form General, Policy 11, Strategy A – *Prioritize larger-scale, legislative rezonings over site-by-site rezonings to implement plan recommendations and to achieve citywide goals, including equity goals* (p. 79).

4175 East Iliff Avenue:

The proposed rezoning includes properties that retained the Former Chapter 59 zoning. Rezoning to S-MX-3, a standard zone district in the Denver Zoning code is consistent with the following policy:

- Land Use & Built Form General, Policy 3, Strategy A – *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).

**2210-2290 South Dexter Street, 2255-2285 South Dahlia Street, and 4719-4765 East Iliff Avenue
4640, 4700, 4770 East Iliff Avenue:**

Rezoning from CMP-H, a campus hospital zone district, to S-MU-3, a suburban multi-unit district, will further the following *Blueprint* policy because it will bring properties that are not a part of a campus into a more appropriate zone district for future development.

- Land Use and Built Form General Policy 6, Strategy D – *Establish a process to plan for the reuse of large campus sites. Unlike the embedded sites, these typically are zoned within “campus” zone districts, which are typically very flexible to reflect the needs of campus functions. When those functions leave, often it is not appropriate to continue that level of flexibility. 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).*

2479 South Clermont Street:

Rezoning from CMP-EI2, a campus education zone district, to G-RO-3, a general urban residential and office district, will further the following *Blueprint* policy because it will bring properties that are not a part of a campus into a more appropriate zone district.

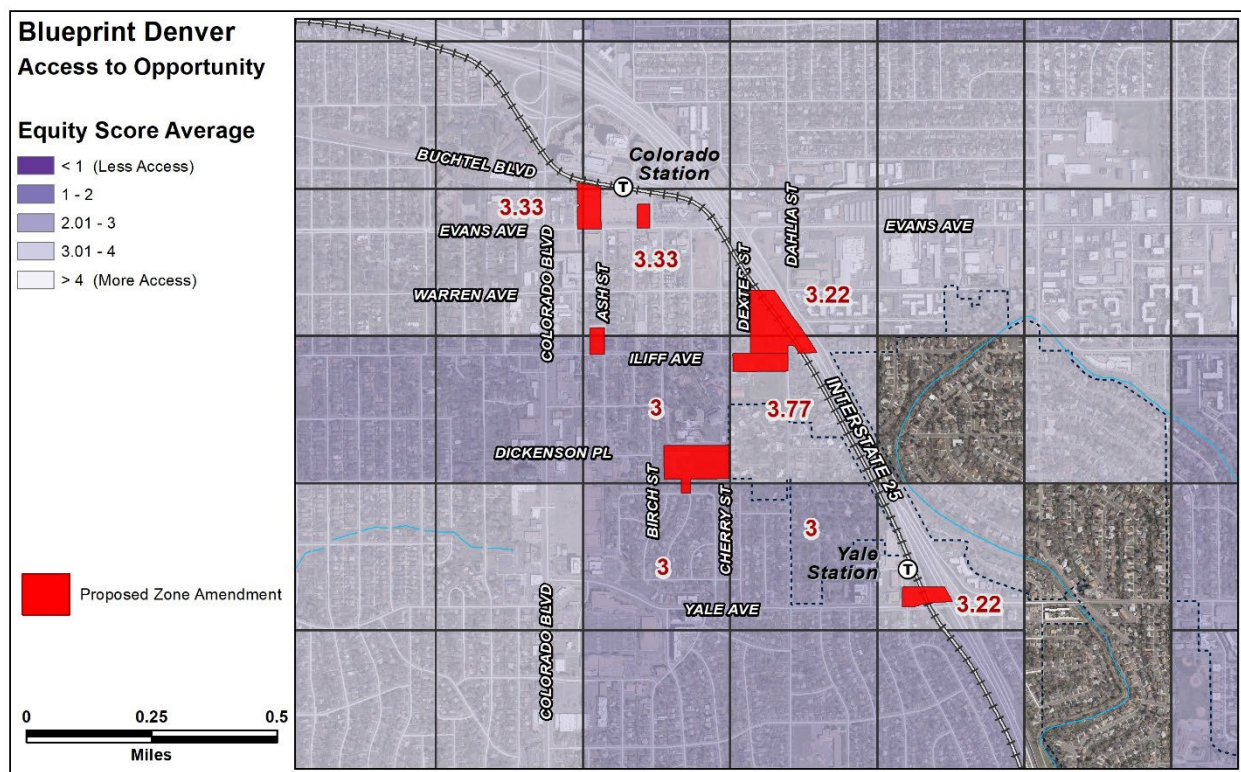
- Land Use and Built Form General Policy 6, Strategy D – *Establish a process to plan for the reuse of large campus sites. Unlike the embedded sites, these typically are zoned within “campus” zone districts, which are typically very flexible to reflect the needs of campus functions. When those functions leave, often it is not appropriate to continue that level of flexibility. 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).*

Equity Concepts

Blueprint Denver contains three equity concepts to help guide change to benefit Denver residents and visitors. Each equity concept has associated measurements to help inform considerations for large-scale city-led map amendments along with other implementation actions.

Access to Opportunity

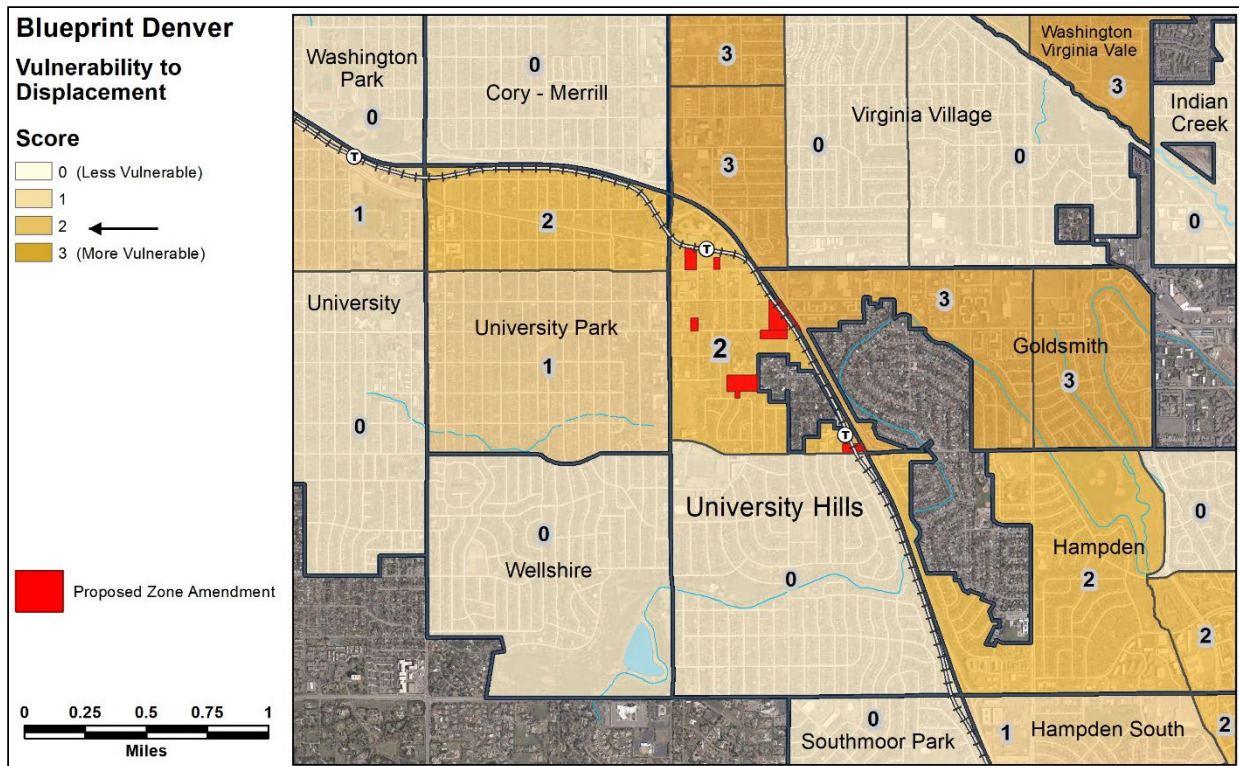
The basis for measuring access to opportunity is a composite of the neighborhood equity index developed by Denver's Department of Public Health and Environment, proximity to high-capacity and frequent transit, and access to centers and corridors. Access to opportunity helps us to consider if we are making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



The properties included in this legislative rezoning are located within the University Hills neighborhood and vary in their access to opportunity with scores ranging from 2.61 to 3.5. Overall, this neighborhood has less access to public parks and lower life expectancy. There is a new public park proposed for the University Hills neighborhood which may help increase these scores. The sites vary on their scores for access to healthcare, childhood obesity, and access to centers and corridors. Portions of the neighborhood are less equitable in terms of access to healthcare with a quarter of women not receiving prenatal care during the first trimester. Some of the sites are somewhat equitable in terms of childhood obesity with 16.3% of children being obese compared to the citywide rate. While most of the area has a high level of access to centers and corridors, there are a few areas where only 25%-50% of the area is covered by a walk, bike, and driveshed to a center or corridor. Several of the properties are proposed to be rezoned to a mixed-use district, which will encourage greater access to centers and corridors.

Vulnerability to Displacement

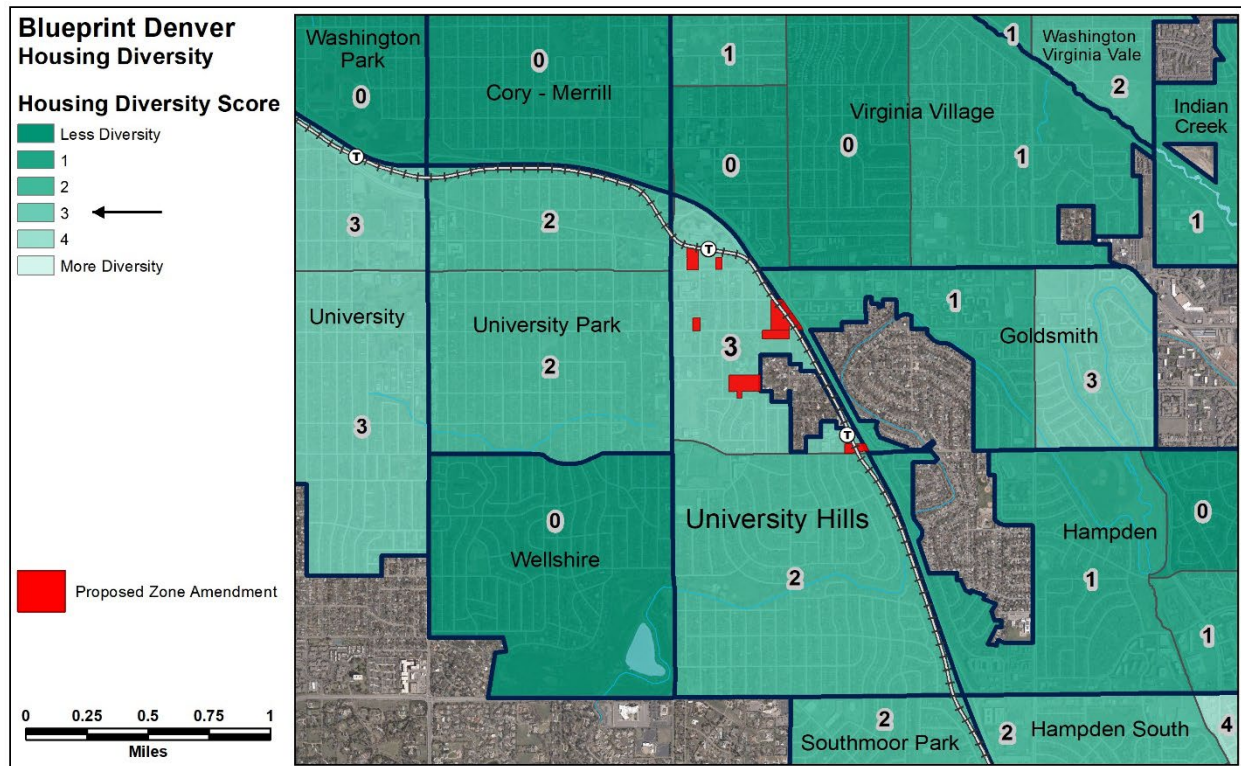
The basis for measuring vulnerability to displacement is the vulnerability to displacement index developed by the Denver Economic Development and Opportunity office. This combines data from median household income, percentage of people who rent housing, and percent of population with less than a college degree. This concept is used to stabilize “residents and businesses who are vulnerable to involuntary displacement due to increasing property values and rents” (p. 30).



University Hills scores as moderately vulnerable to involuntary displacement based on two of the three indicators – rental occupancy and median household income. This is a legislative rezoning so no specific development is proposed. However, any new development on the subject properties will be required to follow the city’s Expanding Housing Affordability regulations. This requires affordable units to be included in any multi-unit development with more than 10 units which will help to improve the vulnerability to displacement score for this area.

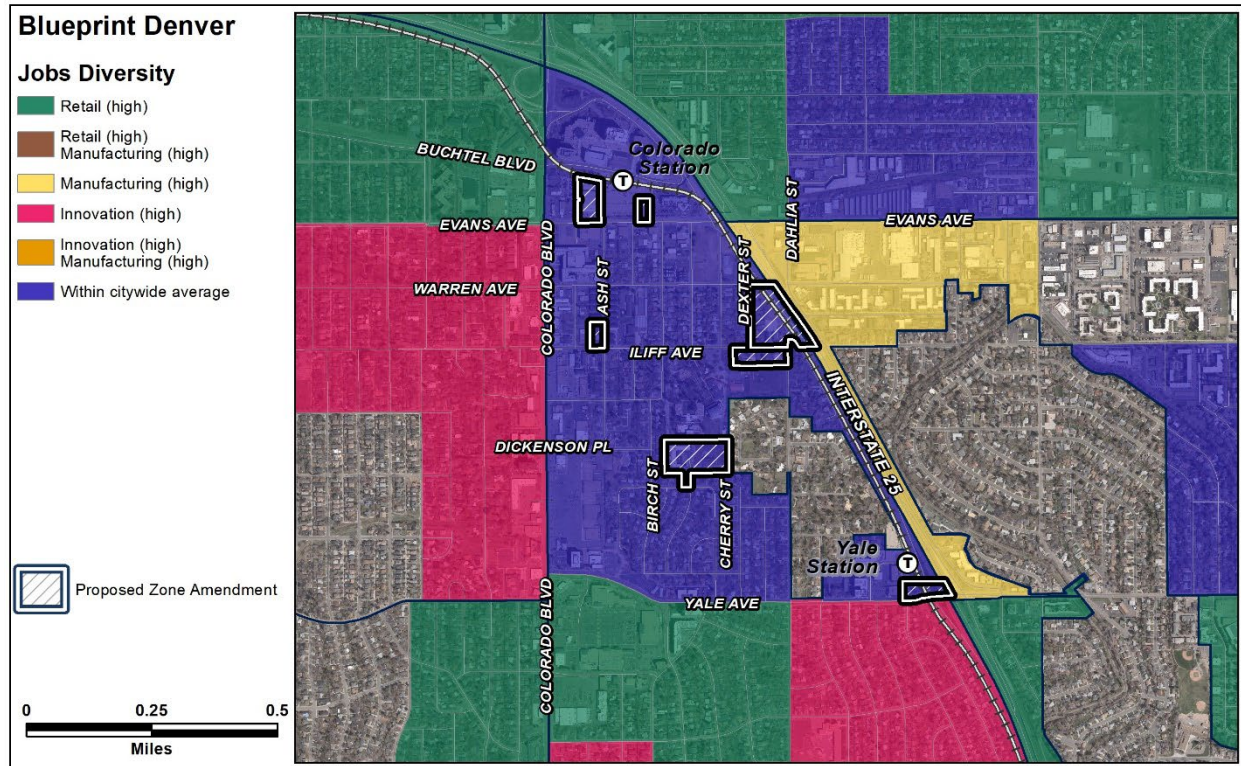
Expanding Housing and Jobs Diversity

As a *Blueprint Denver* Equity Concept, housing diversity refers to an area being able to offer residents a variety of housing options to accommodate households of different ages, sizes and incomes. 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.



Data show that the University Hills neighborhood scores as having moderate housing diversity. The area lacks diversity for two of the five indicators – missing middle housing and rate of home ownership compared to rental. Two of the rezonings are to zone districts that will allow for multi-unit residential uses, which may bring more missing middle housing to the area. Additionally, the proposed mixed-use developments also allow for residential uses, which may also bring more housing to this area.

Expanding Jobs Diversity



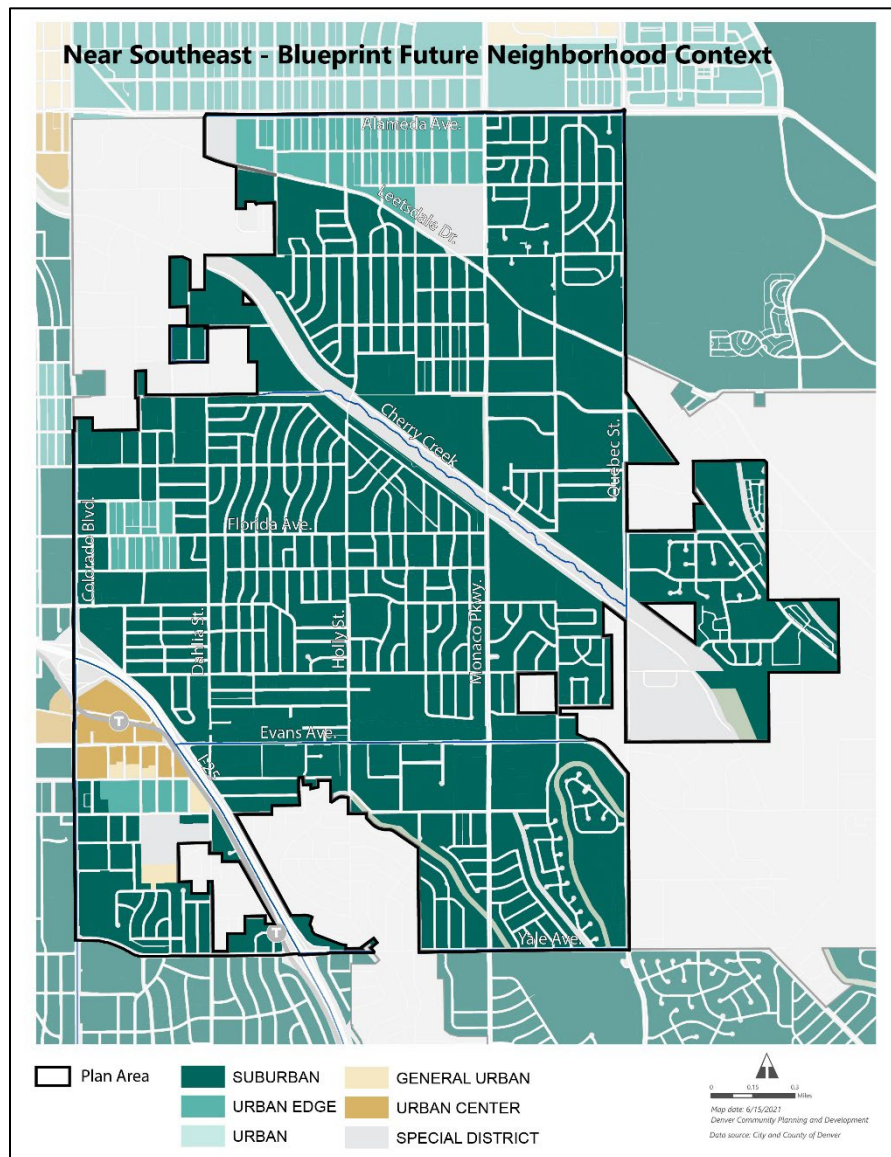
Access to a range of quality jobs enables people of different incomes and education levels to find employment and wealth building opportunities. To measure jobs diversity, the city looks at the number of jobs available and how the variety of these jobs compares to the variety of jobs citywide.

There are a total of 5,749 jobs in the University Hills North area, which have a similar mix of jobs (retail, innovation, and manufacturing) as the city as a whole. Rezoning several of the properties to allow for mixed-use developments may increase the already diverse mix of jobs in this area. Several of the properties are proposed to be rezoned to residential districts, and these will likely have little impact on jobs diversity.

Near Southeast Area Plan

The *Near Southeast Area Plan* was adopted by the Planning Board on April 19 and is expected to be considered by City Council in May. This plan was the outcome of a two-year process, involving residents, community leaders and property owners, to identify needed updates to Blueprint's general land use guidance for the area. It made several changes to Future Neighborhood Context and Place, as described below.

Future Neighborhood Context



4101 and 4301 East Evans Avenue and 5307 East Yale Avenue:

Similar to *Blueprint Denver*, the proposed *Near Southeast Area Plan* identifies the properties along Evans near the Colorado Station as the Urban Center Context. C-MX-16, UO-1 and C-MX-16 are districts within the Urban Center context in the Denver Zoning Code. The *Near Southeast Area Plan* identifies the properties near the Yale RTD Station as the Suburban context, and S-MX-5A is a district within the Suburban context of the Denver Zoning Code.

4175 East Iliff Avenue:

Similar to *Blueprint Denver*, the *Near Southeast Area Plan* identifies the future context as Suburban. S-MX-3 is a district within the Suburban context in the Denver Zoning Code.

2210-2290 South Dexter Street, 2255-2285 South Dahlia Street, and 4719-4765 East Iliff Avenue:

The proposed *Near Southeast Area Plan* updates the future context guidance to the General Urban neighborhood context. The proposed G-MU-5 is a district within the General Urban context, consistent with the updated future context.

4640, 4700, 4770 East Iliff Avenue:

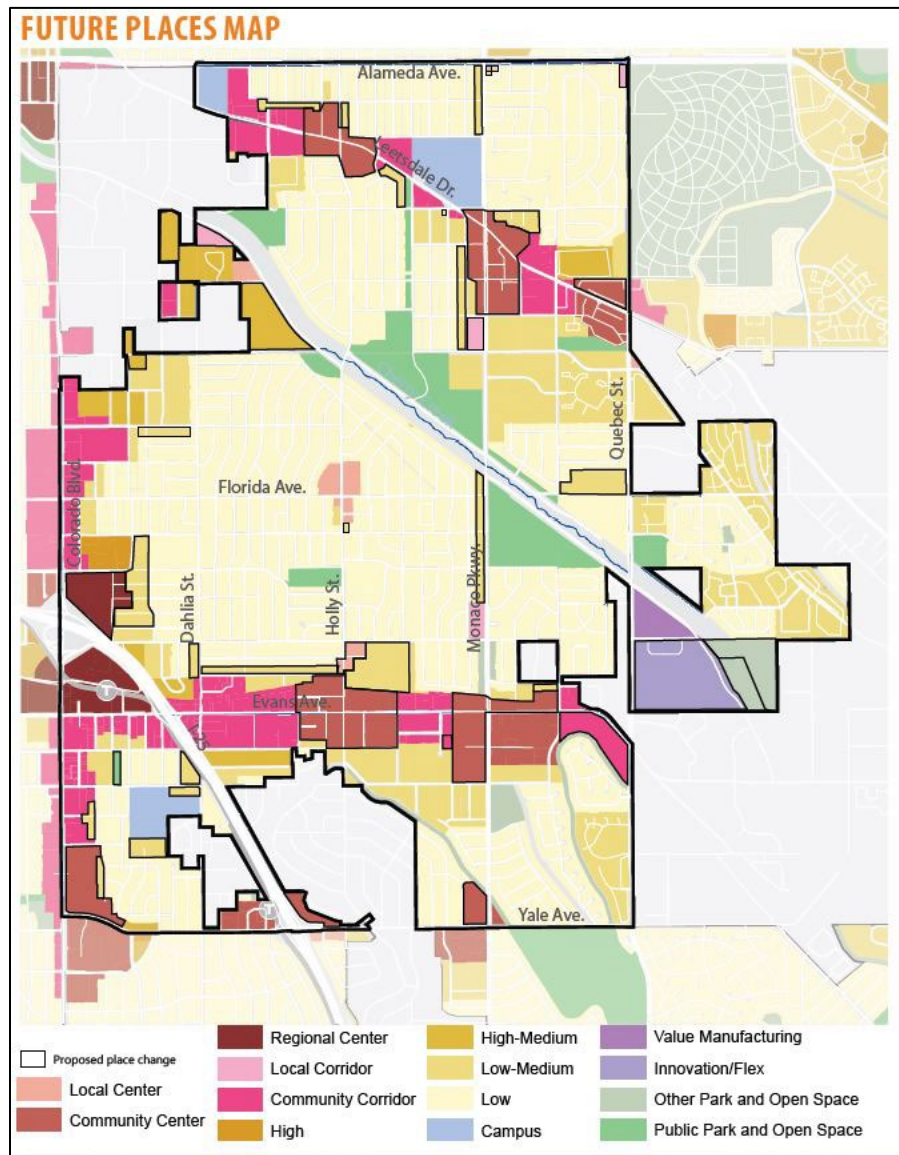
The proposed *Near Southeast Area Plan* updates the future neighborhood context for the office properties along Iliff Avenue from Districts to Suburban. The proposed S-MU-3 is a zone district within the Suburban context in the Denver Zoning Code.

This staff report analyzes the application as originally submitted in March of 2023 which proposes a change in context of this property from Districts to Suburban. However, during the Planning Board Public Hearing on April 19th, the Board approved the Near Southeast Area Plan, with the condition that the future neighborhood context of this property be updated to General Urban. Staff finds that the S-MU-3 district would be consistent with this plan guidance as it would result in building forms and uses that further the vision a Suburban multi-unit context. However, the Councilmember also intends to request a modification of the rezoning application to be more consistent with this updated guidance.

2479 South Clermont Street:

The proposed *Near Southeast Area Plan* updates the future neighborhood context from Suburban to General Urban, and G-RO-3 is a district within the General Urban context in the Denver Zoning Code.

Future Place Type



4101 and 4301 East Evans Avenue and 5307 East Yale Avenue:

The two properties near the Colorado Station are in the Regional Center future place type. These places are described as containing “a high mix of uses providing a dynamic environment of living, dining, entertainment and shopping, and a diverse set of employment options. Larger scale mixed-use buildings are common. Structures should respond in form and mass to streets and public spaces around them” (p. 35). The C-MX-16 district is a mixed-use district that allows for larger scale buildings that are intended “to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public street edge” (DZC 7.2.2.1.A) consistent with the future place type in the Plan.

The site at the Yale RTD Station is in the Community Center future place type, which “typically provides some medium office, commercial and residential uses. A mix of larger and smaller scale buildings, set back from the street to accommodate streetscapes. Transitions gradually within the center out to the surrounding residential areas” (p. 34). S-MX-5A allows for a medium-scale structures near transit and includes design standards that allow for transitions to nearby residential areas.

4175 East Iliff Avenue:

The future place type in the proposed *Near Southeast Area Plan* is identified as Community Corridor, which is consistent with the existing *Blueprint* guidance. These areas “typically provide some mix of office, commercial and residential. Buildings have a distinctly linear orientation but may provide an opportunity for infill in large setbacks that are a result of historic suburban development” (p. 34). S-MX-3 will allow for office, commercial, and residential uses while also allowing for infill development on this larger site consistent with the future place type description.

2210-2290 South Dexter Street, 2255-2285 South Dahlia Street, and 4719-4765 East Iliff Avenue:

The proposed neighborhood plan identifies the proposed site as Residential Low-Medium on the future places map. These areas are “primarily residential with a mix of single and two-unit homes interspersed amongst lower-scale, multi-unit building” (p. 35). G-MU-5 allows a variation of residential building types and the lower-scale buildings that are permitted “provide a transition to Urban and Urban Edge Neighborhood contexts” (DZC 6.2.2.1.C), which are located directly west of the site.

4640, 4700, 4770 East Iliff Avenue:

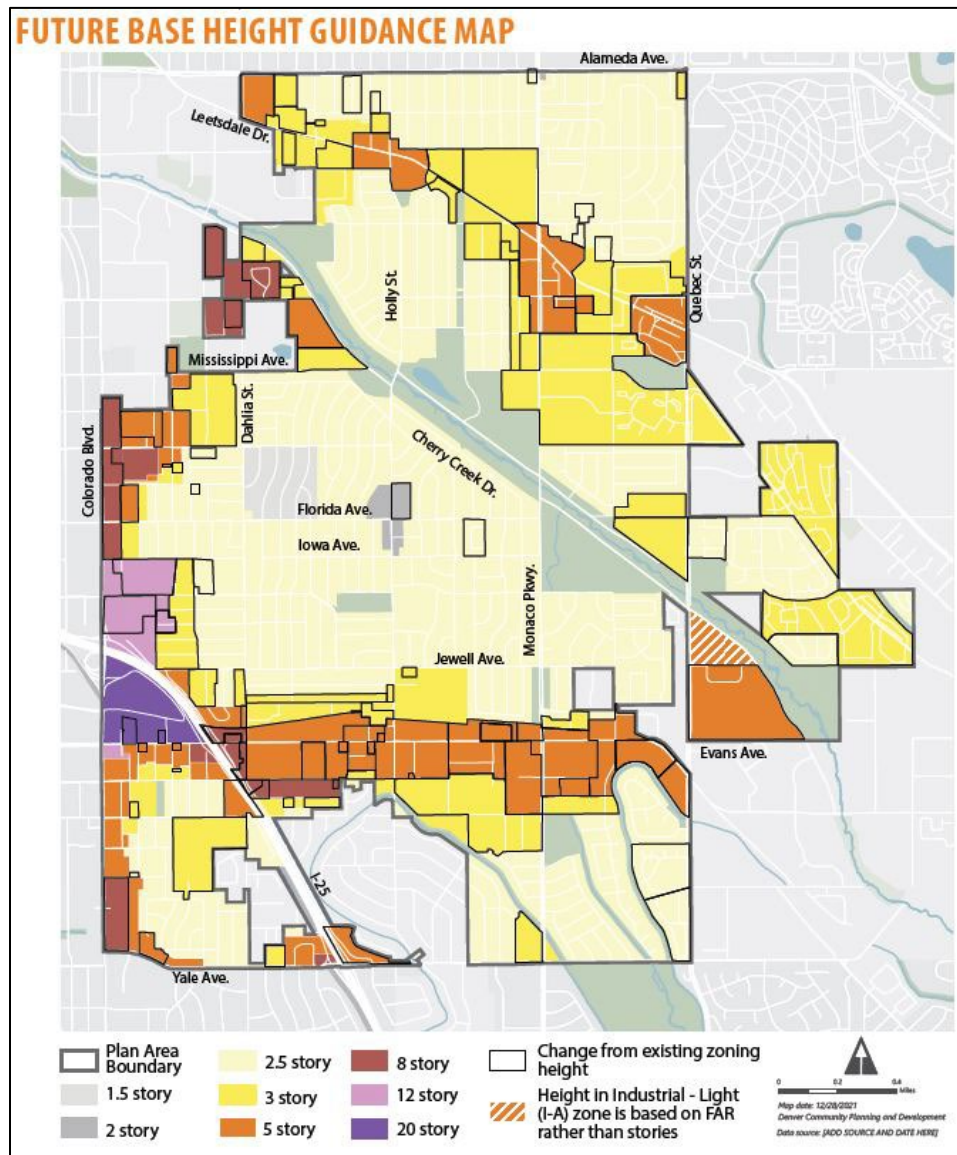
The area plan also updates the future place type for these properties from campus to Residential Low-Medium. These areas are a “mix of low- to mid-scale multi-unit residential options. A variety of lower scale residential forms including row houses and small multi-unit buildings are found” (p. 34). The S-MU-3 zone district allow the Suburban House, Duplex, Rowhouse, and Apartment building forms with a maximum height of 3 stories, consistent with the guidance for Residential Low-Medium.

2479 South Clermont Street:

The proposed *Near Southeast Area Plan* identifies the proposed site as Residential Low-Medium on the future places map, which updates the guidance in *Blueprint*. These areas are “primarily residential with a mix of single and two-unit home interspersed amongst lower-scale, multi-unit buildings.

Neighborhood-serving commercial uses are limited and are primarily found at intersections and along corridors” (p. 35). G-RO-3 will allow for a variety of residential building forms with very limited commercial uses, consistent with the updated guidance in the area plan and the existing use as a senior living facility.

Maximum Building Heights



4101 and 4301 East Evans Avenue and 5307 East Yale Avenue:

The *Near Southeast Area Plan* identifies the maximum height for the properties along Evans as 20 stories. The proposed C-MX-16 zone district allows up to 16 stories in base height, consistent with the maximum height recommendations. The proposed neighborhood plan identifies a maximum height of 8 stories of the property along Yale Avenue.

The proposed S-MX-5A zone district will allow a maximum base height of 5 stories consistent with the existing structure and the maximum height map.

4175 East Iliff Avenue:

The proposed *Near Southeast Area Plan* updates the height guidance for the subject property to allow a maximum height of 3 stories. S-MX-3 “applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired” (DZC 3.2.4.2.D). Rezoning this site to S-MX-3 will implement the height guidance provided in the neighborhood plan.

2210-2290 South Dexter Street, 2255-2285 South Dahlia Street, and 4719-4765 East Iliff Avenue:

The area plan identifies these multi-unit properties as recommending a maximum height of 5 stories. This is consistent with the proposed G-MU-5 zone district, which allows a base height of 5 stories and will provide a transition to the lower-scale residential to the west.

4640, 4700, 4770 East Iliff Avenue:

The future base height guidance map in the *Near Southeast Area Plan* shows these properties as having a 3 story base maximum building height. S-MU-3 allows up to 3 stories in base height, consistent with the guidance in the plan.

2479 South Clermont Street:

The proposed *Near Southeast Area Plan* updates the height guidance for the subject property to allow a maximum base height of 3 stories. G-RO-3 “is a multi unit and office district allowing urban house, duplex, row house, town house, and apartment building forms. The tallest building has a maximum height of three stories” (DZC 6.2.2.2.G). Rezoning this site to G-RO-3 will implement the height guidance provided in the *Near Southeast Area Plan*.

Near Southeast Recommendations

4101 and 4301 East Evans Avenue and 5307 East Yale Avenue:

The proposed C-MX-16, UO-1, C-MX-16, and S-MX-5A zone districts are mixed use districts that will promote a variety of uses and bring properties currently in the Former Chapter 59 into the Denver Zoning Code consistent with the following Land Use recommendations:

- LU-1 Strategy A – *Regional and Community Centers should accommodate the most growth in Near Southeast, creating opportunities for affordable housing and housing meeting other community needs, jobs, shopping, dining, and entertainment options* (p. 40).
- LU-5 Strategy A – *Center development – Transform the Community and Regional Centers into walkable, mixed-use community destination by connecting new public street grids where necessary and encouraging a variety of uses, including residential, office, retail, dining, and entertainment* (p. 48).
- LU-10 Strategy A1 – *Encourage rezoning properties out of Former Chapter 59 and into the Denver Zoning Code to improve design outcomes, equity, and responsiveness to evolution in zoning regulations.*
 - *City-led rezonings may be appropriate in cases, such as large residential developments and commercial properties that have retained Former Chapter 59 in areas likely to redevelop* (p. 64).

The proposed districts will encourage a mixed-use center at the Colorado and Yale RTD Station areas consistent the University Hills North policy below:

- U-LU-3 – *Encourage the evolution of the Colorado and Yale station areas into complete mixed-use centers serving residents and visitors (p. 192).*

4175 East Iliff Avenue:

S-MX-3 is a mixed-use district that will promote a variety of uses and bring a property currently in the Former Chapter 59 into the Denver Zoning Code consistent with the following Land Use recommendations:

- LU-10 Strategy A1 – *Encourage rezoning properties out of Former Chapter 59 and into the Denver Zoning Code to improve design outcomes, equity, and responsiveness to evolution in zoning regulations.*
 - *City-led rezonings may be appropriate in cases, such as large residential developments and commercial properties that have retained Former Chapter 59 in areas likely to redevelop (p. 64).*

4640, 4700, 4770 East Iliff Avenue:

The proposed S-MU-3 zone district will allow for a variety of residential housing options consistent with the following strategy:

- LU-6 – *Provide a variety of high-quality and affordable housing options, ranging from triplexes and townhomes to small apartments and garden courts to large apartment and condominium buildings while preserving desirable design characteristics and compatibility in residential low-medium, residential high-medium and residential high places (p. 51).*

2479 South Clermont Street:

The proposed G-RO-3 zone district will allow for a variety of residential housing options consistent with the following strategy:

- LU-6 – *Provide a variety of high-quality and affordable housing options, ranging from triplexes and townhomes to small apartments and garden courts to large apartment and condominium buildings while preserving desirable design characteristics and compatibility in residential low-medium, residential high-medium and residential high places (p. 51).*

Other Neighborhood Plans

Some parcels included in this proposed rezoning are located within the boundaries of some older neighborhood plans, including the *Colorado Station Area Framework Plan* (2003) and *Colorado Boulevard Plan* (1991). Recommendations contained in those plans were evaluated as part of the *Near Southeast Area Plan* process, vetted with the community to ensure they were still appropriate, updated as necessary, and incorporated into the *Near Southeast Area Plan*. Those plans will be superseded in their entirety or where there is overlap with the *Near Southeast Area Plan*, and accordingly, recommendations for affected properties are consistent with these older area plans as described under *Near Southeast Area Plan*, above.

2. Uniformity of District Regulations and Restrictions

The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts (DZC 12.4.10.7.B).

The proposed map amendment to C-MX-16, C-MX-16, UO-1, S-MX-5A, S-MX-3, G-MU-5, S-MU-3, and G-RO-3 will result in the uniform application of zone district building form, use, and design regulation.

3. Public Health, Safety and General Welfare

The proposed legislative rezoning furthers the public health, safety and general welfare of the City (DZC 12.4.10.7.C).

The City of Denver has adopted multiple plans in the interest of public health, safety and the general welfare including Comprehensive Plan 2040 and Blueprint Denver. As described in detail above, the legislative rezoning furthers the goals, policies and strategies in these City plans, and through implementation furthers the health, safety and welfare of the City. Moreover, bringing the properties with Former Chapter 59 zoning into the Denver Zoning Code furthers the general welfare of the city and furthers Blueprint Denver's goals to "Rezone properties from the Former Chapter 59 zoning code so that the entire city is covered by the DZC" (p. 73). The proposed zone districts will apply current, form-based zoning code standards, ensuring quality development appropriate for the surrounding neighborhoods.

In addition to furthering the public health and safety by implementing the City's adopted plans, the proposed rezoning furthers the general public health, safety and welfare of Denver residents, land owners and businesses by implementing zone districts that contain enhanced design standards that reinforce the desired character of the University Hills neighborhood and encourage better built form outcomes fostering a more pedestrian-oriented character.

Attachments

1. Application
2. Public Comment
3. Existing Context Table – Subject Properties
4. Existing Context Table – Surrounding Properties
5. Primary Building Form Standards in Existing and Proposed Zone Districts Table