4100 East Arkansas Ave & 1451 South Ash Street

Request: From S-MX-3 to S-MX-5A

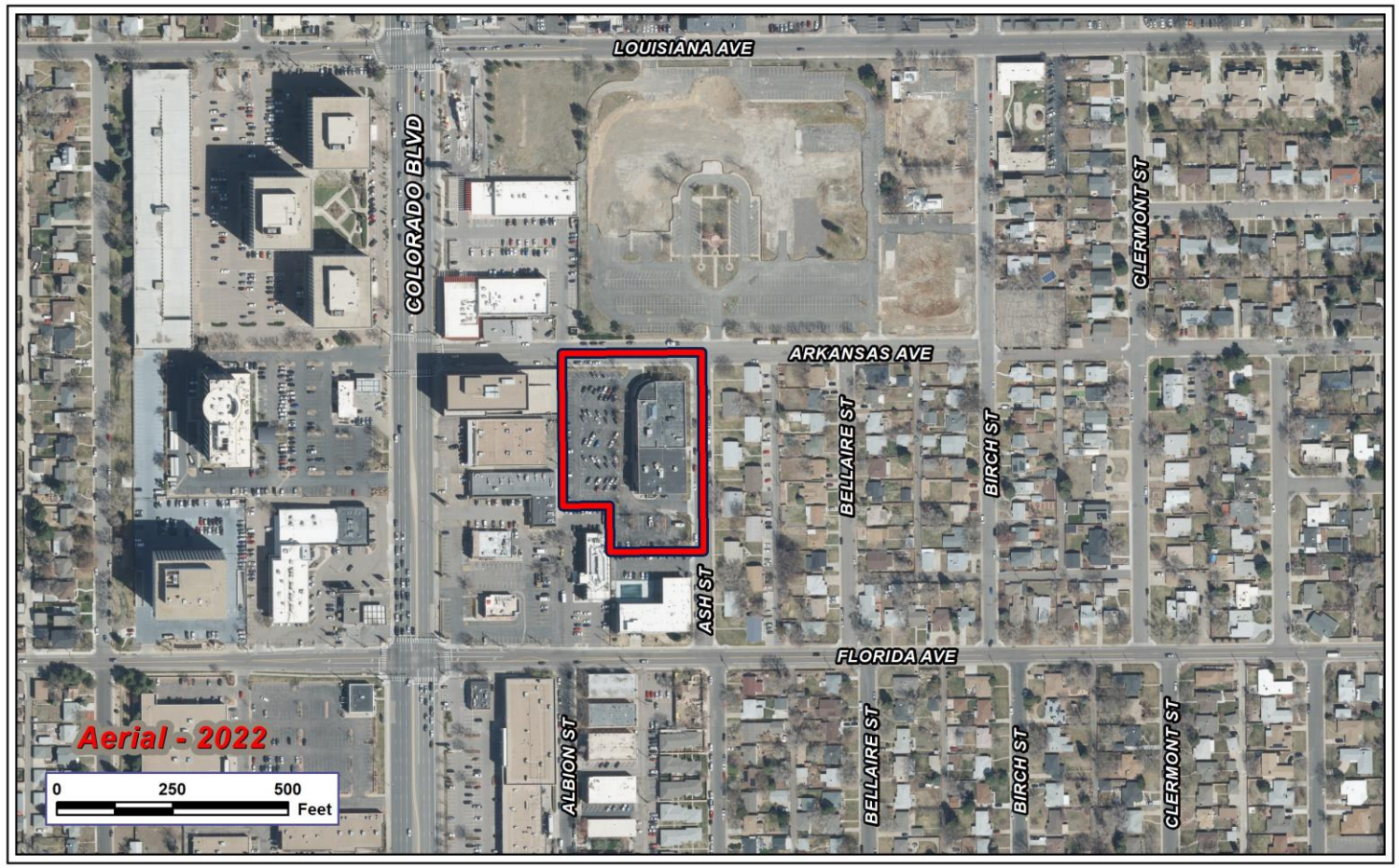
Date: 03.12.2024

Presenter: Tony Lechuga

Presentation Agenda

- Request
- Location and Context
- Process
- Review Criteria

Request: from S-MX-3 to S-MX-5A



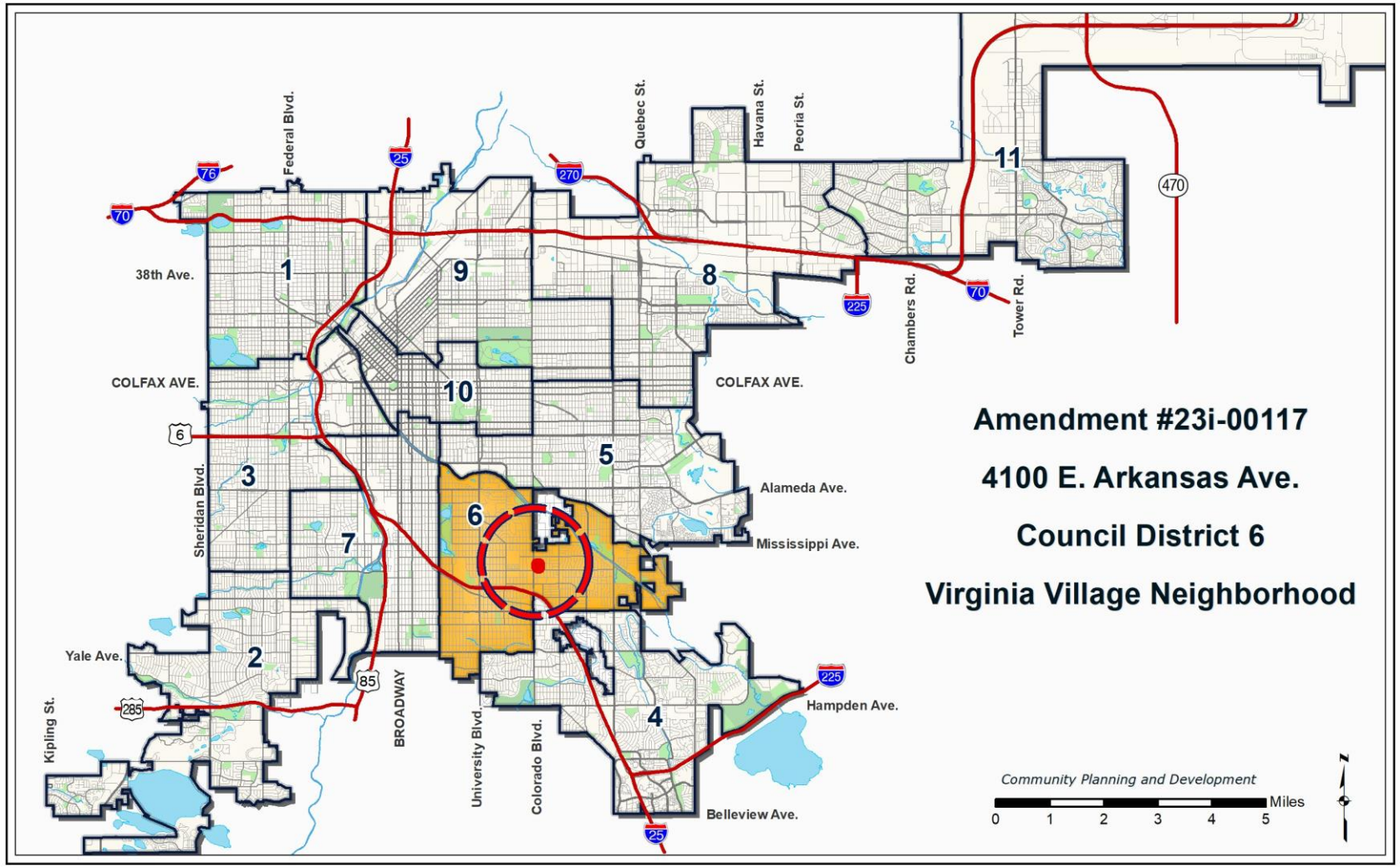
- Property:
  - 99,356 sf
  - 2 story office building and surface parking
  - Requesting rezoning to align with plan guidance.

Reminder: Approval of a rezoning is not approval of a proposed specific development project

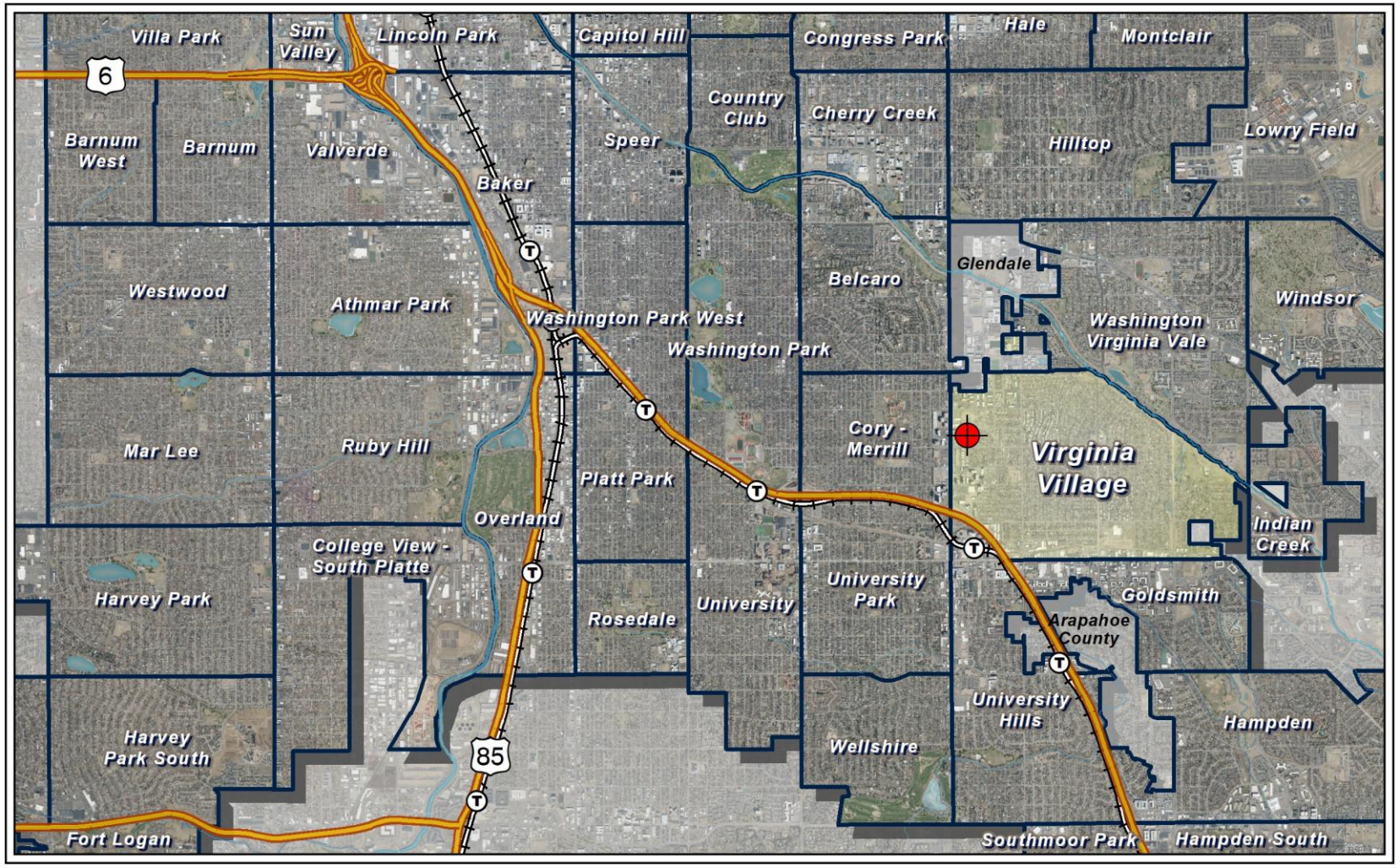
Presentation Agenda

- Request
- Location and Context
- Process
- Review Criteria

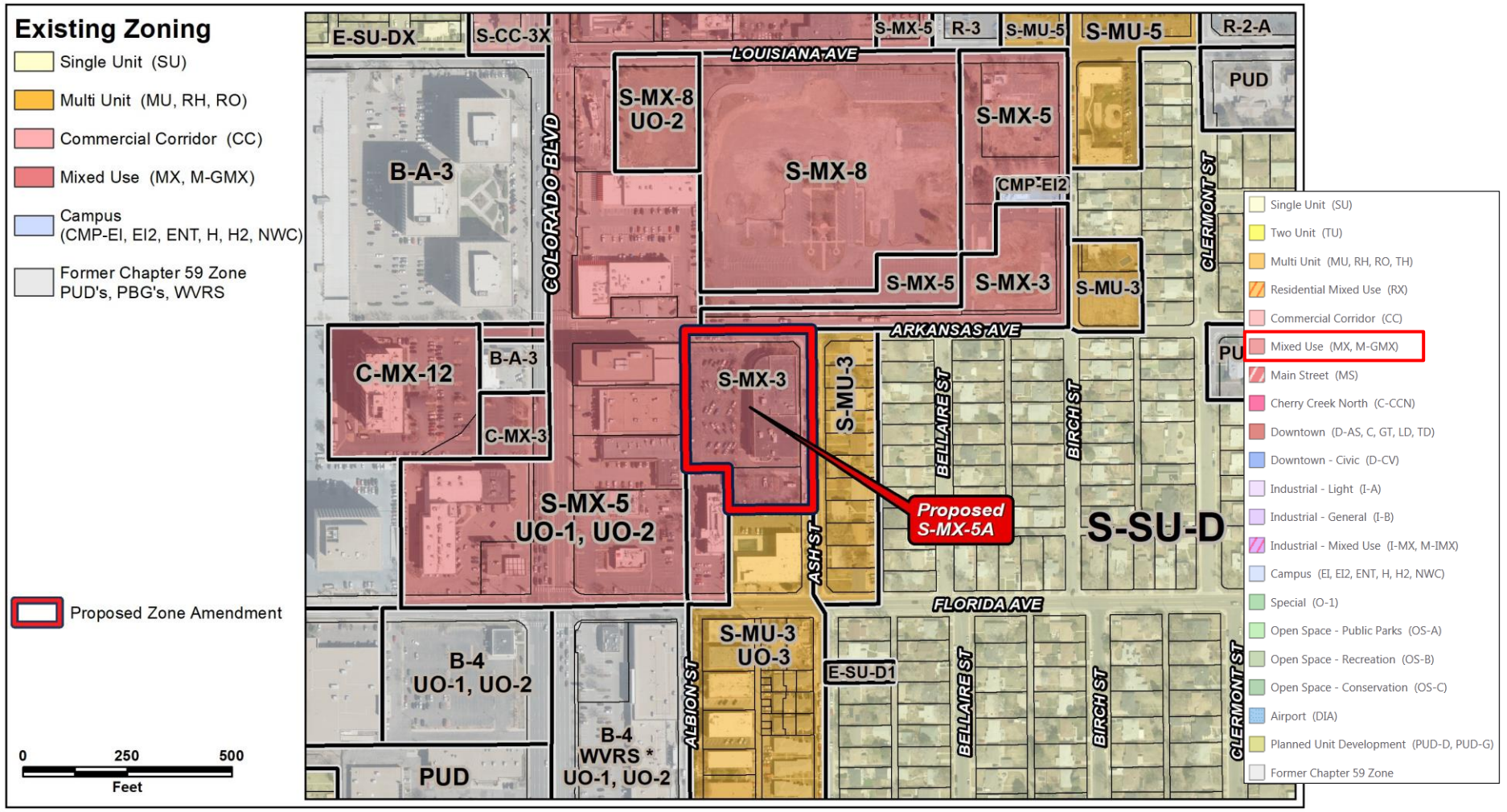
Council District 6 – Councilmember Kashmann



Statistical Neighborhood –Virginia Village



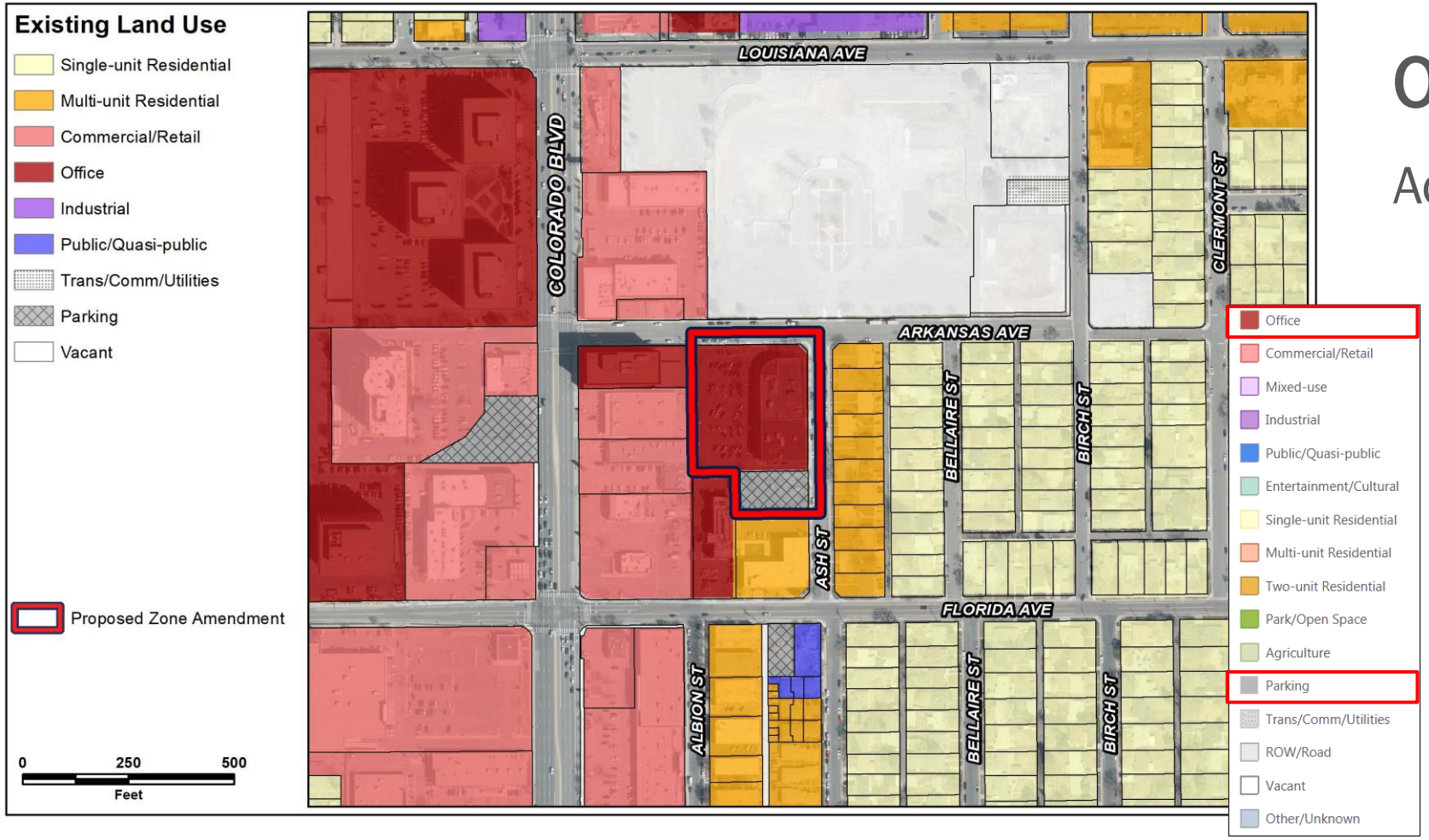
Existing Zoning – S-MX-3



Proximity to:

- S-MX-5
- S-MX-8
- S-MU-3

Existing Context – Land Use

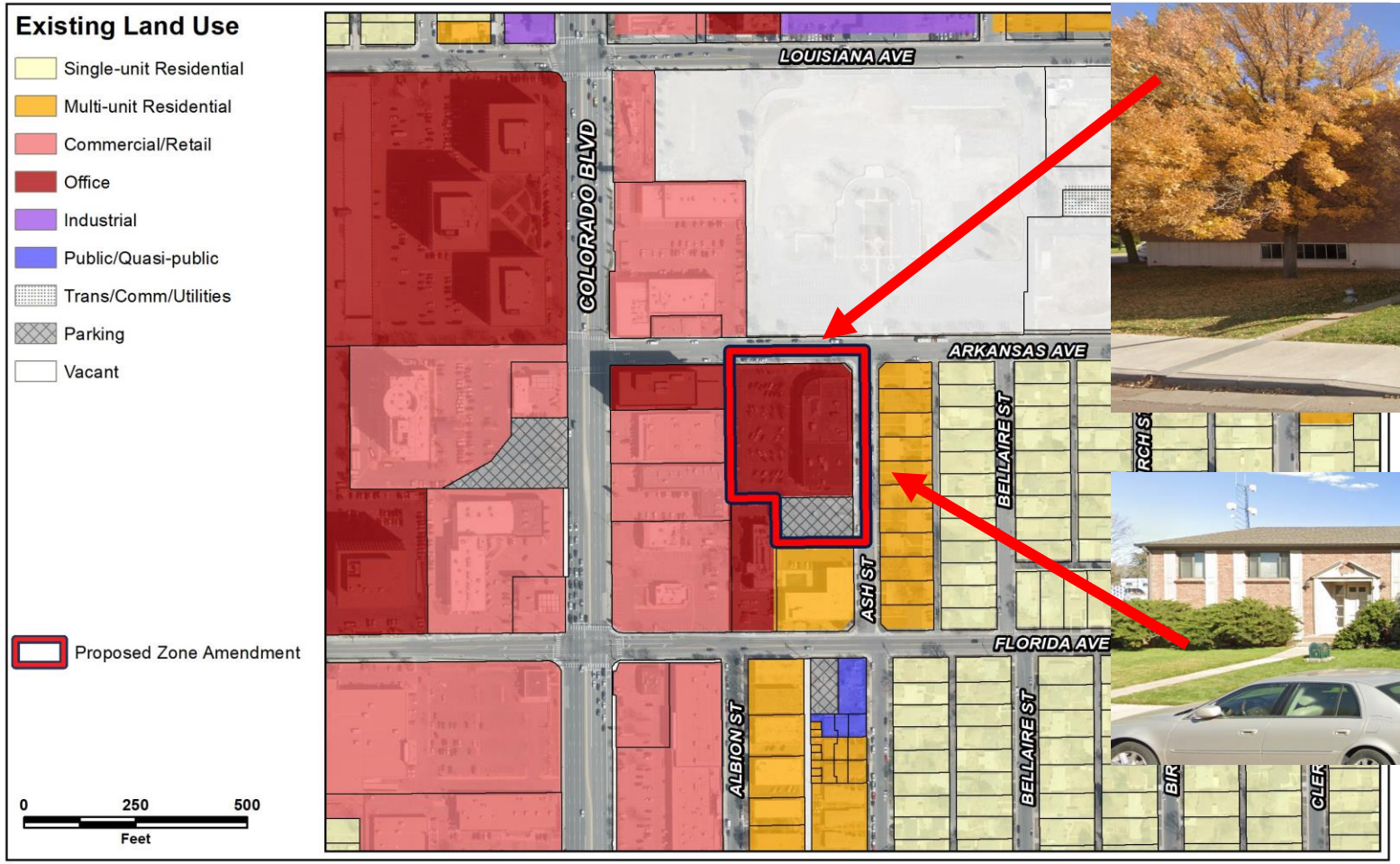


Office

Adjacent to:

- Office
- Mixed-Use
- Vacant
- Multi-unit Residential

Existing Context – Building Form/Scale



Agenda

- Request
- Location and Context
- Process
- Review Criteria

Process

- Informational Notice: **08/30/23**
- Planning Board Notice: **02/06/24**
- Planning Board Public Hearing: **02/21/24**
- LUTI Committee: **03/12/24**
- City Council Public Hearing: **04/22/24**

Public Comments

- RNOs
  - Letter of support from the East Evans Business Association
- General Public
  - One letter of opposition regarding parking

Planning Board

- Planning Board held a hearing on this item on 2/21
- The board voted unanimously to recommend approval
- Key points raised in board deliberation included consistency with plan guidance including new and unique guidance within the *Near Southeast Area Plan*

Presentation Agenda

- Request
- Location and Context
- Process
- Review Criteria

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
   - *Comprehensive Plan 2040*
   - *Blueprint Denver (2019)*
   - *Near Southeast Area Plan (2023)*
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

Comprehensive Plan 2040

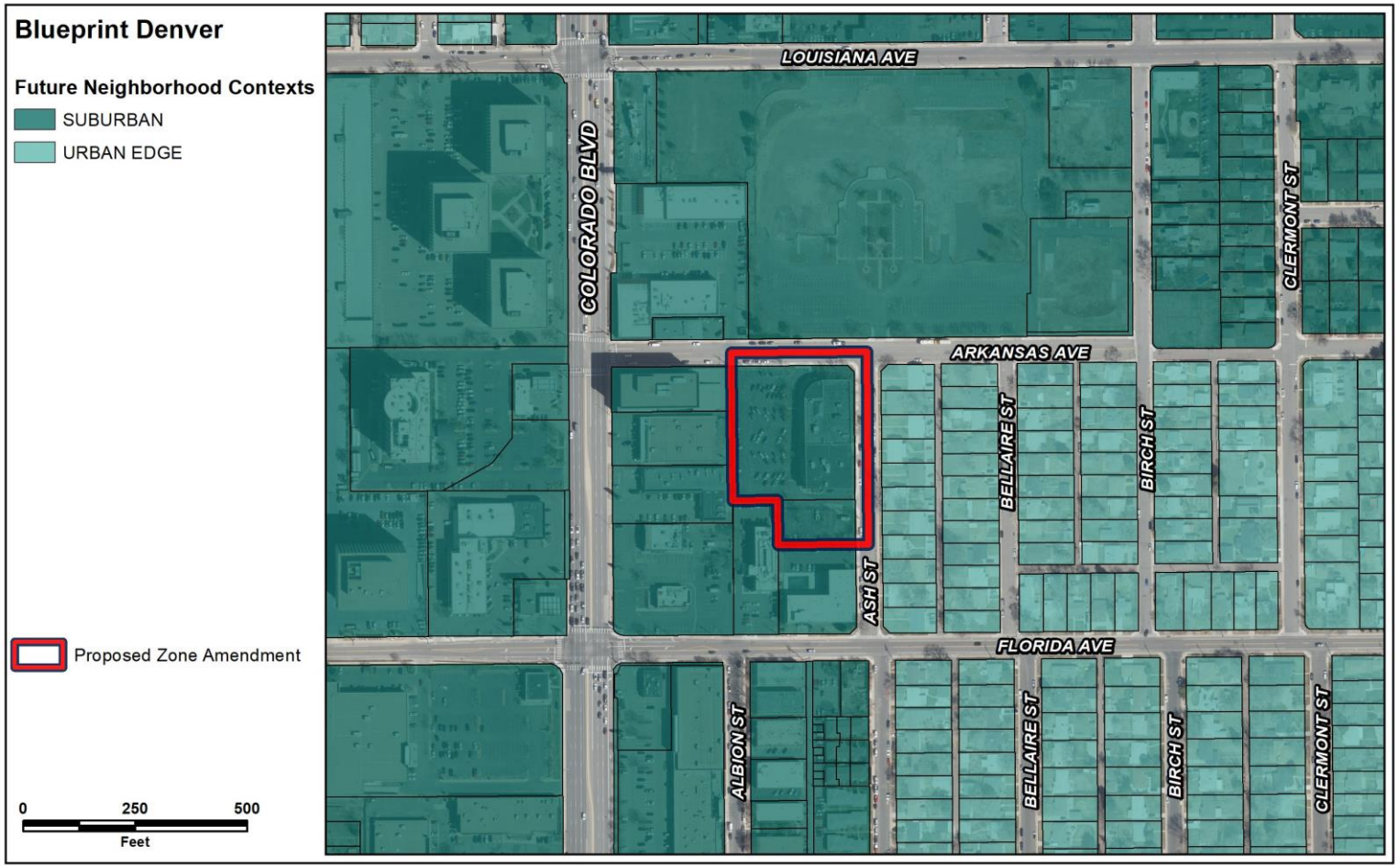
Comprehensive Plan 2040

- Increase development of housing units close to transit and mixed-use developments
- Built a network of well-connected, vibrant mixed-use centers and corridors
- Ensure neighborhood offer a mix of housing types and services for a diverse population
- Encourage quality infill development that is consistent with the surrounding neighborhood and offer opportunities for increased development
- Promote transit-oriented development and encourage higher density development, including affordable housing, near transit to support ridership
- Promote infill development where infrastructure and services are already in place

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
   - *Comprehensive Plan 2040*
   - *Blueprint Denver (2019)*
   - *Near Southeast Area Plan (2023)*
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

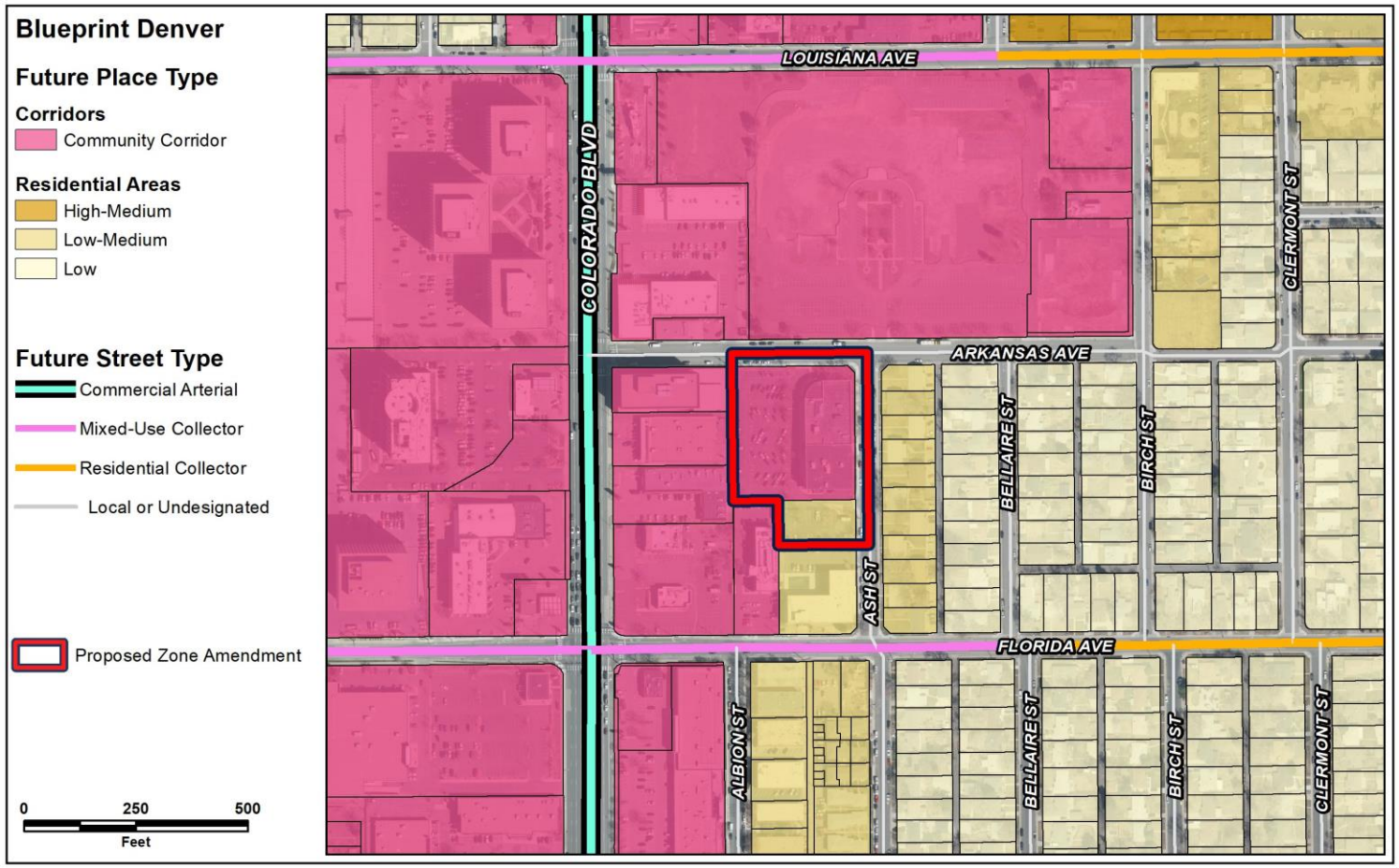
Blueprint Denver 2019



Suburban

- Can include higher intensity residential
- Commercial focused along main corridors bordering residential areas

Blueprint Denver 2019



Community Corridor

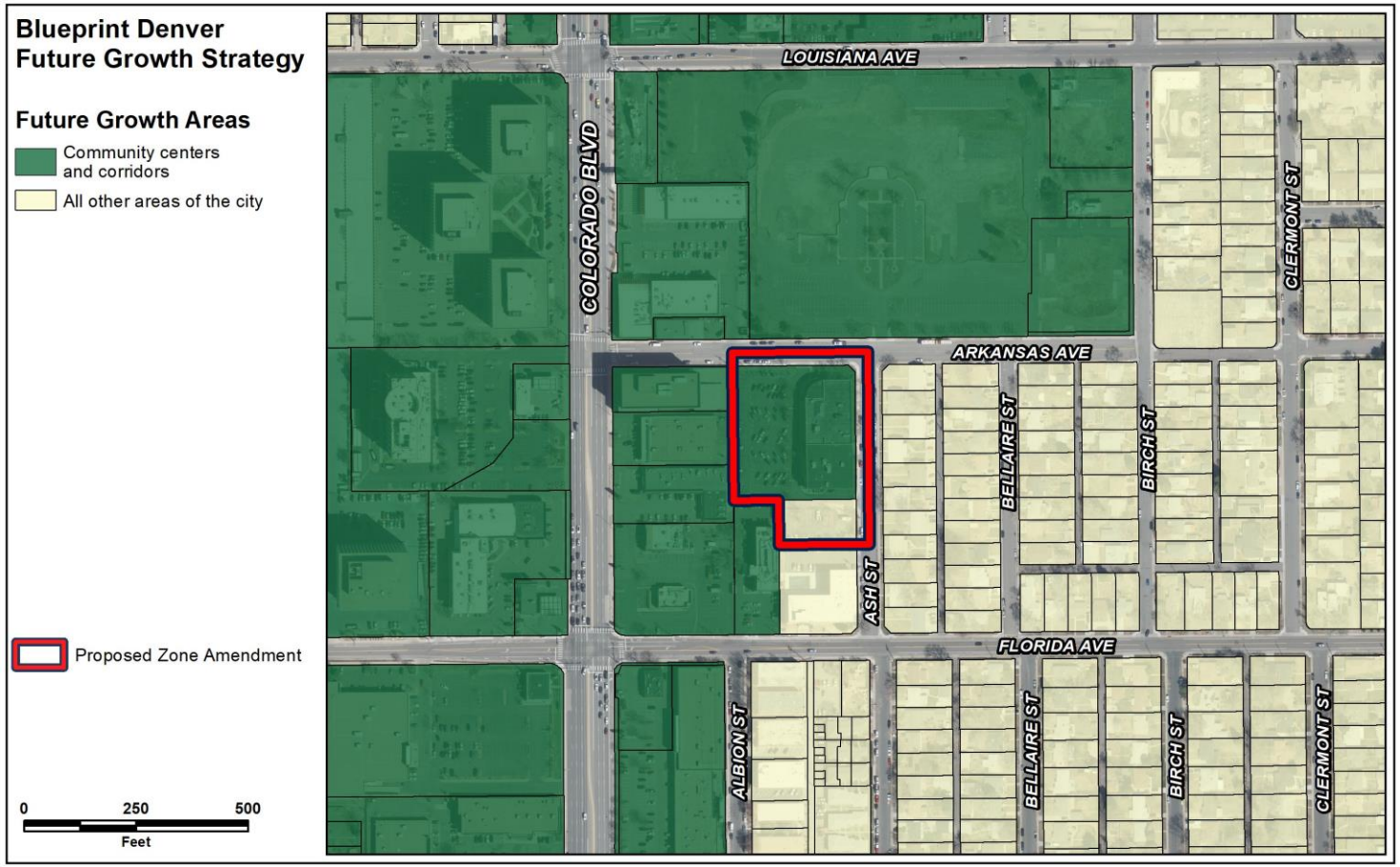
- Mix of office, commercial, and residential
- Building has linear orientation
- Heights generally up to 5 stories

Low-Medium Residential

- Low-to mid-scale multi-unit residential
- Limited mixed-use

Evaluation is based on the proposed zone district is consistent with the Future Street Classification, not to assess the traffic impacts of a specific development proposal.

Blueprint Denver 2019



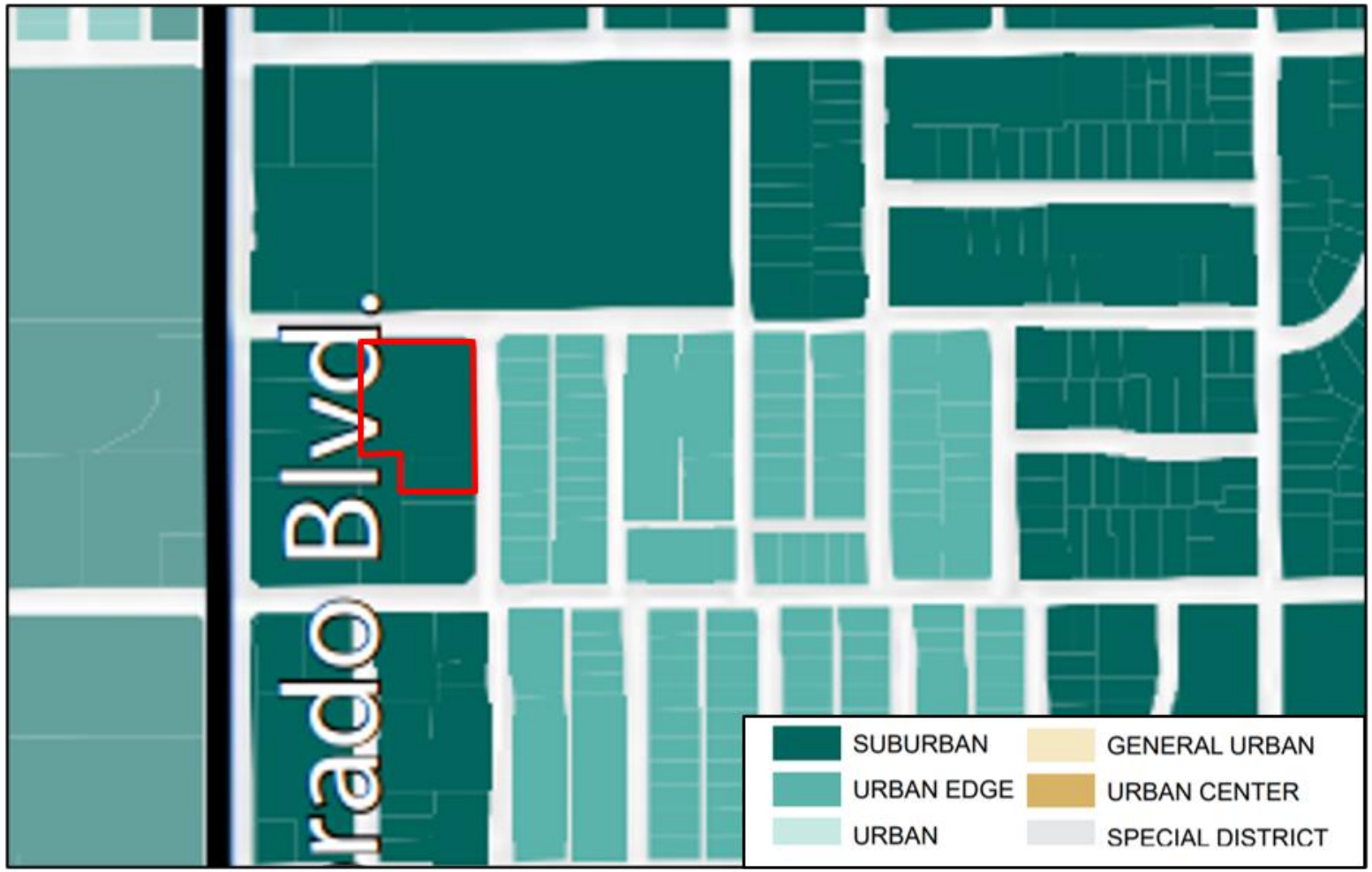
Growth Areas Strategy

- Community centers and corridors: 50% of new housing and 20% of new jobs by 2040 (p. 51)
- All other areas of the city: 20% of new housing and 10% of new jobs by 2040 (p. 51)

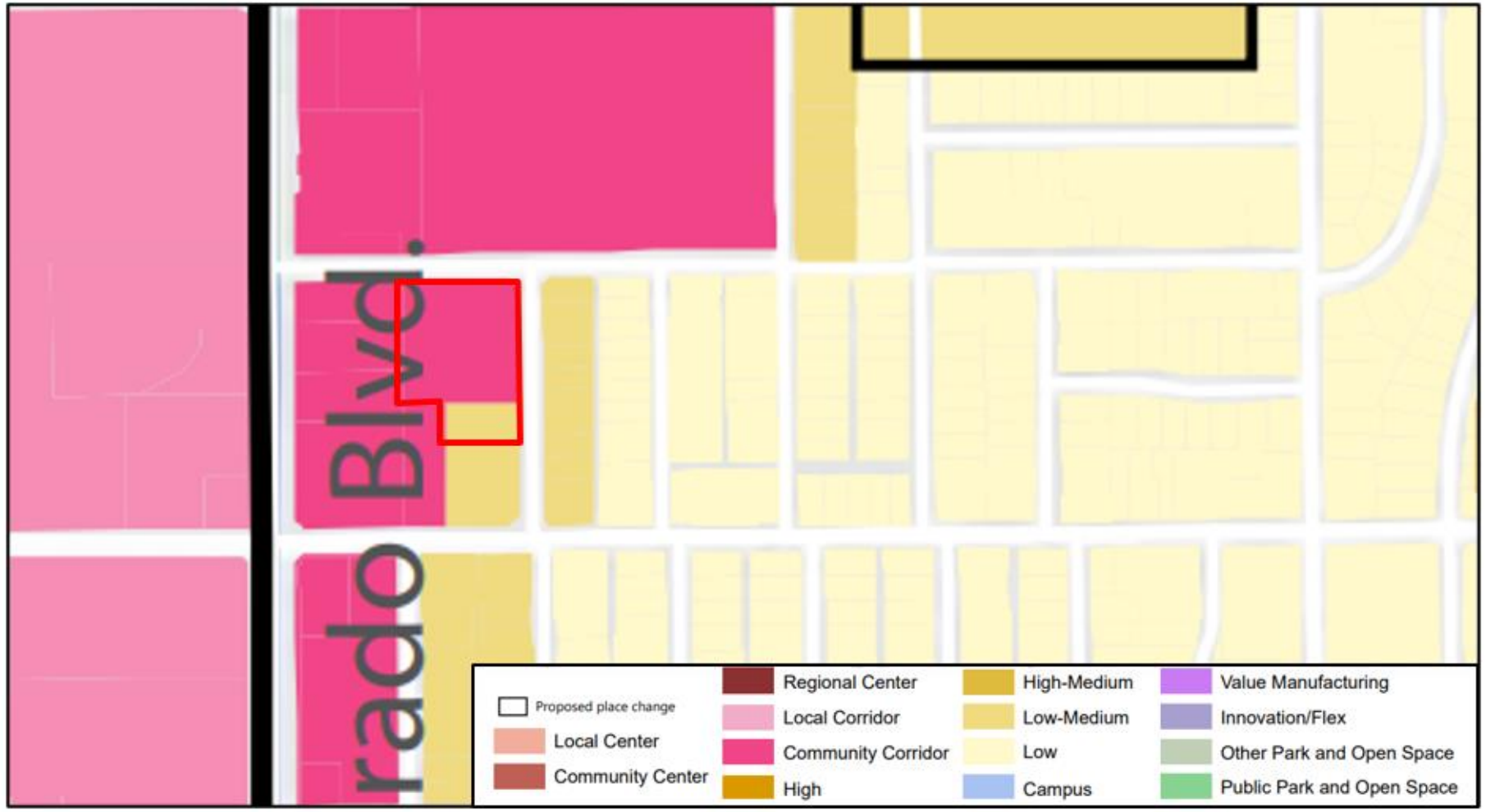
Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
   - *Comprehensive Plan 2040*
   - *Blueprint Denver (2019)*
   - *Near Southeast Area Plan (2023)*
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

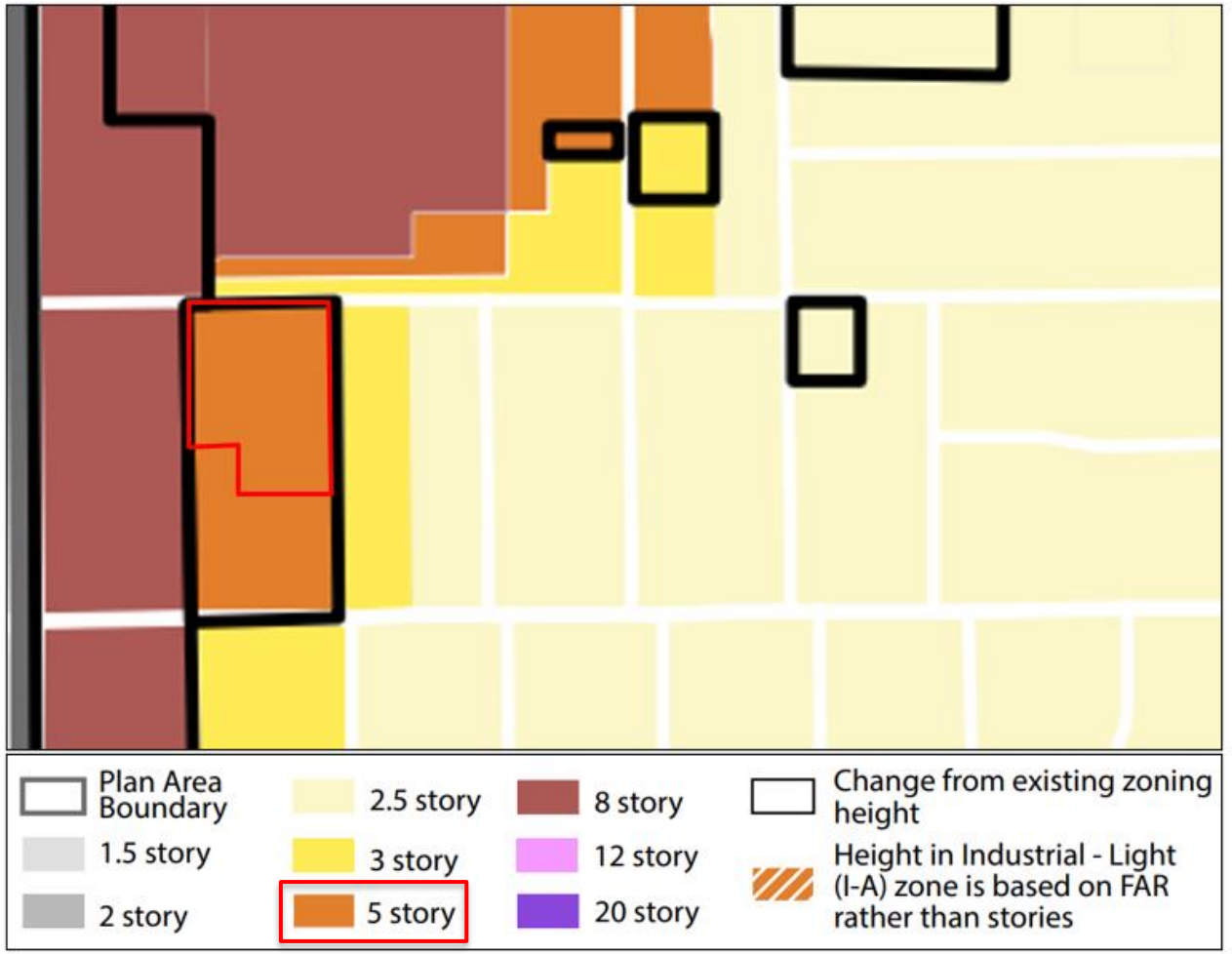
Near Southeast Area Plan (2023)



Near Southeast Area Plan (2023)



Near Southeast Area Plan (2023)



Near Southeast Area Plan (2023)

Land Use Recommendations

- Land Use 1 – Direct growth to regional centers, community centers, and community corridors with improved infrastructure and design.
  - Strategy B – Ensure community centers and corridors where additional height is recommended have adequate mobility infrastructure to support development. Proposed applicant driven rezonings to increase allowed height should go through an established coordinated review process. Proposed rezonings with minimal infrastructure impact, such as small lots, may be determined not to require additional review. For other proposal, the review process should require an adequate mobility infrastructure analysis prior to approval of the proposed rezoning (p. 40)

Near Southeast Area Plan (2023)

Land Use Recommendations

- Land Use 2, Strategy A – Transform centers and corridors into safe, welcoming pedestrian-oriented places
  - Strategy A1 – Locate new buildings closer to the street to create a sense of enclosure and human scale in mixed-use areas (p.44)
  - Strategy B1A – Prohibit auto-oriented building forms, such as drive thrus, car washes, and gas stations (p. 45)

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances

   Changing conditions
   - Rezoning of CDOT site to the north
   - Investments in the Colorado Boulevard corridor

   Plan Guidance
   - Small area plan was adopted after the establishment of the zoning

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

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

CPD Recommendation

CPD recommends **approval**, based on finding all review criteria have been met

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent