6750 E Exposition Ave

2023i-00113

Request: S-SU-F to S-SU-F1A

LUTI Committee: March 19, 2024

Presentation Agenda

- Request
- Location and Context
- Process
- Review Criteria
- Recommendation

Request: S-SU-F to S-SU-F1A

- Property:
  - 13,000 sf
  - Existing SFR and attached garage
- **Rezone to add ADU as permitted use (F-SU-F1A)**

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

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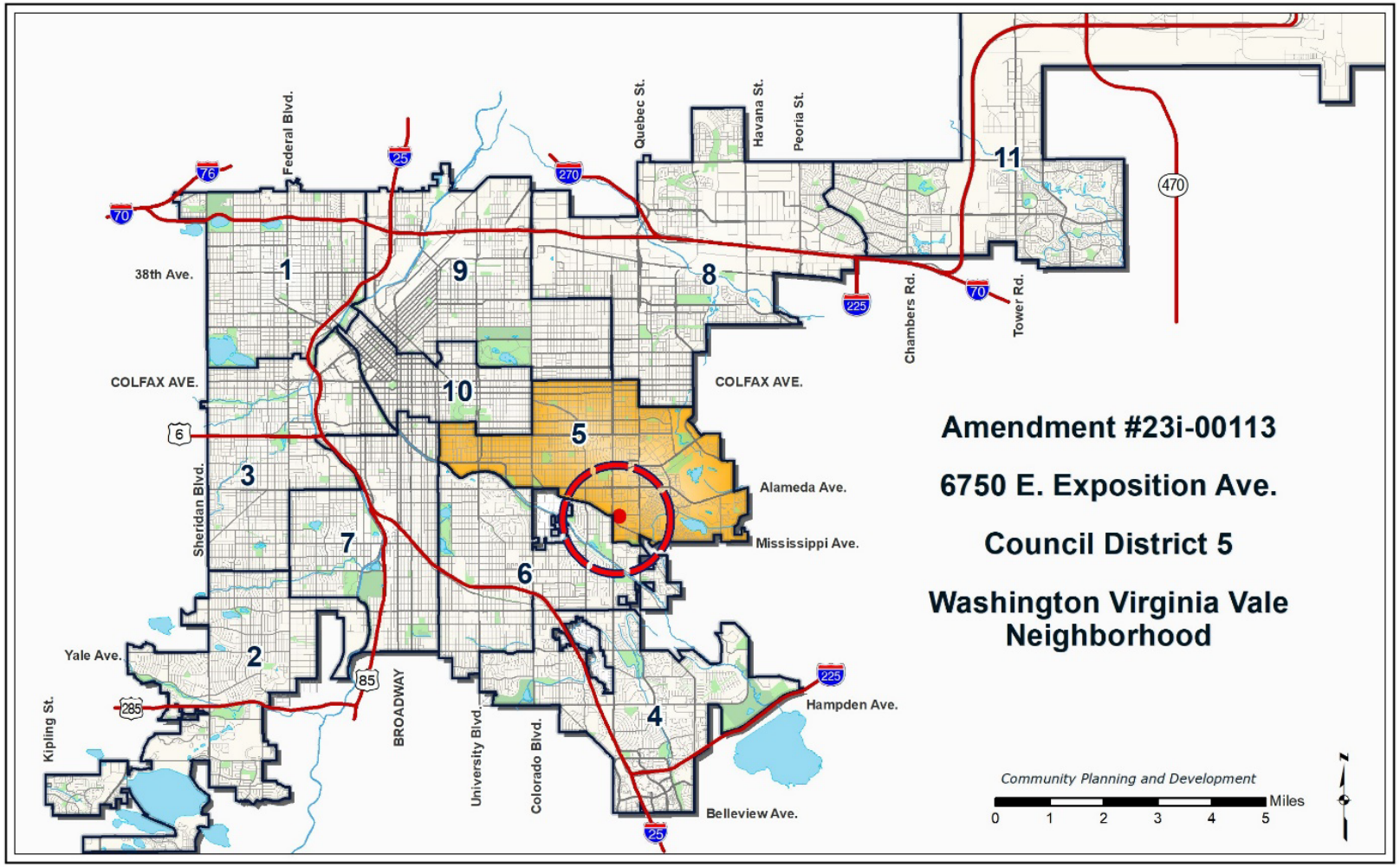
Location

Council District 5

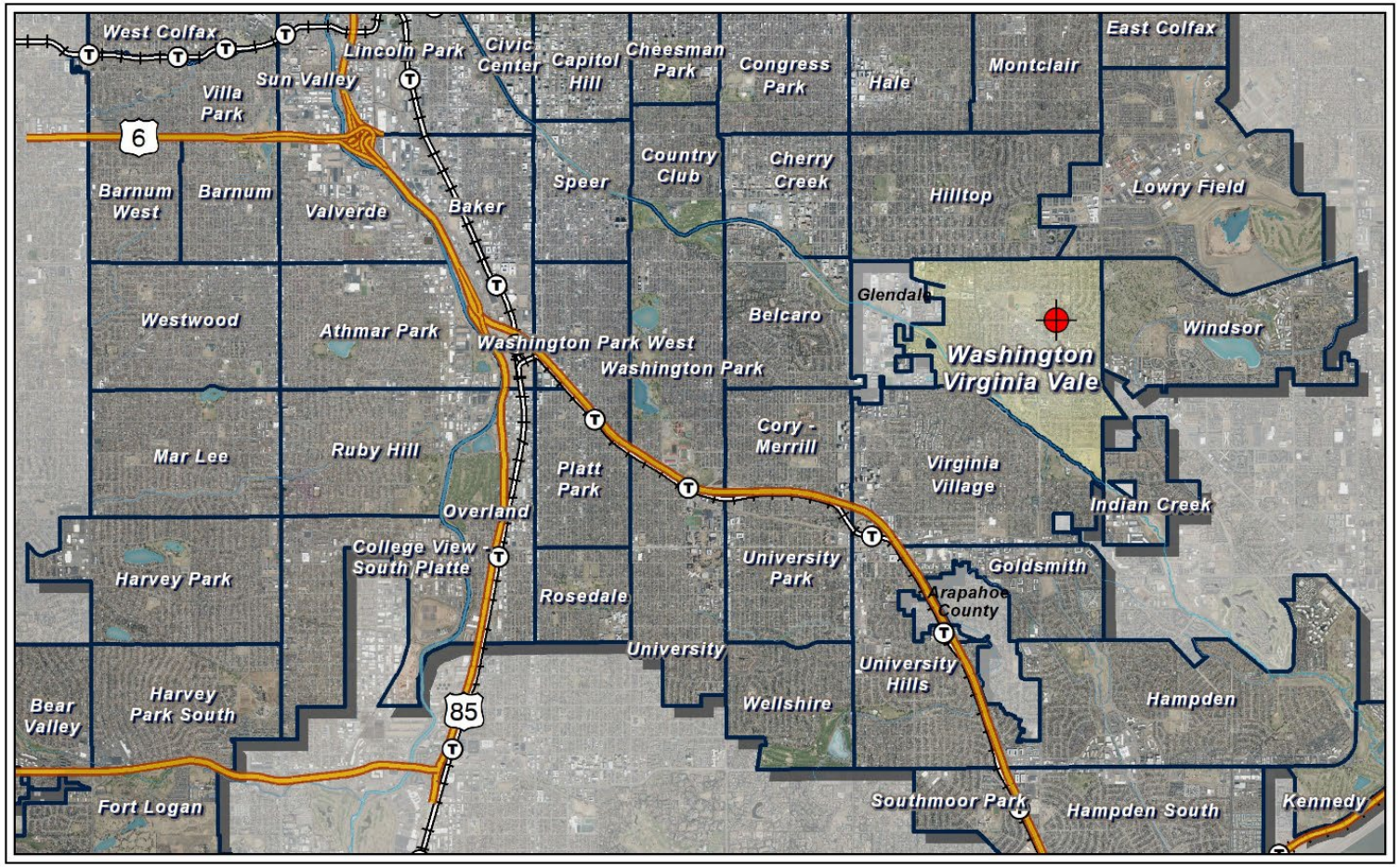
- Council Member
  Amanda Sawyer



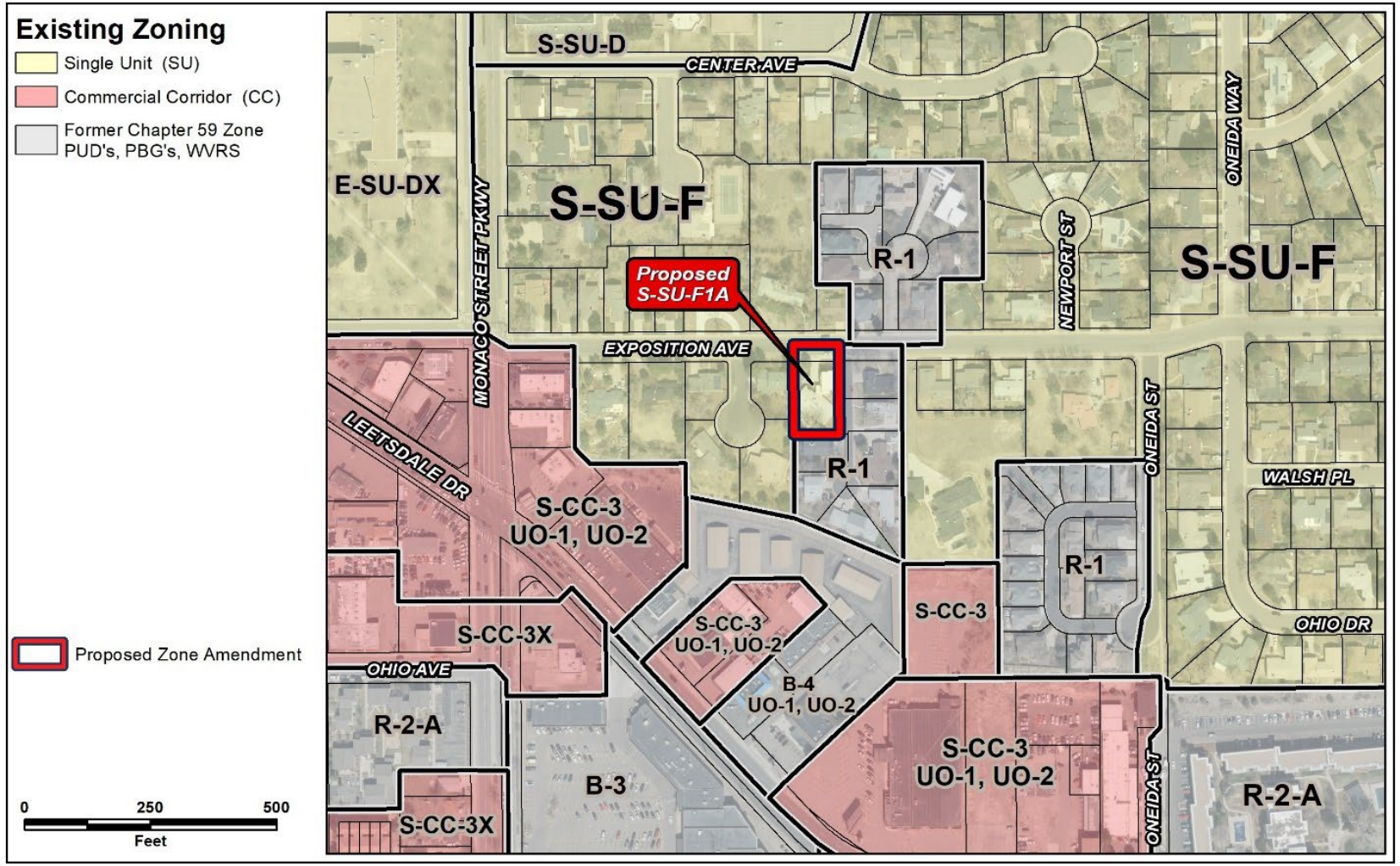
Location

Statistical Neighborhood:

Washington Virginia Vale



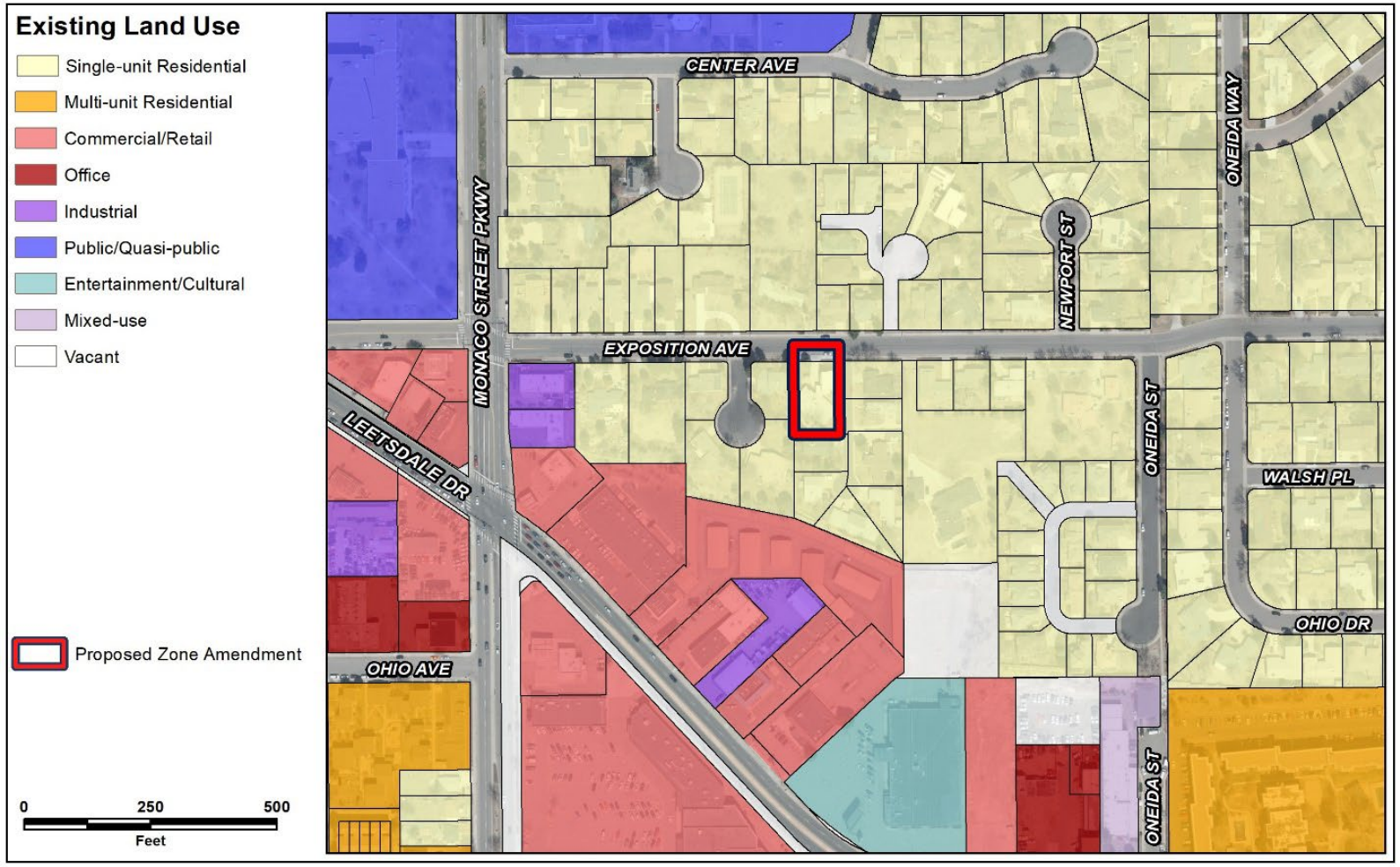
Existing Zoning: S-SU-F



- S-SU-F

  Proximity to:
  - R-1 (Fmr Ch 59)
  - B-4 (Fmr Ch 59)
  - S-CC-3
  - S-MU-3

Existing Context – Land Use

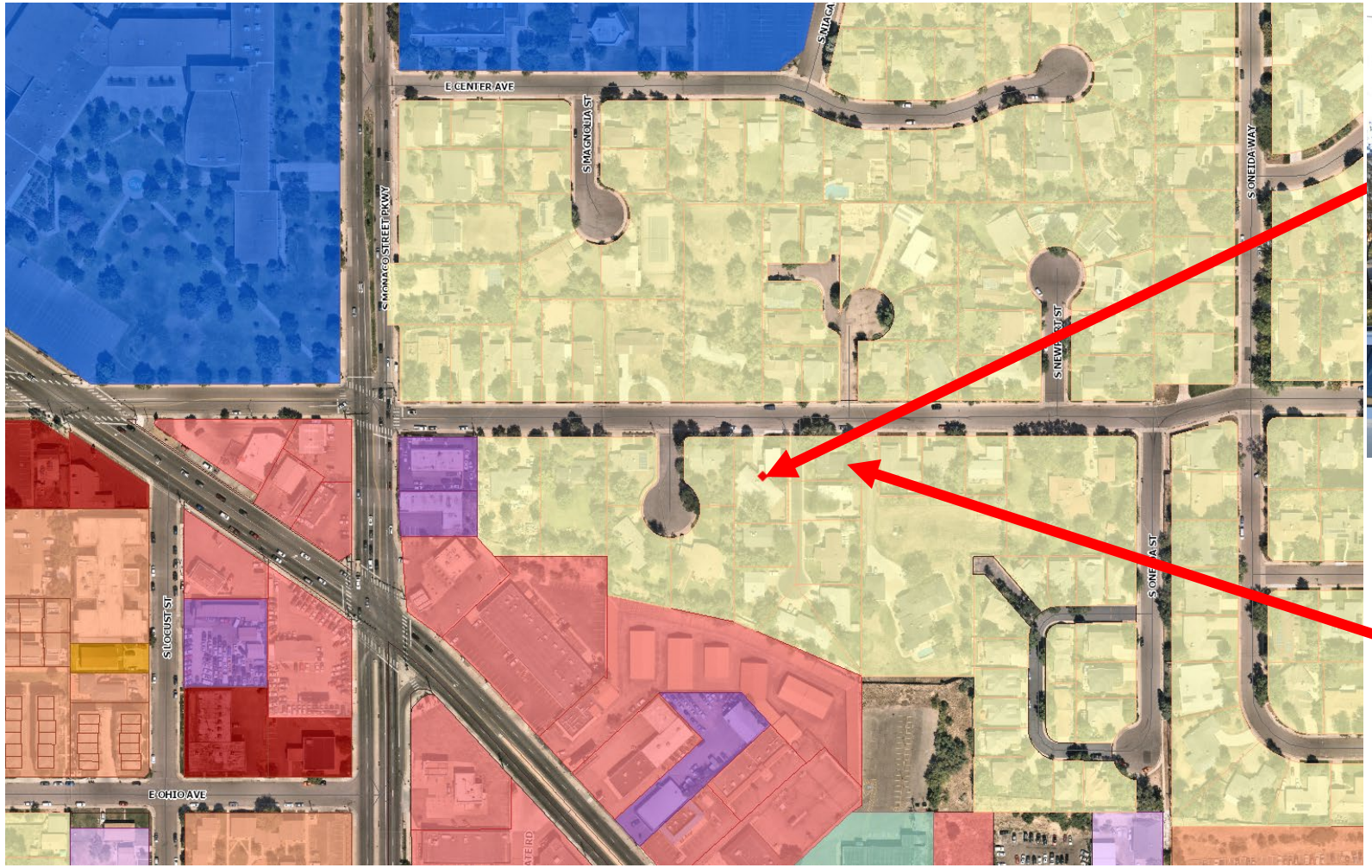


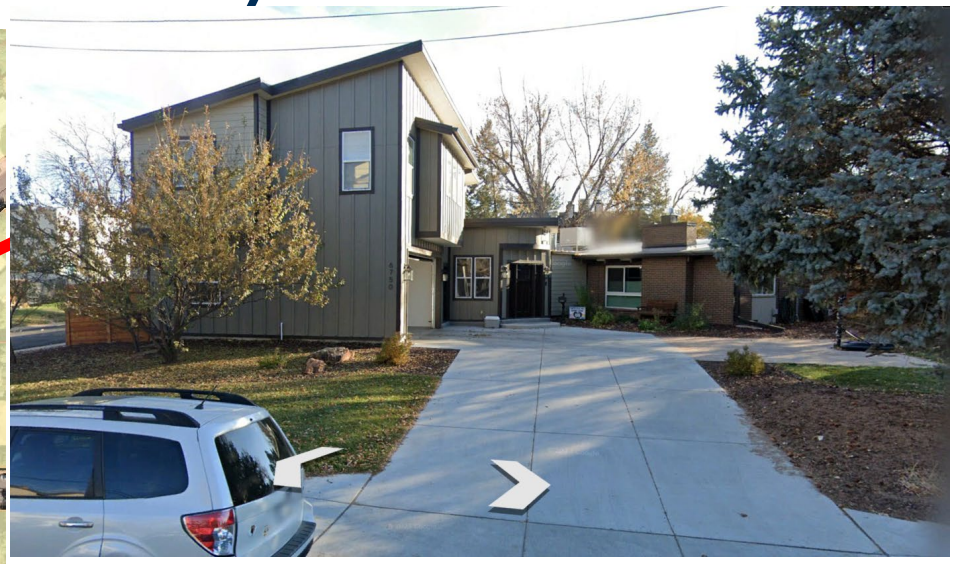
Single-Unit Residential

Adjacent to:

- Single-Unit Residential
- Commercial/Retail
- Industrial

Existing Context – Building Form/Scale





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Process

- Informational Notice: 11/22/2023
- Planning Board Notice: 1/23/2023
- Planning Board Public Hearing: 2/21/2024
- **LUTI Committee: 3/19/2024**
- City Council Public Hearing : 5/6/2024

- Public Comment: Letter in support from RNO, one comment in opposition

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Review Criteria

12.4.10.7 General Review Criteria Applicable to All Zone Map Amendments

The City Council may approve an official map amendment if the proposed rezoning complies with all of the following criteria:

A. Consistency with Adopted Plans

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.

B. 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.

C. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety and general welfare of the City.

Review Criteria

12.4.10.8 Additional Review Criteria for Non-Legislative Rezonings

In addition to compliance with the general review criteria stated in Section 12.4.10.7, the City Council may approve an official map amendment if the City Council finds the application meets the following criteria:

A. Justifying Circumstances: (One of the following circumstances exists)

1. The existing zoning of the land was the result of an error;
2. The existing zoning of the land was based on a mistake of fact;
3. The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land;
4. Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:
   a) Changed or changing conditions in a particular area, or in the city generally; or,
   b) A City adopted plan; or,
   c) That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.
5. It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations

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

The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed zone district.

Denver Zoning Code Map Amendment 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

See DZC 12.4.10.7, 12.4.10.8

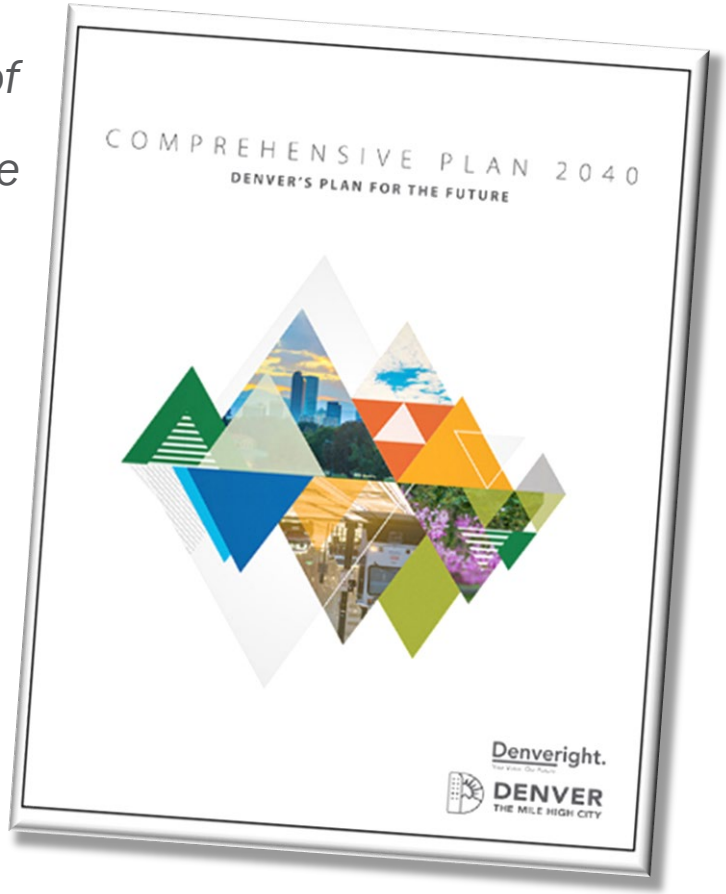
Review Criteria

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

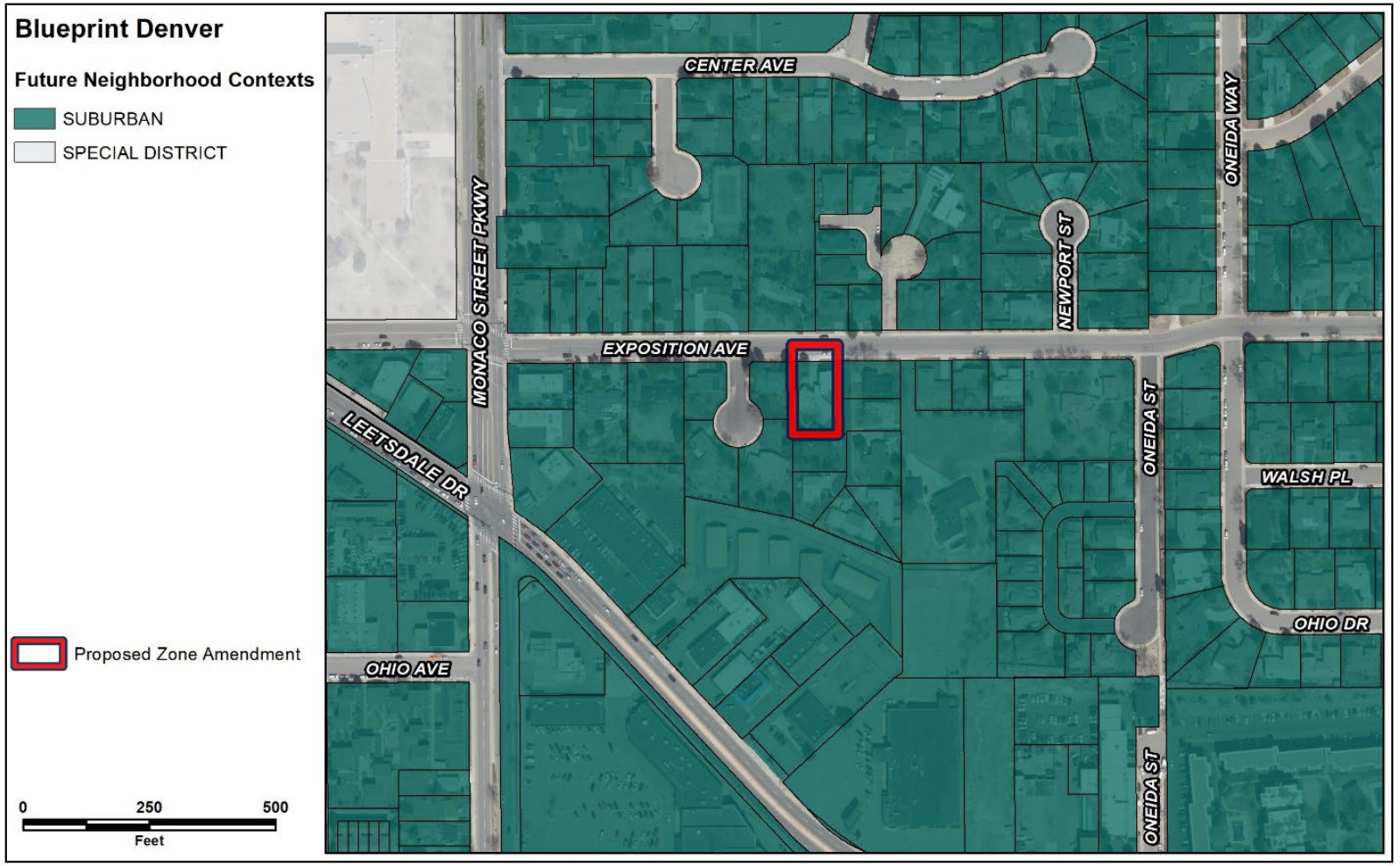
Review Criteria: Consistency with Adopted Plans

Comprehensive Plan 2040

- *Equitable, Affordable, and Inclusive Goal 2, Strategy A-- Create a greater mix of housing options in every neighborhood for all individuals and families. (p. 15)*
- *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).*
- *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).*
- *Strong and Authentic Neighborhoods Goal 1, Strategy A – Build a network of well connected, vibrant, mixed-use centers and corridors (p. 34).*



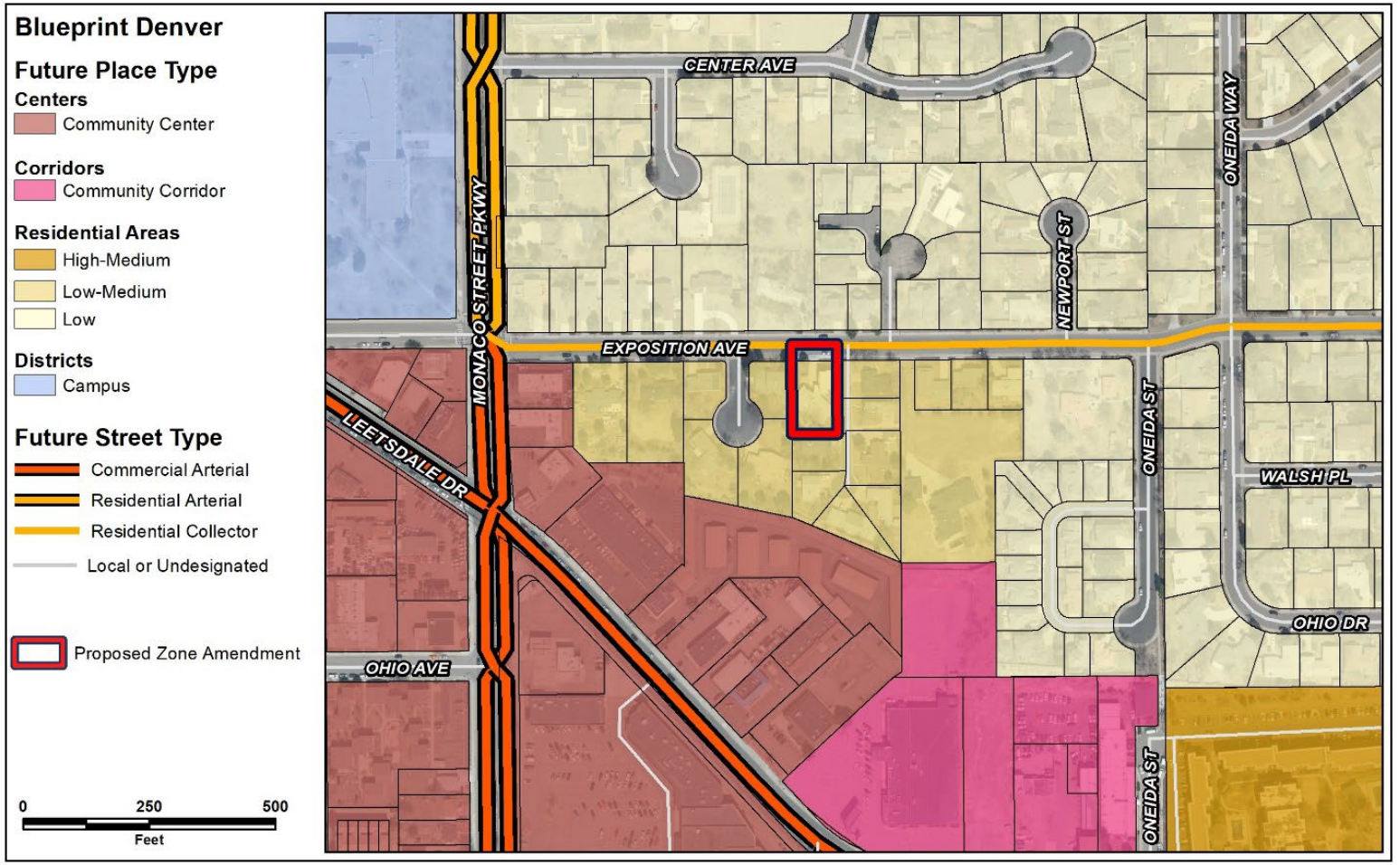
Blueprint Denver



Future Neighborhood Context: **Suburban**

Residential areas generally are single-unit and two-unit uses, with some low-scale multi-unit embedded throughout. Commercial nodes are generally found along key corridors or at intersections. Block patterns are generally a mix of suburban and urban elements—streets may be rectangular or curved and alleys are sometimes present. Multi-unit buildings and commercial nodes are generally low-scale.

Blueprint Denver



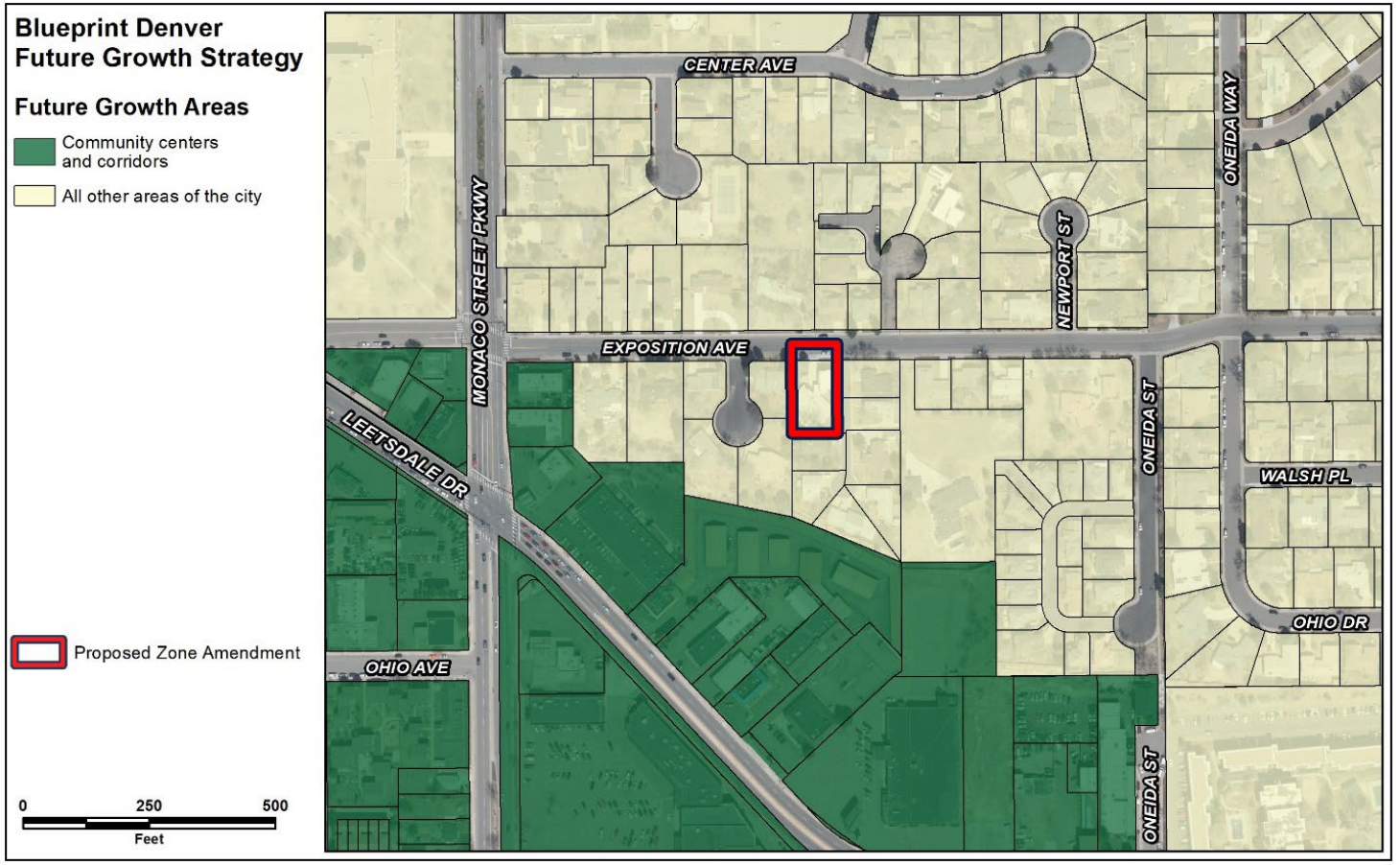
Future Place Type: **Residential Low-Medium**

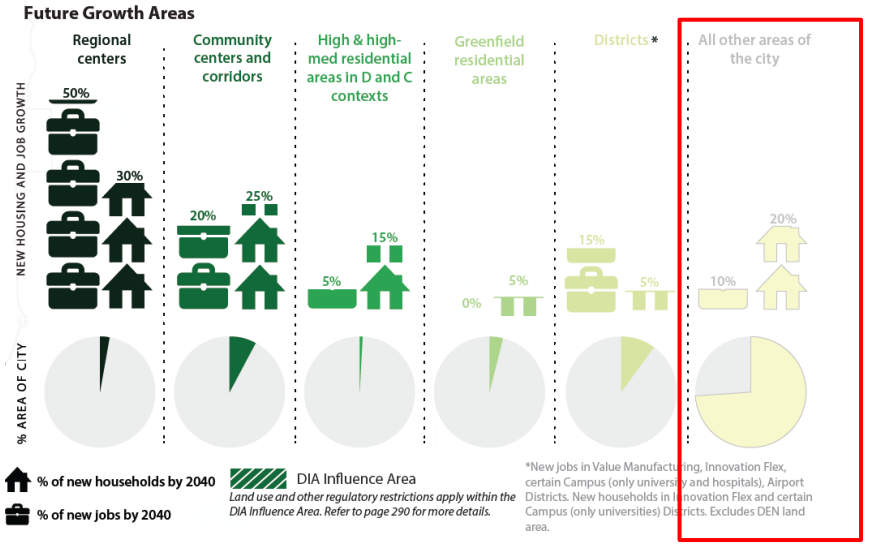
Mix of low- to mid-scale multi-unit residential options. Small-scale multi-unit buildings are interspersed between single- and two-unit residential. Limited mixed-use along some arterial and collector streets and some intersections. Vacant institutional uses at intersections or select sites along some residential arterial and collector streets may be appropriate locations to introduce additional residential intensity. A variety of lower scale residential forms including row houses and small multi-unit buildings are found. Buildings are generally 3 stories or less in height.

Blueprint Denver

Growth Areas Strategy

- "All other areas of the city"
- *Most growth is guided to regional centers, community centers and corridors, select districts and high and medium-high intensity residential areas. Other areas of the city are still expected to see some growth, however more limited.*





Near SE Area Plan Policies

Residential Low-Medium

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. Limited mixed-use along some arterial and collector streets and some intersections.

Provide additional housing options, promote preservation and prevent involuntary displacement in residential low places by allowing duplexes and accessory dwelling units in appropriate locations and under appropriate conditions. (p. 59)

ADUs – Consistent with adopted citywide policies in *Blueprint Denver* and in coordination with citywide efforts, support the addition of affordable and compatible accessory dwelling units (ADUs) in Near Southeast.

- Through citywide efforts, update ADU regulations to improve compatibility of detached ADU forms in Suburban contexts.
- Improve affordability of ADUs, including through citywide efforts to reduce costs and barriers.
- Until a uniform citywide approach to ADU development is complete, support neighborhood-wide and individual rezonings to allow ADUs where prohibited.
- Ensure ADUs are consistent with neighborhood design goals for Residential Low places.
- Ensure mobility options support ADU residents, as described in Mobility recommendations.
- Consider alternative design options for properties that back to collector streets.

Zoning Code Review Criteria

1. Consistency with Adopted Plans
   - Comprehensive Plan 2040
   - Blueprint Denver: A Land Use and Transportation Plan (2019)
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

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Review Criteria: Justifying Circumstances

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; or
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Zoning Code Review Criteria

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Consistency with Neighborhood Context, Purpose and Intent Statement

GENERAL CHARACTER

The Suburban Neighborhood Context is characterized by single-unit and multi-unit residential, commercial strips and centers, and office parks. Single-unit residential consists typically of the Suburban House building form with street-facing garages. Multi-unit building forms are typically separated from single-unit residential and consist of Row House and occasional mid- and high-rise Apartment building forms. Commercial buildings are typically separated from residential and consist of Shopfront and General forms. Single-unit residential uses are primarily located away from residential and commercial arterial streets. Multi-unit residential and commercial uses are primarily located along arterial and collector streets.

3.2.2.1 General Purpose

The intent of the Residential districts is to promote and protect residential neighborhoods within the character of the Suburban Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood.

Single Unit F1A (S-SU-F1A)

S-SU-F1A is a single unit district allowing suburban houses with a minimum zone lot area of 8,500 square feet and detached accessory dwelling units. The primary distinction between this zone district and S-SU-F1 is that tandem houses are not an allowed building form.

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CPD Recommendation

CPD recommends to move forward to full City Council, 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