Community Planning and Development
Planning Services

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TO: City Council
FROM: Edson Ibañez, Senior City Planner
DATE: February 29th, 2024
RE: Official Zoning Map Amendment Application #2022I-00226

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2022I-00226.

Request for Rezoning

Address:	700 N Mariposa Street
Neighborhood/Council District:	Lincoln Park/ Council District 3 (Torres)
RNOs:	Inter-Neighborhood Cooperation (INC); United Northwest Denver; La Alma Neighborhood Association; La Alma Lincoln Park neighborhood organization; and Strong Denver
Area of Property:	5,500 square feet
Current Zoning:	I-A UO-2
Proposed Zoning:	I-A with waiver
Property Owner:	Haven of Hope
Owner Representative:	Derrick Vaughns – Haven of Hope

Summary of Rezoning Request

- The property is in the Lincoln Park neighborhood on the northeast corner of Mariposa Street and 7th Avenue.
- The property owner, Haven of Hope, is a non-profit that focuses on providing food, shelter, clothing, counseling, rehabilitation, and hygienic services to people experiencing poverty and/or homelessness.
- This item was originally scheduled for Planning Board on December 6th, 2023. The applicant requested to postpone the hearing to conduct additional outreach. It was rescheduled for February 7th, 2024. The public hearing was held on February 7th, but due to a noticing error, the public hearing at Planning Board is being held again on March 6th.
- The requested I-A district stands for **I**ndustrial Neighborhood Context – **A** = Light Industrial. The Light Industrial district is intended to be an employment area containing offices, business and light industrial uses that are generally compatible with adjacent Residential or Mixed Use Commercial Zone Districts.
- Further details of the proposed zone district can be found in Article 9 of the Denver Zoning Code (DZC).

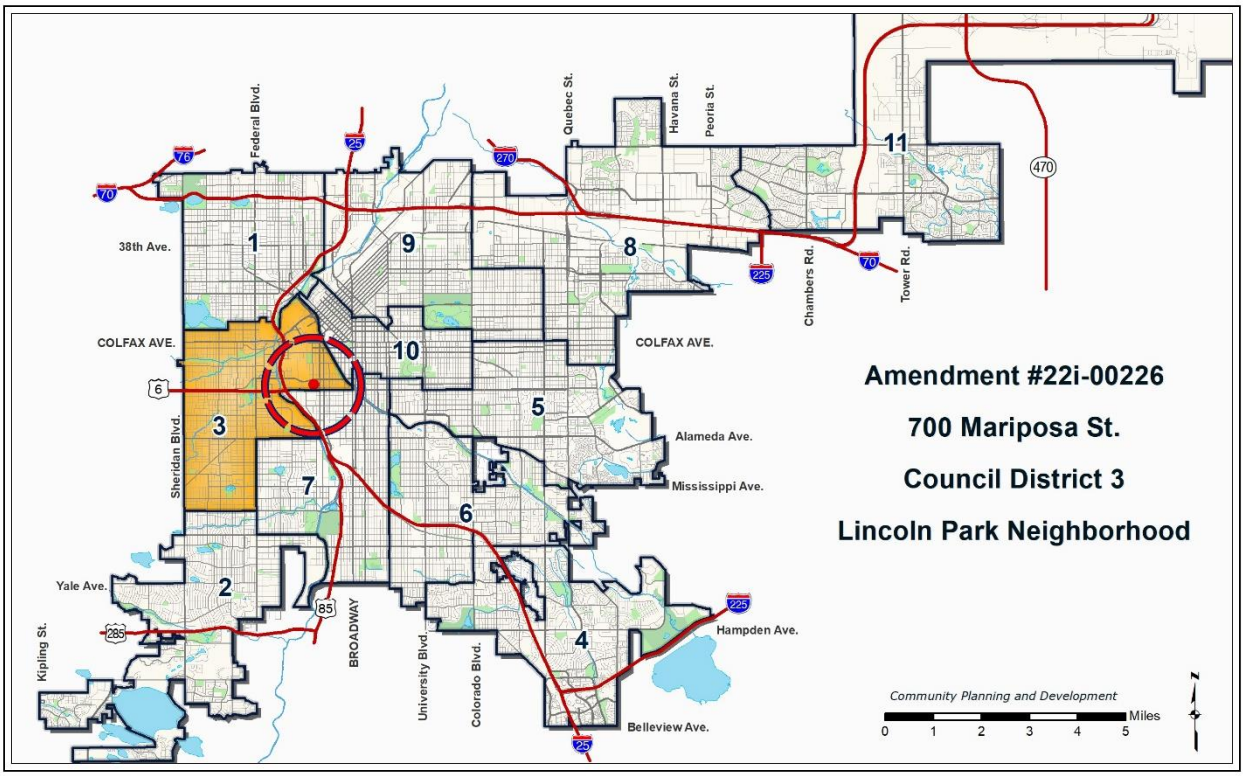
Waiver

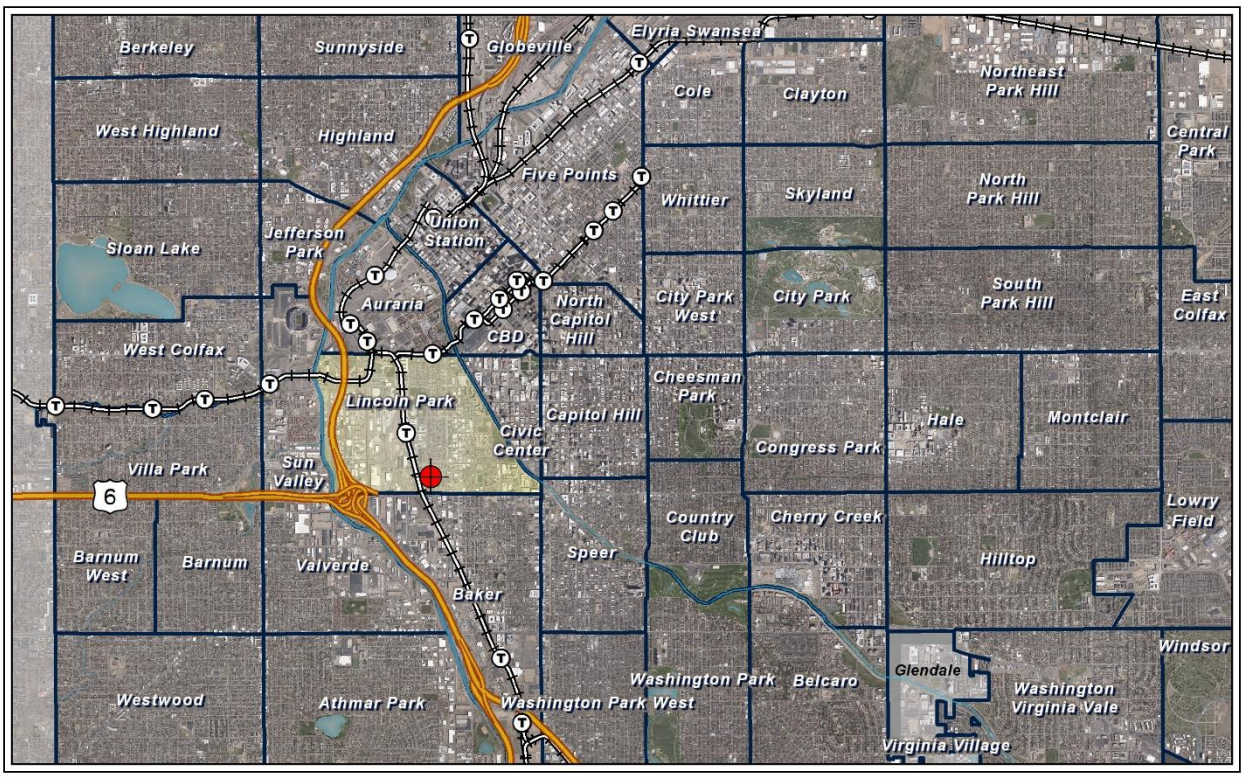
Section 12.4.10.6 of the DZC enables official map amendment applicants to request a waiver of certain rights or obligations under the proposed zone district. This application includes a request for one waiver, as detailed in the attached application and which would read as follows:

1. Waive the "NP" (Not Permitted Use) zoning review procedure for Residential Care, Type 1 and Residential Care, Type 2 uses in the Residential Primary Use Classification Category in District Specific Standards in Denver Zoning Code Section 9.1.9.5, and instead shall be "L-ZP" (Permitted Use with Limitation). The applicable limitations for a Residential Care Type 1 or Type 2 use shall be those that would apply in an I-MX zone district. The intent of the waiver is to allow Residential Care Types 1 and 2 uses, subject to applicable use limitations.

A Residential Care Use is a Residential Structure or structures where guests receive treatment, supervision, emergency shelter, personal care, protective oversight, or other similar care or services, from staff on-site as a condition of the guests' residency. Residential Care Use, Type 1 and Type 2 are not permitted uses in the I-A zone district. Residential Care Use, Type 1 allows for up to 10 guests year-round, or up to 100 guests for a maximum of 130 days per calendar year and Type 2 allows for 11 to 40 guests. Larger Residential Care Type 3 and Type 4 uses are permitted uses in the I-A zone district subject to Zoning Permit Review with Community Information Meeting. Residential Care Use, Type 3 allows for 41 to 100 guests and Type 4 allows for 101 or more guests.

Existing Context




Berkeley
Sunnyside
Globeville
Elyria Swansea
Cole
Clayton
Northeast Park Hill
West Highland
Highland
Central Park
Five Points
Whittier
Skyland
North Park Hill
Union Station
Jefferson Park
Sloan Lake
Auraria
North Capitol Hill
CBD
City Park West
City Park
South Park Hill
East Colfax
West Colfax
Cheesman Park
Lincoln Park
Capitol Hill
Civic Center
Hale
Montclair
Congress Park
Villa Park
Sun Valley
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Country Club
Cherry Creek
Lowry Field
Barnum West
Barnum
Valverde
Speer
Hilltop
Baker
Windsor
Glendale
Washington Park
Belcaro
Washington Virginia Vale
Westwood
Athmar Park
Washington Park West
Virginia Village

NAVAJO ST
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KALAMATH ST
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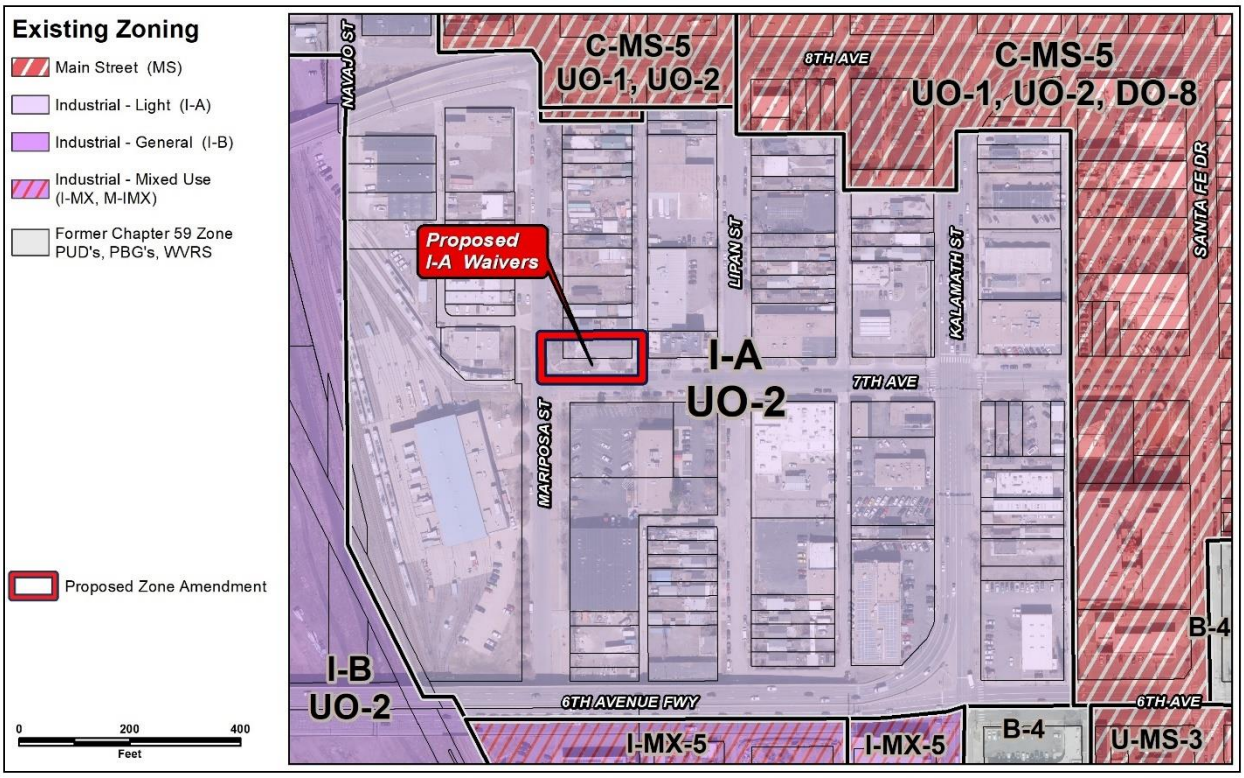
The subject property is located on the northeast corner of Mariposa Street and West 7th Avenue. It is located one block north of West 6th Avenue Freeway and five blocks south of La Alma Lincoln Park, which provides a variety of recreational opportunities. Substantial redevelopment has occurred on the blocks to the north in recent years, most of which houses residential, retail and neighborhood services.

The subject property is within half a mile of the RTD 10th & Osage light rail station. This station services light rail lines D, E and H. RTD bus routes 9 and 1 runs just north of the site on 8th Avenue and provide service to Union Station in the eastbound direction and Lakewood in the westbound direction.

The following table summarizes the existing context proximate to the subject site:

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	I-A UO-2	Industrial	One story industrial building with two curb-cut access off W 7th Avenue.	Generally regular grid of streets with alleys; however, the grid is interrupted by the rail corridor and large oddly shaped industrial sites to the west.
North	I-A UO-2	Single Family Residence	One-story single-family residence with parking accessed from the alley.	
South	I-A UO-2	Office	2 story office building with curb-cut access off W 7th Avenue and Mariposa Street.	
East	I-A UO-2	Office	3 story office building,	
West	I-A UO-2	Office	1 story office building with curb-cut access off Mariposa Street.	

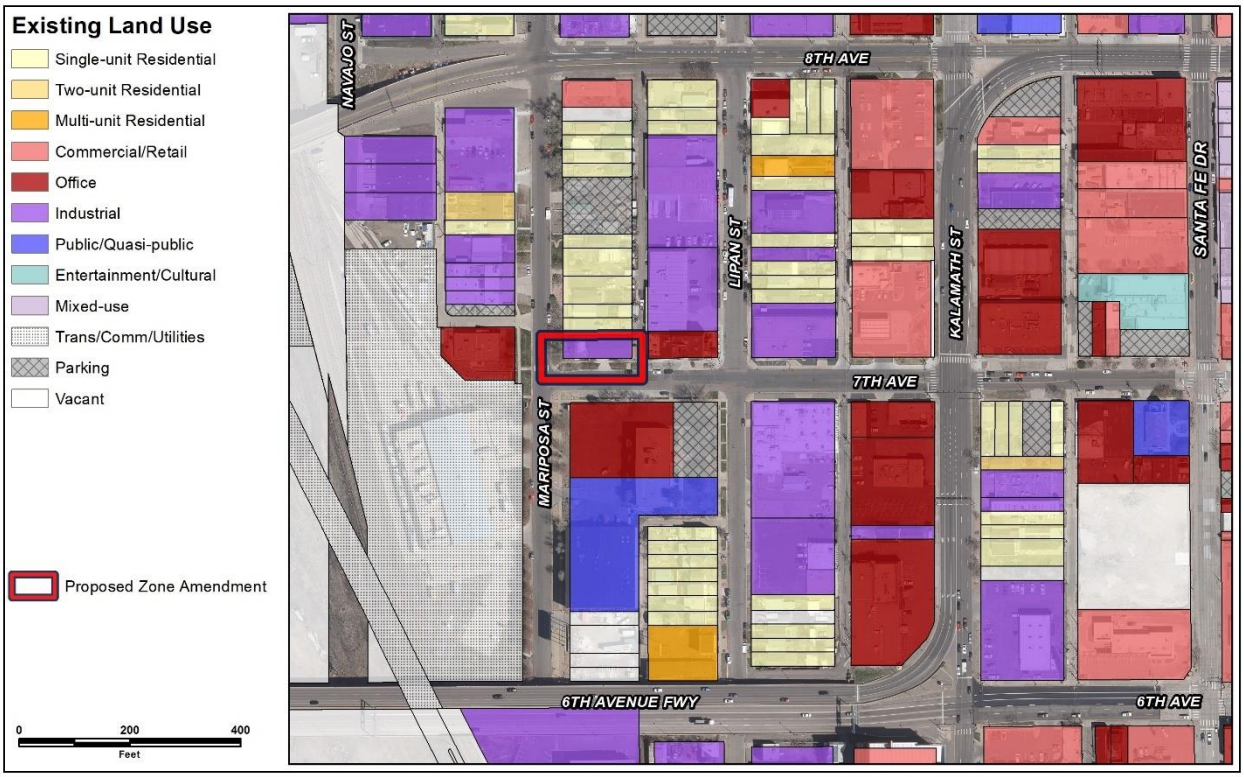
1. Existing Zoning



The existing zoning on the subject property is I-A UO-2. I-A is a light industrial zone district in the Industrial Context. It allows office, business, and light industrial uses. The General and Industrial building forms are allowed in the I-A zone district and building mass is regulated by a maximum Floor Area Ratio of 2.0. No maximum building height is specified for the zone district except for when a site is within 175 feet of a Protected District, in which case the maximum permitted building height is 75 feet. There are no build-to requirements, transparency requirements, or street level activation standards in the I-A zone district. Surface parking is permitted between the building and primary and side streets. See DZC Division 9.1 for more information.

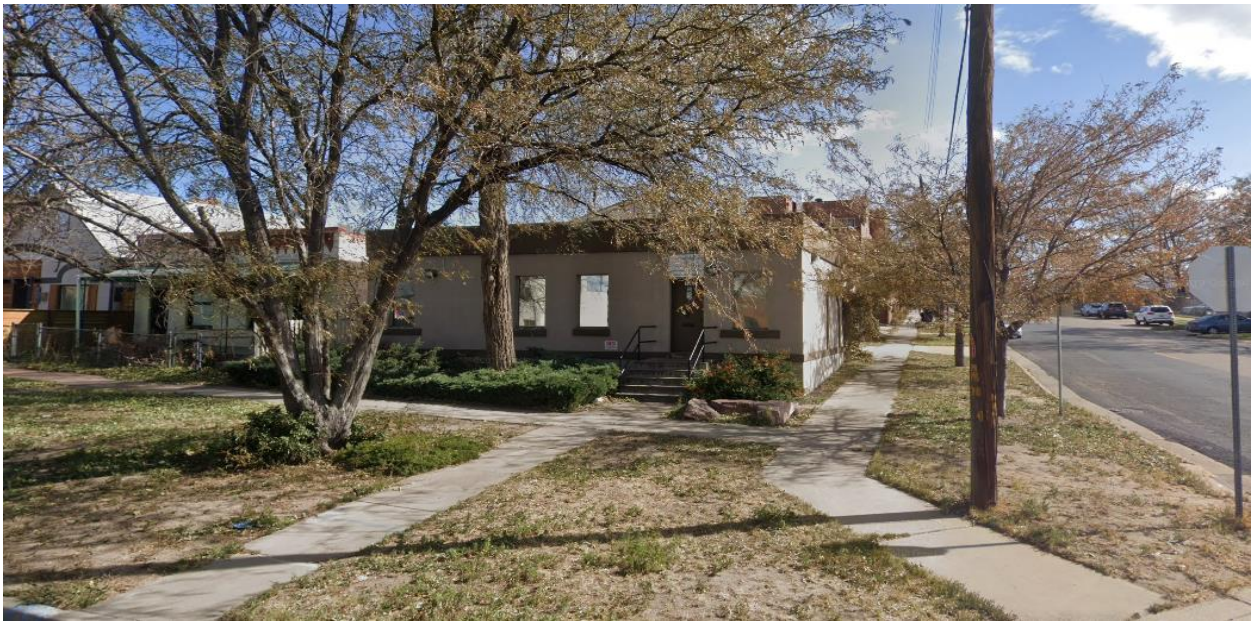
The UO-2 is the Billboard Use Overlay, which allows for "outdoor general advertising device" signs (i.e. billboards) on the zone lot. Additional standards and limitations regarding minimum separation and distance requirements also apply. There are currently no billboards on the subject site, and the applicant is proposing to eliminate the UO-2 overlay on the property. For additional details on the overlay, see DZC Section 9.4.4.7.

2. Existing Land Use Map



3. Existing Building Form and Scale (source for all images: Google Maps)

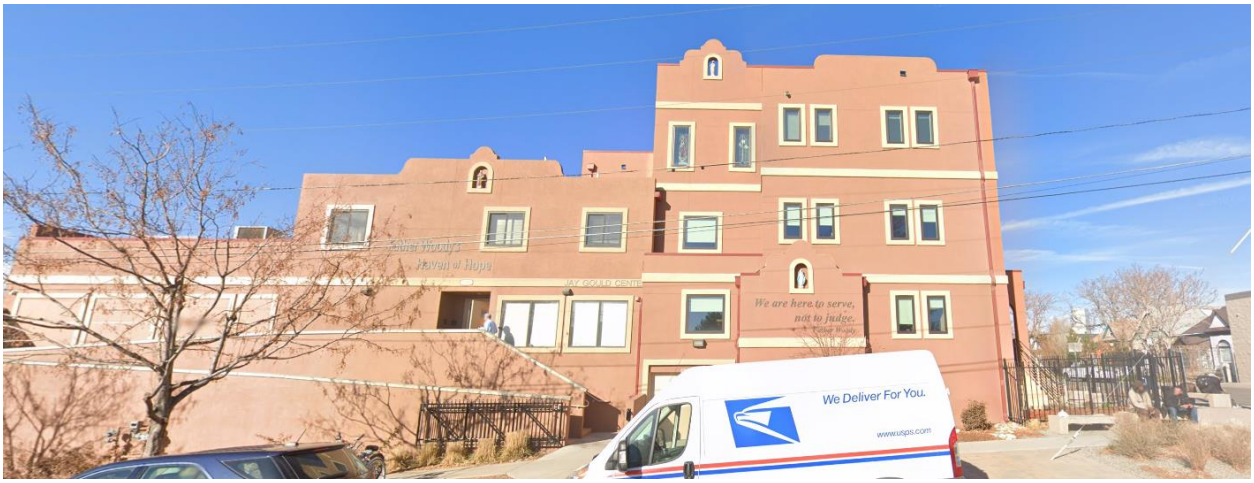
Site – Aerial view, looking north.



Subject property – from Mariposa Street, looking east.

Properties to the North – for Mariposa Street, looking east.

Properties to the West – from Mariposa Street, looking west.



Properties to the East – from 7th Avenue, looking north.

Proposed Zoning

The applicant is requesting to rezone to I-A, Light Industrial District, which intended to be an employment area containing offices, business and light industrial uses that are generally compatible with adjacent Residential or Mixed-Use Commercial Zone Districts. No new residential uses (such as single- or multi-unit) may be established in the I-A zone district in order to promote a stable employment base for the city (see DZC 9.1.2.1.B). Larger Residential Care uses are allowed in the I-A district. Further details of the proposed zone district can be found in Article 9 of the Denver Zoning Code (DZC).

The primary building forms allowed in the existing zone district and the proposed zone district are summarized below.

Design Standards	I-A UO-2 (Existing)	I-A with Waivers
Primary Building Forms Allowed	General, Industrial	General, Industrial
Height in Stories / Feet (max) *	No maximum, except within 175' of a Protected District where the maximum height is 75'	No maximum, except within 175' of a Protected District where the maximum height is 75'
Primary Street Build-To Percentage (min)	N/A	N/A
Primary Street Build-To Ranges (min/max)	N/A	N/A
Primary Street Setbacks (min)	20'	20'
Side Street Setbacks (min)	10'	10'
Billboards	Allowed by UO-2 overlay	Not Allowed

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: Approved Rezoning only – Will require additional information at the Site Plan Review.

The Department of Public Health & Environment, Division of Environmental Quality (EQ) has conducted a preliminary environmental evaluation of a parcel of land corresponding with Denver County Parcel No. 0504419016000 and address 700 N. Mariposa St. (Subject Property), as part of an Agency Review of the Zone Map Amendment (Rezoning) application referenced above. EQ's evaluation included a limited search of the Subject Property for information regarding environmental conditions and any potential for subsurface impacts from current and/or historical industrial land uses. EQ evaluated the rezoning application and Subject Property to assess whether newly permitted structures and land uses of the proposed zoning will expose the public or workers to undue environmental risk.

Based on information available for EQ's environmental evaluation, the Subject Property is not likely a significant source of petroleum or hazardous waste contamination and there does not appear to be any substantial environmental or public health hazards associated with the Subject Property. It is EQ's opinion that rezoning the Subject Property as described in the above referenced rezoning application is acceptable.

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.

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

Development Services - Transportation: Approved – No Response.

Development Services – Wastewater: Approve – No Response.

Development Services – Project Coordination: Approve – No Response.

Development Services – Fire Prevention: Approved – No Comment.

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	5/31/23
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	2/22/24
Planning Board Meeting: (Originally scheduled on 12/6/23 but the applicant request to reschedule to 2/7/2024 in order to conduct a Community Meeting)	3/06/24
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood	3/16/24

organizations, at least ten working days before the meeting:	
Land Use, Transportation and Infrastructure Committee of the City Council meeting:	3/26/24
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:	4/15/24
City Council Public Hearing:	5/6/24

Public Outreach and Input

- **Registered Neighborhood Organizations (RNOs)**
  As of the date of this report, staff has not received any written comment from an RNO pertaining to this application.
- **Other Public Comment**
  - As of the date of this report, staff has received 18 letters in opposition and 28 in support pertaining to this application. We also received two testimonials from individuals who participated in Haven of Hope's programs. The comments and testimonials are attached to this staff report. Most written comments expressed concerns that adding an overnight shelter use to the site would exacerbate problems with homelessness, security, drug abuse, impacts to small businesses, trash, damage to property, break-ins, and camping in the area. On January 19, 2024, the applicant conducted an Open House Community Meeting to answer all concerns and questions.
  - On February 7th, Planning Board held a public hearing for this proposed rezoning. Due to a noticing error, this hearing is being held again at Planning Board on March 6th. During the February 7th hearing, five members of the public spoke against the rezoning. Their concerns were regarding public safety, increased homelessness, security, impacts to surrounding businesses, and overall impact of the use. The video of the hearing and comments are attached to this staff report.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7 and 12.4.10.8, as follows:

DZC Section 12.4.10.7

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

DZC Section 12.4.10.8

1. Justifying Circumstances
2. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

1. Consistency with Adopted Plans

The following adopted plans apply to this property:

- *Denver Comprehensive Plan 2040* (2019)
- *Blueprint Denver* (2019)
- *La Alma/Lincoln Park Neighborhood Plan (2010)*
- *HOST – 5-Year Strategic Plan (2022-2026)*

Denver Comprehensive Plan 2040

The proposed rezoning is consistent with many of the adopted Denver Comprehensive Plan 2040 strategies, which are organized by vision element.

The requested map amendment will enable an Industrial District at an infill location where residential care below 40 guests can be possible at the site. The following goals and strategies in the Equitable, Affordable and Inclusive vision element are relevant to the proposed rezoning:

- **Equitable, Affordable and Inclusive** Goal 8, Strategy A – *Expand investments in housing options and services for people experiencing homelessness.*
- **Equitable, Affordable and Inclusive** Goal 8, Strategy B– *Partner with organizations to develop permanent and transitional housing affordable to very low-income populations.*
- **Equitable, Affordable and Inclusive** Goal 8, Strategy C – *Ensure that city regulations enable a range of flexible housing options to meet the needs of those experiencing or transitioning out of homelessness.*

The following goals and strategies in the Strong and Authentic Neighborhoods vision element are relevant to the proposed rezoning:

- **Strong and Authentic Neighborhoods** Goal 1, Strategy B – *Ensure neighborhoods offer a mix of housing types and services for a diverse population*
- **Strong and Authentic Neighborhoods** Goal 3, Strategy E – *Support the stewardship and reuse of existing buildings, including city properties.*

The following goal and strategy in the Environmentally Resilient vision element are relevant to the proposed rezoning:

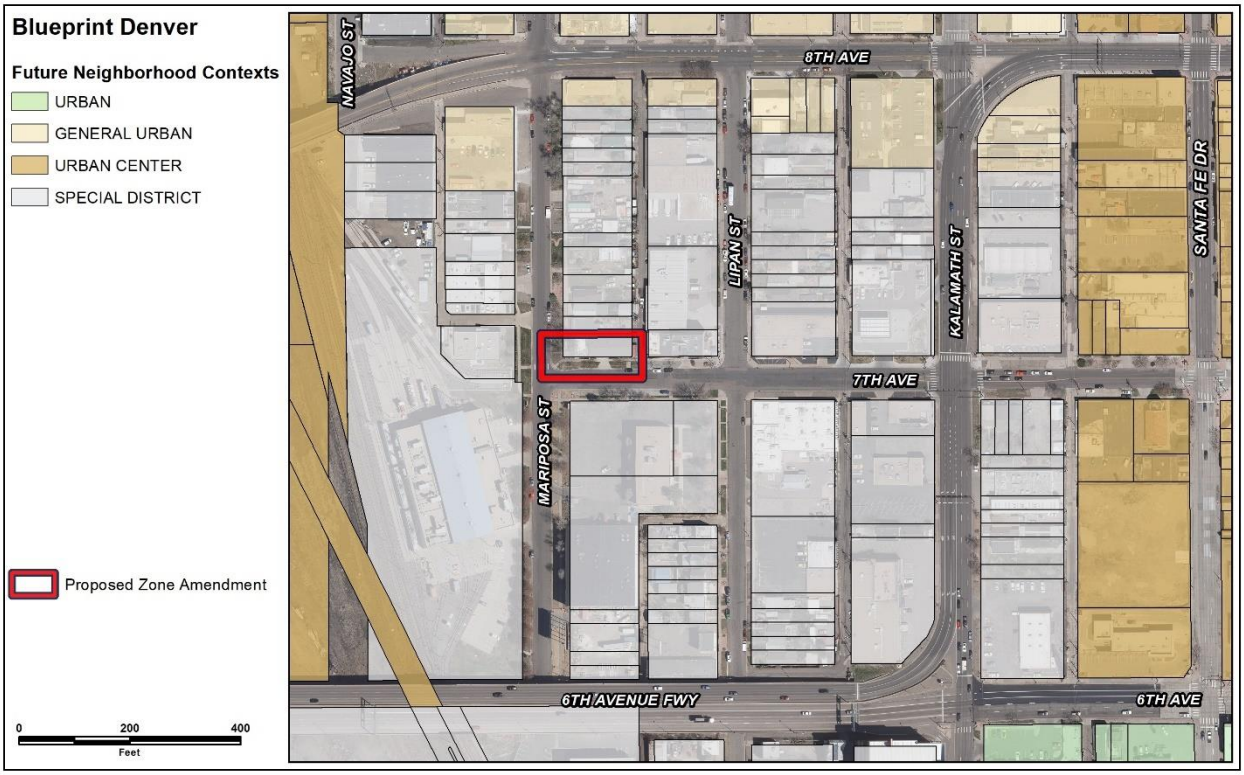
- **Environmentally Resilient** Goal 7, Strategy C – *Prioritize the reuse of existing buildings and explore incentives to salvage or reuse materials from demolished structures.*
- **Environmentally Resilient** Goal 8, Strategy A- Promote infill development where infrastructure and services are already in place (p. 54).

Overall, the proposed map amendment is consistent with the goals of Comprehensive Plan 2040.

***Blueprint Denver* (2019)**

Blueprint Denver was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city's land use and transportation decisions. *Blueprint Denver* identifies the subject property as part of a Value Manufacturing place within the Special District Neighborhood Context and provides guidance from the future growth strategy for the city.

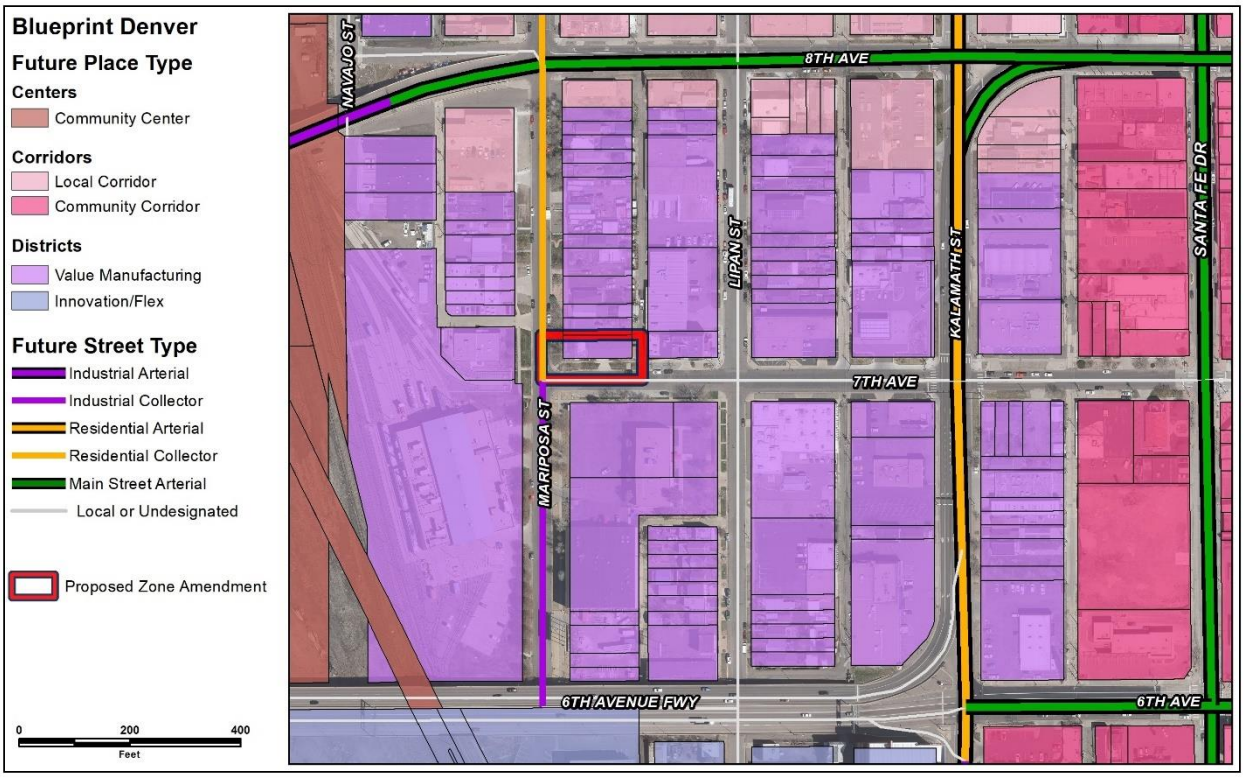
Blueprint Denver Future Neighborhood Context



The subject property is shown on the context map as the Special District neighborhood context. The neighborhood context map and description help guide appropriate zone districts (p. 66). The District neighborhood context contains "contexts with a specially designed purpose, such as educational campuses, civic centers or manufacturing areas... The manufacturing districts play a major role in the city's economy, providing the space for innovative businesses to grow and expand" (p. 279).

The intent of the proposed I-A district is to "be an employment area containing offices, business and light industrial uses that are generally compatible with adjacent Residential or Mixed Use Commercial Zone Districts" (DZC 9.1.2.1.B). The purpose of the I-A Zone Districts is to serve as a land use buffer between more residential areas and more intensive industrial areas. The proposed rezoning to I-A with waivers will continue to allow the industrial and commercial uses in I-A with the addition of Residential Care Type 1 and Type 2 uses.

***Blueprint Denver* Future Places**



The Future Places map shows the subject property as part of a "Value Manufacturing" area. Blueprint Denver describes these areas as having "Advanced and larger craft manufacturing, research and design labs, robotics, technology and flex spaces are found in these areas. Often located in business parks or on extra large blocks. Residential uses are not compatible. These areas typically consist of single or multitenant buildings, that are designed for freight movement with some storage and typically do not provide pedestrian-oriented features such as street level transparency" (p. 285).

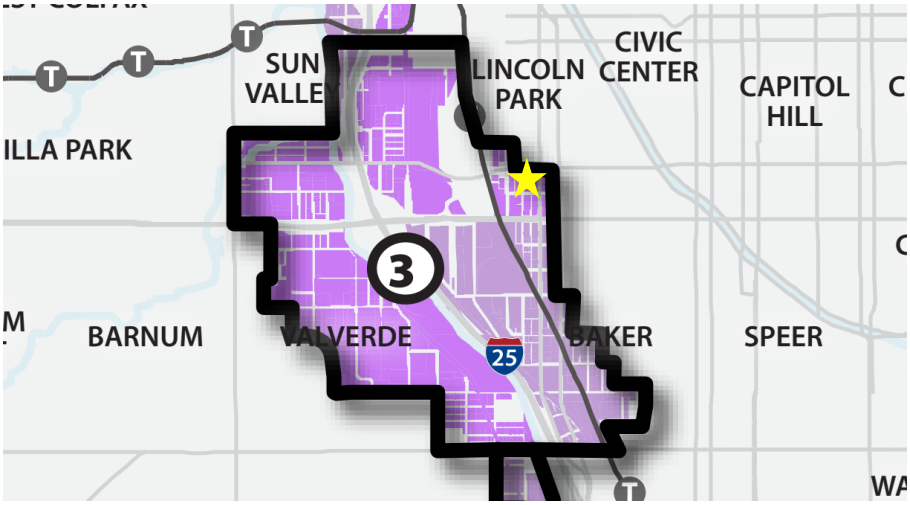
The proposed I-A with waiver district is within the Industrial Neighborhood Context and allows uses including industrial, and commercial. As stated above, staff finds that the allowance for Residential Care Type 1 and 2 uses will facilitate the conversion of the industrial building into residential care facility.

Street Types

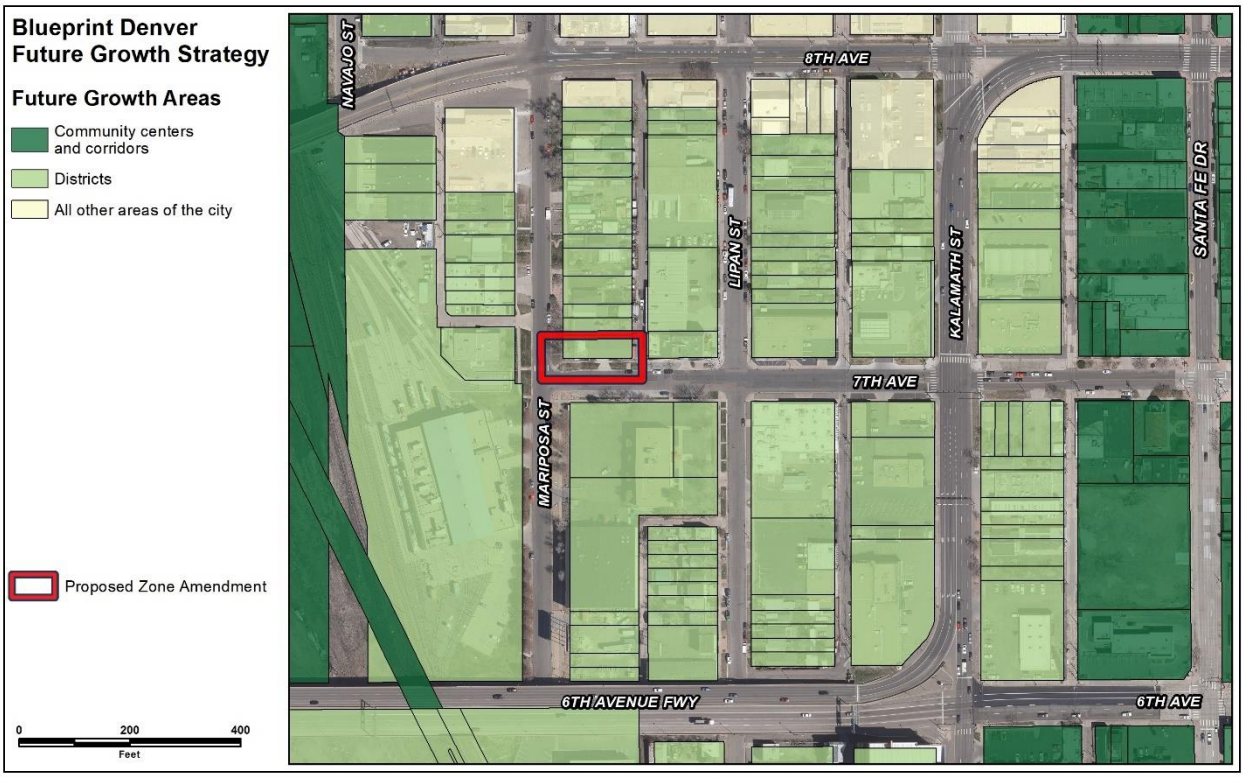
In Blueprint Denver, Future Street Types work in concert with the Future Places to evaluate the appropriate intensity of adjacent development (p. 67). *Blueprint Denver* classifies 7th Avenue as a Local or Undesignated Future Street Type, which "can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses" (p. 161). *Blueprint Denver* classifies Mariposa Street as an Industrial Collector and Residential Collector. Collector streets "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). Industrial streets are "characterized by manufacturing but may contain other uses" (p. 160).

Manufacturing Preservation Areas

Blueprint Denver identifies eight areas in the city to preserve the ability to continue and expand manufacturing uses (p. 289). This small site falls just within the boundary of the Manufacturing Preservation Area. The Manufacturing Preservation Area boundary appears to follow the centerline of 8th Avenue. However, the Manufacturing Districts map (p. 286-287) identifies the subject site as part of the Low Value/High Threat area, which Blueprint acknowledges may evolve to other uses over time: "Areas with low value and high threat are "convert" areas and can change to other uses" (p. 287). As such, staff finds the rezoning of this property to I-A with waivers is consistent with Blueprint Denver's recommendations for Manufacturing Preservation Areas.



Growth Strategy



Blueprint Denver's growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject property is part of the districts area. Citywide, districts are anticipated to see around 5% of new housing growth and 15% of new employment growth by 2040 (p. 51). Blueprint notes that "Higher intensity residential areas near downtown, mid-scale housing in innovation/flex districts and low-scale greenfield residential all contribute to Denver's future housing stock. (p.49)" The proposed I-A zone district is appropriate in this growth area as it add the opportunity for both housing growth. Therefore, the proposed rezoning is consistent with the Blueprint Denver growth strategy.

Additional Strategies

In Blueprint Denver, there are recommendations that form a comprehensive list of policies and strategies to guide implementation of the plan. They are organized by the three elements of complete neighborhoods. There are several strategies around historic preservation and promoting small businesses that the rezoning request is consistent with. One includes:

- Land Use and Built Form, Housing – Policy 01 Strategy C: Ensure city codes and land use regulations support modern and equitable approaches to housing options for people experiencing homelessness and people in need of supportive housing (p. 82).

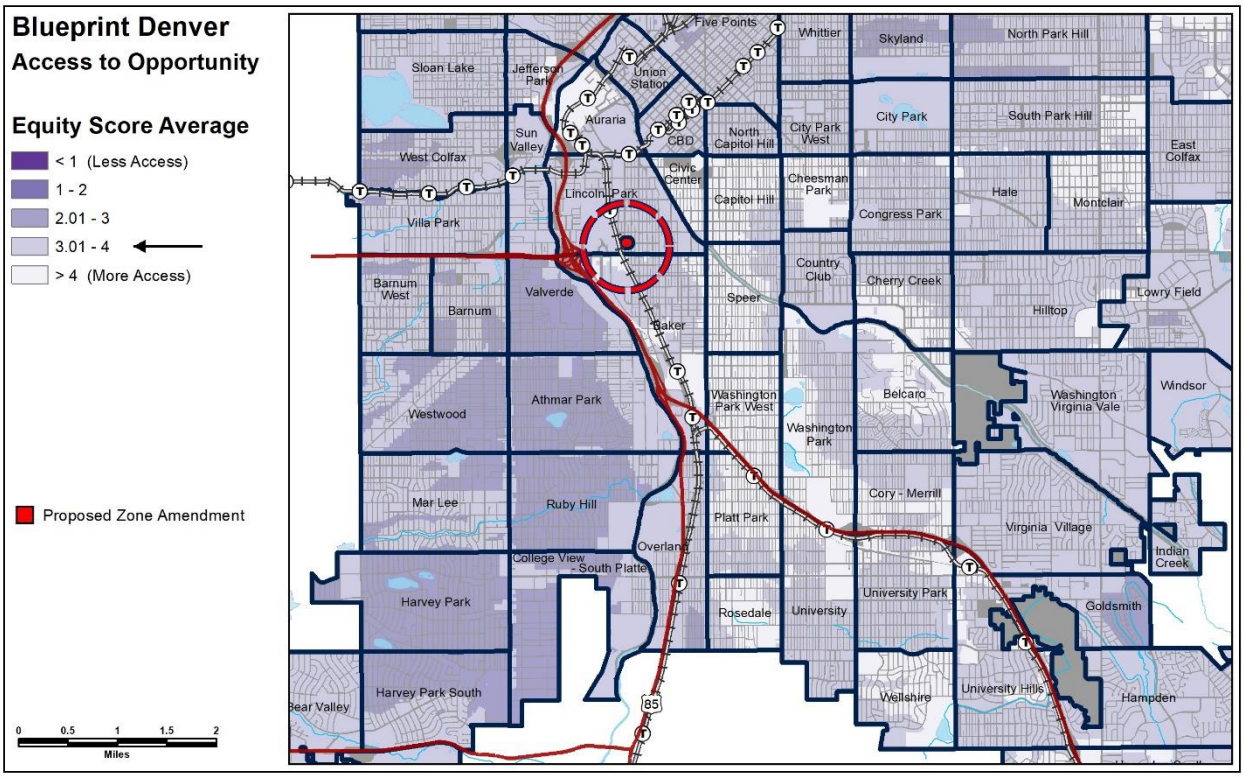
Waivers

Blueprint Denver provides the following direction on the use of custom zoning including waivers: "Limit the use of site-specific, customized zoning tools—such as Planned Unit Developments (PUDs) and waivers/conditions—to unique and extraordinary circumstances. The zoning code offers a wide variety of zone districts that cover the diverse contexts and places of Denver. Custom zoning tools are most effective when a standard zone district does not exist to implement the adopted plans for an area" (p. 73). More detail on the City's approach to custom zoning is provided on page 73 of the plan. Denver Community Planning and Development's policy is to use waivers in situations where waiving certain zoning regulations will help solve an issue that CPD plans to resolve through a future text amendment. As noted earlier in this staff report, smaller Residential Care Type 1 and Type 2 uses serving 40 or fewer guests are not allowed in Industrial zone districts like I-A and I-B, but larger facilities that would be issued permits as Residential Care Type 3 and Type 4 are. This limitation on smaller facilities in industrial areas is intentional, as smaller Residential Care facilities are intended to be more community based and exist where guests have access to day-to-day needs, services and transit. The subject site for this rezoning is unique in that while it has industrial zoning, this area of the La Alma Lincoln Park neighborhood is a fine-grained mix of residential and commercial uses with a high degree of walkability and transit access. Those characteristics make locations like this more appropriate for smaller Residential Care facilities where guests will have access to needed services. CPD plans to monitor similar requests in the future and will explore whether a text amendment may be appropriate to allow smaller Residential Care facilities in areas where industrial zoning may not be aligned with existing development and land uses that provide the elements of a complete community. Therefore, the use of a waiver is appropriate and consistent with Blueprint Denver's recommendations for site-specific, customized zoning and the proposed map amendment is consistent with the context, place, growth strategy, street type, and strategy recommendations of the plan.

***Blueprint Denver* Equity Concepts**

Blueprint Denver contains three equity concepts to help guide change to benefit everyone. Each equity concept has associated measurements that help inform implementation actions through large rezonings along with other implementation actions. Given that the subject site is within one of Denver's Neighborhood Equity and Stabilization (NEST) focus neighborhoods, an equity analysis is included in this staff report.

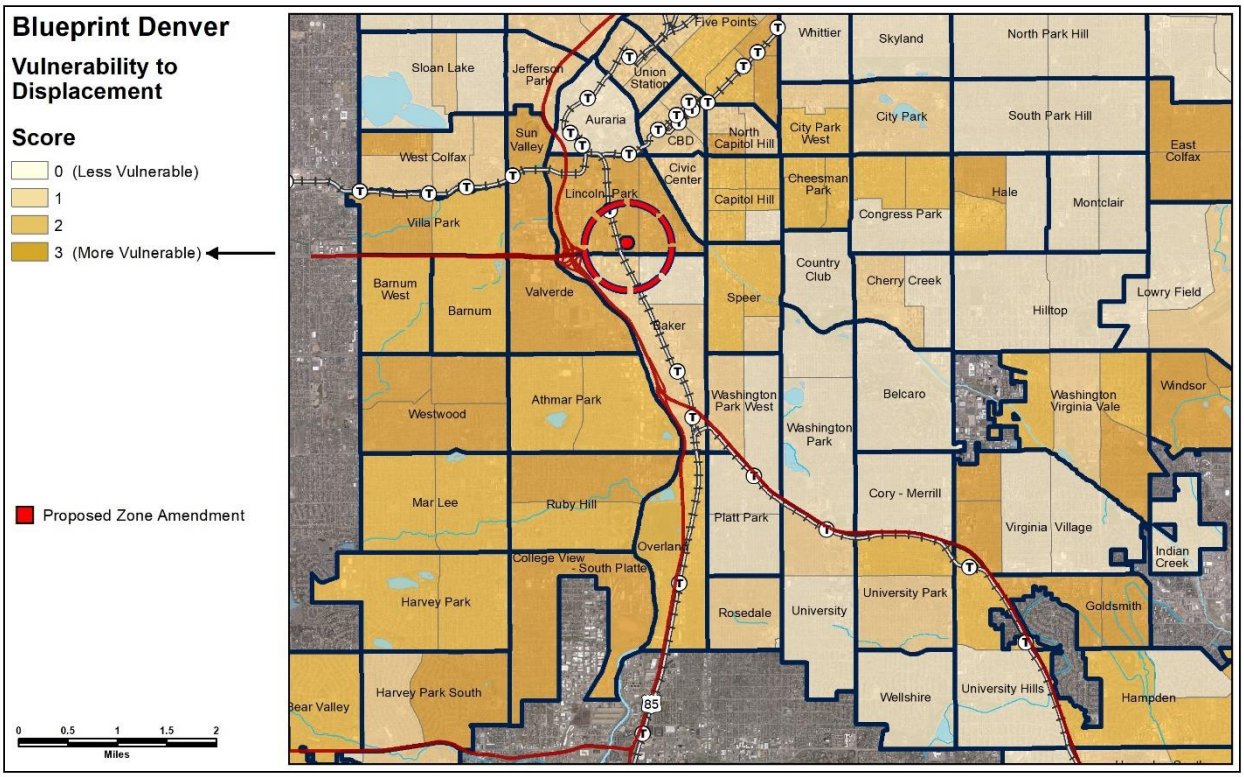
I. Access to Opportunity



The subject property is in an area with high moderate 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. These scores are related to a higher-than-average percentage of children with obesity.

The proposed district will allow for a Residential Care Type 1 and Type 2, thereby increasing the opportunity for access to services in an area. The property owner has noted their intentions to help address this measure through supportive services that are integral to the residential care use that is planned for the site.

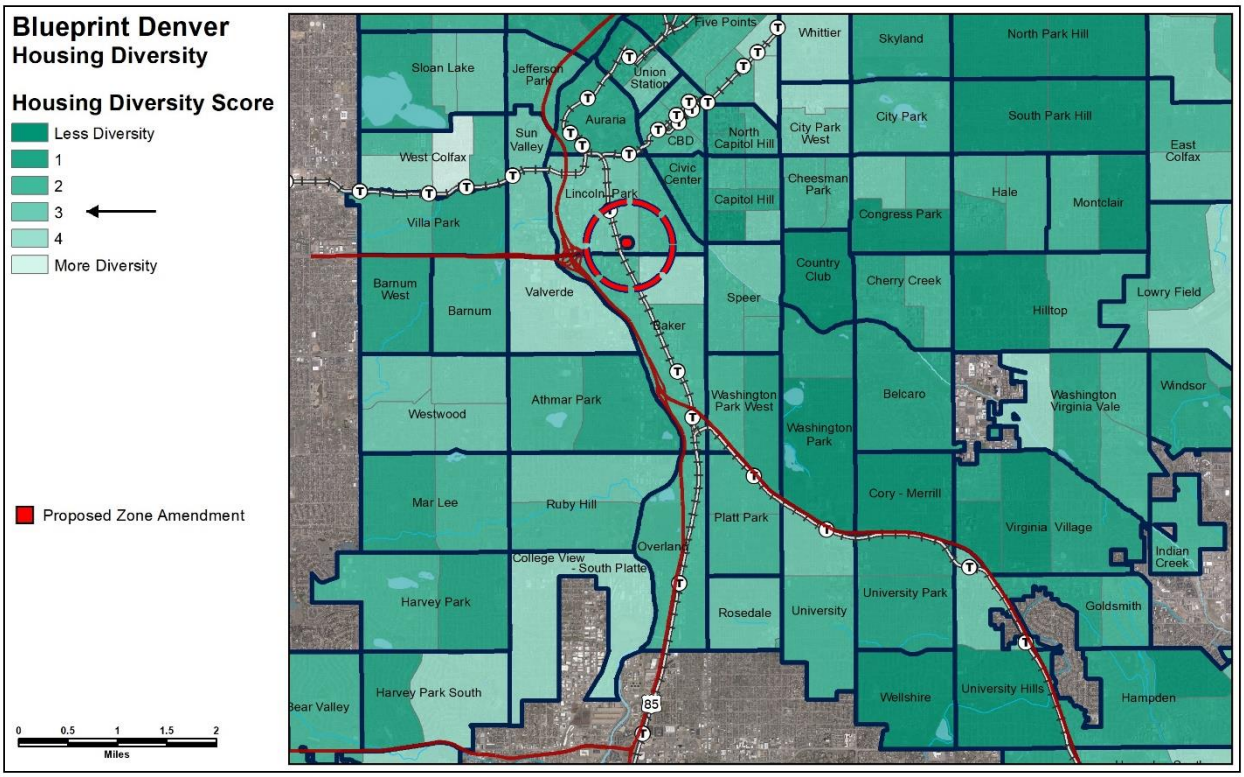
II. Vulnerability to Involuntary Displacement



The subject property is in an area that has high vulnerability to involuntary displacement. The basis for measuring vulnerability to involuntary displacement is through the vulnerability to displacement index developed by Denver's Economic Development and Opportunity office. This combines data from median household income, percentage of people who rent housing, and percent of population with less than a college degree. The subject area scored as vulnerable to displacement in all three categories. In areas with high vulnerability to involuntary displacement, it is important to increase pathways to affordable housing options so that residents of all income levels can continue to live in these neighborhoods.

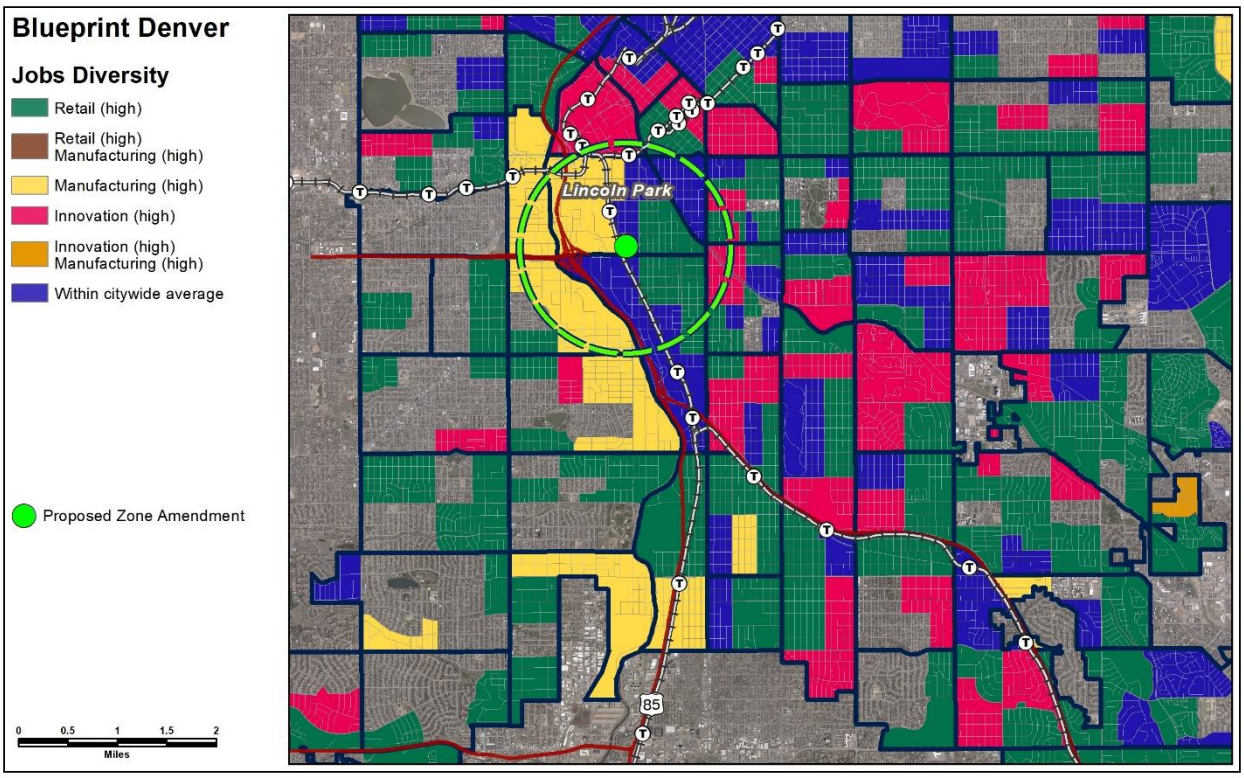
The proposed district will allow for a Residential Care Type 1 and Type 2 uses. As discussed earlier in the report, the rezoning will facilitate the development of residential care for those experiencing or at risk of experiencing homelessness.

III. Expanding Housing and Jobs Diversity



The subject property is in an area that has moderate housing diversity. The housing diversity map combines census tract-level data measuring the percentage of middle-density housing (housing with 2-19 units), home size diversity, ownership vs. rental, housing costs and the number of income-restricted units. The subject area is not diverse in terms of the percentage of owners to renters and diversity of bedroom count per unit. In areas with a moderate level of housing diversity it is important to increase the number of affordable housing units alongside natural growth in market-rate housing and provide programs for individuals to access these units.

The proposed zone district will allow for residential care uses. As discussed earlier in the report, the rezoning will facilitate the development of residential care for those experiencing or at risk of experiencing homelessness.



The map above shows the mix of jobs in areas of the city (dominant industry depicted by color). With a greater emphasis on manufacturing jobs in the Lincoln Park neighborhood, the subject property has a job mix is similar to the city's overall job mix. Lincoln Park has 46% Retail jobs, 45% innovation Jobs and 8% Manufacturing Jobs. Innovation Jobs is significantly higher than city wide average of 37.3%. The total number of jobs are 702 with 5.3 jobs per acre.

The proposed district could enable residents with different incomes and education levels to live in a neighborhood with greater access to a variety of jobs and lead to wealth-building opportunities, particularly because the Lincoln Park neighborhood has higher scores regarding access to centers and corridors. The proposed zone district also allows for a residential care uses which will provide the opportunity to contribute to diversifying jobs opportunities for individuals experiencing or at risk of experiencing homelessness.

Small Area Plan: ***La Alma Lincoln Park Neighborhood Plan (2010)***
The subject property is within the boundaries of the La Alma Lincoln Park Neighborhood Plan. The Plan divides the Plan Area into Character Areas and provides direction for each. The subject site is located within the "Industrial Character Area."

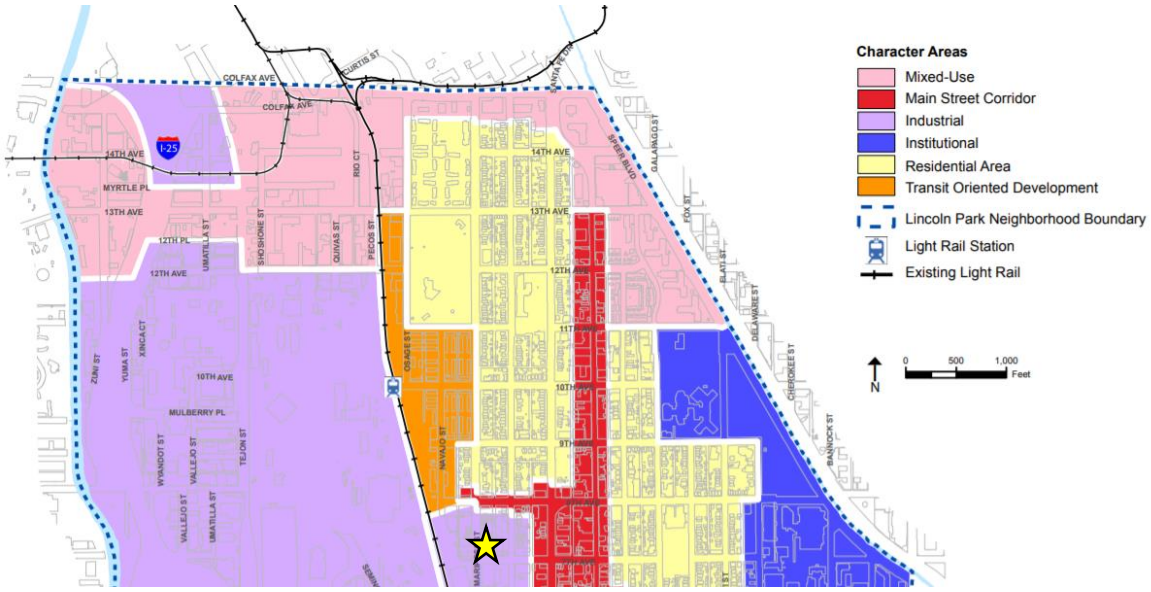
The Plan identifies the following relevant vision, goals and opportunities for Industrial Character Area:

- Industrial zoning is retained and a strong city policy against housing in the heavy industrial area during review of zoning and development applications is maintained.

The plan designates the Property as being in an Area of Change: "The purpose of Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services. A major goal being to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop." (p. 21) Because of this rezoning process to allow for Residential Care Type 1 and Type 2, these uses will allow for a much-needed service for individuals experiencing or at risk of experiencing homelessness.

Land Use and Urban Design Recommendations:

- Encourage a mixture of uses that assure the availability of neighborhood services and amenities



Designated Character Areas Map (La Alma Lincoln Park Neighborhood Plan – 2012).

The plan does not recommend a building height for the subject site (p. 25). Consistent with the plan's acknowledgement that character areas of Industrial, staff analyzed the proposed I-A with waivers zoning and found it to be an appropriate district that aligns with the vision, goals, and recommendations of the La Alma / Lincoln Park Neighborhood Plan. The proposed zone district contributes to maintaining the character of the neighborhood while embracing the Plan's vision through expanding services.

HOST – 5-Year Strategic Plan (2022-2026)

HOST 5 Year Strategic Plan is not adopted as a supplement to the Comprehensive Plan, but the plan was adopted by City Council in 2021. Core goals of the plan include creating affordable housing in vulnerable areas and in areas of opportunity, preserving affordability and housing quality, homelessness resolution, promoting equitable and accessible housing, and stabilizing residents at risk of involuntary displacement. The proposed rezoning is supports many of the Five-Year Strategic Plan recommendations in the Homelessness Resolution Section, including:

- **GOAL 1: Address Unsheltered Homelessness:** Better meet the diverse needs of residents experiencing homelessness by expanding support for range of safe, temporary options,

including tiny homes, safe outdoor spaces and parking, and non-congregate shelter in addition to congregate shelter options

- **GOAL 2: Expand Pathways to Successful Rehousing:** Meet diverse resident needs and use resources efficiently by expanding a range of rehousing strategies, including rapid resolution, bridge housing, and rapid rehousing.

2. Uniformity of District Regulations and Restrictions

The I-A zoning with a waiver is a unique zone district. The proposed rezoning will result in the uniform application of zone district building form, use and design regulations within the unique zone district.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the city by facilitating additional residential care options on the in the industrial zone district. This rezoning will allow the adaptive reuse of an industrial building for low residential care that furthers the goals of *Comprehensive Plan 2040* and *HOST – 5-Year Strategic Plan* on Homelessness Resolution. The rezoning also helps to address the urgent community need for homelessness resolution as outlined in the mayor's emergency declaration on homelessness.

4. Justifying Circumstance

The application identifies several changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, "since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such a change may include: That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.

It is in the public interest to establish Residential Care Type 1 and Type 2 uses at this location to allow for the adaptive reuse of an industrial building. The recent declaration of local disaster emergency pertaining to unsheltered residents serves as the justifying circumstance for the rezoning. Comprehensive Plan 2040, Blueprint Denver, and the small area plan identifies the subject property as industrial and encourage services for individuals experiencing or at risk of experiencing homelessness. These are an appropriate justifying circumstance for the proposed rezoning.

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

The requested zone district is within the Industrial Neighborhood Context which generally consists of areas of light industrial, heavy industrial and general industrial areas, as well as areas subject to transitions from industrial to mixed-use. (DZC 9.1.1). As discussed above, and given the surrounding context and community need, the request of a zone district from the Industrial Context is appropriate for this site.

I-A is classified as the Light Industrial District. The purpose of the Light Industrial Zone Districts is to be an employment area containing offices, business and light industrial uses that are generally compatible with adjacent Residential or Mixed-Use Commercial Zone Districts. No new residential uses may be established in the I-A zone district in order to promote a stable employment base for the city (DZC 9.1.2.1.B). The proposed I-A zone district with a waiver allowing Residential Care Type 1 and Type 2 uses is consistent with the neighborhood context description, zone district purpose and intent, of the Industrial districts.

Attachments

1. Application
2. Waiver
3. Comments
4. Planning Board Public Comments and Video for Feb 7th, 2024