700 N Mariposa Street

Request: from I-A UO-2 to I-A with Waiver to allow Residential Care Type 1 and Type 2

Case: 2022i-00226

City Council Date: May 6th, 2024

Presentation Agenda

- Request
- Location and Context
- Process
- Review Criteria

Location

- Haven of Hope is a non-profit that focuses on providing food, shelter, clothing, counseling, etc. to people experiencing poverty and/or homelessness.
- Proposed to rezone from **I-A UO-2** to **I-A with Waiver**
- Property:
  - 5,500 square feet or 0.11 acres
  - Vacant Industrial Building
- AHRT - Accepted

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

Waiver

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).

Residential Care Use

A Residential Care use is 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

B. Specific Residential Care Use Types

Residential Care uses are further defined and distinguished by number of guests as follows:

1. Residential Care Use, Type 1: up to 10 guests year-round, or up to 100 guests for a maximum of 130 days per calendar year.
2. Residential Care Use, Type 2: 11 to 40 guests.
3. Residential Care Use, Type 3: 41 to 100 guests.
4. Residential Care Use, Type 4: 101 or more guests.

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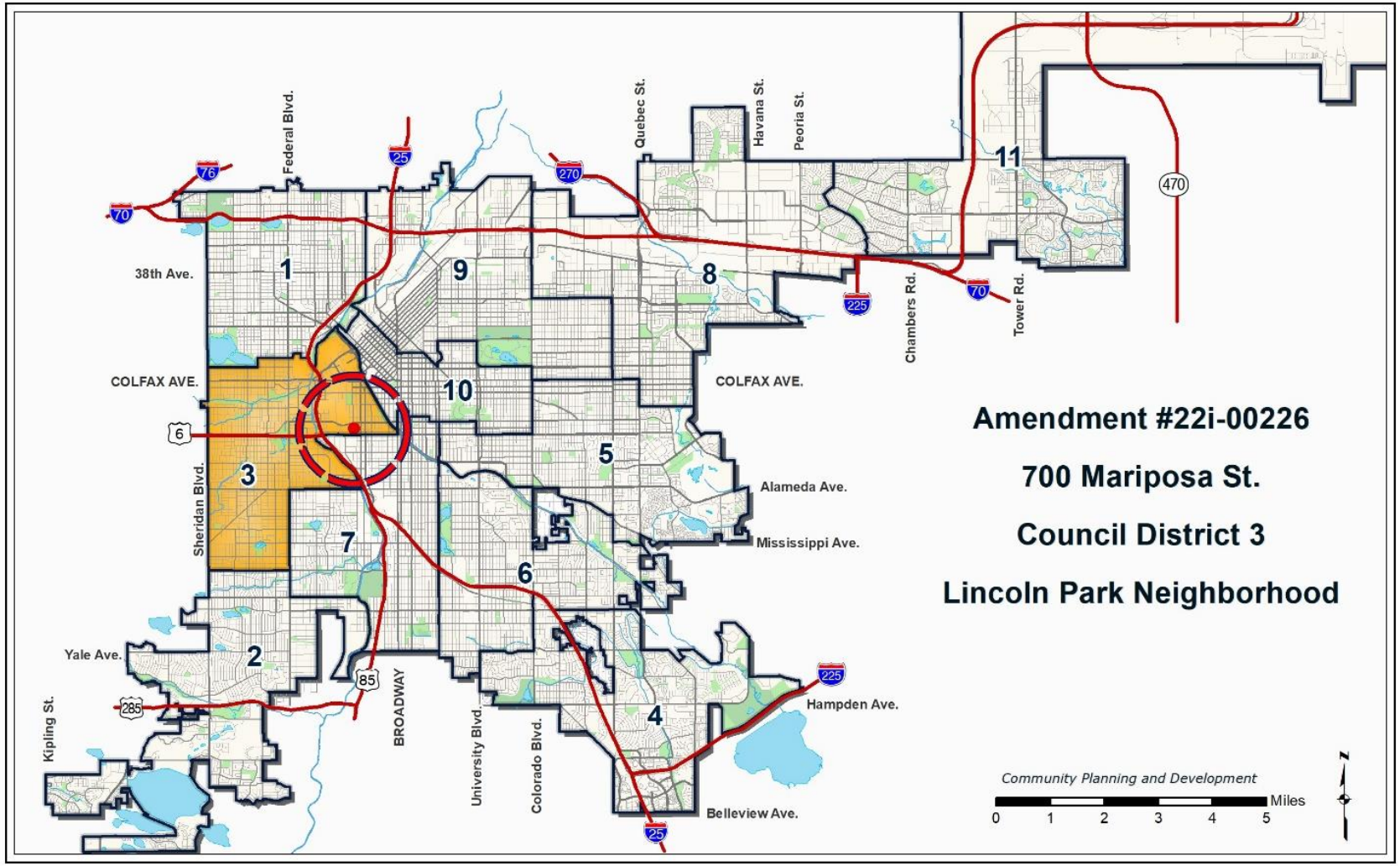
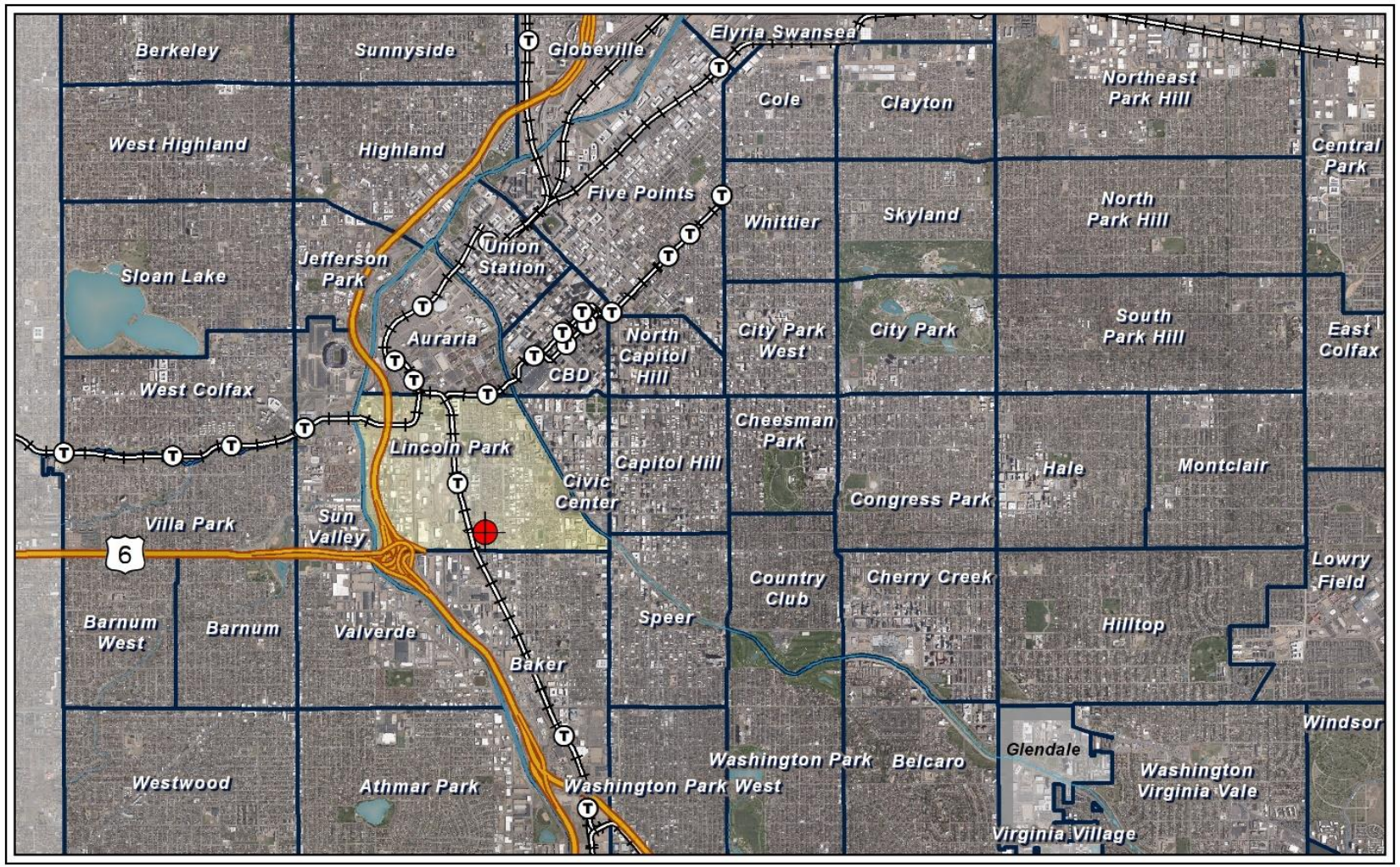
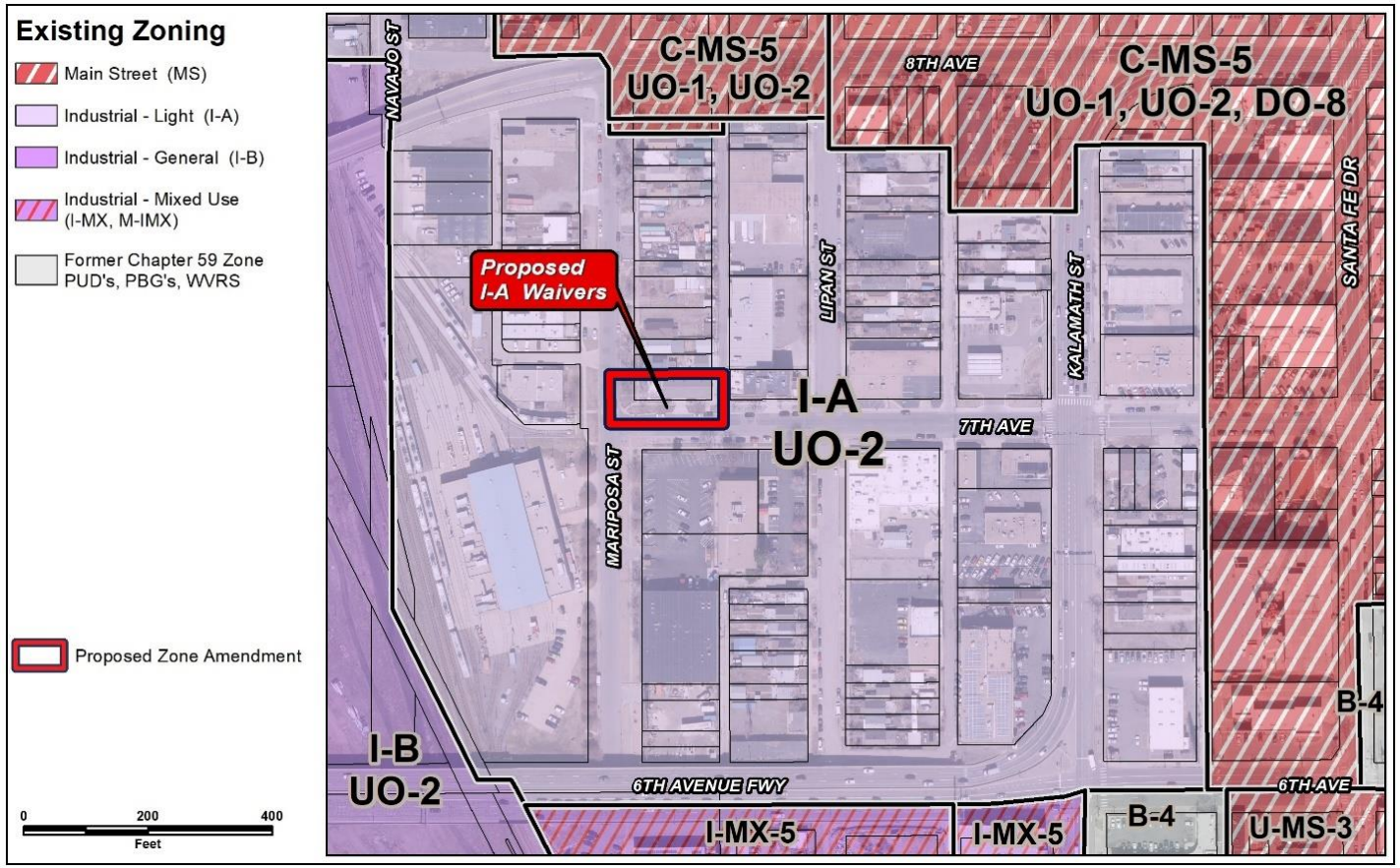
Council District 3 – Councilmember Torres



Statistical Neighborhood – Lincoln Park

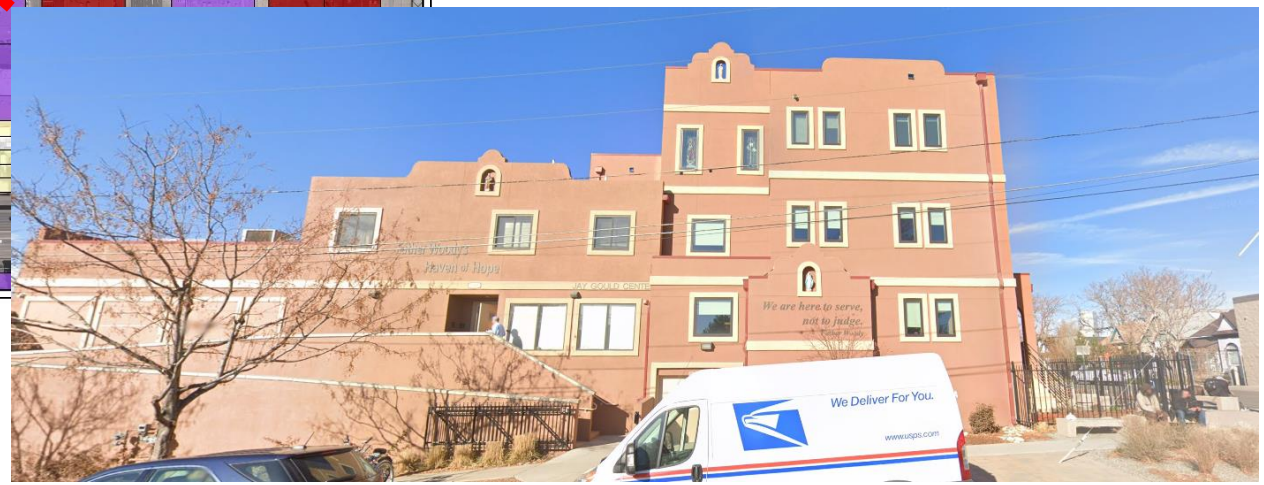


Existing Zoning



- Current Zoning:
  - I-A
- Surrounding Zoning:
  - I-A UO-2
  - I-MX-5
  - C-MS-5

Existing Context



Agenda

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Process

- Informational Notice: 5/31/2023
- Planning Board Notice: 2/20/2024
- Planning Board Public Hearing: 3/6/2024
- LUTI Committee: 03/26/24
- City Council Public Hearing: 05/6/24

Public Comments

- RNOs
  - Inter-Neighborhood Cooperation (INC); United Northwest Denver; La Alma Neighborhood Association; La Alma Lincoln Park neighborhood organization; and Strong Denver
- 18 comments in Opposition
- 28 comments in Support (One was a poem)
- Two comments - testimonials
- Delayed Planning Board to hold a Community Meeting

Planning Board (2/7/24)

- The board voted 7-1 to recommend approval of the rezoning
- Five individuals spoke against the rezoning
- Deliberation
  - Creating housing options for people, outreach concerns, Blueprint language, etc.

- Noticing Error

Planning Board (3/6/24)

- The board voted 6-1 to recommend approval of the rezoning
- One individuals spoke in support the rezoning
- Deliberation
  - Blueprint Guidance for MPAs, Services/Location nearby does meet rezoning criteria.

Presentation Agenda

- Request
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Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans or the proposed rezoning is necessary to for a community need not anticipated by 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 or Community Need
   - *Comprehensive Plan 2040*
   - *Blueprint Denver*
   - *La Alma/Lincoln Park Neighborhood Plan (2010)*
   - *HOST – 5-Year Strategic Plan (2022-2026)*
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

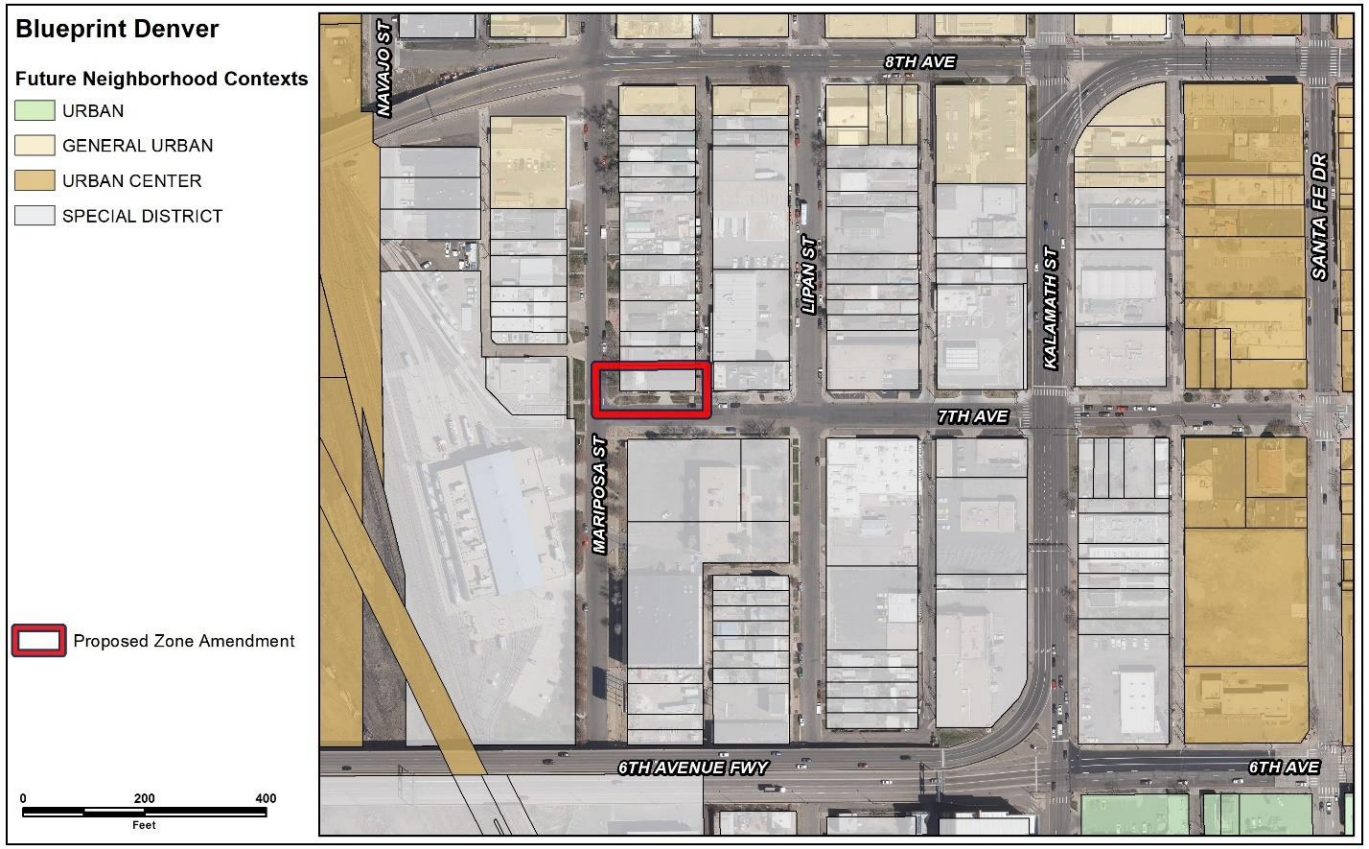
Equity

- **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 C – *Ensure that city regulations enable a range of flexible housing options to meet the needs of those experiencing or transitioning out of homelessness.*

Climate

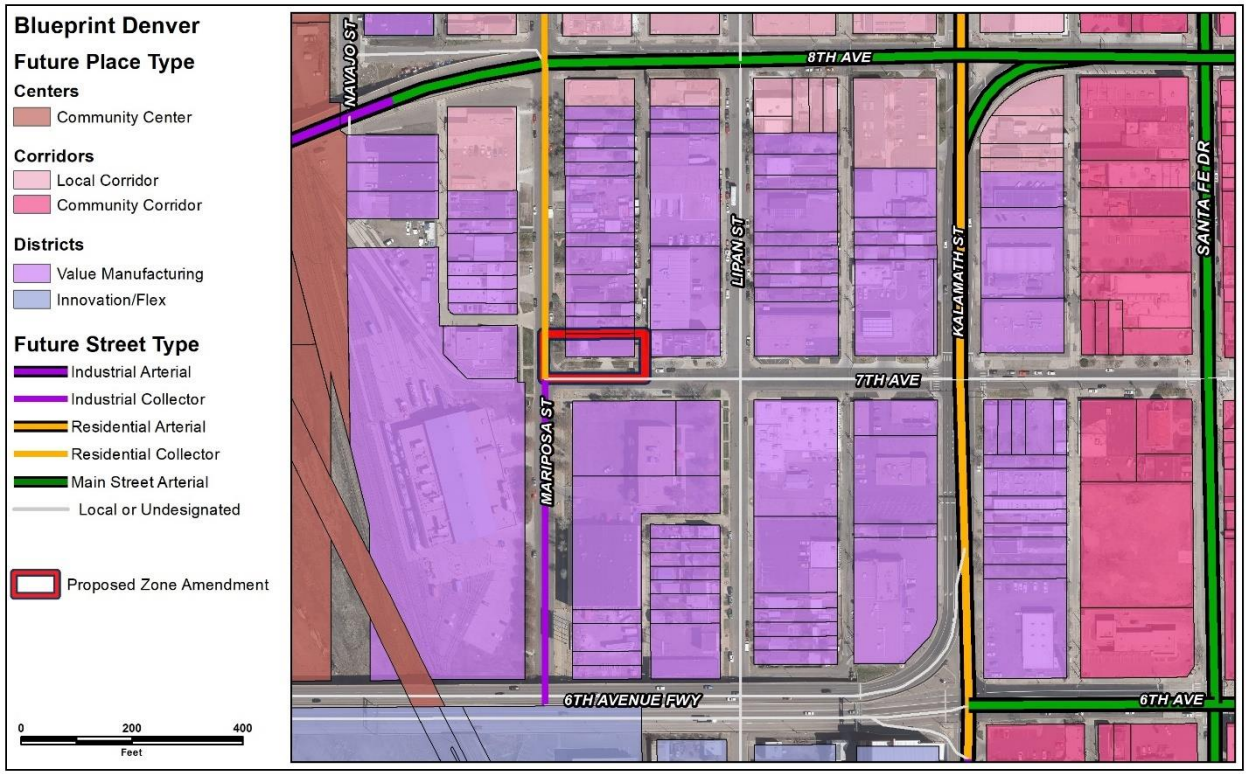
- **Environmentally Resilient** Goal 8, Strategy A – *Promote infill development where infrastructure and services are already in place*

Blueprint Denver 2019



- **Special Districts Neighborhood Context**
  - 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

Blueprint Denver 2019



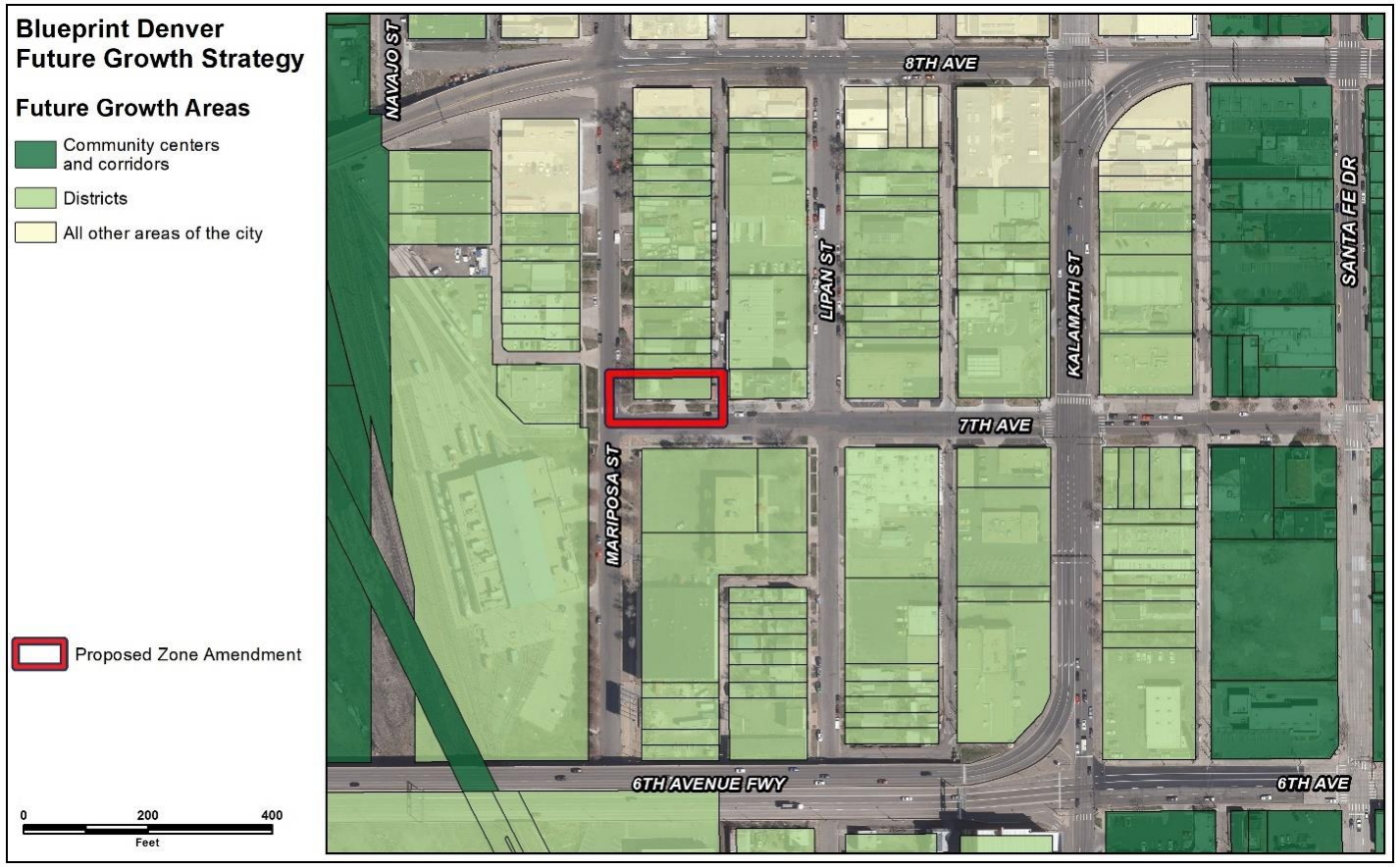
Future Place – Value Manufacturing

- Advanced and larger craft manufacturing, research and design labs, robotics, technology and flex spaces are found in these areas
- Within a Manufacturing Preservation Area

Future Street Type

- Mariposa Street– Industrial / Residential Collector

Blueprint Denver 2019



Growth Areas Strategy – Districts

- Anticipated to see around 5% of new housing growth and 15% of new employment growth by 2040
- *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.*

Blueprint Denver 2019

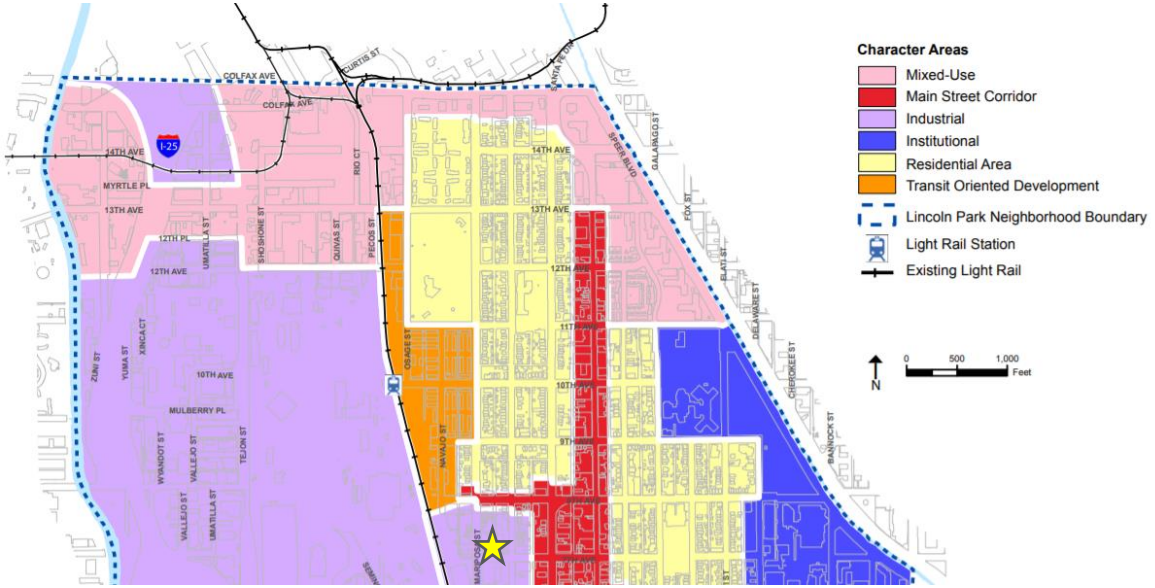
Additional Strategies

- **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

- Limit the use of site-specific, customized zoning tools—such as Planned Unit Developments (PUDs) and waivers/conditions—to unique and extraordinary circumstances.

La Alma Lincoln Park Neighborhood Plan (2010)



Industrial Character Area

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"

Land Use and Urban Design Recommendations:

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

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

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

Review Criteria

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

2. Uniformity of District Regulations

- 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. Further Public Health, Safety and Welfare

- Implements adopted plans

4. Justifying Circumstances

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

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

- 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. 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