4340-4350 S Monaco Street

Request: B-4 with Waivers and Conditions, UO-1 UO-2 to PUD G-34

City Council: 8/12/2024

Case #: 2024i00027

Presentation Agenda

- Request
- Location and Context
- Process
- Review Criteria

Location

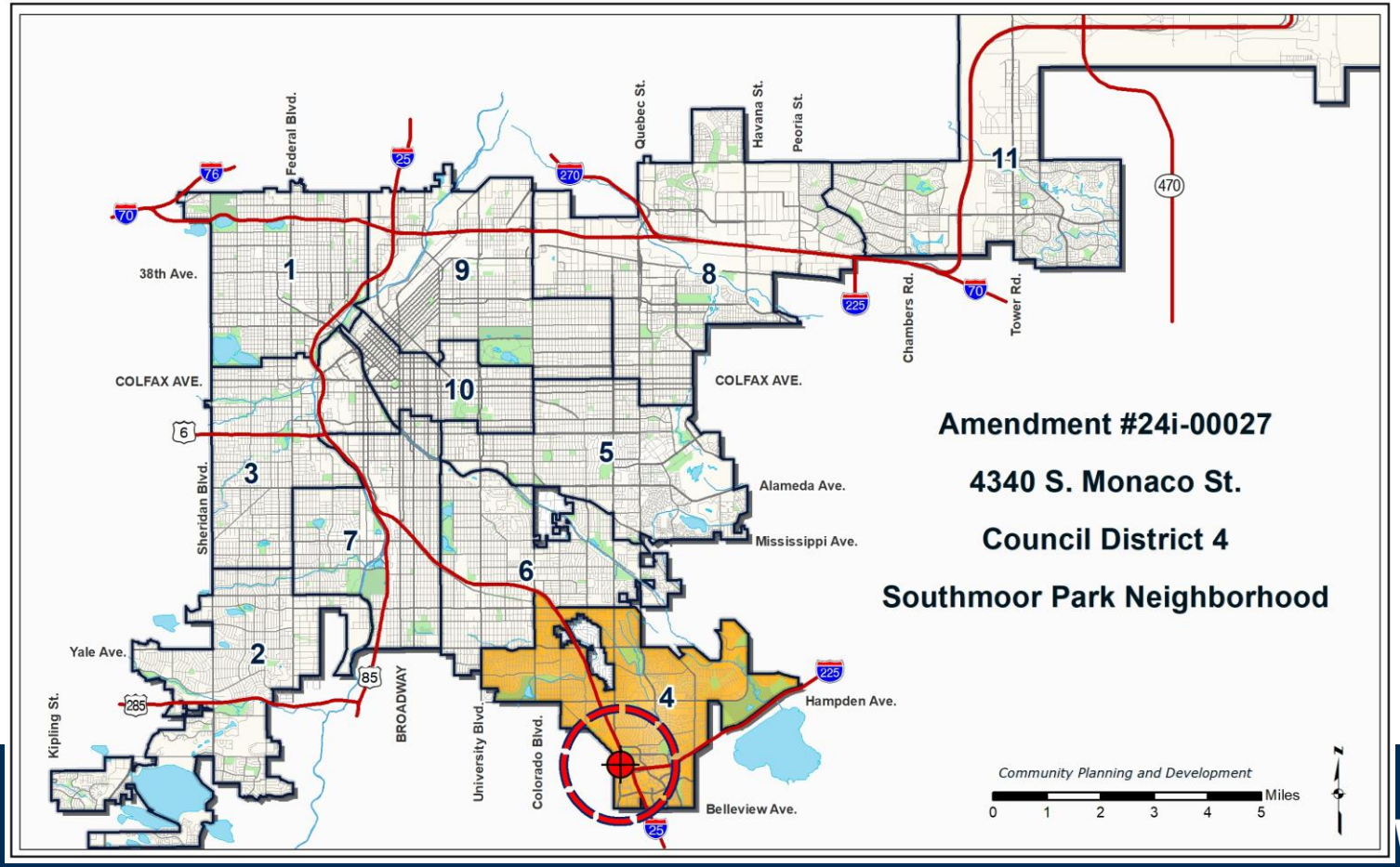
- **AHRT Project**
- **Subject Property**
  - 548,613 square feet or 12.58 acres
- **Proposal**
  - Proposed PUD based on S-MX-5 and S-CC-5 to facilitate the reuse of an existing office buildings for affordable housing.

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

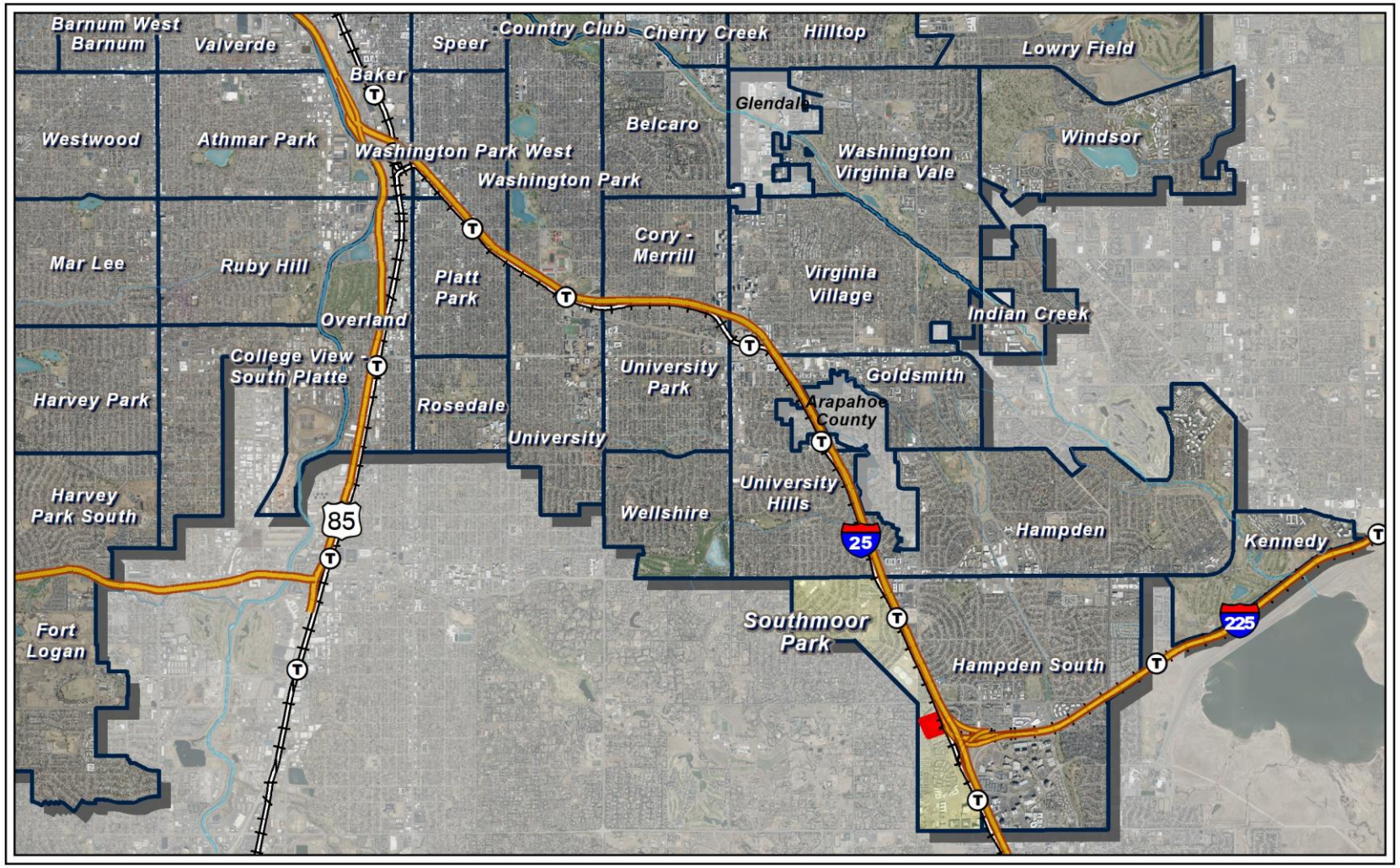
Presentation Agenda

- Request
- Location and Context
- Process
- Review Criteria

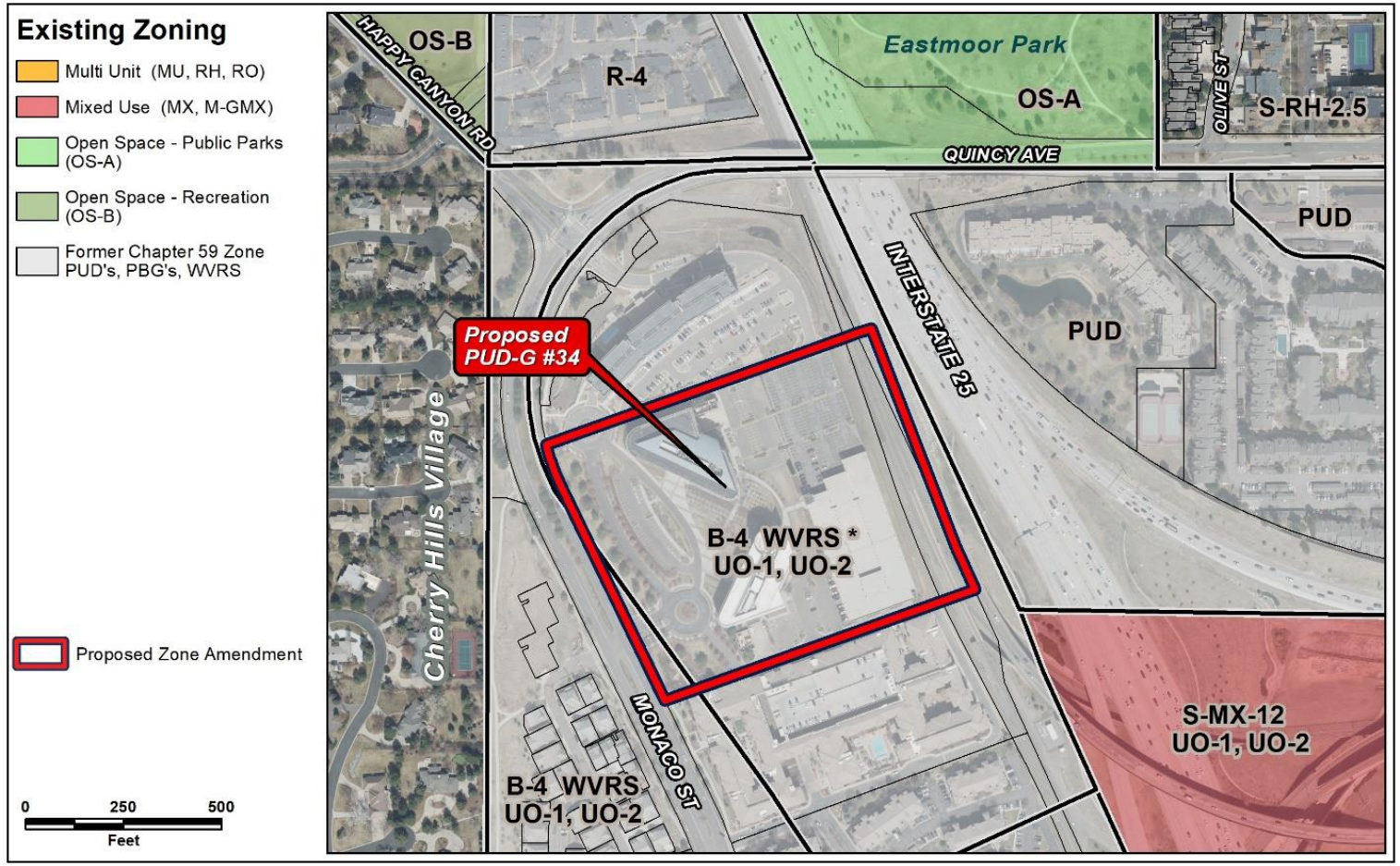
Council District 4 – Councilmember Romero Campbell



Statistical Neighborhood – Southmoor Park



Existing Zoning



- **Current Zoning:**
  B-4 Waivers/Conditions UO-1 and UO-2

- **Surrounding Zoning:**
  - S-MX-12
  - PUD
  - B-4 Waivers/Conditions U 1 and UO-2

Existing Zoning

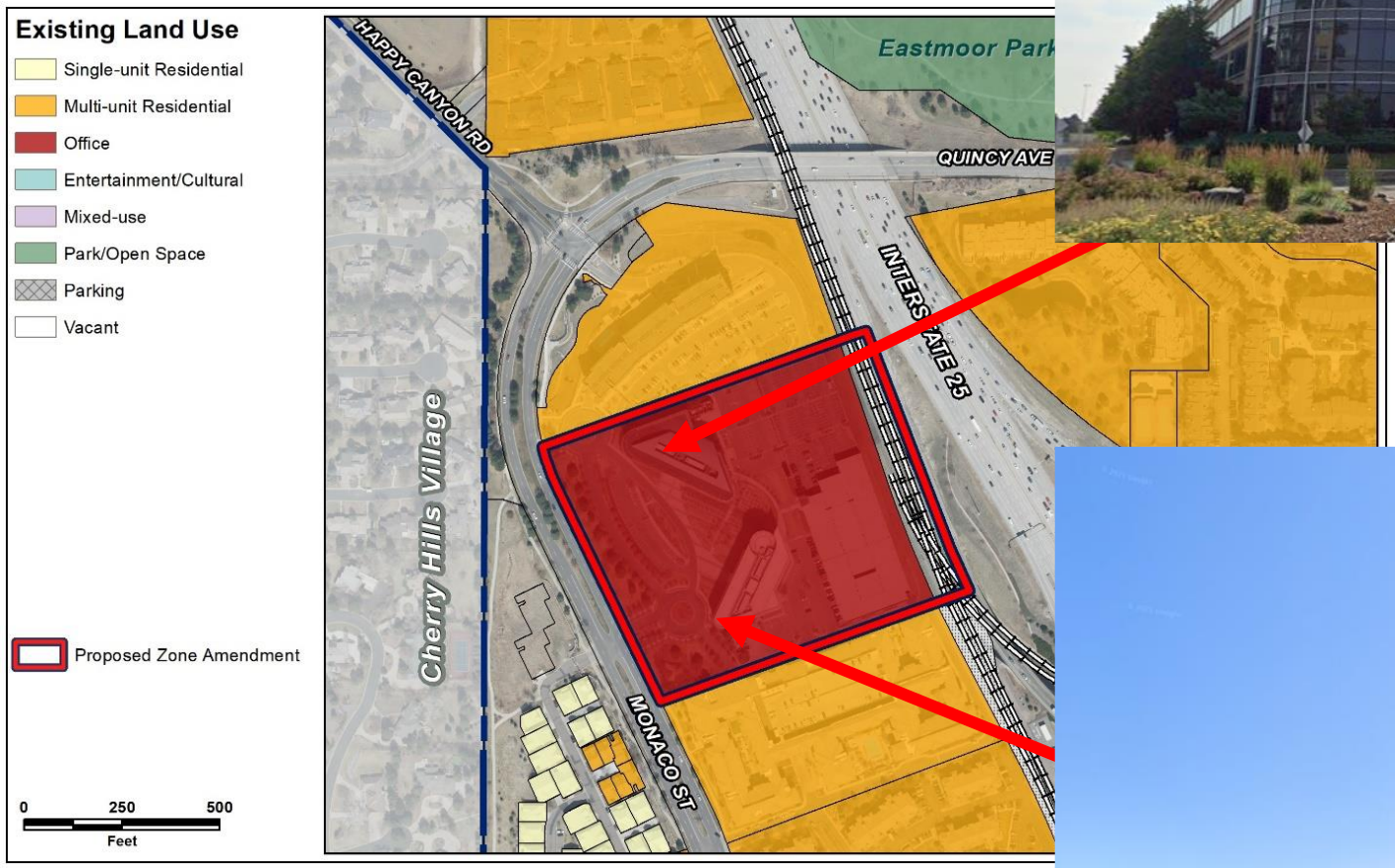
- Current Zoning: B-4 Waivers/Conditions UO-1 and UO-2

- B-4 is a Former Chapter 59 zone district intended for “commercial uses adjacent to arterial streets.”

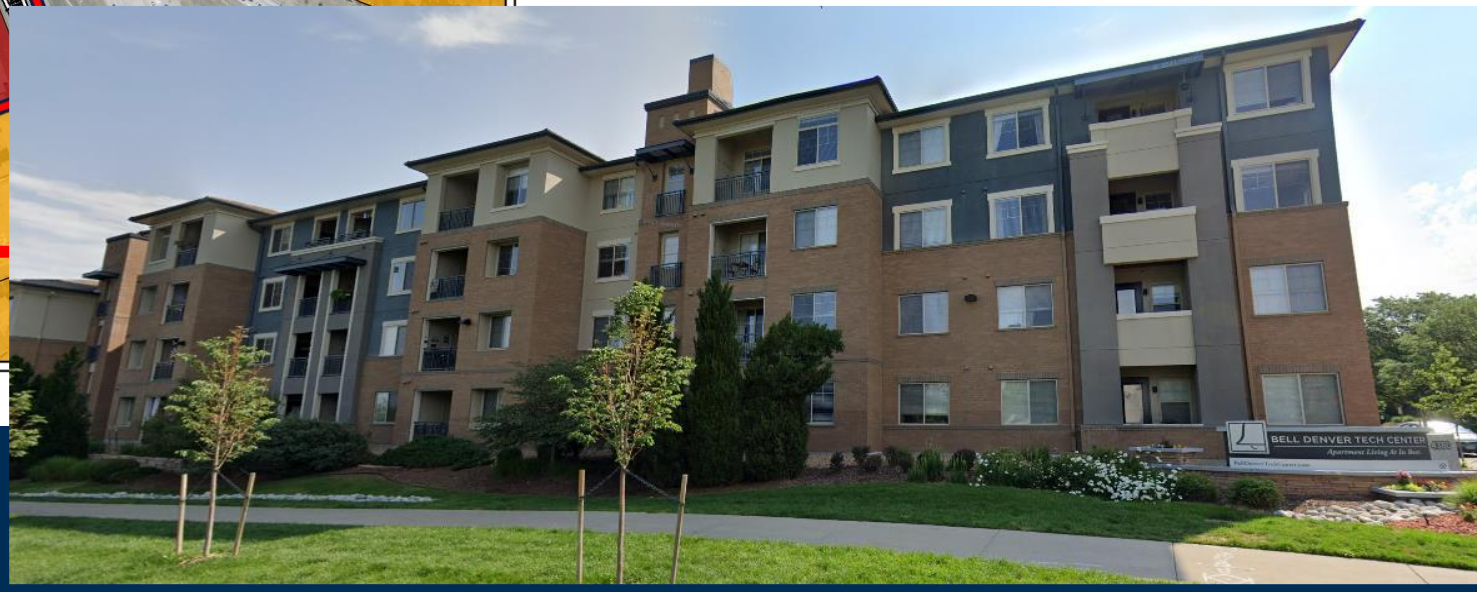
- Waivers and Conditions:
  1. Does not allow Adult Uses
  2. Limits the amount of residential uses/square footage

- Remove UO-1 and UO-2

Existing Context

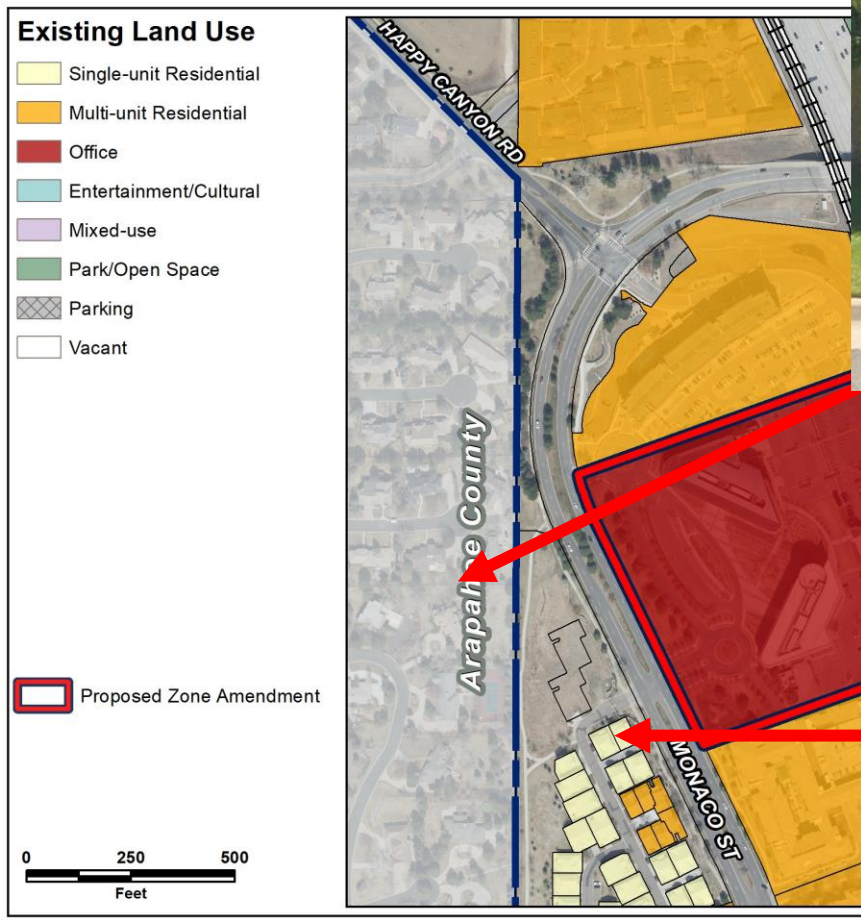


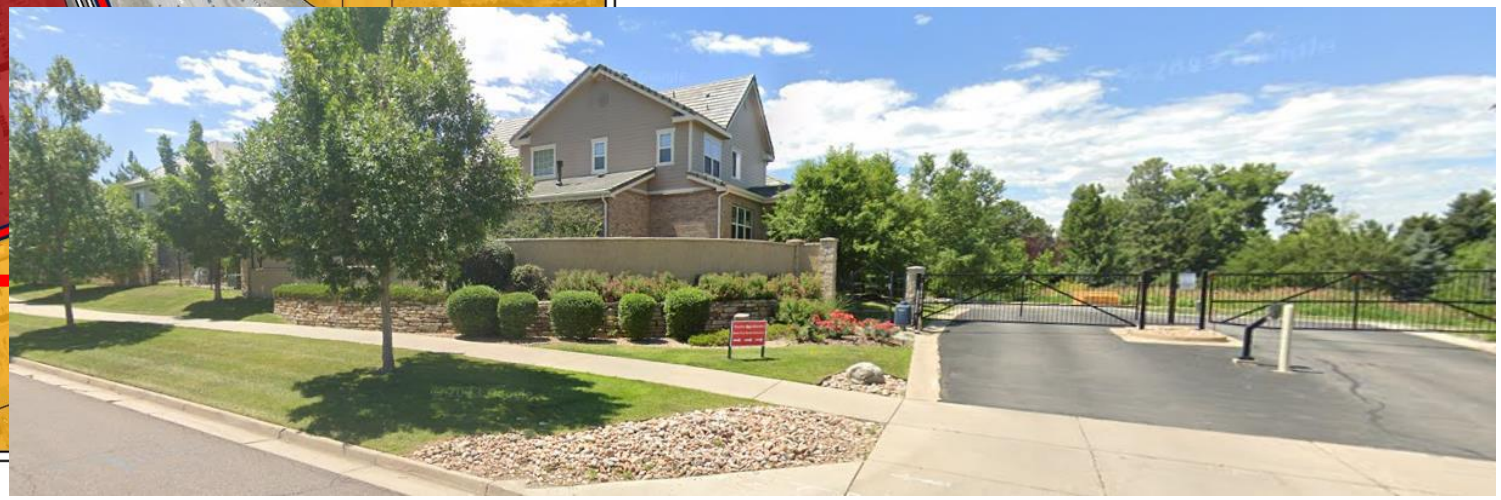
Existing Context



DENVER
THE MILE HIGH CITY

Existing Contex





Request: PUD-G 34

Customized Standards

- Existing Structures based on S-CC-5
  - Flexibility in Height and Stories
  - Flexibility in interior setbacks

- New Construction based on S-MX-5

Agenda

- Request
- Location and Context
- Process
- Review Criteria

Process

- Informational Notice: 3/29/2024
- Planning Board Notice: 6/18/2024
- Planning Board Public Hearing: 7/3/2024
- LUTI Committee: 7/9/24
- City Council Public Hearing: 8/12/24

Public Comments

- RNOs
  - Strong Denver and Inter-Neighborhood Cooperation (INC)

- Community Meeting on 4/24/24

- Five comments in Support
  - Former Council Member Kendra Black

- Three comments in Opposition
  - Mayors of Greenwood Village and Cherry Hills Village

Planning Board

- Planning Board held a hearing on this item on May 1st
- The board voted unanimously to recommend approval of the rezoning
- The board highlighted the need for conversion of office for affordable housing

Planning Board 7/3/24

- The board voted unanimously to recommend approval of the rezoning
- Six individuals spoke in opposition (including Mayor Katy Brown, Councilmember Dan Sheldon, Community Development Directors of Greenwood Village and Cherry Hills Village)
- Deliberation: Meets the criteria, AMI levels, affordable housing needed in the area, etc.

Presentation Agenda

- Request
- Location and Context
- Process
- Review Criteria

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*
   - *HOST Five-Year Strategic Plan (2021)*
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

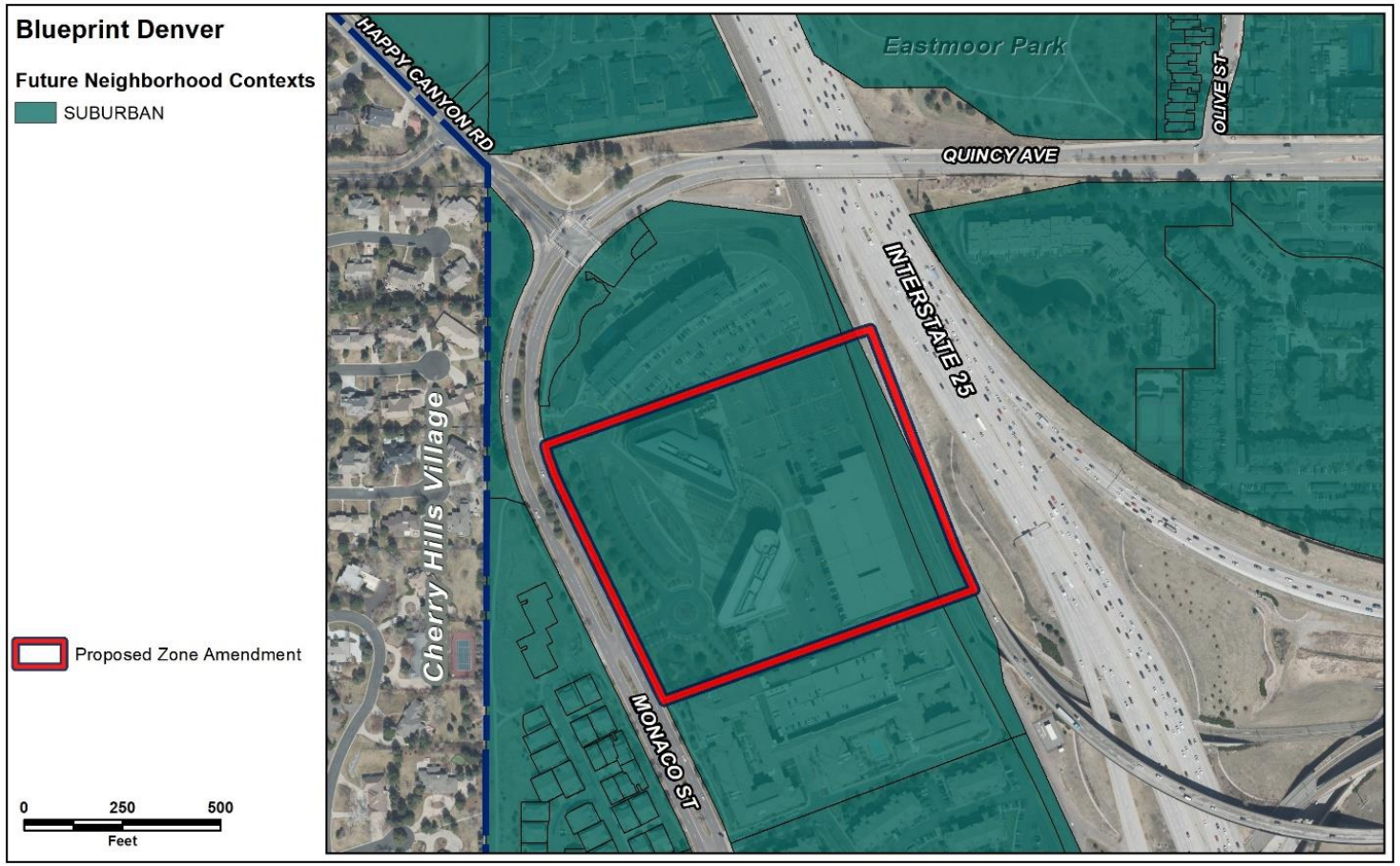
Equity

- **Equitable, Affordable and Inclusive** Goal 2 Strategy A - Create a greater mix of housing options in every neighborhood for all individuals and families
- **Equitable, Affordable and Inclusive** Goal 3, Strategy B – Use land use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing, especially where close to transit.
- **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*

Climate

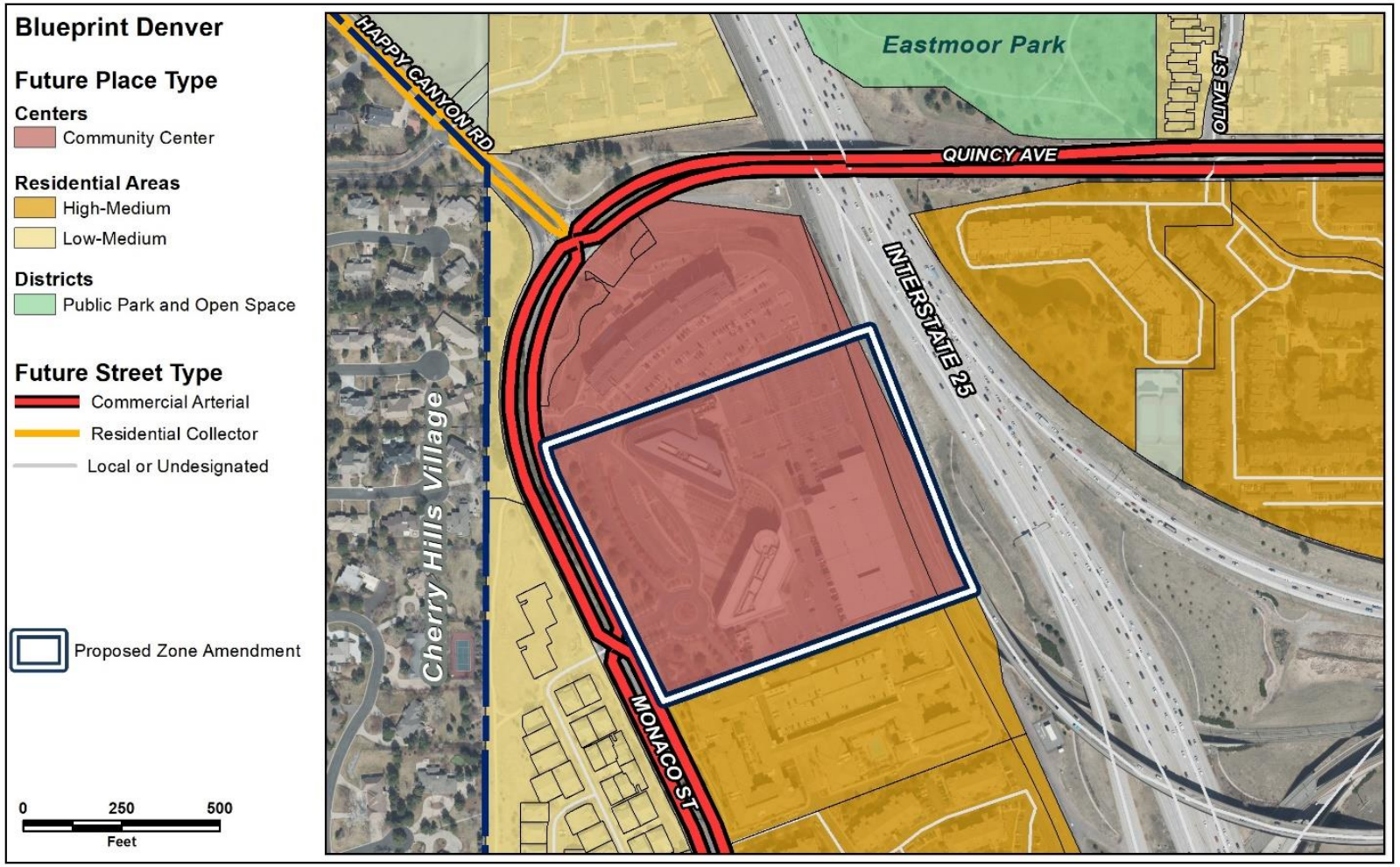
- **Environmentally Resilient** Goal 7, Strategy C – Prioritize the reuse of existing buildings and explore incentives to salvage or reuse materials from demolished structures
- **Environmentally Resilient** Goal 8, Strategy B – *Encourage mixed-use communities where residents can live, work, and play in their own neighborhoods*

Blueprint Denver 2019



- Suburban (S-) Neighborhood Context
  - Commercial development is focused along main corridors and centers bordering residential areas.

Blueprint Denver 2019



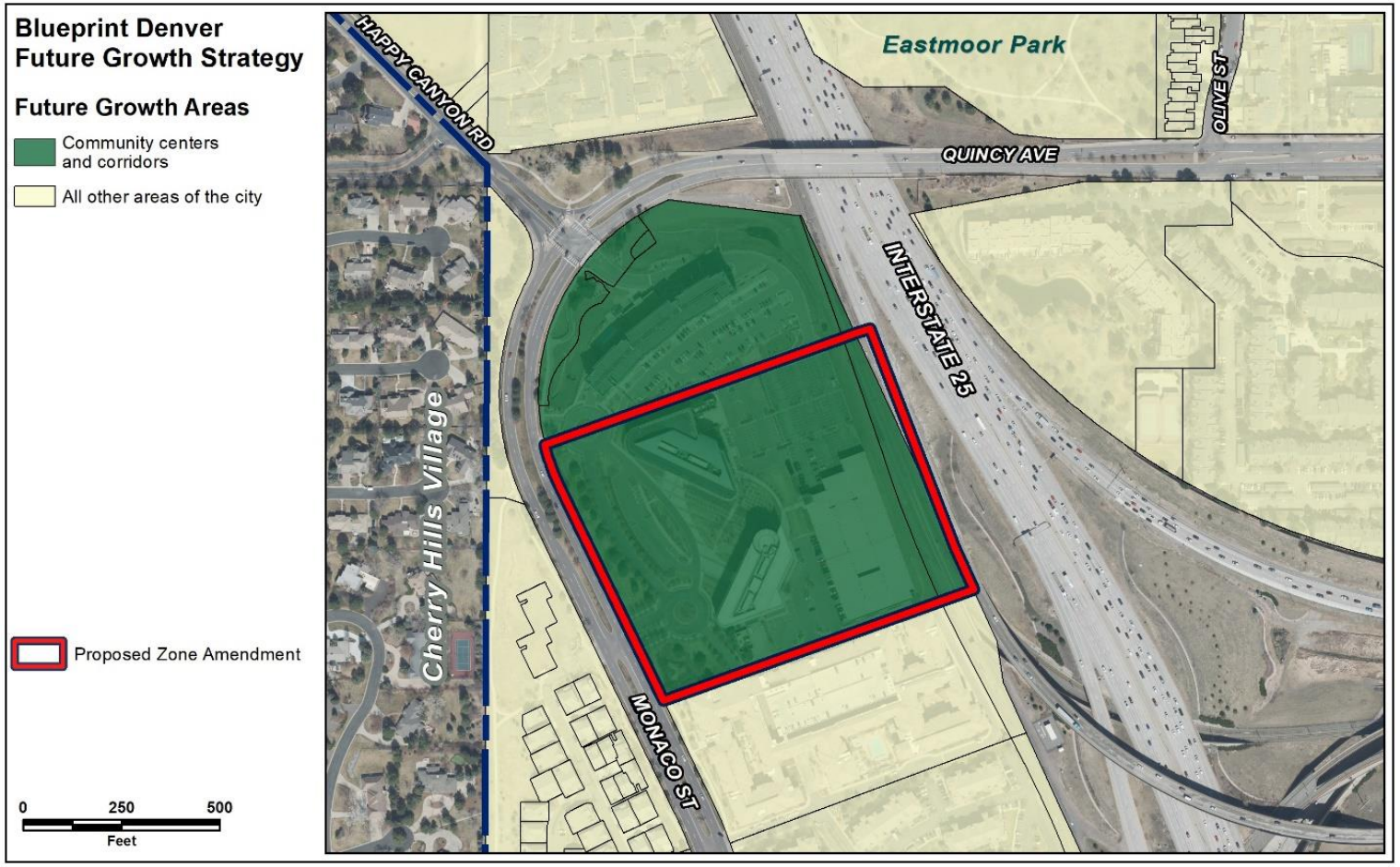
Community Center Future Place Type

- Provides some mix of office, commercial and residential uses. Heights are generally up to 5 stories.

Future Street Type

- Commercial- Arterial

Blueprint Denver 2019



Community Centers

- 20% of new employment
- 25% of new housing

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

- **Land Use & Built Form:** General Policy 6: *Increase the development of affordable housing and mixed-income housing, particularly in areas near transit, services and amenities*

- **Land Use & Built Form:** Design Quality and Preservation Policy 6: *Incentivize the preservation of structures and features that contribute to the established character of an area, even if they are not designated as landmarks or historic districts*

Blueprint Denver 2019

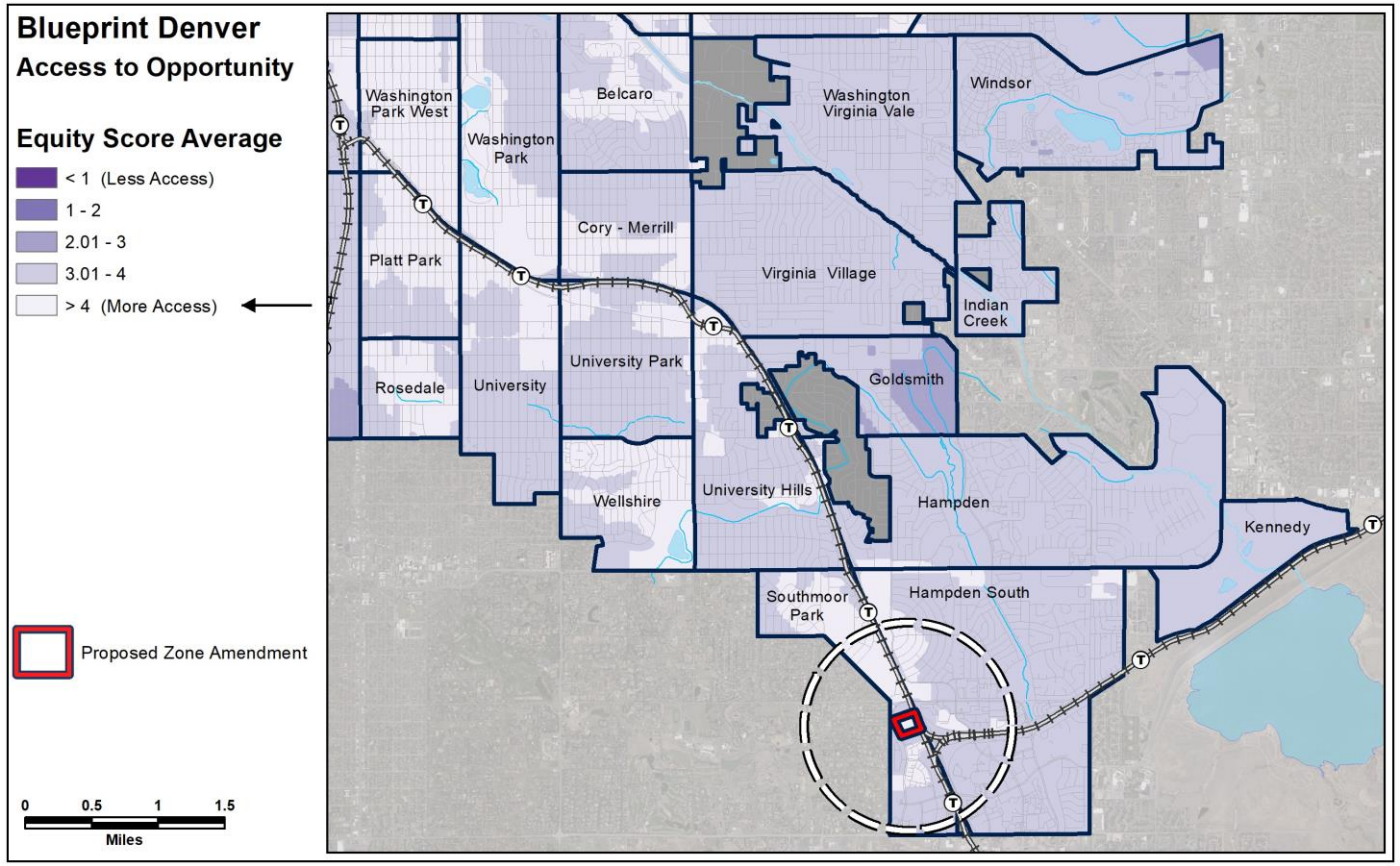
- **Custom Zoning**
  - "Limit the use of site-specific, customized zoning tools—such as Planned Unit Developments (PUDs) and waivers/conditions—to unique and extraordinary circumstances. Custom zoning tools are most effective when a standard zone district does not exist to implement the adopted plans for an area" (p. 73).

EQUITY ANALYSIS

Blueprint Denver Contains Three Major Equity Concepts

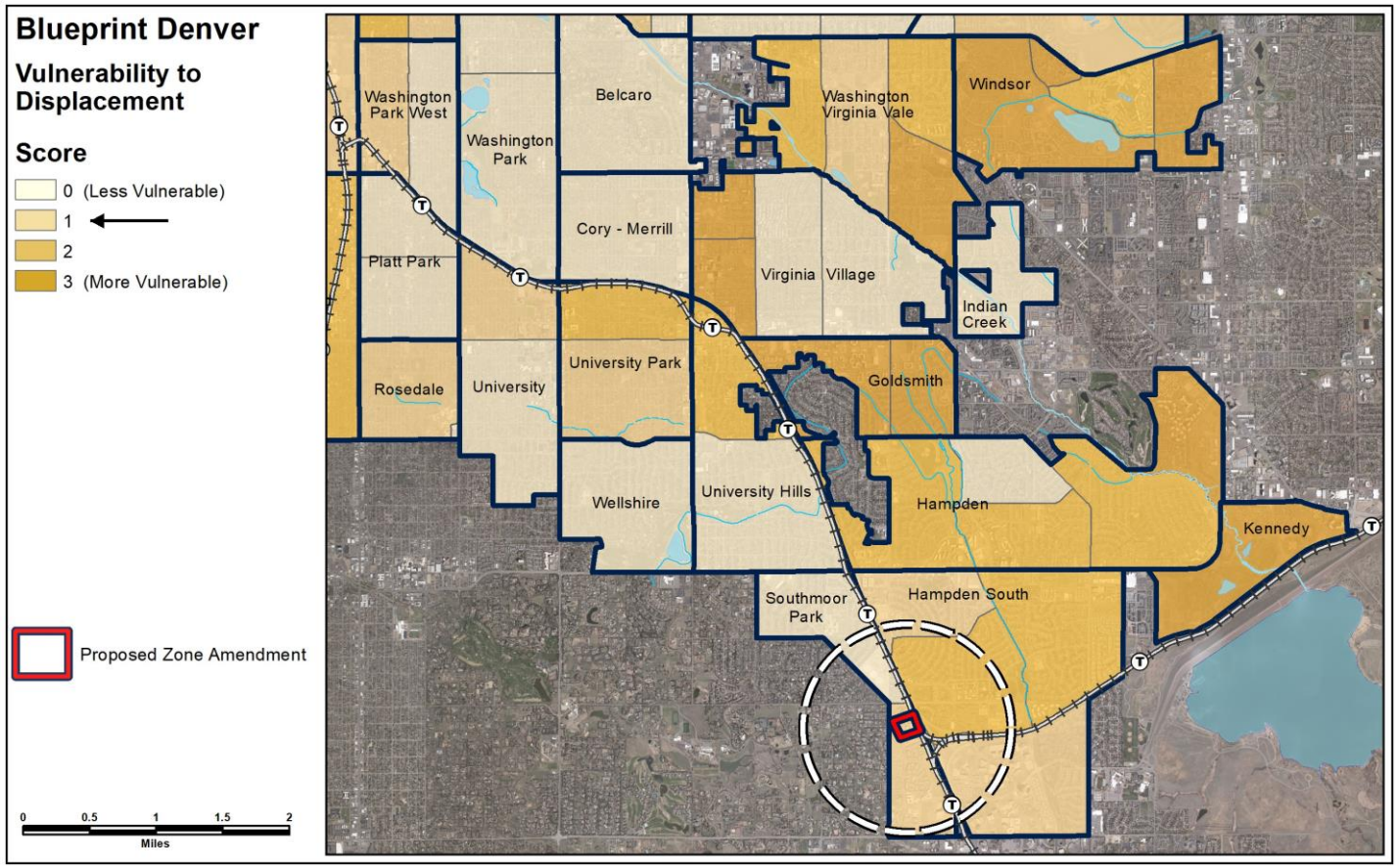
- Integrating these concepts into planning and implementation will help to create a more equitable Denver.

Blueprint Denver (2019) - Access to Opportunity



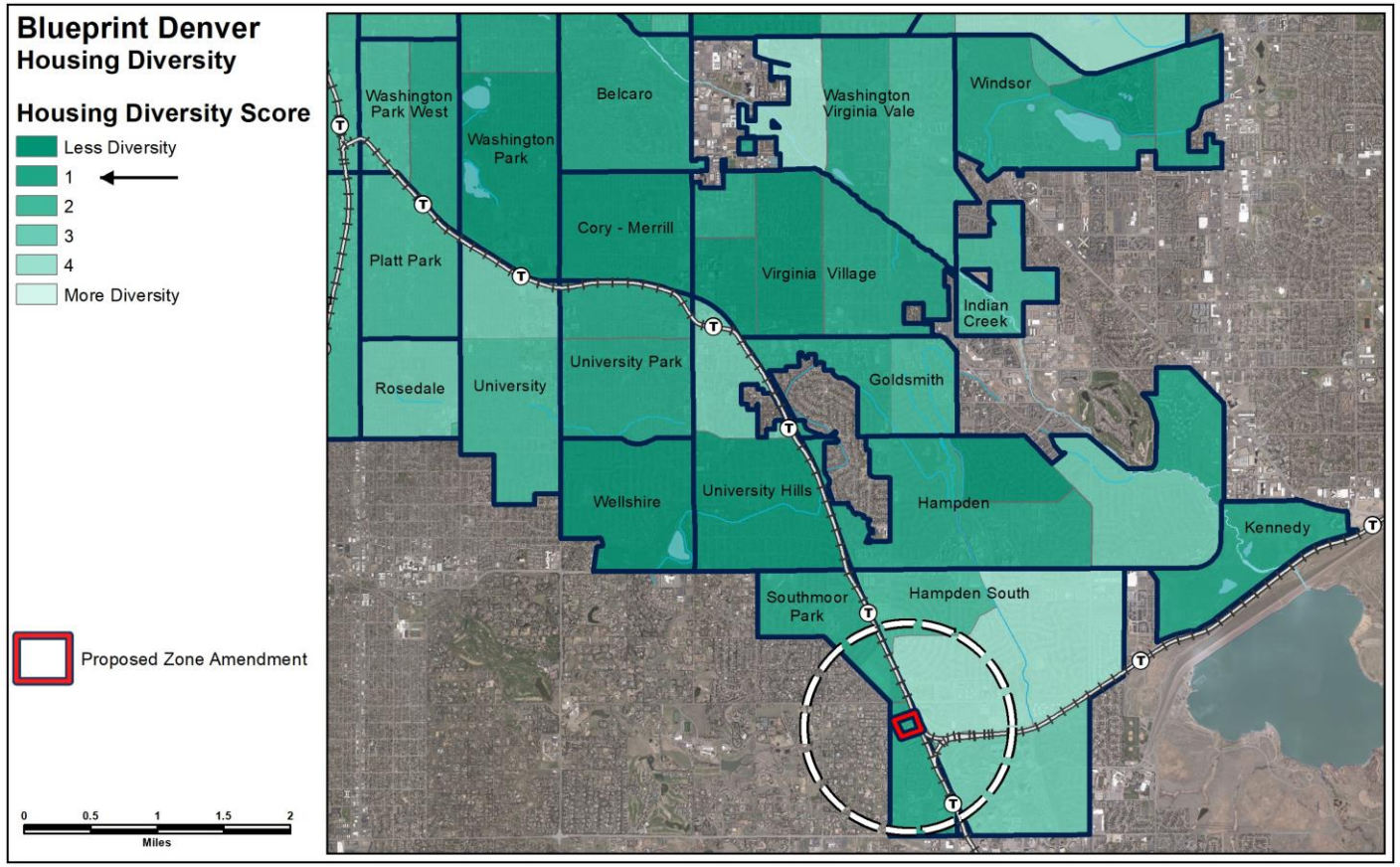
- High access to opportunity
- Less access to Parks and Fresh Foods

Blueprint Denver (2019) - Vulnerability to Involuntary Displacement



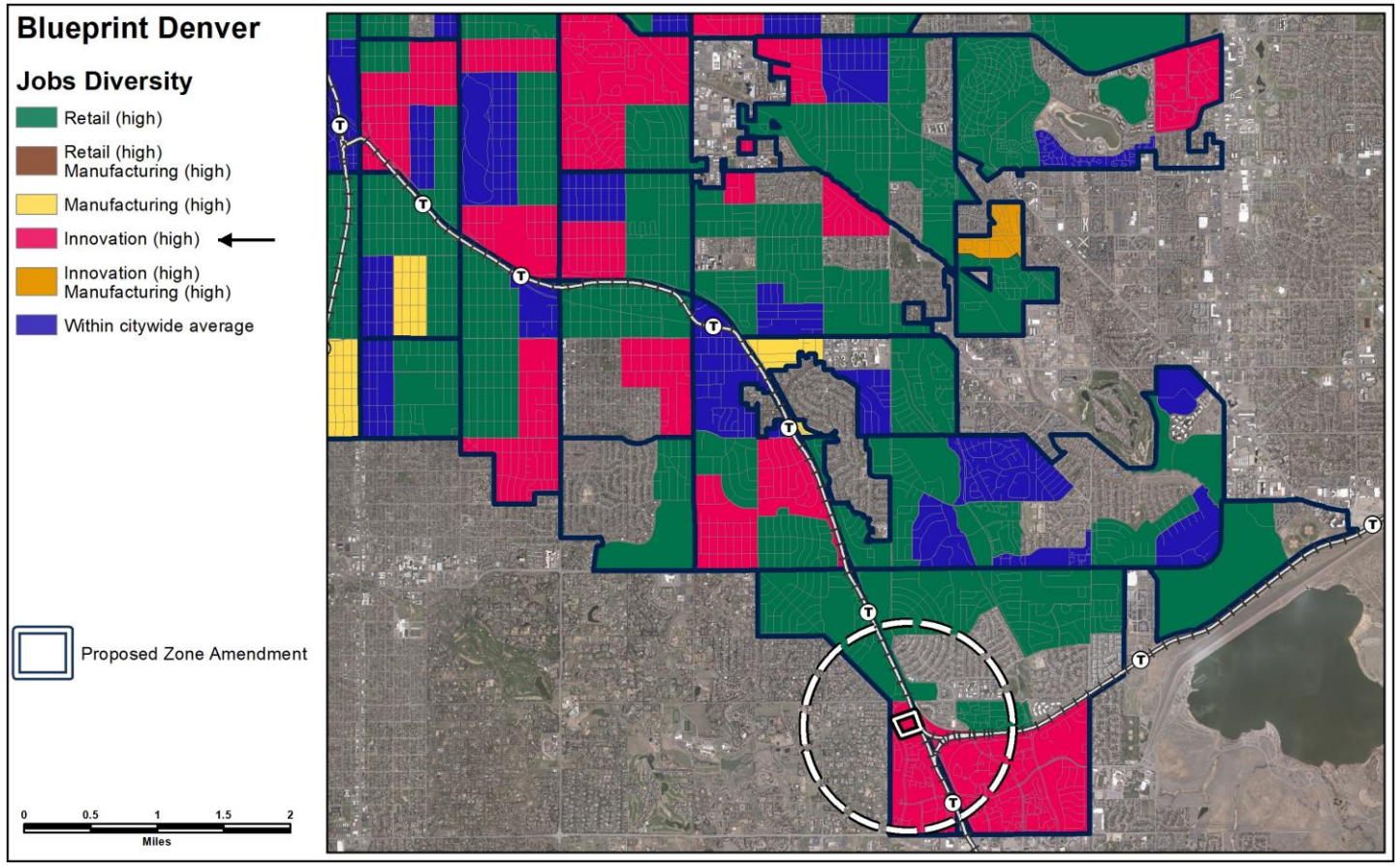
- Low vulnerability to involuntary displacement
- Higher-than-average percentage of renters

Blueprint Denver (2019) - Housing Diversity



- Less housing diversity
- Not diverse in terms of the diversity of housing costs

Blueprint Denver (2019) - Jobs Diversity



- The total number of jobs are 2,748 with 11.26 jobs per acre.
- Southmoor Park has 32% Retail jobs, 68% innovation Jobs and 8% Manufacturing Jobs. Innovation Jobs is significantly higher than city wide average.

HOST Five-Year Strategic Plan

- Goal 1: Expand access to affordable housing opportunities (P.31)

- Land acquisition and preservation Strategy: Pursue strategic acquisition of hotels and/or commercial properties for conversion/redevelopment into affordable housing (P.32).

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
   - Former Chapter 59 zoning
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

PUD Review Criteria

A. The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of the Zoning Code;

B. The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in Division 9.6;

C. The development proposed on the subject property is not feasible under any other zone districts, and would require an unreasonable number of variances or waivers and conditions;

D. The PUD District and the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property; and

E. The PUD District and the PUD District Plan establish permitted building forms that are compatible with adjacent existing building forms, or which are made compatible through appropriate transitions at the boundaries of the PUD District Plan

PUD Review Criteria

A. The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of the Zoning Code;

- *The rezoning will bring the site into the Denver Zoning Code while also allowing for a unique adaptive reuse for affordable housing.*

- *More efficient use of land and energy*

PUD Review Criteria

B. The PUD complies with all applicable standards and criteria for PUDs
   - *The PUD complies with all standards and criteria stated in Division 9.6.*

C. The development proposed on the subject property is not feasible under any other zone districts, and would require an unreasonable number of variances or waivers and conditions
   - *The PUD District is necessary because the current zoning is restrictive on residential uses and there is a need for more of a mix of districts and standards on the site that ensure adapted reuse of the existing structures and new development that follows S-MX-5.*

PUD Review Criteria

D. **The PUD establishes permitted uses that are compatible with existing land uses adjacent to the subject property**
   - *The proposed PUD-G 34 would allow uses that are allowed in S-MX-5 in the Denver Zoning Code.*

E. **The PUD establishes permitted building forms that are compatible with adjacent existing building forms.**
   - *The PUD District allows building heights and building forms that are compatible with the surrounding neighborhoods.*
   - *The proposed PUD-G 34 will utilize the S-CC-5 General building form for the existing site plan and S-MX-5 for future development, which are compatible with the building forms used in the neighboring area.*

CPD Recommendation

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

Standard Rezoning 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

PUD-Specific Rezoning Criteria

A. The PUD is consistent with the intent and purpose of PUDs;
B. The PUD complies with all applicable standards and criteria for PUDs;
C. The development proposed on the subject property is not feasible under any other zone districts, and would require an unreasonable number of variances or waivers and conditions;
D. The PUD establishes permitted uses that are compatible with existing land uses adjacent to the subject property; and
E. The PUD establishes permitted building forms that are compatible with adjacent existing building forms.