3821-3897 N Steele Street + 3800-3840 York Street

Request: From PUD-G 32; I-1, UO-2 with waivers; I-0 with waivers and conditions to I-MX-5, PUD-G 35 (amended version of PUD-G 32)

LUTI

Date: 08.27.2024

Presentation Agenda

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

Presentation Agenda

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Request: I-MX-5, PUD-G 35 (amended version of PUD-G 32)

- Property:
  - 31.46 acres
  - Rezone a portion of PUD-G 32 (“the quad”) and the larger York Street Yards Site into I-MX-5

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

Presentation Agenda

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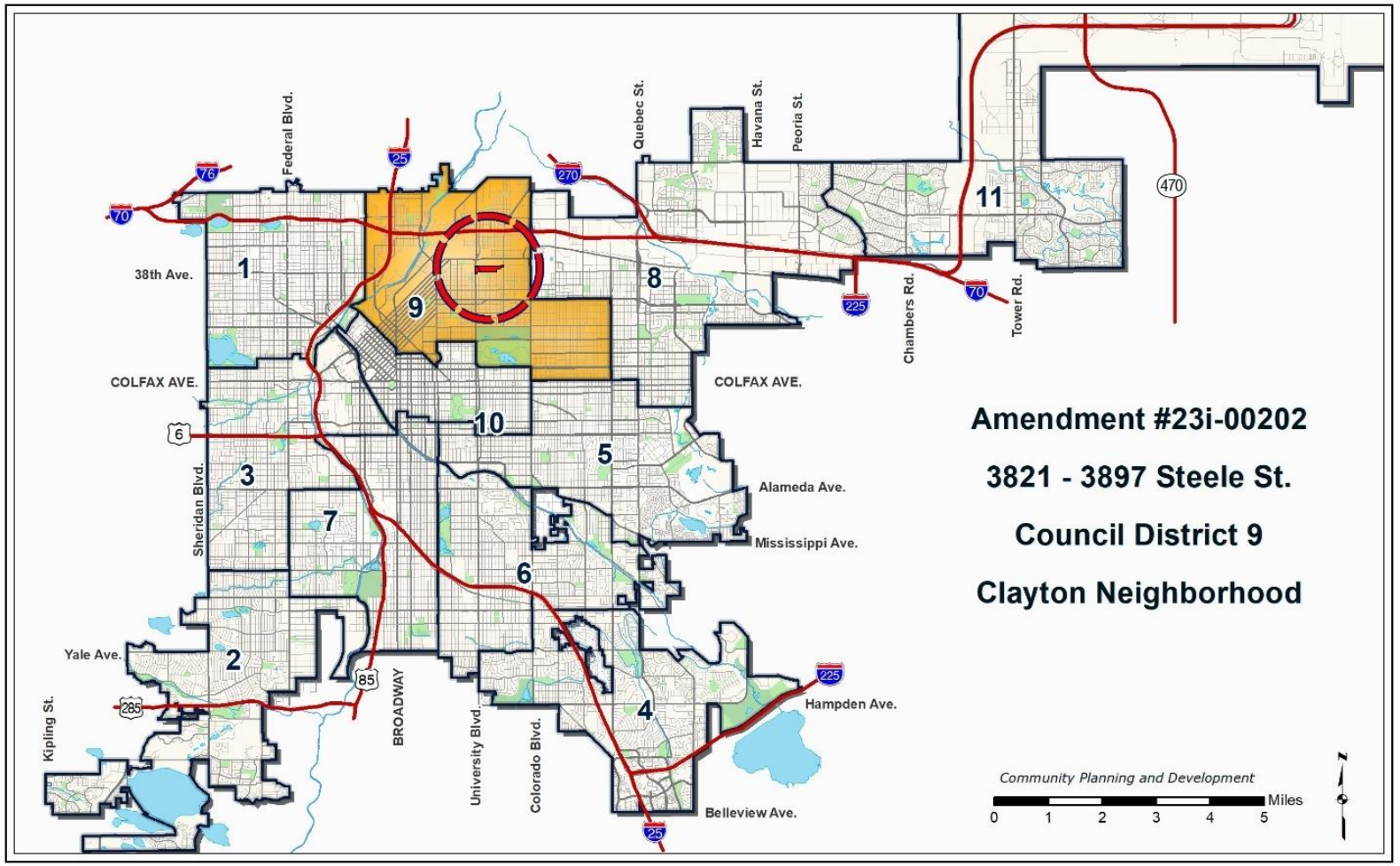
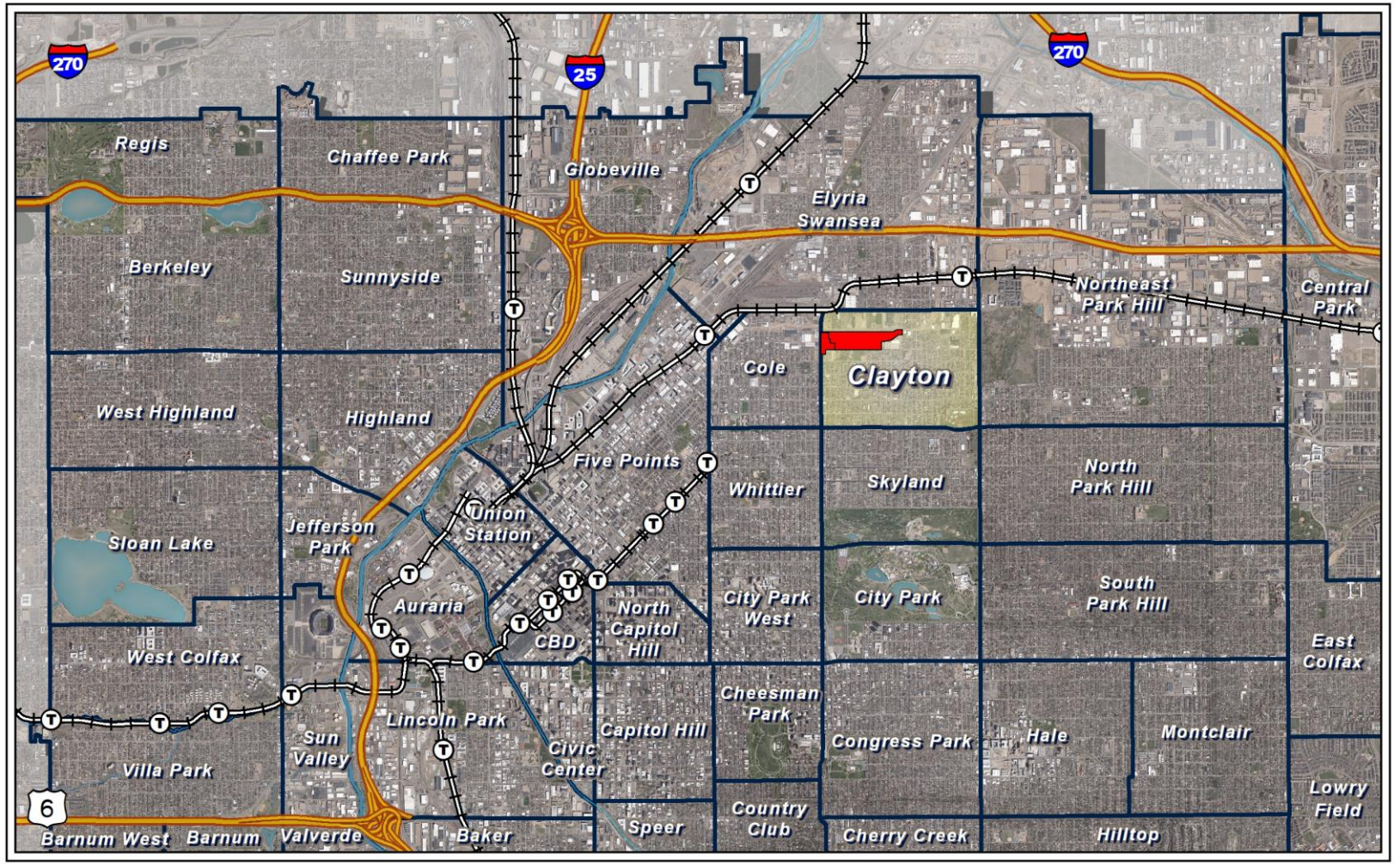
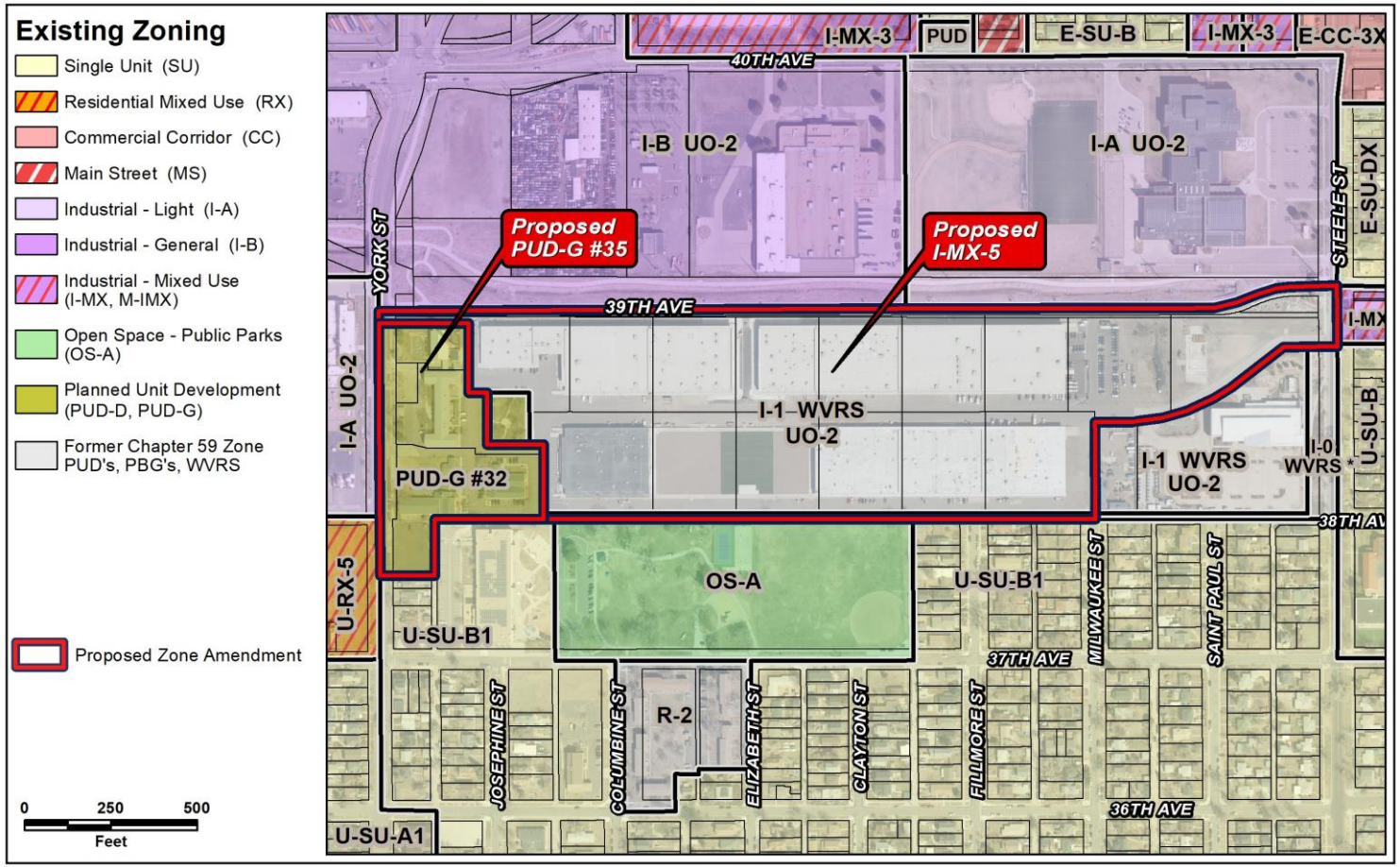
Council District 9 – Councilmember Watson



Statistical Neighborhood –Clayton



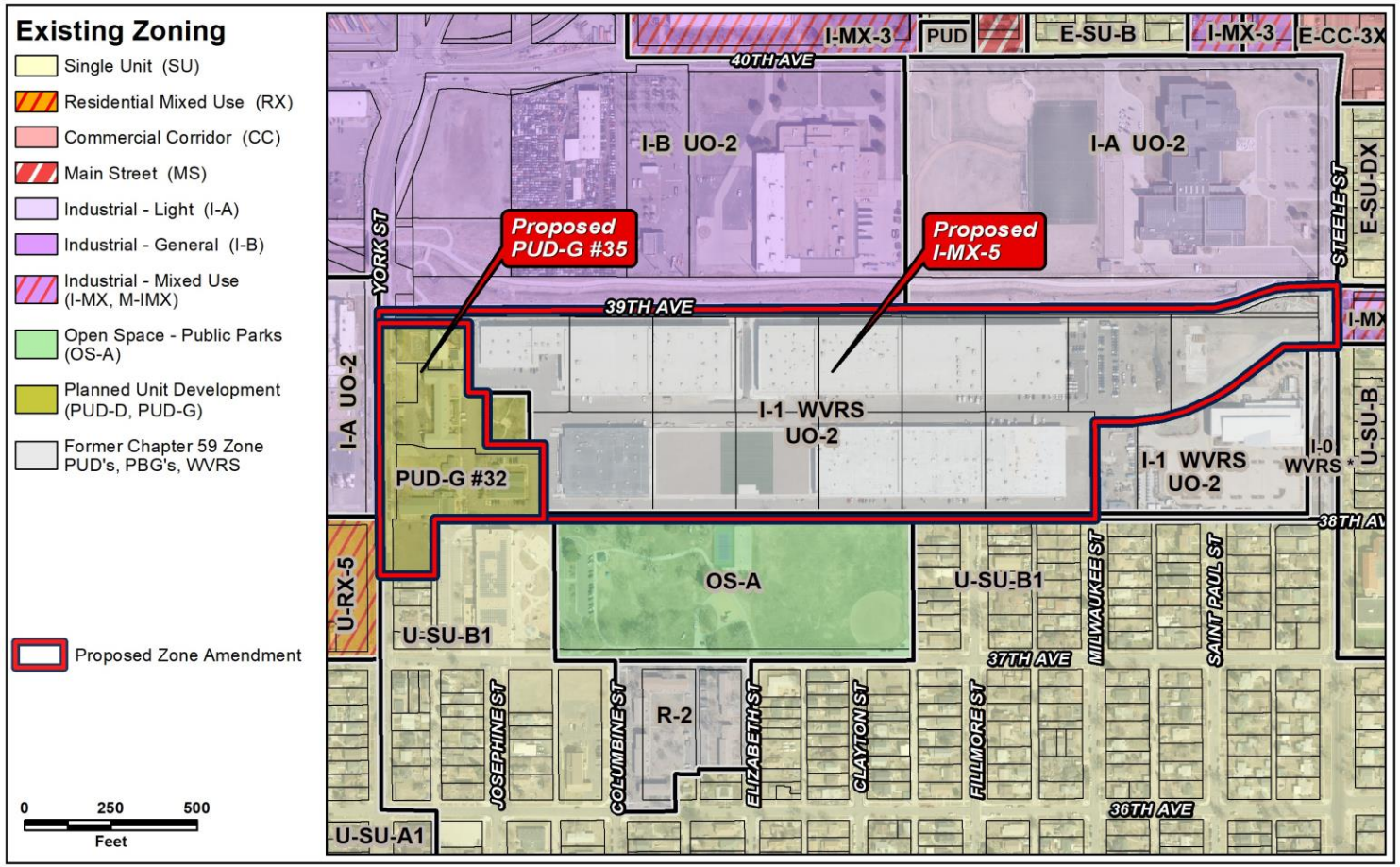
Existing Zoning – PUD-G 32; I-1, UO-2 with waivers; I-0 with waivers and conditions



Proximity to:

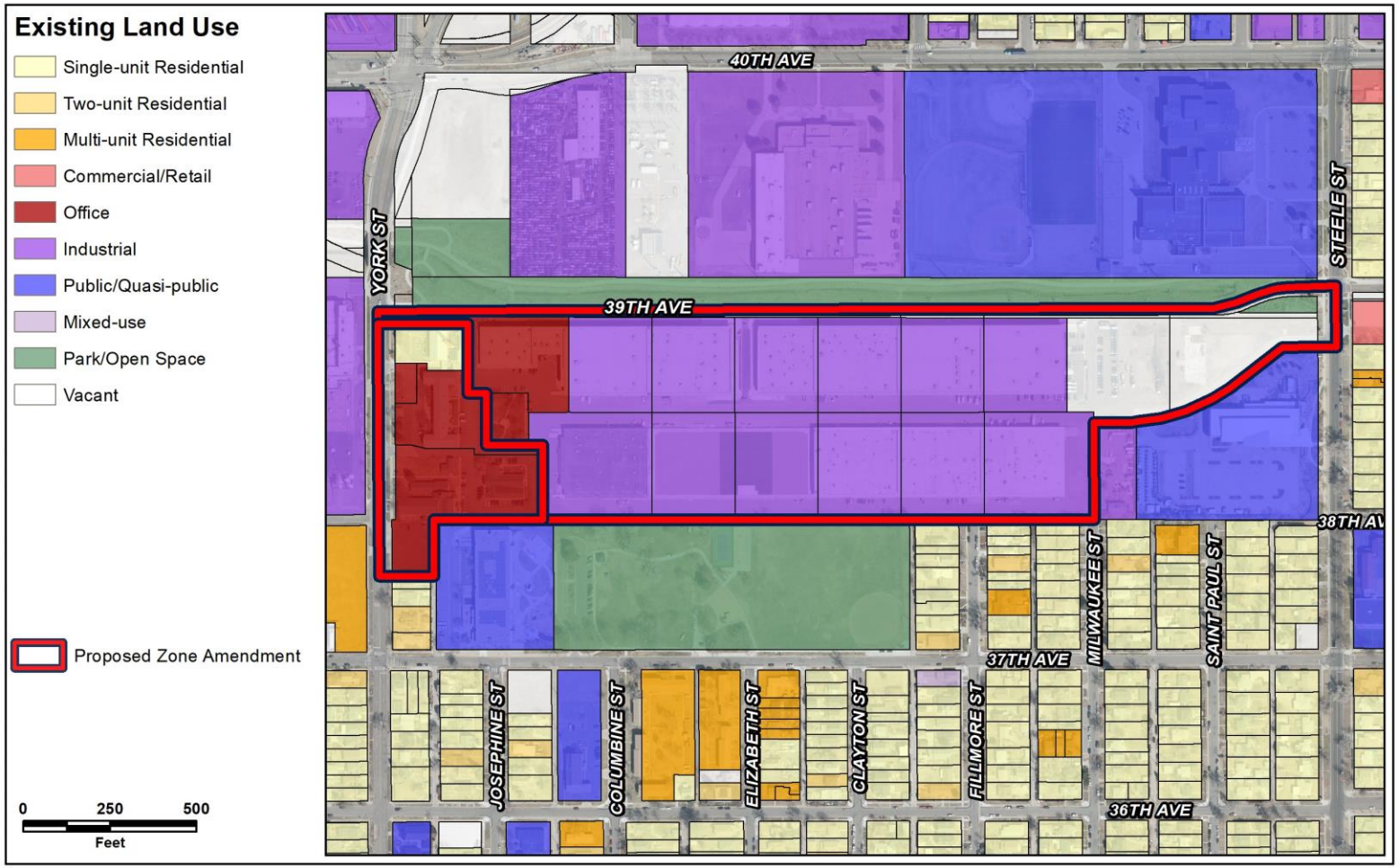
- I-A, UO-2
- I-B, UO-2
- I-MX-3
- OS-A
- U-SU-B1
- U-RX-5
- E-SU-DX

Proposed Zoning– PUD-G 35, I-MX-5



- No residential allowed in the current I-0 and I-1
- I-MX-5 would allow for a mix of industrial, commercial and residential uses (no limitation on the percentage of any use)
- I-1 and I-0 allow for 2.0 FAR
- I-MX allows 5 story building heights, or 7 stories with incentives

Existing Context – Land Use



Office, Industrial, and Vacant

Adjacent to:

- Open Space
- Industrial
- Single-unit Res
- Two-unit Res
- Multi-unit Res
- Public
- Commercial/Retail

Existing Context – Building Form/Scale

Agenda

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Process

- Determination non-applicability for LDR: **01/04/24**
- Informational Notice: **04/08/24**
- Planning Board Notice: **04/30/24**
- Planning Board Public Hearing: **05/15/24**
- LUTI Committee *(not moved forward):* **06/04/24**
- LUTI Committee: **08/27/24**
- City Council Public Hearing: **10/07/24 (tentative)**

Determination of Non-Applicability for LDR

The City's Development Review Committee (DRC) evaluated this project for applicability for Large Development Review (LDR) and determined that the LDR process is not required at this time. This determination has been made in accordance with Section 12.4.12.2 DZC.

Factors that contributed to this decision included:

- There is no proposal to redevelop the larger York Street Yards (3821-3895 N Steele Street) at this time
- Factors for the development of the parcel proposed for affordable housing development can be adequately resolved through the standard rezoning and site development plan process.

Public Comments

- RNOs
  - 1 letter of support from Clayton United RNO
- General Public
  - 76 comment letters of support
  - 1 comment letter from Historic Denver expressed concern about the lack of a historic preservation tool; they are currently developing an MOU to address this concern

Staff Recommendation at Planning Board

For the May 15, 2024 Planning Board public hearing, **staff recommended approval with the condition** that the application be amended to include a waiver that would have limited residential uses to a maximum of 70% of the total gross floor area of the site. The waiver would have applied to the portion of the site proposed to be rezoned to I-MX-5.

Planning Board Recommendation

- Planning Board held a hearing on this item on 5/15/24
- The board voted unanimously (7-0) to recommend approval without the condition to modify the application to add a waiver

The applicant decided to move forward without any modifications to the application.

Planning Board Document of Deliberation

Planning Board produced a document of deliberation that is attached to the staff report. Key themes included:

- The challenging mechanics of the proposed waiver
- Interest in a future text amendment to adjust I-MX
- Height guidance discrepancy between the Neighborhoods Plan and Blueprint Denver
- Community support for the rezoning application

Updated CPD Staff Recommendation

Staff recommends approval of this application, and recommends that the Land Use, Transportation and Infrastructure Committee move Application #2023I-00202 forward for consideration by the full Denver City Council.

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Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
   - *Comprehensive Plan 2040 (2019)*
   - *Blueprint Denver (2019)*
   - *Elyria & Swansea Neighborhoods Plan (2015)*
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

Additional criteria for the remaining PUD in the staff report

Comprehensive Plan 2040

Rezoning is consistent with goals related to affordable housing, infill development, and urban design

Denver Zoning Code Review Criteria

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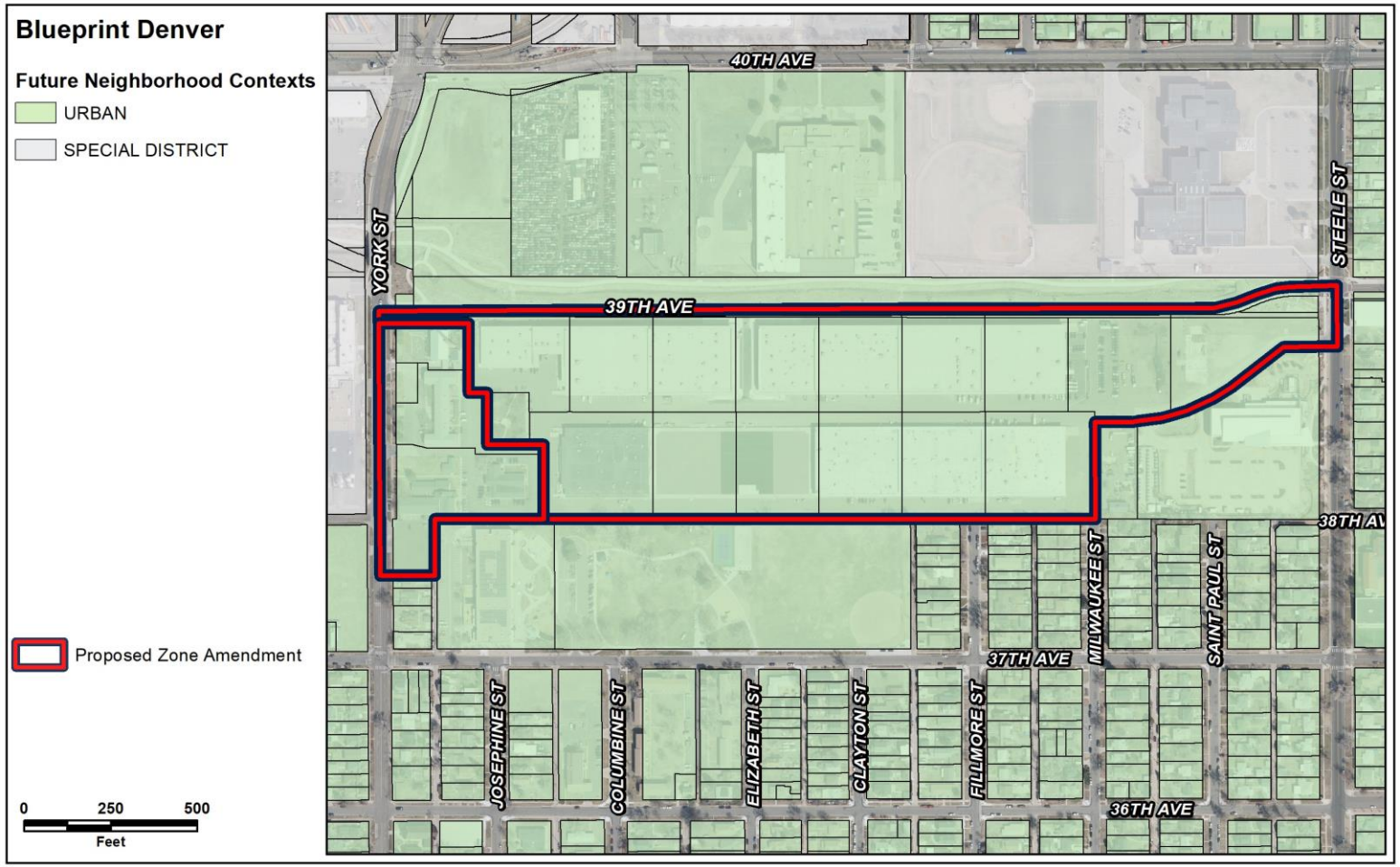
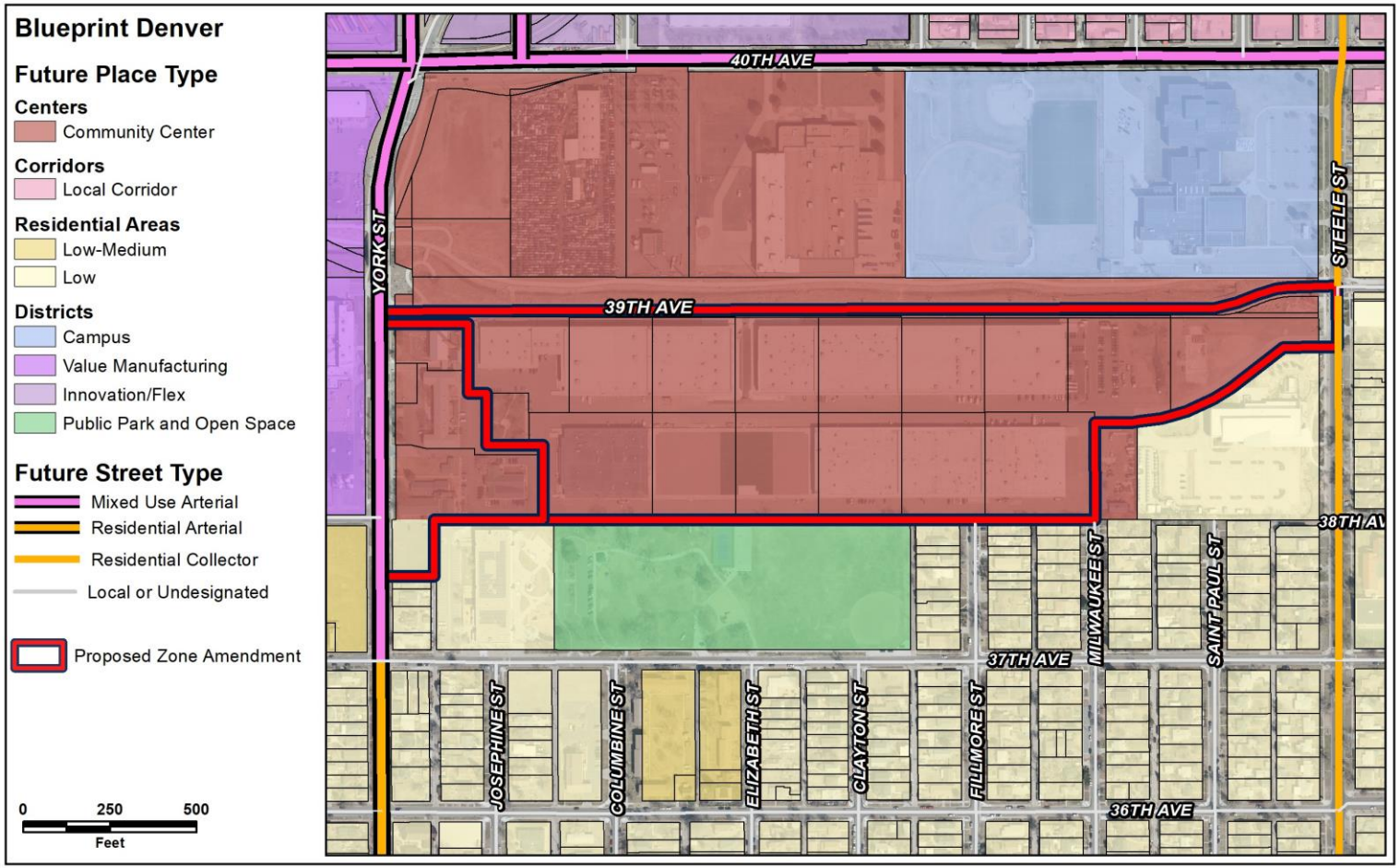
Additional criteria for the remaining PUD

Blueprint Denver (2019)



- **Urban** - Mix of uses, good street activation and connectivity
- I-MX-5 zone district is within the “Districts” neighborhood context
- I-MX-5 adheres to the existing character of the neighborhood and promotes a mix of uses

Blueprint Denver (2019)



Community Center

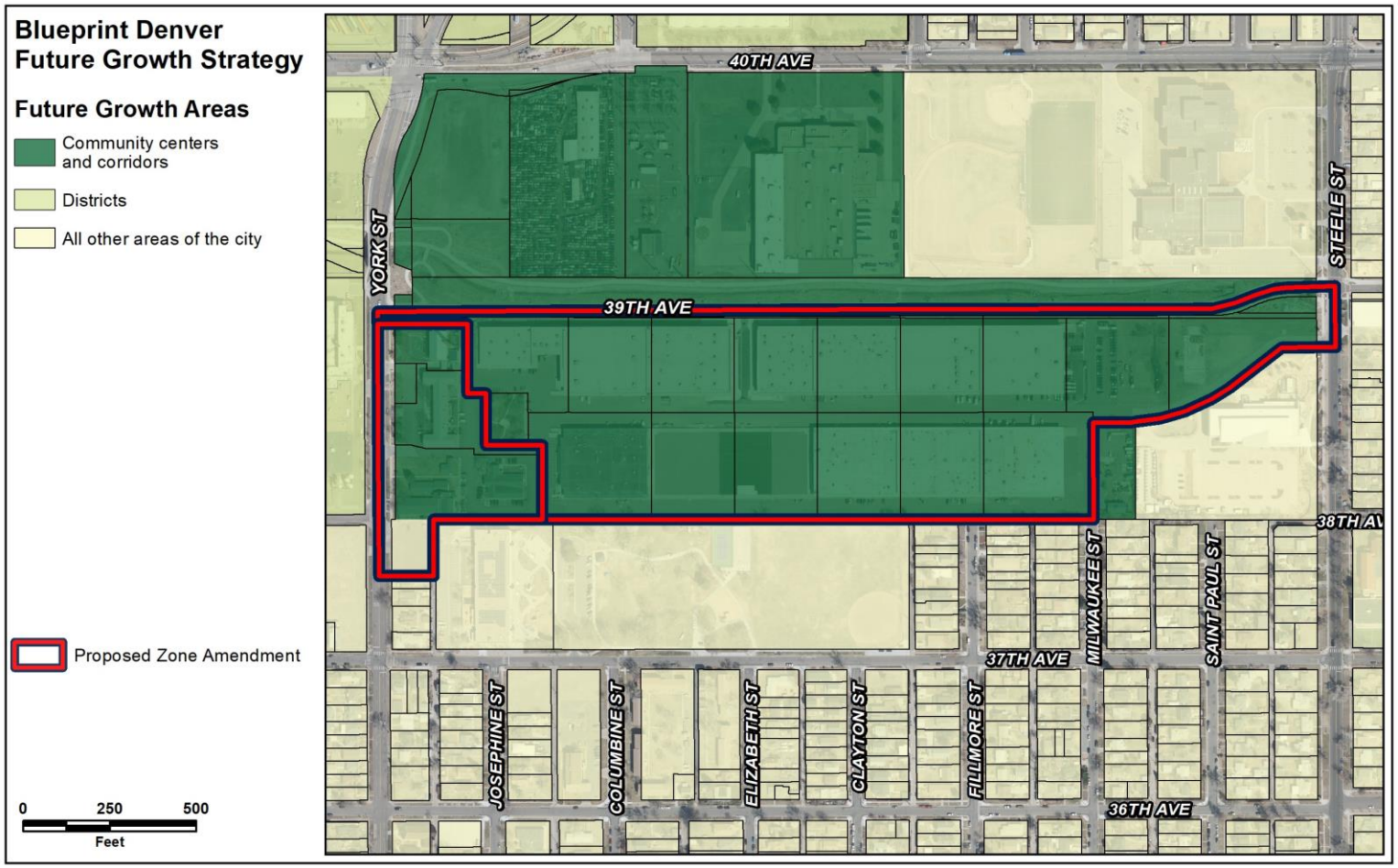
- Mix of office, commercial, residential
- Buildings larger in scale and orient to street or public space
- Strong degree or urbanism
- Up to 5 stories; though Blueprint defers to small area plan guidance on height

Future Street Types

- York St – Mixed Use Arterial
- Steele St – Residential Collector

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: 20% of new employment and 25% of new housing by 2040 (p. 51)

- 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.

Denver Zoning Code Review Criteria

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Elyria & Swansea Neighborhoods Plan (2015)

The neighborhood plan indicates:

- Mixed-use
- A maximum building height of 3 stories

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
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CPD Staff Recommendation

Staff recommends **approval** of this application, and recommends that the Land Use, Transportation and Infrastructure Committee move Application #2023I-00202 forward for consideration by the full Denver City Council.