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)

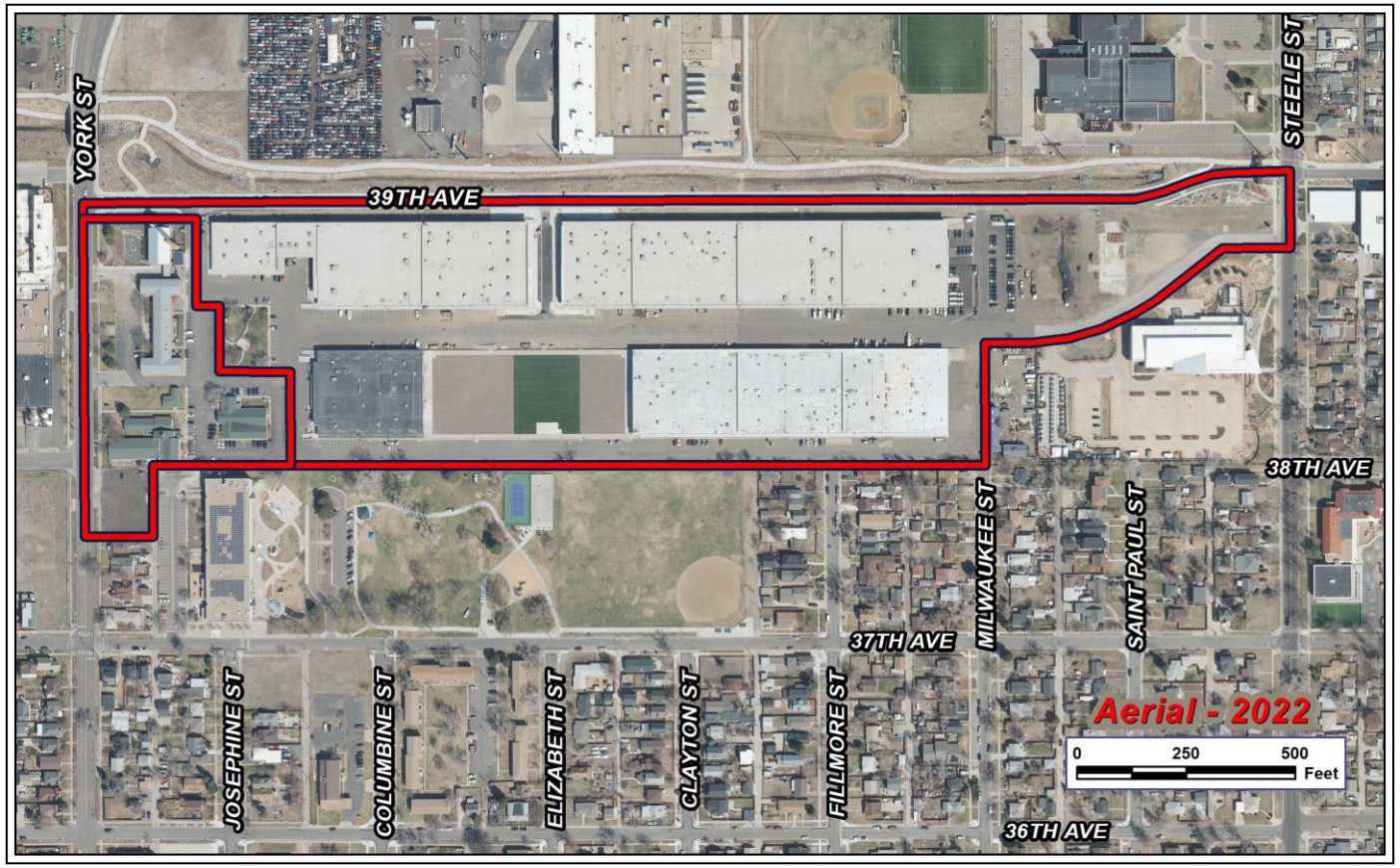
City Council

Date: 10.14.2024

Presentation Agenda

- Request
- Location and Context
- Process
- Review Criteria

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

- Request
- Location and Context
- Process
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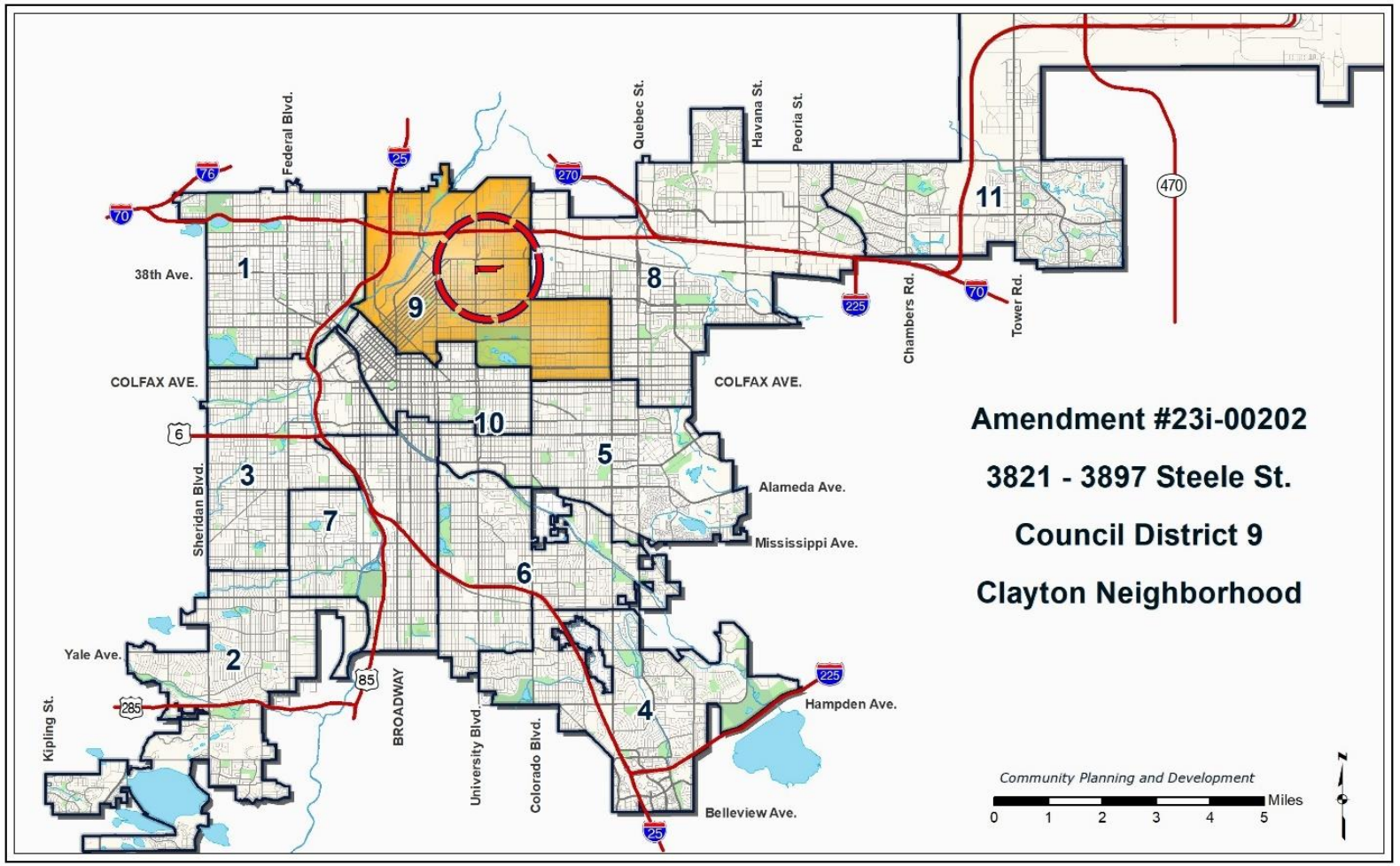
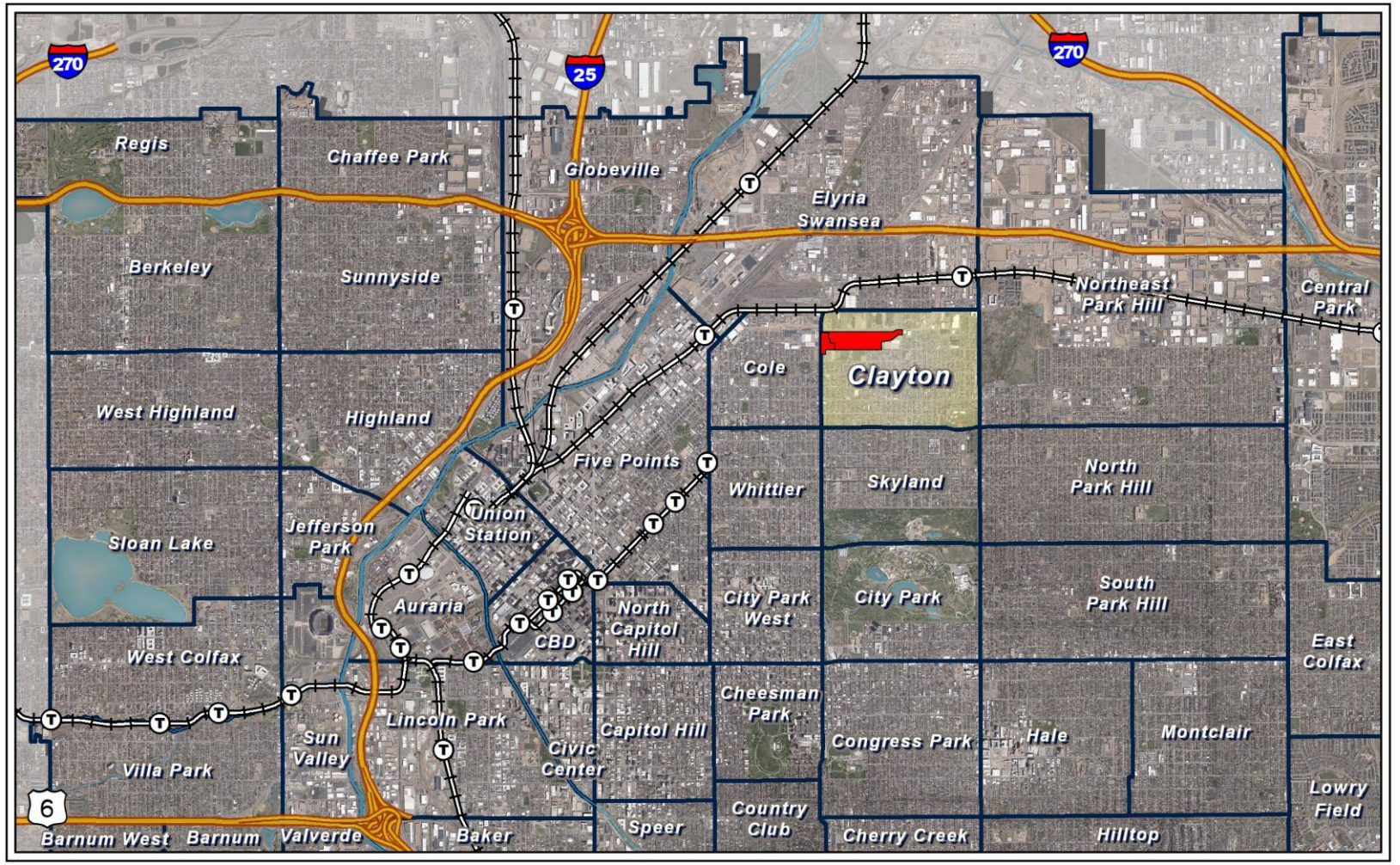
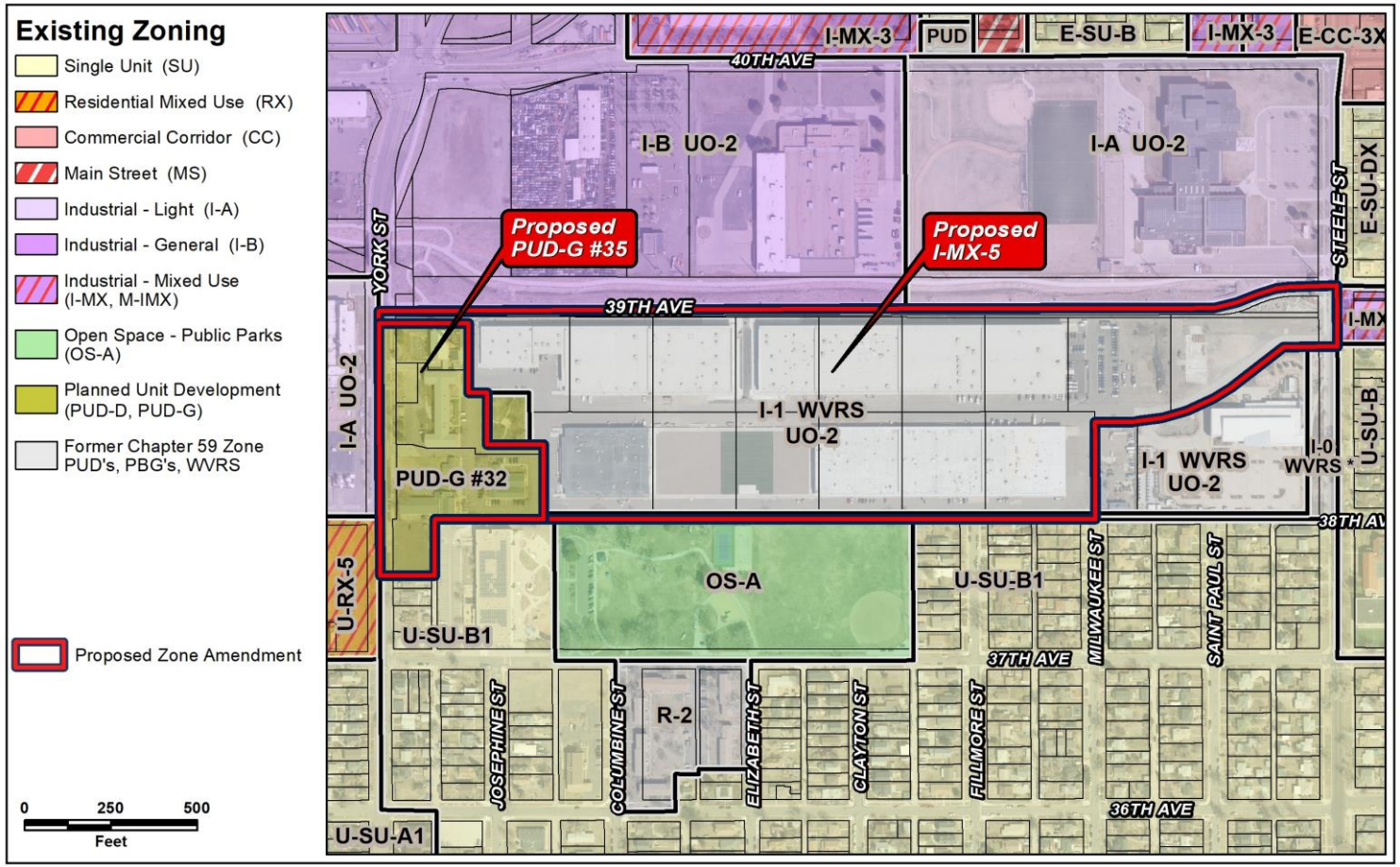
Council District 9 – Councilmember Watson



Statistical Neighborhood –Clayton



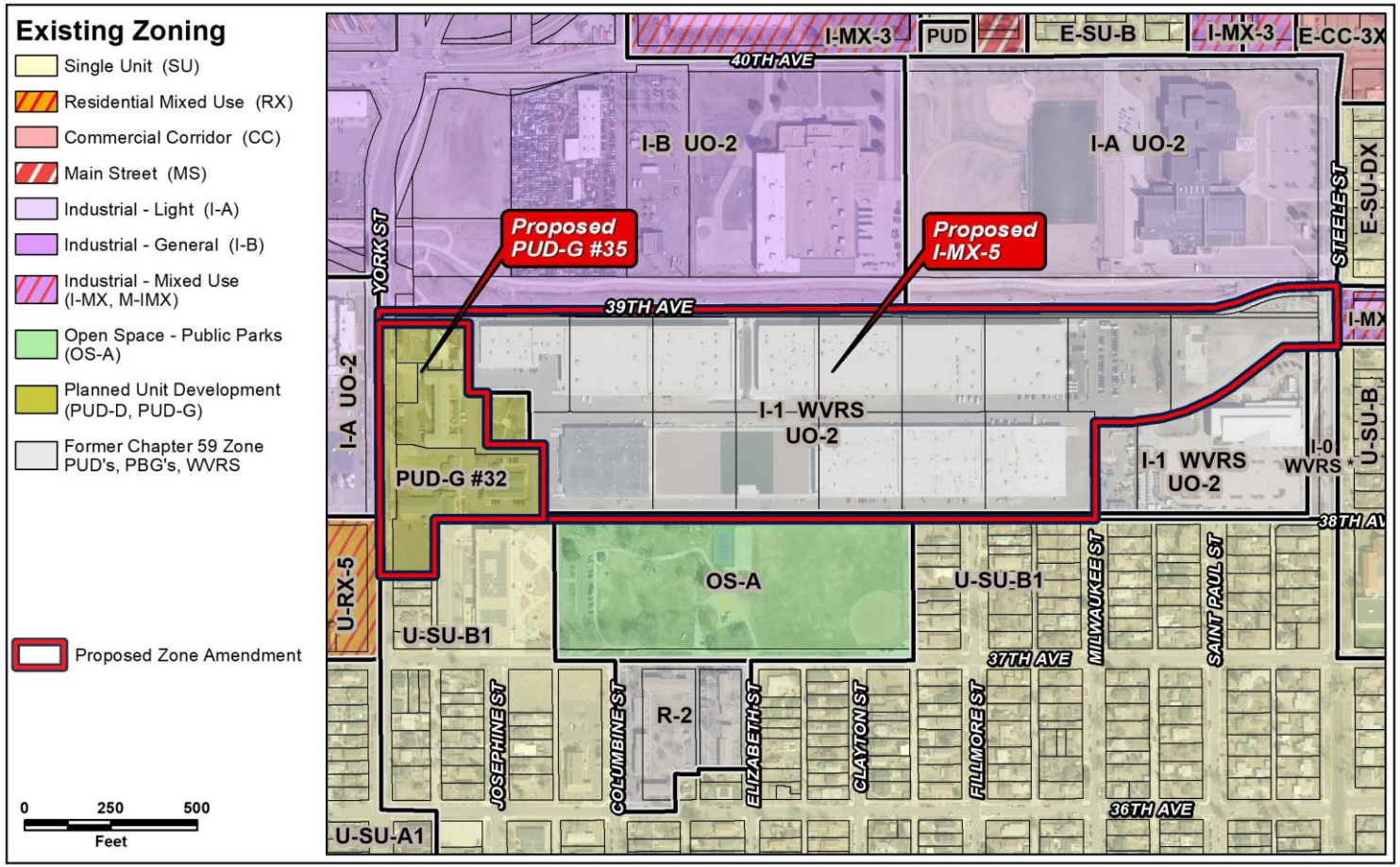
Existing Zoning – PUD-G 32; I-1, UO-2 with waivers; I-0 with waivers and conditions



Proximity to:

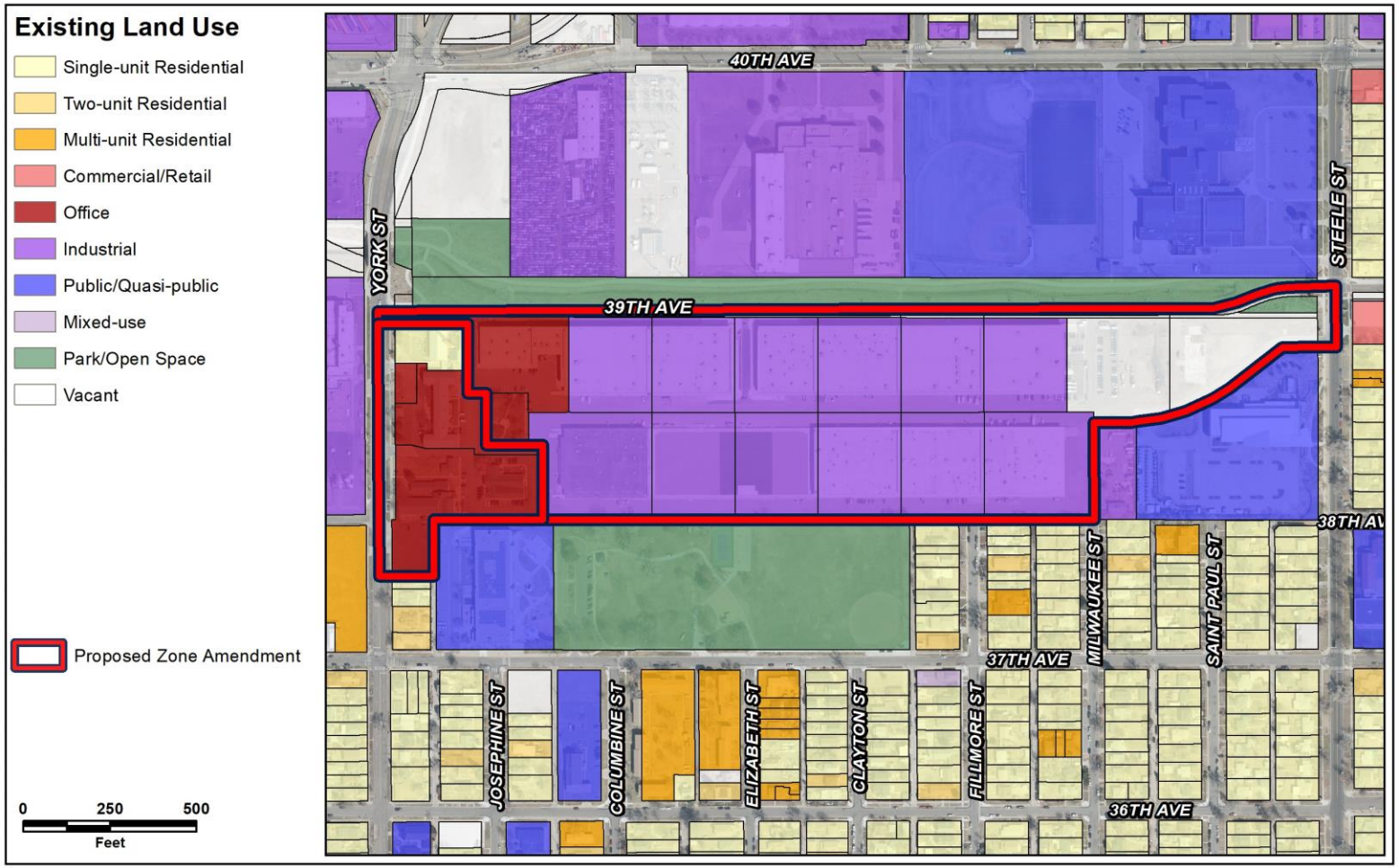
- I-A, UO-2
- I-B, UO-2
- I-MX-3
- OS-A
- U-SU-B1
- U-RX-5
- E-SU-DX

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

- Request
- Location and Context
- Process
- Review Criteria

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 *(not moved forward):* **08/27/24**
- LUTI Committee*:* **09/10/24**
- City Council Public Hearing: **10/14/24**

Public Comments

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

Planning Board

- Planning Board held a hearing on this item on 5/15/24
- At this time, staff recommended approval with the condition that the application be amended to include a waiver that would have limited residential uses
- 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 produced a document of deliberation that is attached to the staff report.

Updated CPD Staff Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2023I-00202.

Presentation Agenda

- Request
- Location and Context
- Process
- Review Criteria

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 – Consistent Goals

- Increase development of housing units close to transit and mixed-use developments.
- Create a greater mix of housing options in every neighborhood for all individuals and families.
- Ensure neighborhoods offer a mix of housing types and services for a diverse population.
- Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities.
- Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture, and quality of life.
- Promote infill development where infrastructure and services are already in place.

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
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   - *Blueprint Denver (2019)*
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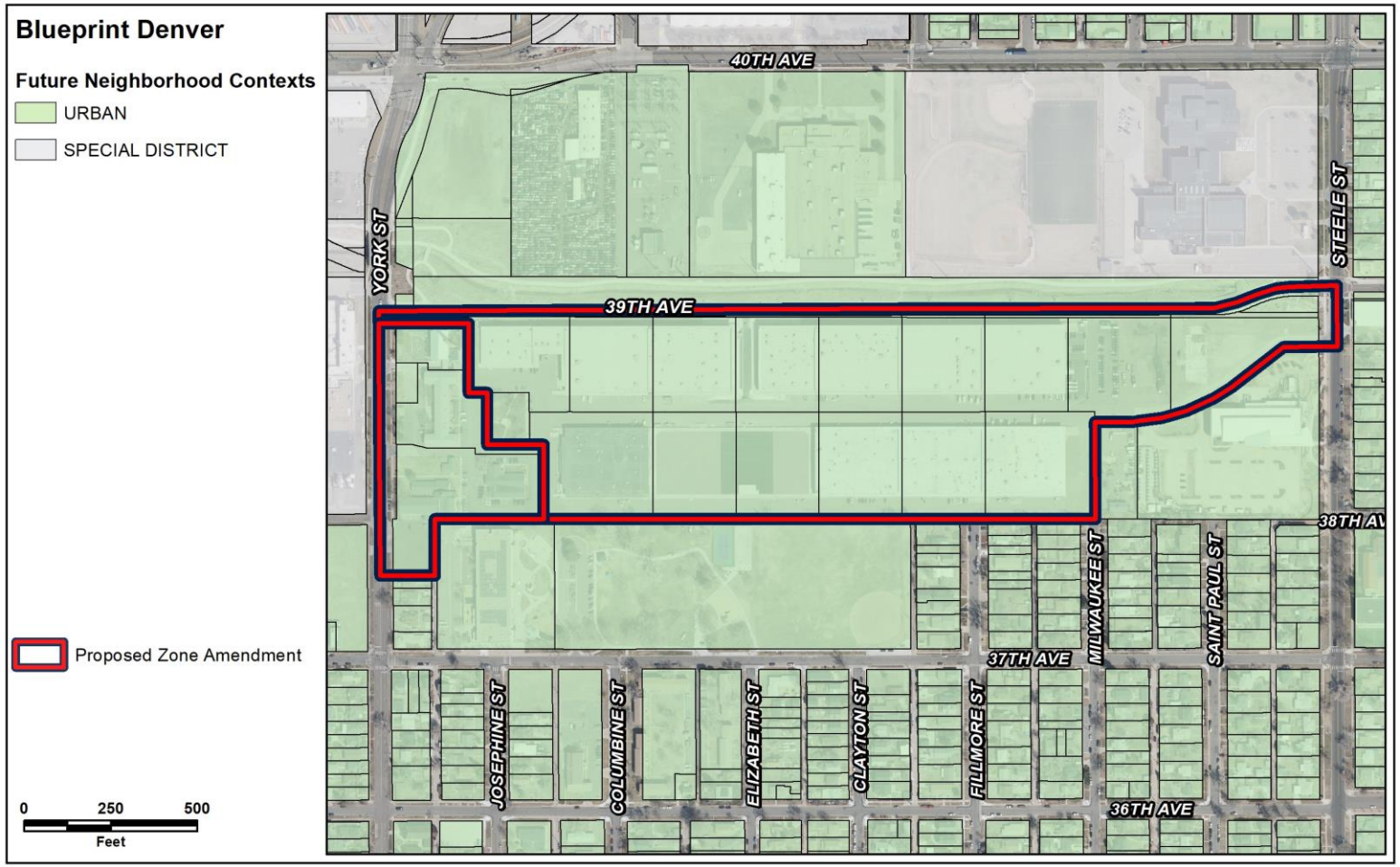
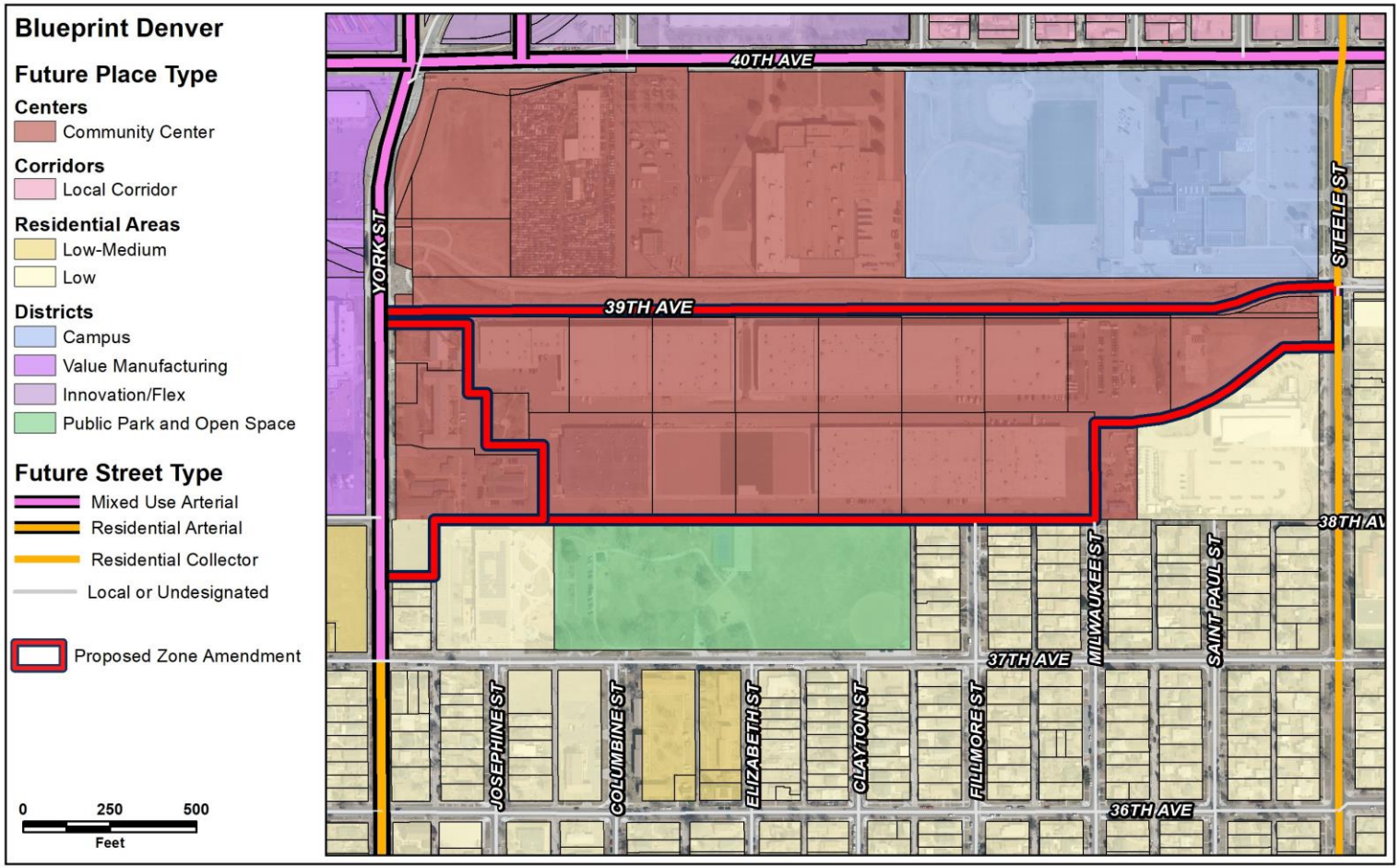
Additional criteria for the remaining PUD

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

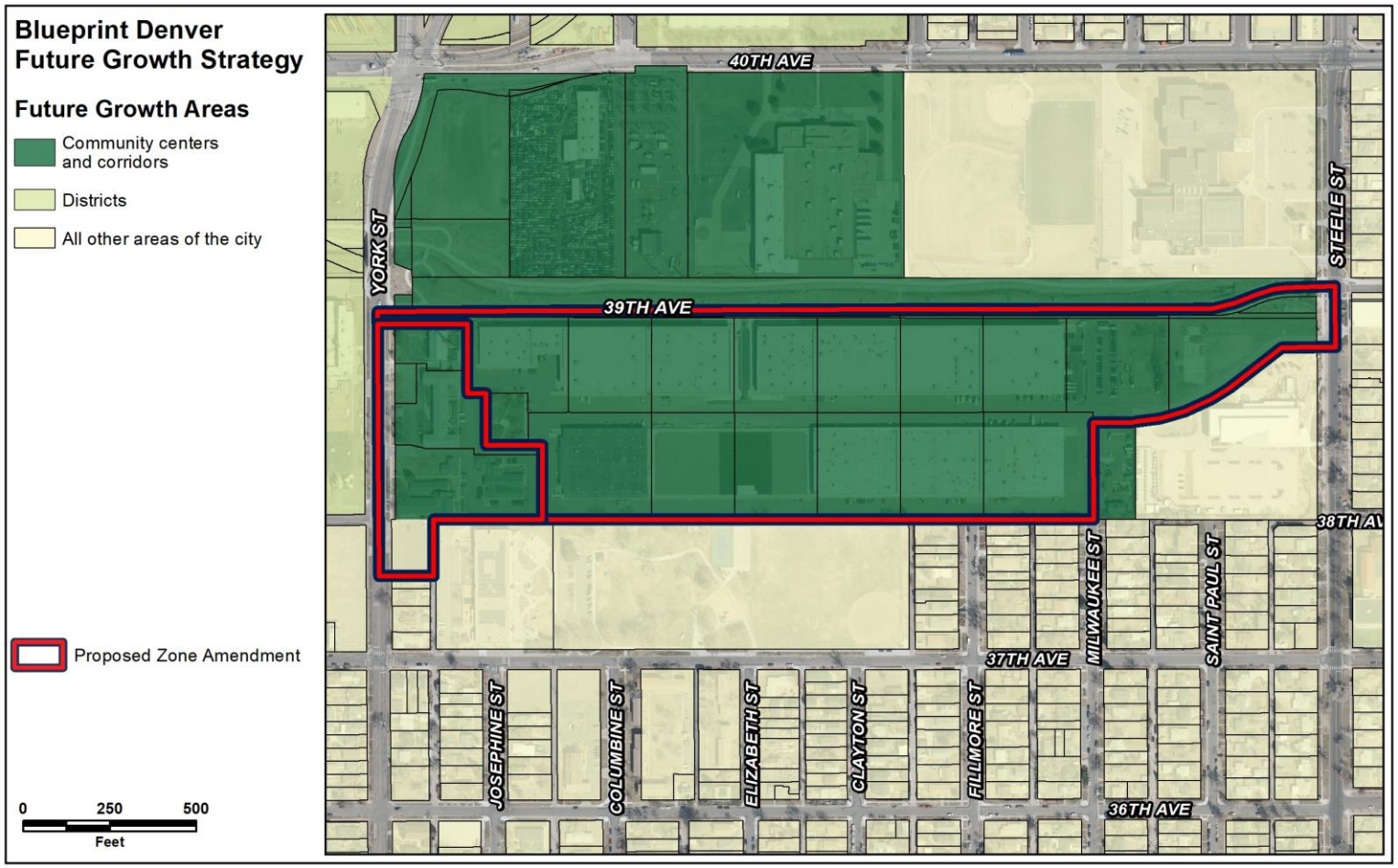
- Mix of office, commercial, residential
- Buildings larger in scale and orient to street or public space
- Strong degree or urbanism
- Up to 5 stories; though Blueprint defers to small area plan guidance on height

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.

Blueprint Denver (2019) – Building Heights

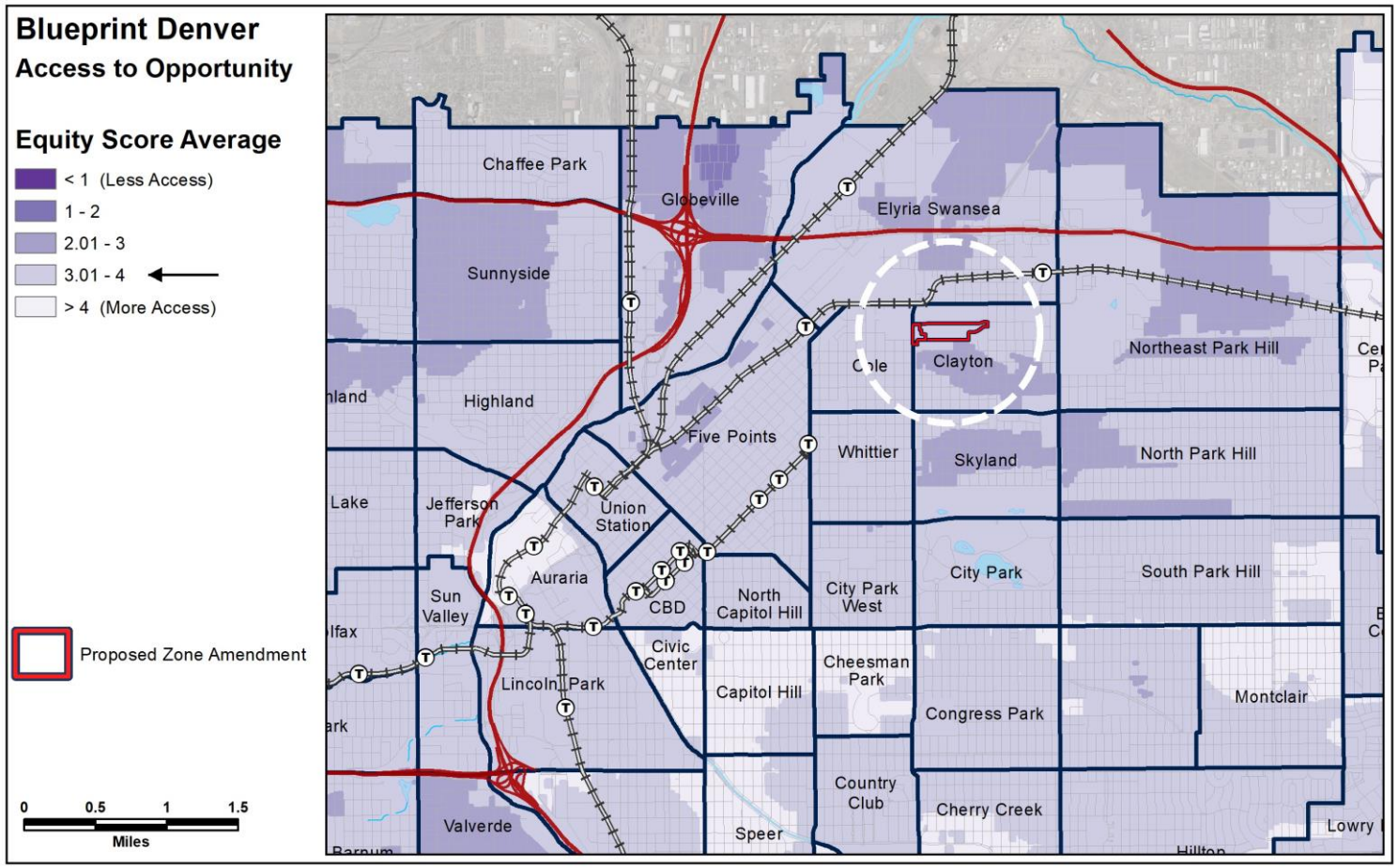
"Blueprint Denver is a citywide plan, and therefore cannot provide specific detailed guidance on all aspects of a place. **Small area plans will provide more certain height guidance through maps of proposed building height"** (p.66)

Blueprint Denver (2019) – Equity Analysis

Blueprint Denver Contains Three Major Equity Concepts

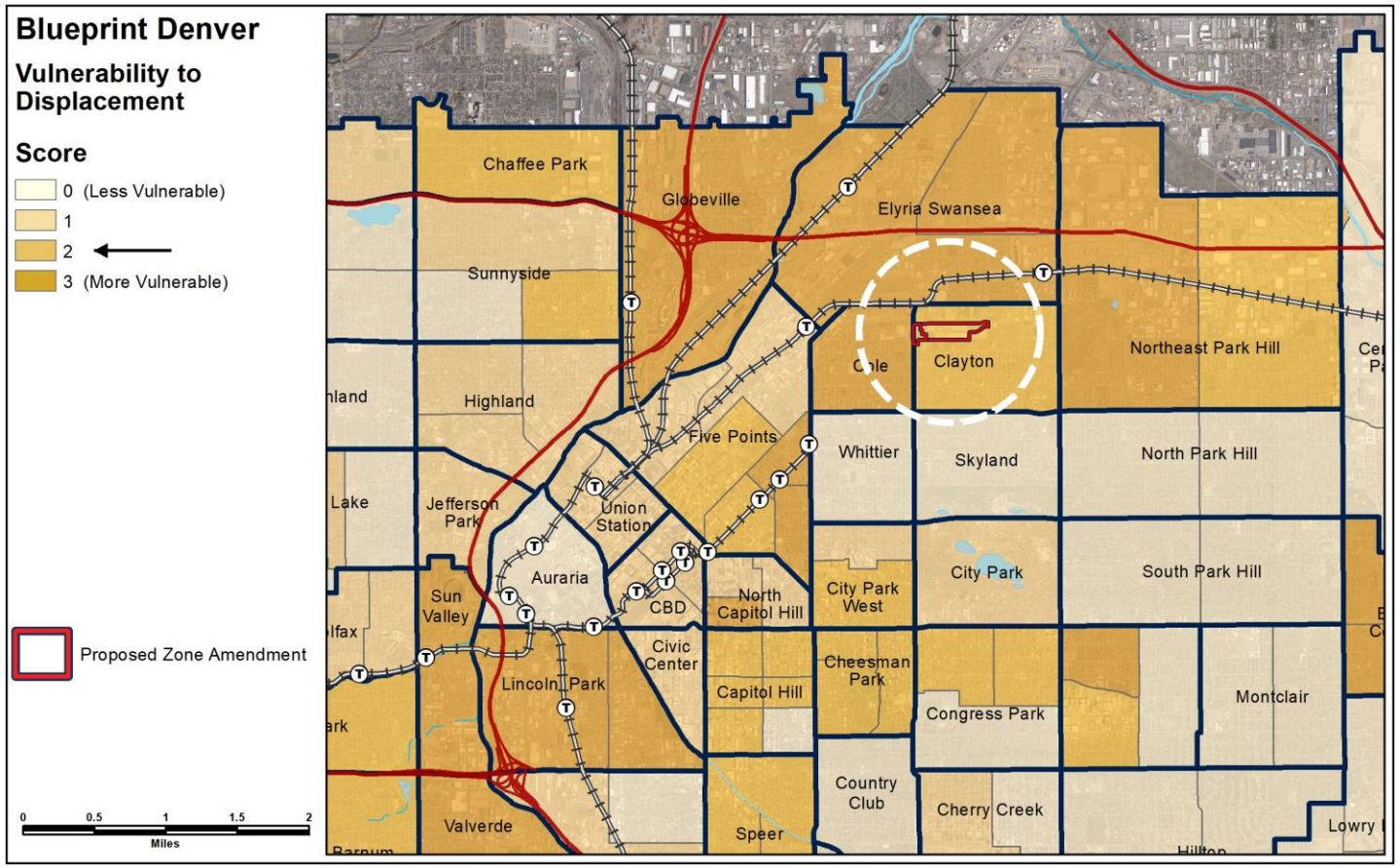
- Integrating these concepts into planning and implementation will help to create a more equitable Denver.

Blueprint Denver (2019) – Access to Opportunity



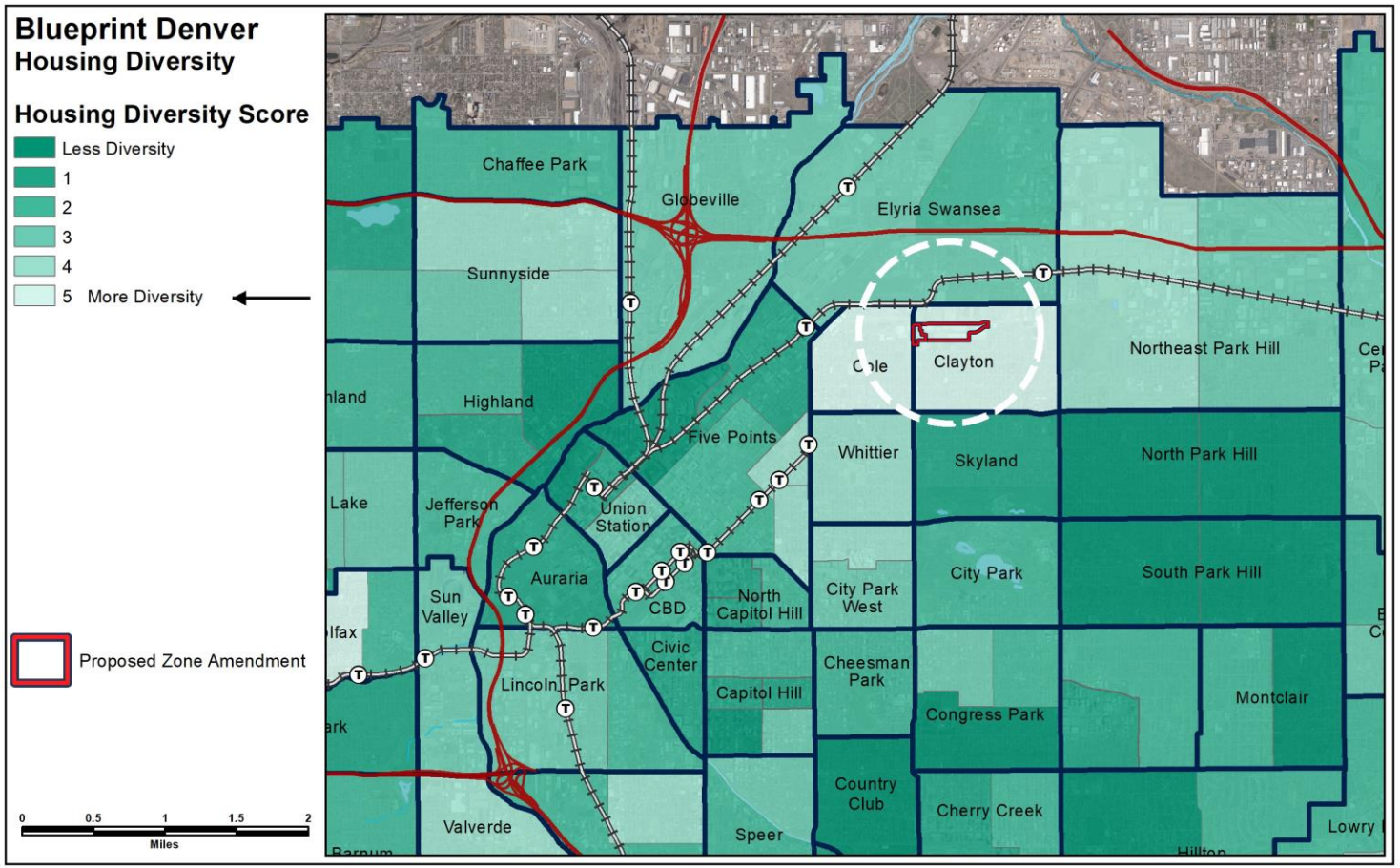
- Moderate-to-high access to opportunity
- Higher-than-average percentage of children with obesity and incomes below the poverty line
- Lower-than-average life expectancy and access to fresh food

Blueprint Denver (2019) – Vulnerability to Displacement



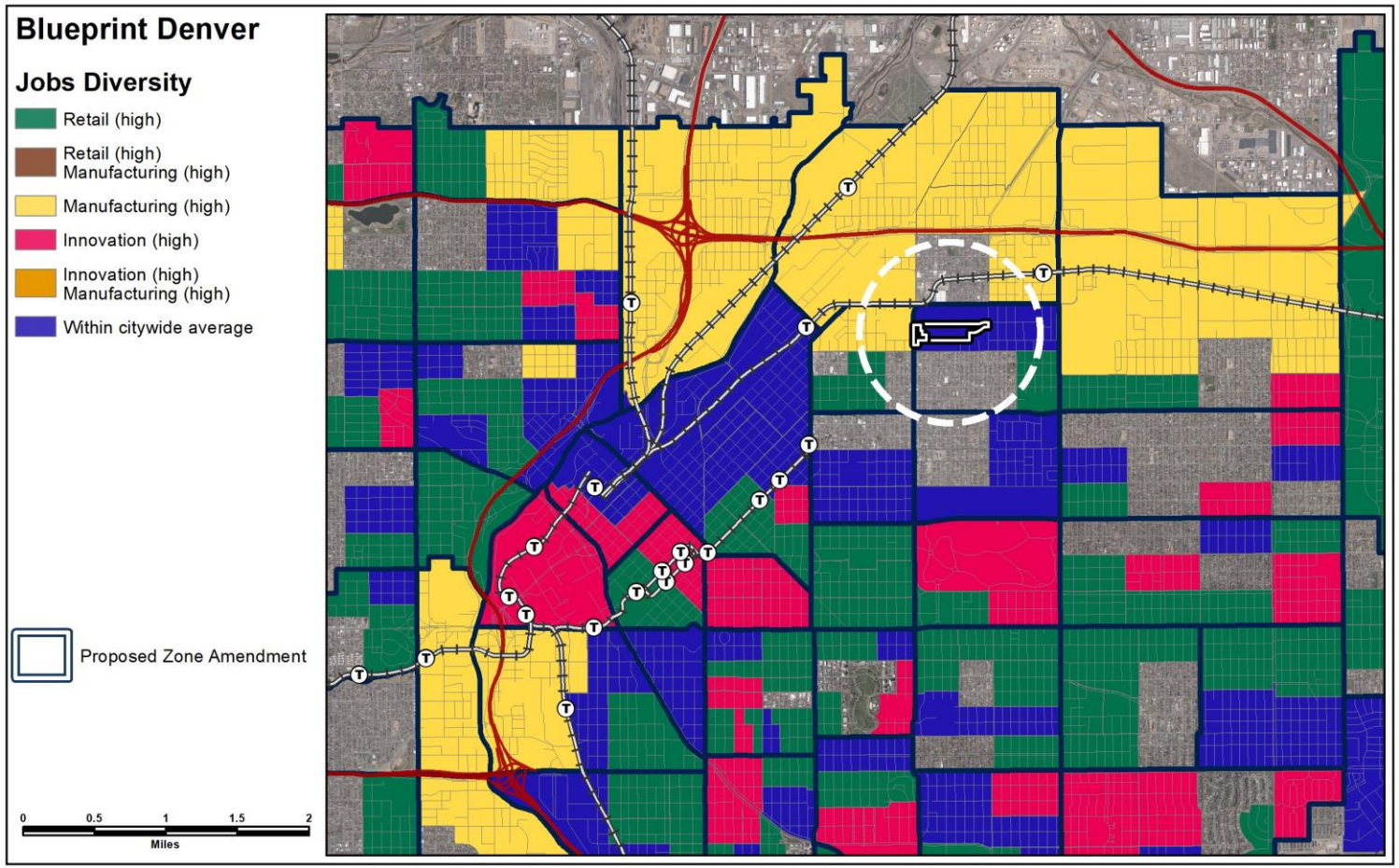
- Moderate-to-high vulnerability to involuntary displacement
- Lower-than-average median household incomes
- Higher than average percentage of people without a college degree

Blueprint Denver (2019) – Housing Diversity



- High Housing diversity
- Higher than average amount of “missing middle” housing
- Higher than average diversity of bedroom count per unit
- Diverse mix of owners and renters
- Diverse mix of housing costs
- Higher than average amount of income restricted units

Blueprint Denver (2019) – Jobs Diversity



- Significantly more manufacturing jobs (25%) than the city-wide average of 10%.
- More Innovation jobs than the city-wide average – 38% compared to 35%.
- The total number of jobs are 1,070, with 4.9 jobs per acre.

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

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
2. Uniformity of District Regulations
   - I-MX-5 will result in uniform application
   - PUD-G 35 will result in uniform application across the site
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
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
   - Implementation of adopted plans
   - Facilitation of increased housing density near services and amenities
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

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

   Changing conditions

   - Adoption of the DZC but property retained FC59
   - Amendment of PUD would help to consolidate ownership

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

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

Denver Zoning Code 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

CPD Staff Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2023I-00202.