



TO: Denver City Council
FROM: Jason Morrison, Senior City Planner
DATE: May 6th, 2021
RE: Official Zoning Map Amendment Application #2019I-00165

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** of Application #2019I-00165.

Request for Rezoning

Address:	3001 S. Federal Boulevard
Neighborhood/Council District:	Harvey Park South / Council District 2
RNOs:	College View Neighborhood Association; Dartmouth Heights Association; Harvey Park Community Organization; South Mar Lee/Brentwood/Sharon Park Neighbors; Neighborhood Coalitions of Denver, Inc.; District 2 Neighborhood Coalition, Inc.; District 7 Neighborhood Coalition, Inc.; Inter-Neighborhood Cooperation (INC)
Area of Property:	70.89 acres
Current Zoning:	CMP-EI2
Proposed Zoning:	PUD-G 24, PUD-G 25, U-MX-3 (w/waivers)
Property Owner(s):	ACM Loretto VI LLC.
Owner Representative:	Mark Witkiewicz, ACM Loretto VI LLC. Dan Craig, Shears Adkins Rockmore Architects

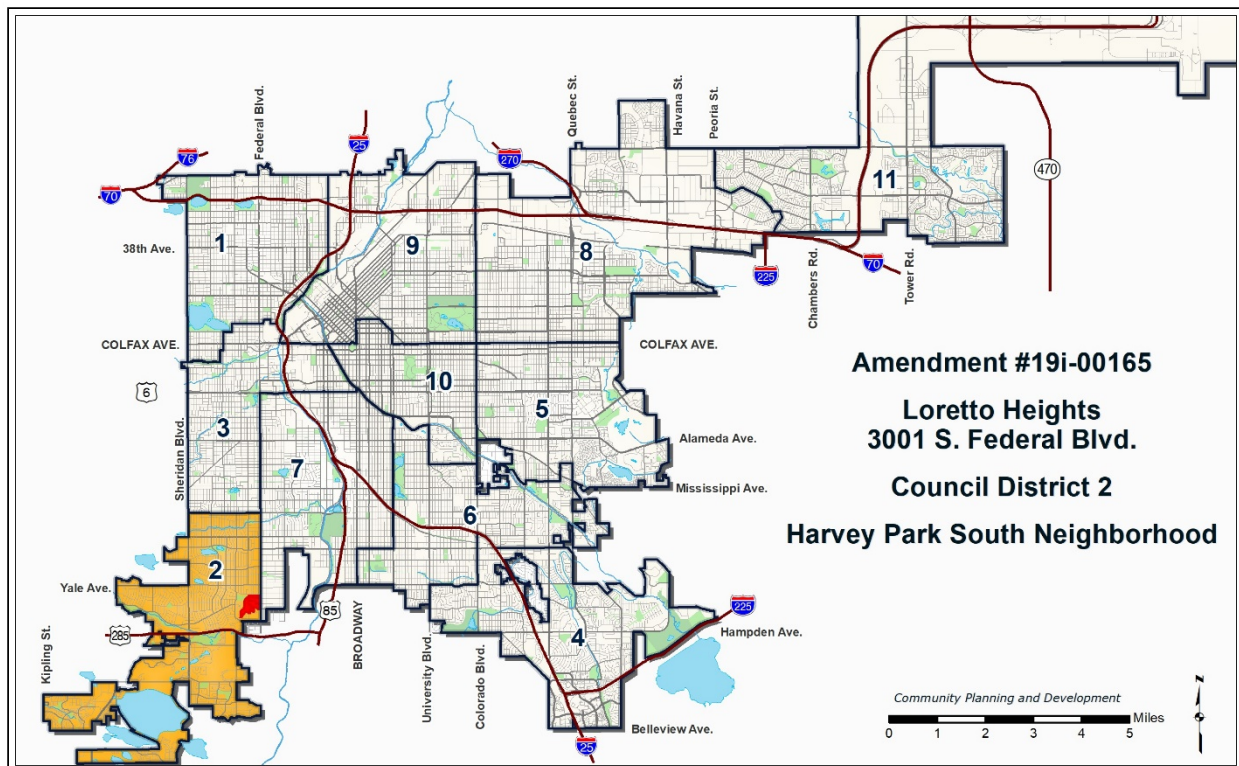
Summary of Rezoning Request

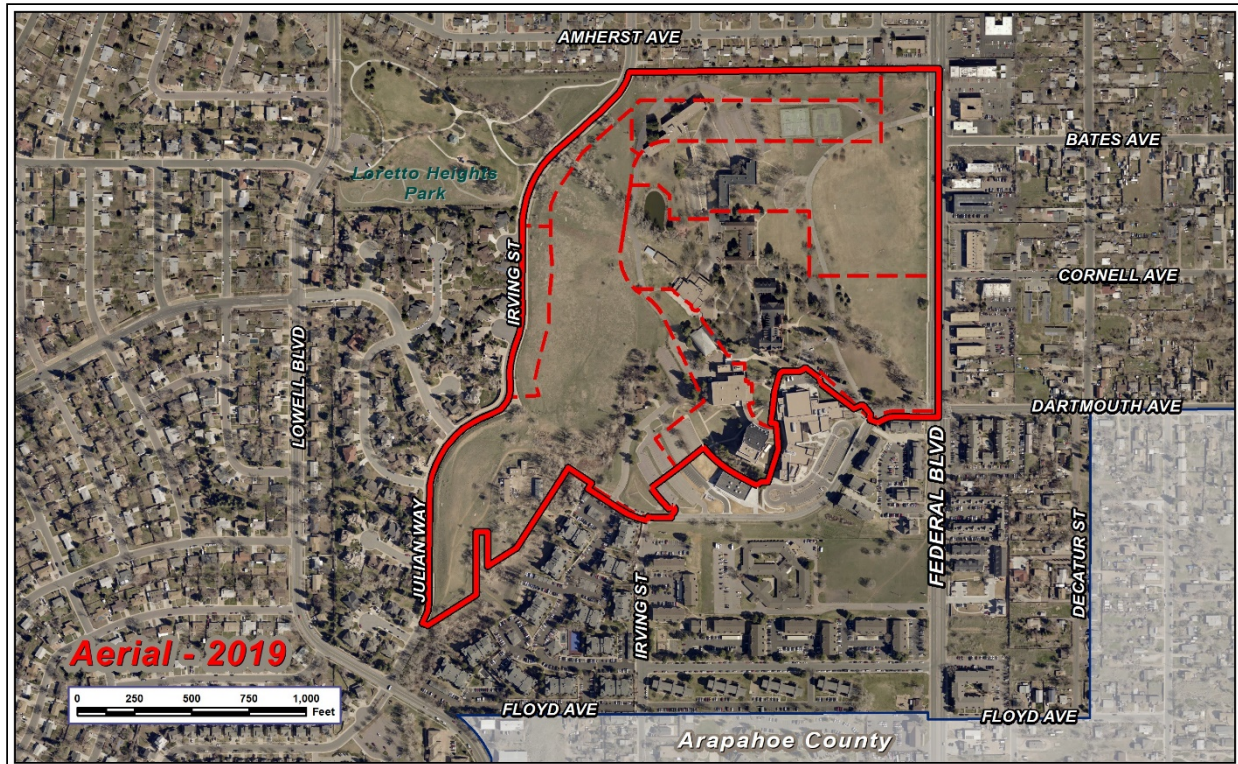
- The subject site is in the Harvey Park South statistical neighborhood on the northwest corner of South Federal Boulevard and West Dartmouth Avenue, in southwest Denver.
- The 70-acre site contains several iconic and historic buildings commissioned by the Sisters of Loretto over a period of more than 100 years to serve the educational needs of the former Loretto Heights Academy and College.
- In 2018 the property was sold to ACM Loretto VI LLC., and the applicant is requesting this rezoning to enable mixed-use redevelopment consistent with the recently adopted *Loretto Heights Small Area Plan* (2019).
- Concurrent with this rezoning, the applicant is proposing to record a development agreement that would ensure the development of affordable housing units on the subject site, provide protections to many of the historic buildings, and create publicly accessible open space for the surrounding community.
- As part of one application, the applicant is requesting two Planned Unit Developments (PUD) and U-MX-3 (w/waiver to 5 stories):
 - The proposed Loretto Heights Campus Core PUD (**PUD-G 24**) addresses the historic core of the former Loretto Heights campus with the preservation and adaptive reuse of the

historic buildings, and new residential and commercial development in a campus setting based on the Denver Zoning Code CMP-EI2 zone district. Further details of the CMP-EI2 zone district can be found in the “Existing Zoning” Section of this staff report and Article 9 of the Denver Zoning Code.

- The proposed Loretto Heights Residential PUD (**PUD-G 25**) allows for low-scale residential redevelopment oriented to a network of new streets and open spaces to the north and west of the historic campus core, based on the Denver Zoning Code Single Unit (SU), Row House (RH) and Residential Mixed Use (RX) districts. For further details on these zone districts can be found in Article 3 and Article 5 of the Denver Zoning Code.
- The proposed Denver Zoning Code District of U-MX-3 (**U**rban, **M**ixed-**U**se, **3** stories) is intended for use in the Urban Neighborhood Context which is characterized by small-scale multi-unit residential and commercial areas embedded in single-unit and two-unit residential areas where a building scale of 3 stories, or 45 feet, is desired. Further details of the U-MX-3 zone district can be found in Article 5 of the Denver Zoning Code.
- The applicant is proposing a waiver in maximum building heights which would allow up to 5 stories, or 70 feet. This waiver request is consistent with the height guidance in the *Loretto Heights Small Area Plan* and consistent with Community Planning and Development’s policy of using waivers as a bridge to future text amendments to the Denver Zoning Code (CPD has identified a need for a future U-MX-5 district).

Existing Context





The subject site is in southwest Denver on the northwest corner of South Federal Boulevard and West Dartmouth Avenue. The Arapahoe County boundary (City of Sheridan) is located just south and east of the subject site. The existing neighborhoods to the north, south and west consist of primarily residential uses. The subject site is also adjacent to existing commercial and retail uses along Federal Boulevard to the east. The Denver School of Science and Technology (DSST) College View Middle School/High School is located just south of the subject site along Dartmouth Avenue. Loretto Heights Park is adjacent to the subject site to the northwest (across South Irving Street) and Bear Creek Park is located less than a mile to the southwest. The RTD 35 and 36 bus lines provide frequent transit along Federal Boulevard and Dartmouth Avenue to the East, and the RTD 30 bus line provides public transit along Dartmouth Avenue and West Yale Avenue to the west and north, respectively. The Englewood Light Rail Station, located 1.5 miles to the southeast, provides regional transit access.

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

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	CMP-EI2	Public/Quasi-public	Multiple institutional buildings with varying building heights and open areas, large setbacks, with parking lots	Generally regular grid of streets interrupted by the former Loretto Heights Campus
North	S-SU-D	Single-unit residential	Single-unit residential buildings, 1-2 stories with moderate setbacks with curb cuts and vehicle access from the front	Block sizes and shapes are consistent and rectangular to the north and east, becoming irregular to the south and west. Vehicle parking generally to the side or front of buildings (no alley access).
South	R-2-A, B-2	Multi-unit residential	Multi-unit residential buildings, three stories with large setbacks with curb cuts and vehicle access from the front and sides	
East	S-MX-3	Multi-unit residential, commercial	Multi-unit residential and commercial buildings, 1-3 stories tall, with large setback from South Federal Blvd. with parking lots in front of building	
West	S-SU-F	Single-unit residential	Single-unit residential buildings, 1-2 stories with moderate setbacks with curb cuts and vehicle access from the front	

1. Large Development Review (LDR)

This rezoning application was reviewed by the Development Review Committee to see if the proposal would subject to the Large Development Plan process outlined in Section 12.4.12 of the Denver Zoning Code and require the creation of a Large Development Framework.

After review, it was determined that the project would be subject to LDR review for the following reasons:

- The 2019 Loretto Heights Small Area Plan recommends use of Large Development Review, Development Agreements and/or other tools to provide open space, affordable housing, and infrastructure.
- The proposed development application is larger than five acres and will result in the creation of more than three blocks of development.
- The proposed development will require establishment of new street network, regional stormwater system and open space.

The Loretto Heights LDR Framework outlines specific regulatory steps required for implementation of the development including completion of an Infrastructure Master Plan, Mobility Study, rezoning, subdivision, and typical construction and building permits. In addition, the framework identified potential topics for a future development agreement including affordable housing, off-site street improvements, historic preservation requirements outside of the PUD, and open space maintenance and tracking. Further details of this determination can be found attached to this staff report.

2. Affordable Housing Agreement

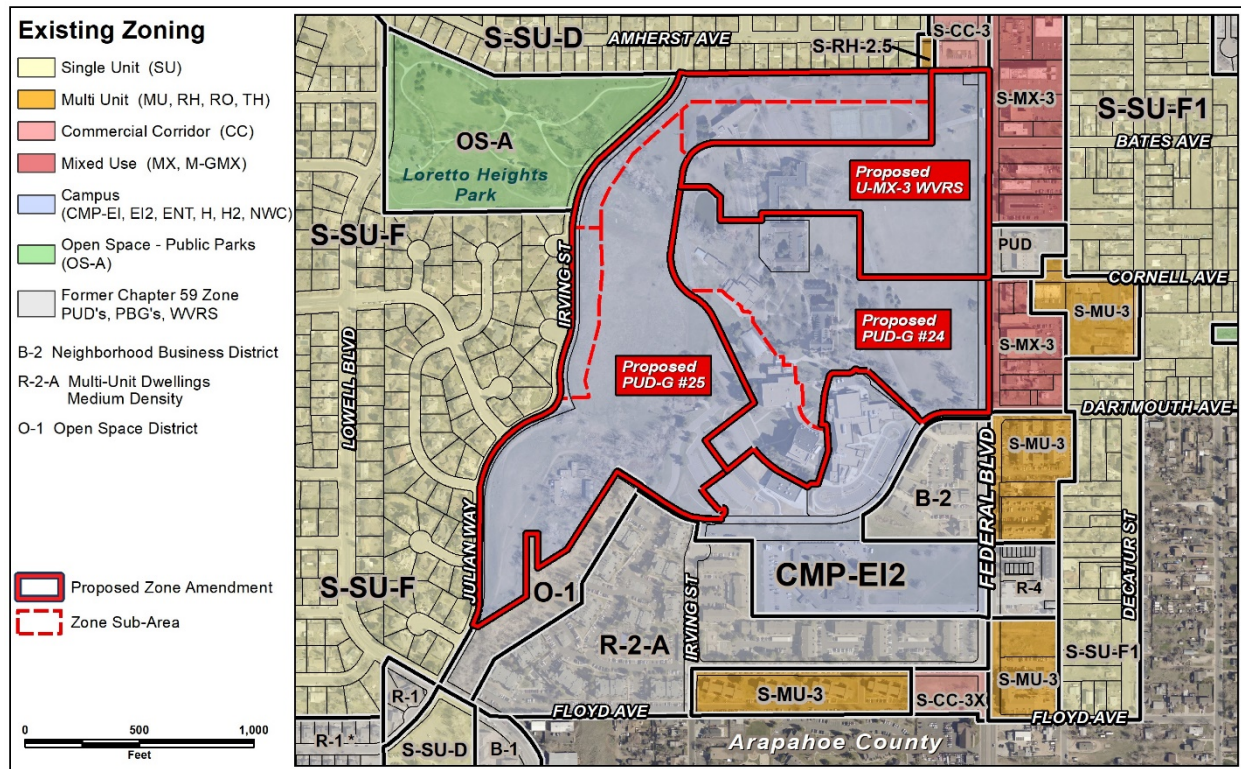
Concurrent with the rezoning application, the applicant is working with the city to formalize a voluntary affordable housing agreement. Commitments include a minimum of 12% of all income-restricted residential units (IRU's) equitably distributed throughout the site for a covenant length of 99 years. Additionally, 30% of all IRUs will have two or more bedrooms. Approximately 10% of all IRUs will be For-Sale product and dedicated to households at or below 100% Area Median Income (AMI), of which 50% are dedicated to households earning at or below 80% AMI. Approximately 60% of the Rental IRUs will be dedicated to households at or below 80% AMI, of which 40% are dedicated to households at or below 60% AMI. Finally, an additional parcel of land west of Pancratia Hall will be dedicated for future affordable housing production.

3. Historic District or Structures

The Loretto Heights campus is endowed with historic buildings commissioned by the Sisters of Loretto over a period of more than 100 years to serve the educational needs of the Loretto Heights Academy and College. They represent a variety of architectural styles designed by several prominent local architects and intentionally placed on a hilltop with commanding views of the Rocky Mountains and downtown Denver. Honoring the history of the campus and preserving and re-using the historic resources that define it is an integral piece of the community's vision.

Concurrent with this map amendment application, the applicant is proposing to record a development agreement that would ensure protection of the historic buildings and campus character through local historic designations and demolition prohibition. Additionally, the agreement would specify the continued use of the May Bonfils Stanton Theater as a community performing arts space or its adaptive reuse if continued use is unfeasible.

4. Existing Zoning



The current CMP-EI2 zoning is intended to be applied to smaller- to medium-scale educational campus sites adjacent to lower density residential districts. The CMP-EI2 district allows for a maximum height of 150 feet, in general, and a maximum height of 75 feet within 175 feet of a protected district (which includes the single unit districts to the north and west of the subject property), a minimum primary street setback of 20 feet, and a maximum building coverage of 60%. These regulations allow for the campus use to transition to neighborhoods with primarily single-unit and two-unit uses. This district allows for a day care center, museum, education facilities, indoor recreation facilities, parking lots and garages, and offices.

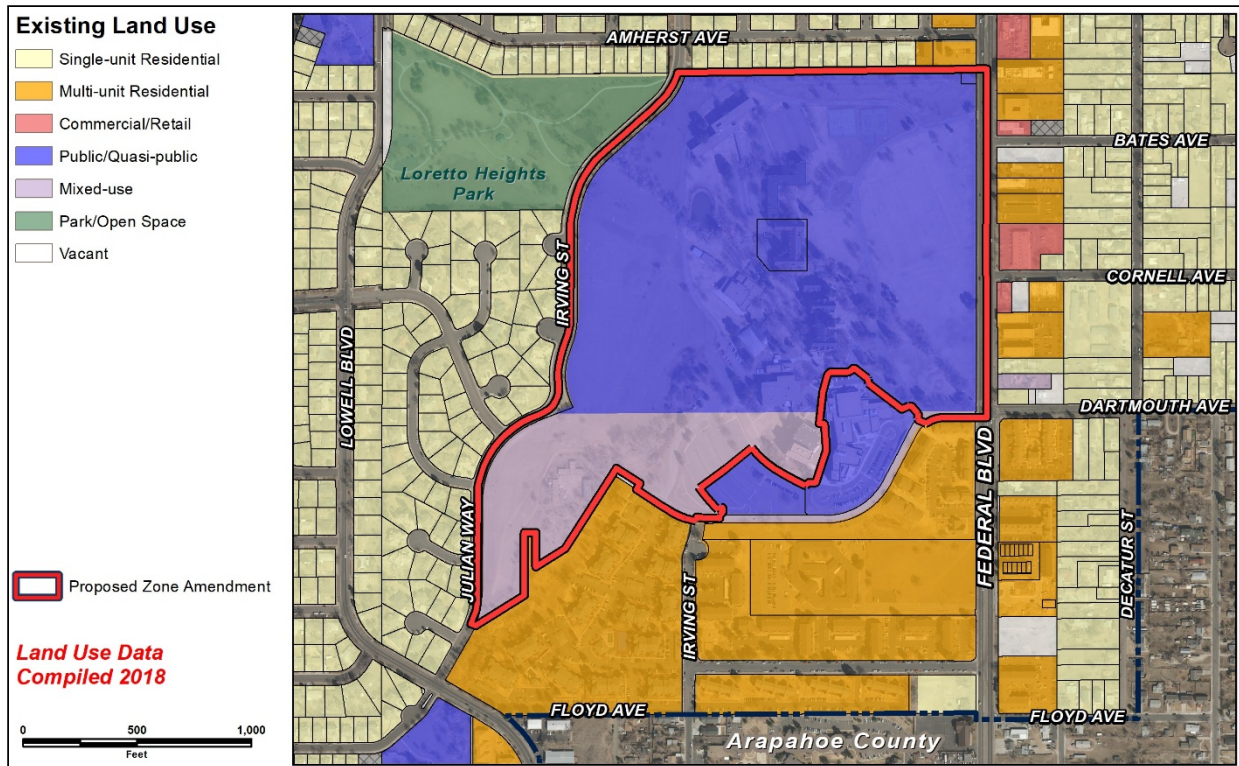
5. View Planes

The *Ruby Hill Park View Plane* is applicable to most of the site included in the rezoning. The intent of this view plane is to preserve the view of the Rocky Mountains (west of the subject site) from Ruby Hill Park (northeast of the applicable sites) and “no part of any structure within the view plane may exceed an elevation of 5,354 feet above mean sea level plus on and seven-tenths feet for each 100 feet that said part of structure is horizontally distant from the reference point” (DRMC Sec. 10-60.b). Therefore, the portion of the subject property within this view plane is subject to maximum height restrictions ranging from 55 feet to 204 feet.

The proposed zone districts within the view plane are PUD-G24 (maximum height of 45 feet), PUD-G 25 (maximum height of 110 feet) and U-MX-3 with a waiver to five stories, or 70 feet maximum height. As a result, the height restrictions in the *Ruby Hill Park View Plane* could impact potential

development. The *Loretto Heights Small Area Plan* provides additional guidance on maximum allowable building heights for this redevelopment, specifically that no new buildings can be higher than the roofline height of the H-shaped portion of the Administration Building.

6. Existing Land Use Map



7. Existing Building Form and Scale



Subject site, facing west from former Loretto Heights Campus (Administration Building)



Subject site, facing west from former Loretto Heights Campus (Pancratia Hall)



Subject site, facing southwest from former Loretto Heights Campus (Library and Theater)



Subject site, facing southeast from former Loretto Heights Campus (Quadrangle)



North of subject site, facing south from West Amherst Avenue



East of subject property, facing west from South Federal Boulevard



East of subject site, facing east from South Federal Boulevard



South of subject site, facing west from West Dartmouth Avenue (DSST Campus)



South of subject site, facing east from South Irving Street



West of subject site, facing west from South Irving Street

Proposed Zoning

The applicant requests to rezone to PUD-G 24 and PUD-G 25 per Denver Zoning Code Section 9.6.1. and requests that the property rights remain vested for a period of 15 years. The purpose of a Planned Unit Development (PUD) district is to provide an alternative to conventional land use regulations, combining use, density, site plan, and building form considerations into a single process, and substituting procedural protections for the more prescriptive requirements in the Denver Zoning Code. The PUD District is intended to respond to unique and extraordinary circumstances, providing more flexible zoning than what is achievable through a standard zone district and avoiding multiple variances, waivers, and conditions. The Denver Zoning Code notes that a PUD should provide significant public benefit not achievable through application of a standard zone district. In exchange for the flexibility in site design with respect to the arrangement, heights, and setbacks of buildings, densities, open space and circulation elements in PUD-G 24 and PUD-G 25, the applicant proposes several benefits including:

- Development of affordable housing units
- Specific tools to provide protections to all buildings identified as Priority Historic Resources
- Diversification in the use of land
- Improved pedestrian connections, circulation, and amenities
- Development patterns compatible in character and design with nearby area
- Creation of publicly accessible open space
- Compliance with the Denver Green Code for structures using height incentives in PUD-G 25

PUD-G 24

The proposed PUD-G 24 would apply to the historic core of the Loretto Heights campus. It is based on the Denver Zoning Code zone district CMP-EI2 (Campus Education Institution 2) and addresses the preservation and adaptive reuse of the historic buildings and open spaces, along with new residential and commercial development in a topographically-varied campus setting. In responding to the unique attributes of the subject property, PUD-G 24 contains several special provisions that address:

- The design of buildings that may front open spaces or public streets
- The protection and treatment of historic buildings prior to any local historic designation
- The adaptive reuse of historic buildings and open spaces that may not be designated as local historic landmarks with flexible design allowances for exterior alterations, additions, and new construction
- Height of buildings within the unique topography

This PUD contains two subareas based on the CMP-EI2 zone district. The primary building forms allowed in the existing zone district and the proposed zone district are summarized below:

Design Standards	CMP-EI2 (Existing)	PUD-G 24
Primary Building Forms Allowed	General	General
Height in Stories/Feet (max)	N/A / 150'*	5-8 / 70' - 110' **
Bulk Plane Slope	45 degrees	n/a
Primary Street Setbacks (min)	20'	0'
Side Interior (min)	7.5'	10'
Rear, alley / no alley (min)	10' / 20'	0' / 0'
Separation between Primary Structures (min)	n/a	20'
Building coverages (max)	60%	60%
Primary Street Transparency (min)	n/a	40%

* Maximum of 75' within 175' of a Protected District

** Depending on Subarea

Further details of this proposed PUD can be found within the PUD-G 24 attachment of this staff report.

PUD-G 25

The proposed PUD-G 25 allows for low-scale residential redevelopment oriented to a network of new streets and open spaces to the north and west of the historic campus core. In responding to the unique attributes of the subject property, PUD-G 25 contains several special provisions including:

- Addressing buildings that front open spaces and public streets
- Implementing land use recommendation that do not match an existing zone district (e.g. three-story maximum height for row house districts in the Suburban neighborhood context and side street standards for South Irving and South Julian Streets)
- Addressing height within the unique topography, including a height incentive which rewards development meeting Denver's green building objectives.

This PUD has four subareas based on Single Unit, Row House and Residential Mixed-Use zone districts, including S-SU-A (Subarea A), S-RH-2.5 (Subarea B and C), and U-RX-3 (Subarea D). The building form standards allowed in the existing zone district and the proposed zone districts are summarized below:

Design Standards	CMP-EI2 (Existing)	PUD-G 25
Primary Building Forms Allowed	General	Suburban House, Duplex, Row House, Town House, Shopfront
Height in Stories/Feet (max)	N/A / 150'*	2.5-3 / 35' - 45' **
Bulk Plane Slope	45 degrees	n/a
Primary Street Setbacks (min)	20'	0' - 10' **
Side Interior (min)	7.5'	0' - 5' **
Rear, alley / no alley (min)	10' / 20'	0' / 0'
Separation between Primary Structures (min)	n/a	10' **
Building coverages (max)	60%	n/a - 60% **
Primary Street Transparency (min)	n/a	n/a - 60% **

* Maximum of 75' within 175' of a Protected District

** Depending on Subarea and Building Form

Further details of this proposed PUD can be found within the PUD-G 25 attachment of this staff report.

U-MX-3 (with waiver to 5 stories)

The requested U-MX-3 zone district is a mixed-use zone district in the Urban neighborhood context. A variety of residential, commercial, and office uses are permitted as primary uses in the U-MX-3 district. It allows the town house, general, and shopfront building forms. Drive thru services and drive thru restaurant forms are permitted forms in the U-MX-3 district except within ¼ mile of a transit station. The minimum primary street setback is 0 feet, except for the town house building form, which has a minimum primary street setback of 10 feet. The maximum building height is three stories or 45 feet, except for the town house building form, which allows up to 38 feet (or 45 feet for a sloped roof). For additional details of the requested zone district, see Article 5 of the Denver Zoning Code.

Section 12.4.10.6 of the Denver Zoning Code 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 outlined below. This waiver request is consistent with the height guidance in the *Loretto Heights Small Area Plan* and consistent with Community Planning and Development's policy of using waivers as a bridge to future text amendments to the Denver Zoning Code (CPD has identified a need for a future U-MX-5 district). The waiver is as follows:

1. Waive the right to use or erect any primary structure with a maximum permitted building height of 3 stories pursuant to Sections 5.3.3.4.E (Town House building form), 5.3.3.4.I (General building form) and 5.3.3.4.J (Shopfront building form), DZC and instead comply with the following:

No primary structure erected on the subject property according to the Town House, General or Shopfront primary building form standards shall exceed 5 stories in building height. Height exceptions shall be allowed in accordance with Section 5.3.7.1 (Height Exceptions) as applicable to the U-MS-5 zone district.

2. Waive the right to use or erect any primary structure with a maximum permitted building height of 38 feet pursuant to Section 5.3.3.4.E (Town House building form) or a maximum permitted height of 45 feet pursuant to sections 5.3.3.4.I (General building form) and 5.3.3.4.J (Shopfront building form), DZC and instead comply with the following:

No primary structure erected on the subject property according to the Town House, General or Shopfront primary building form standards shall exceed 70 feet in building height. Height exceptions shall be allowed in accordance with Section 5.3.7.1 (Height Exceptions) as applicable to the U-MS-5 zone district.

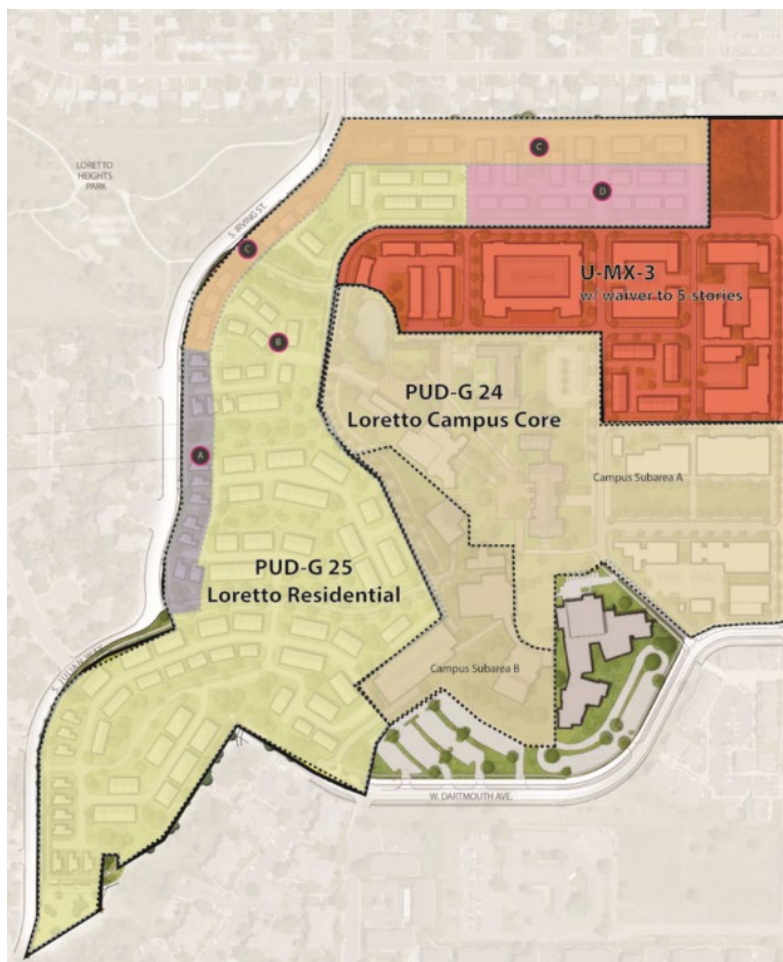
The primary building forms allowed in the existing zone district and the proposed zone district are summarized below:

Design Standards	CMP-EI2 (Existing)	U-MX-3 (Waivers)
Primary Building Forms Allowed	General	Town House, General, Shopfront
Height in Stories/Feet (max)	N/A / 150'*	5 / 70'
Bulk Plane Slope	45 degrees	n/a
Primary Street Setbacks (min)	20'	0' - 10'**
Side Interior (min)	7.5'	0' - 10'**
Rear, alley / no alley (min)	10' / 20'	0'
Separation between Primary Structures (min)	n/a	n/a
Building coverages (max)	60%	n/a
Primary Street Transparency (min)	n/a	40% - 60%***

* Maximum of 75' within 175' of a Protected District

** Depending on Building Form

*** Depending on Building Form & Use



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 Comments

Asset Management: Approved – See Comments Below

1. Approve rezoning only. Will require additional information at Site Plan Review
2. The City owns a vacant parcel adjacent to the land. It is 3,691 square feet and we would want to ensure that land is not disturbed during any development. See attached photograph. Schedule #5323-00-015-000 at 3001 S. Irving Street.

Denver Public Schools: Approved – No Response

Department of Public Health and Environment: Approved – No Response

Denver Parks and Recreation: Approved – No Response

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

Development Services – Project Coordination: Approved – See Comments Below

1. Approve Rezoning Only - Will require additional information at Site Plan Review

Development Services - Fire Protection: Approved – No Response

Development Services – Transportation: Approved – No Response

Development Services- Wastewater: Approved – No Response

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:	1/27/2021
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:	3/2/2021
Planning Board recommended unanimous approval of the application	3/17/2021

CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:	3/19/21
Land Use, Transportation and Infrastructure Committee of the City Council unanimously moved the ordinance forward:	3/30/21
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:	4/26/21
City Council Public Hearing:	5/10/21

- **Registered Neighborhood Organizations (RNOs):** To date, staff has received one comment letter in support from the College View RNO.
- **Other Public Comment:** To date, staff has received 15 letters in support of this application, and 2 letters in opposition.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7, 12.4.10.8, and 12.4.10.9 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

DZC Section 12.4.10.9

1. 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;
2. The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in Division 9.6;

3. 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;
4. The PUD District and the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property; and
5. 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 (e.g., through decreases in building height; through significant distance or separation by rights-of-way, landscaping or similar features; or through innovative building design).

1. Consistency with Adopted Plans

The following adopted plans apply to the subject site:

- *Denver Comprehensive Plan 2040 (2019)*
- *Blueprint Denver (2019)*
- *Loretto Heights Area Plan (2019)*

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 proposed rezoning will allow for improved access to amenities within an established neighborhood by allowing a broader range of commercial and residential uses, while also enabling affordable housing units close to transit, services and other amenities. In addition, the application notes that the design standards in the proposed districts will promote greater walkability and accessibility within the Loretto Heights redevelopment, and along Federal Boulevard. The rezoning is, therefore, consistent with the following strategies in the Equitable, Affordable, and Inclusive vision element:

- Equitable, Affordable and Inclusive Goal 1, Strategy A – *Increase development of housing units close to transit and mixed-use developments* (p. 28).
- Equitable, Affordable and Inclusive Goal 1, Strategy C – *Improve equitable access to resources that improve quality of life, including cultural and natural amenities, health care, education, parks, recreation, nutritious food and the arts.* (p. 28).
- Equitable, Affordable and Inclusive Goal 2, Strategy A - *Create a greater mix of housing options in every neighborhood for all individuals and families* (p. 28).
- 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* (p. 29).

The proposed rezoning will enable mixed-use development, including varying housing options, retail services, and open space areas. Building forms will consist of an intensity consistent with the vision for a walkable, mixed-use neighborhood adjacent to public transit. The application notes that building height, transparency requirements, and transitional massing will be used to complement the surrounding residential character and create an engaging public realm. Finally, the proposed rezoning will promote the preservation and adaptive reuse of the historic buildings located on the former Loretto Heights

campus, and is therefore consistent with the following strategies in the Strong and Authentic Neighborhoods vision element:

- Strong and Authentic Neighborhoods Goal 1, Strategy A – *Build a network of well connected, vibrant mixed-use centers and corridors* (p. 34).
- 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* (p. 34).
- Strong and Authentic Neighborhoods Goal 3, Strategy E – *Support the stewardship and reuse of existing buildings, including city properties* (p. 34).
- Strong and Authentic Neighborhoods Goal 4, Strategy A – *Grow and support neighborhood-serving businesses* (p. 34).

The proposed rezoning will allow additional commercial uses not otherwise allowed in the existing CMP-EI2 zone district, promoting business growth within the adjacent neighborhoods consistent with the Economically Diverse and Vibrant vision element:

- Economically Diverse and Vibrant Goal 3, Strategy A – *Promote small, locally-owned businesses and restaurants that reflect the unique character of Denver* (p. 46).

The proposed zone district will apply current zoning code standards, ensuring quality development that is appropriate for the neighborhood and adjacent to transit services. The application further notes that the rezoning provides an opportunity for more jobs in the neighborhood, so residents can continue to live, work and play within their community. Rezoning to facilitate redevelopment of this site advances several strategies of the Environmentally Resilient vision element:

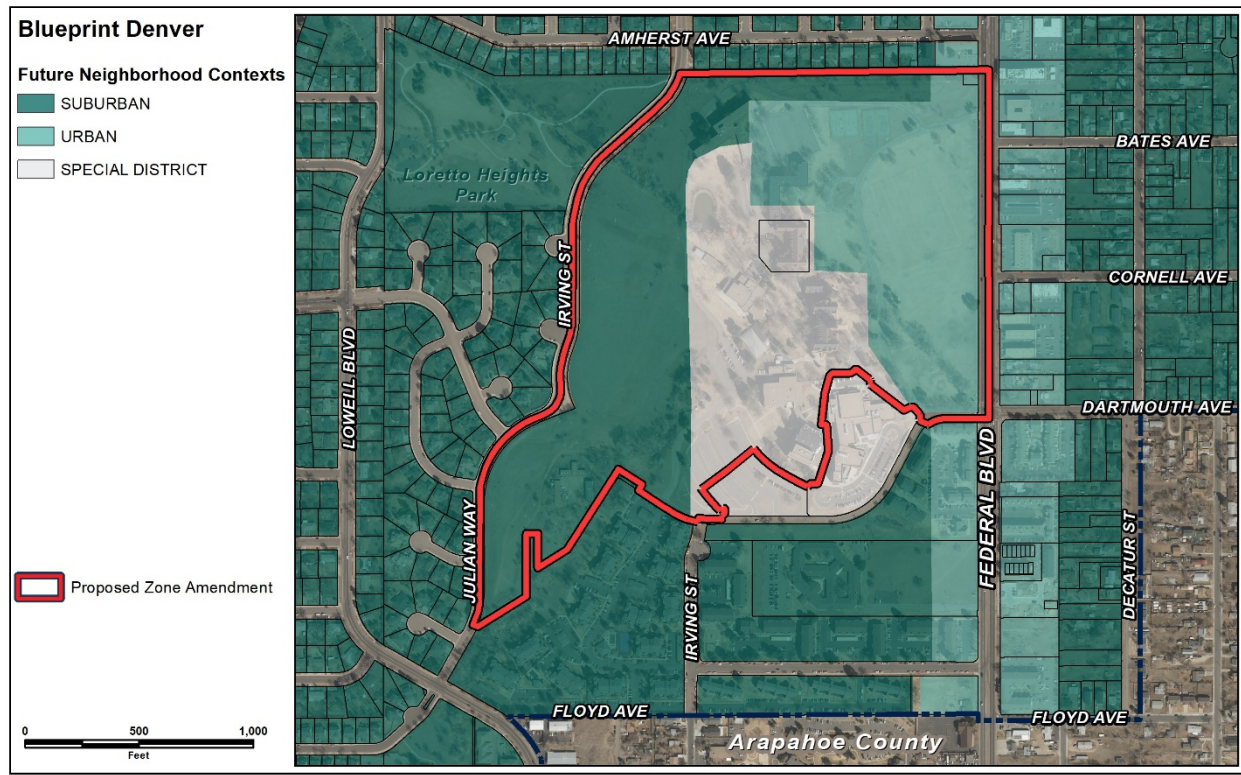
- Environmentally Resilient Goal 8, Strategy B – *Encourage mixed-use communities where residents can live, work and play in their own neighborhoods* (p. 54).
- Environmentally Resilient Goal 8, Strategy C – *Focus growth by transit stations and along high and medium-capacity transit corridors* (p. 54).

The proposed PUD-G 24, PUD-G 25, and U-MX-3 (with waivers) will enable mixed-use development and broaden the variety of uses allowing residents to live, work and play in the area, while also preserving and protecting the historic resources on the former campus. Therefore, the rezoning is consistent with *Denver Comprehensive Plan 2040* recommendations and strategies.

Blueprint Denver

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 Suburban, Urban, and Campus within the Special District neighborhood context, and provides guidance from the future growth strategy for the city.

Blueprint Denver Future Neighborhood Context



Blueprint Denver identifies three future neighborhood contexts for the subject property, Suburban, Special District, and Urban. The western portion of the subject property, proposed to be rezoned to PUD-G 25, is predominantly within the Suburban neighborhood context. *Blueprint Denver* describes these areas as having a “range of uses from single-unit to multi-unit residential to commercial corridors and centers” (p. 136). Block patterns in this context are typically irregular with curving streets. While the Suburban context is generally more auto oriented than other contexts, “Denver’s suburban areas are still more urban in nature and suburban places should reflect that” (p. 189). The central portion of the subject property, proposed to be rezoned to PUD-G 24, is identified as the Special Districts context. These areas “serve a specific purpose, usually highly specific based on uses, such as education, industry or healthcare” (p. 137). The portion proposed to be rezoned to U-MX-3 (waivers) is designated as the Urban neighborhood context in *Blueprint Denver*. These areas include “small multi-unit residential and mixed-use areas typically embedded in 1-unit and 2-unit residential areas” (p. 136).

PUD-G 25

The proposed PUD-G 25 is based on the S-SU, S-RH and U-RX zone districts and the respective subarea boundaries are mapped consistent with the neighborhood context map above. The suburban zone districts are characterized by single-unit and multi-unit residential, as well as commercial strips and centers (DZC 6.1.1). Additionally, the general character of the urban neighborhood context is characterized by small-scale multi-unit residential uses and commercial areas which are typically embedded in residential areas (DZC 5.1.1). The proposed PUD-G 25 would allow compatible low-scale

residential uses, and some residential mixed-use, in an appropriate building form embedded in the neighborhood, consistent with the *Blueprint Denver* description of the Suburban and Urban neighborhood contexts. The aspirational vision of these contexts is that the proposed districts are more urban in nature, and the design standards found in PUD-G 25 support a vibrant, walkable area along curvilinear streets and publicly accessible open space.

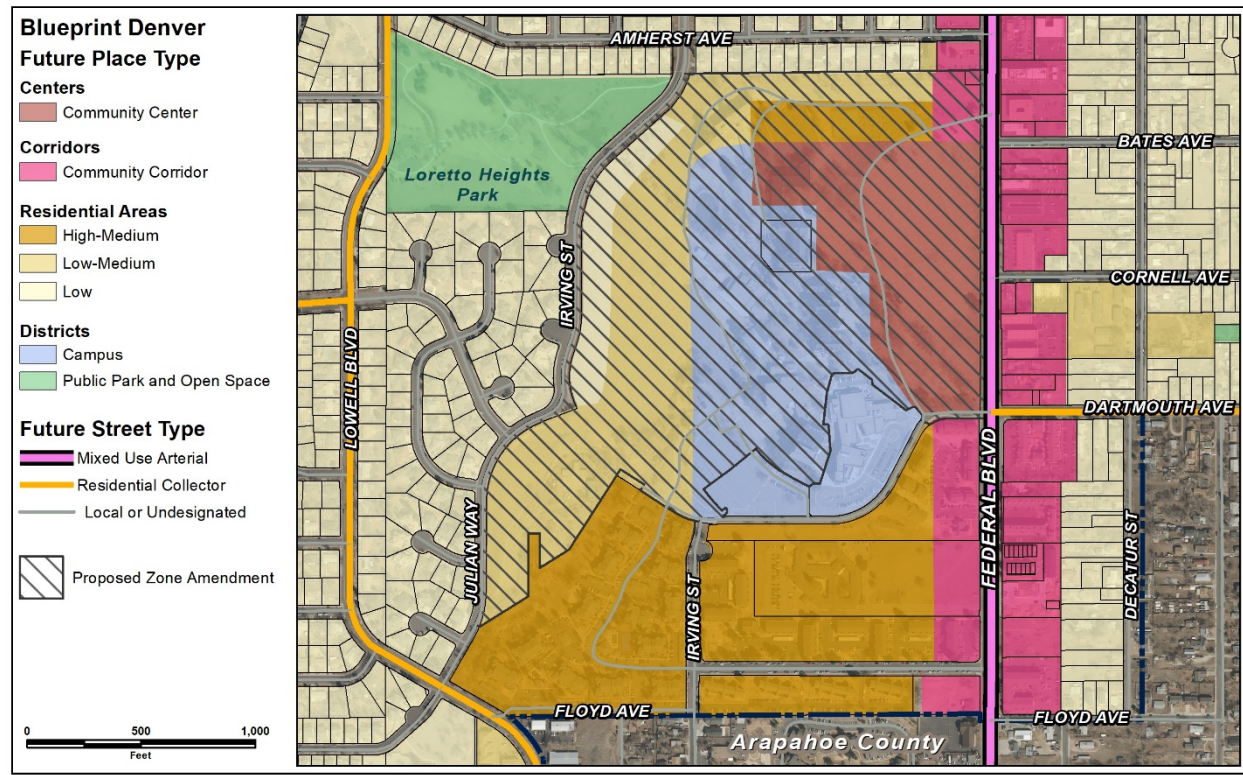
PUD-G 24

The proposed PUG-D 24 is based on the CMP-EI2 zone district and the respective subarea boundaries are mapped consistent with the neighborhood context map above. The campus zone districts allow for flexible placement of buildings and tend to have transitional areas that taper off in intensity towards adjacent residential neighborhood contexts while also incorporating more intense development (DZC 9.2.1). The proposed PUD-G 24 is appropriate and consistent with the Special District context plan direction as it will allow for the preservation and adaptive reuse of historic buildings and new residential and commercial development in a campus setting. Although the former Loretto Heights Campus will no longer serve a specifically designed purpose, the preservation of existing buildings, integration of open space, and thoughtfully designed infill development will help maintain and further promote for the vision for a unique campus feel. Existing and proposed building forms will vary in height and intensity and respond to the surrounding community.

U-MX-3 (waivers)

The proposed U-MX-3 (waivers) mapped for the eastern portion of the site adjacent to Federal Boulevard is mapped consistent with the urban neighborhood context map above. The general purpose of this district is to promote safe, active, and pedestrian-scaled development that contributes positively to the adjacent residential neighborhoods (DZC 5.2.3). The proposed U-MX-3 (waivers) would allow for compatible residential and commercial development in an appropriate building form and facilitate activation of a walkable public realm. The proposed rezoning is consistent with *Blueprint Denver's* Urban context guidance.

Blueprint Denver Future Places



The Future Places map identifies several place types for the subject site. The northern and western area is identified as High-Medium Residential, Low-Medium Residential, and Low Residential. *Blueprint Denver* describes the High-Medium Residential place type as “a mix of mid-scale multi-unit residential options. Some neighborhood-serving mixed-use may be appropriate, especially along arterial streets or at non-local intersections. Buildings are generally up to 5 stories in height” (p. 233). Most of the western portion of the subject property is identified as Low-Medium Residential. These areas include “a mix of low- to mid-scale multi-unit residential options. Small-scale multi-unit buildings are interspersed between single- and two-unit residential. Limited mixed-use along some arterial and collector streets may be appropriate locations to introduce additional residential intensity. A variety of lower scale residential forms including row houses and small multi-unit buildings are found. Buildings are generally 3 stories or less in height” (p. 200). *Blueprint Denver* identifies the Low Residential place type along South Irving Street. These areas are “generally characterized by single-unit uses on larger lots. Accessory dwelling units and compatible two-unit uses are appropriate and can be thoughtfully integrated” (p. 198). Buildings in this place type are typically 2.5 stories in height.

The Future Places map shows the central portion of the subject property as part of a “Campus” area within the Districts context. *Blueprint Denver* describes these areas as having a “primary purpose such as education or medical services. These environments often provide retail, restaurants, offices, and residential uses to support the primary use and serve the surrounding neighborhoods” (p. 291). Campus buildings vary greatly in size and form and multi-story, single-use and mixed-use buildings are typical.

Finally, when adjacent to lower intensity development, campuses should transition gradually to respect the surrounding neighborhood.

The northeast corner of the subject property is identified as the Community Corridor future place type. *Blueprint Denver* describes these areas as “typically provid{ing} some mix of office, commercial and residential uses” (p. 228). These areas often have a linear orientation along the street and height are typically up to 5 stories. Most of the eastern portion of the proposed rezoning along Federal Boulevard is identified as the Community Center place type. These areas have a wide customer draw and provide “some mix of office, commercial and residential uses” (p. 226). They include continuous building frontages with heights up to 5 stories.

PUD-G 25

The PUD-G 25 boundary encompasses all the High-Medium Residential, Low-Medium Residential, and Low Residential described above. The proposed rezoning allows for low-scale residential development oriented to a network of new streets and open spaces. The carefully calibrated height guidance and allowable building forms built into the custom zone district is intended to respond to the existing single-unit structures to the west and north, and provide a variety of residential uses that compatibly transition to higher intensity uses the closer you get to the Campus Core. Therefore, the proposed zone district is consistent with the future place guidance mapped in this area.

PUD-G 24

The PUD-G 24 boundary encompasses the Campus future place type described above. The proposed rezoning addresses the historic core of the former Loretto Heights campus with the preservation and adaptive reuse of the historic buildings, and new residential and commercial development in a campus setting. The custom zone district will allow for a variety of sensitive infill development including retail, residential, and office uses which will serve the surrounding neighborhood consistent with the *Blueprint Denver* place type description. The proposed maximum allowable building heights and the mass and scale of buildings varies and is appropriate when considering the historic status of the site. Therefore, the proposed zone district is consistent with the future place guidance mapped in this area.

U-MX-3 (waivers)

The proposed U-MX-3 (waivers) boundary encompasses the Community Center and Community Center future place type. The general purpose of this zone district is to provide a mix of residential, commercial and office uses that promote a safe, active, and pedestrian-scaled street edge. The zone district is intended for corridors, embedded neighborhood business areas, and larger sites. Additionally, the zone district helps to improve the transition between commercial development and adjacent residential neighborhoods, like the College View neighborhood to the east. Therefore, the proposed zone district is consistent with the future place guidance mapped in this area.

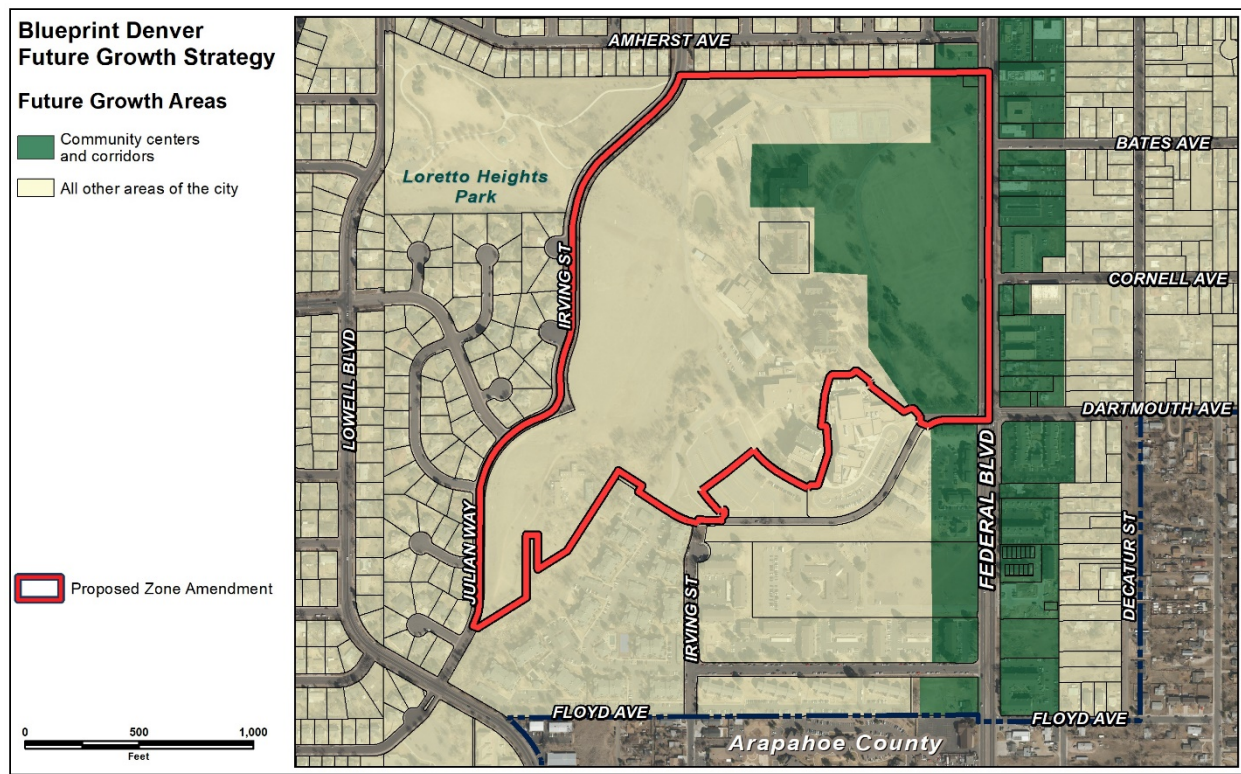
Street Types

Blueprint Denver street types work in concert with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). The subject property is located between Irving Street and Federal Boulevard, north of Dartmouth Avenue. *Blueprint Denver* classifies Irving Street and Dartmouth Avenue as Local Streets. These streets are designed for the highest degree of property

access and the lowest amount of through movement” (p. 154). Land uses along local streets vary, but they are most often characterized by residential uses (p. 161). Federal Boulevard is classified as a Mixed-Use Arterial, which “are designed for the highest amount of through movement and the lowest degree of property access” (p. 154). These streets include retail, office, residential, and restaurants with buildings that are pedestrian-oriented with shallow setbacks and high building coverage.

The proposed PUD-G 25, PUD-G 24, and U-MX-3 (waivers) zone districts are consistent with the Future Street Types designation for the area. PUD-G 25 allows for appropriate residential and some mixed uses that are served by proposed by local streets. The primary purpose of these public streets and private drives is property access and a low degree of through movement. PUD-G 24 allows for the preservation and adaptive reuse of historic buildings on the former Loretto Heights Campus. These mixed-use buildings will be served by new local streets allowing for access to residential uses and some commercial activity. Finally, the U-MX-3 (waivers) proposed zoning will allow for a variety of commercial, office and residential uses along Federal Boulevard. This zone district is consistent with this plan direction for this location and the uses that may result from this rezoning are appropriate along the existing Mixed-Use Arterial street.

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 western portion of the subject property is located within the “all other areas of the city” growth area, where 10% employment growth and 20% housing

growth is anticipated by 2040 (p. 51). *Blueprint Denver* identifies the eastern portion of the subject property, along Federal Boulevard, as the “Community Centers and Corridors” growth area. These areas are expected to see 20% of new employment growth and 25% of new housing growth by 2040 (p. 51).

The proposed map amendment to PUG-G 24, PUD-G 25, and U-MX-3 (waivers) is consistent with the growth strategy mapped for this area. The proposal allows a variety of residential infill development that will support housing growth, as well as an appropriate level mixed-uses that will enable the growth of employment opportunities. Therefore, the requested zone districts are consistent with *Blueprint Denver’s* growth strategy.

Other Applicable *Blueprint Denver* Policy Recommendations and Strategies

Historic Preservation

Blueprint Denver provides recommendations related to preserving historic structures. Land Use and Built Form: General Policy 2, Strategy E says, “in historic areas, balance efficiency with preservation through strategies that encourage the reuse of structures” (p. 72). In addition, Land Use and Built Form: Design Quality and Preservation Policy 2, Strategy A says “continue the city’s commitment to existing historic districts and landmarks and use historic designation to preserve the character of an individual structure or district or where there is historic, architectural, cultural, and/or geographic significance” and Strategy I says “promote incentives to preserve the reuse of historic buildings and the unique historic features of Denver’s neighborhoods” (p. 99).

The proposed PUD-G 24 would promote the preservation and adaptive reuse of the historic resources on the former Loretto Heights Campus and would facilitate its continued use, consistent with these recommendations from *Blueprint Denver*. One such example is the restoration of Pancratia Hall, formally a college dormitory, which is being transformed into 72 affordable housing units.

Custom Zoning

Blueprint Denver provides the following direction on how to limit the use of custom zoning including PUDs: “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 challenges of custom zoning is provided on page 73 of *Blueprint Denver*.

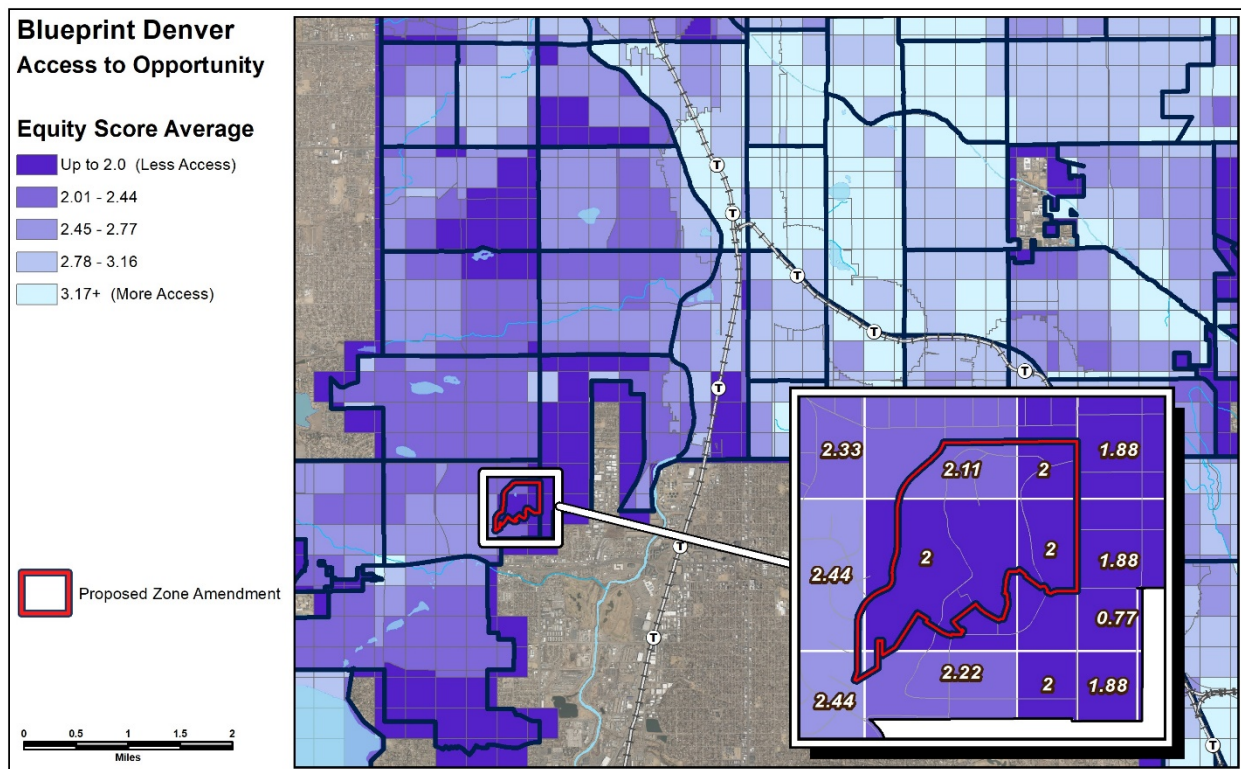
Due to the many unique attributes of the property, including the challenging topography and the variety of remaining historic resources located in the center of the site, there is no standard zone district that can address this site’s unique and extraordinary circumstances. Additionally, the PUDs and U-MX-3 district with waivers will assist in implementing land use recommendations from the *Loretto Heights Small Area Plan* that do not match an existing zone district (e.g. three-story maximum height for row house districts in the Suburban neighborhood context and side street standards for South Irving and South Julian Streets). Therefore, the use of a PUD and a standard district with waivers is consistent with the recommendations of *Blueprint Denver*.

Equity Concepts

Blueprint Denver contains three equity concepts to help guide change to benefit everyone. Each equity concept has associated measurements that helps inform implementation actions through large rezonings along with other implementation actions.

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.

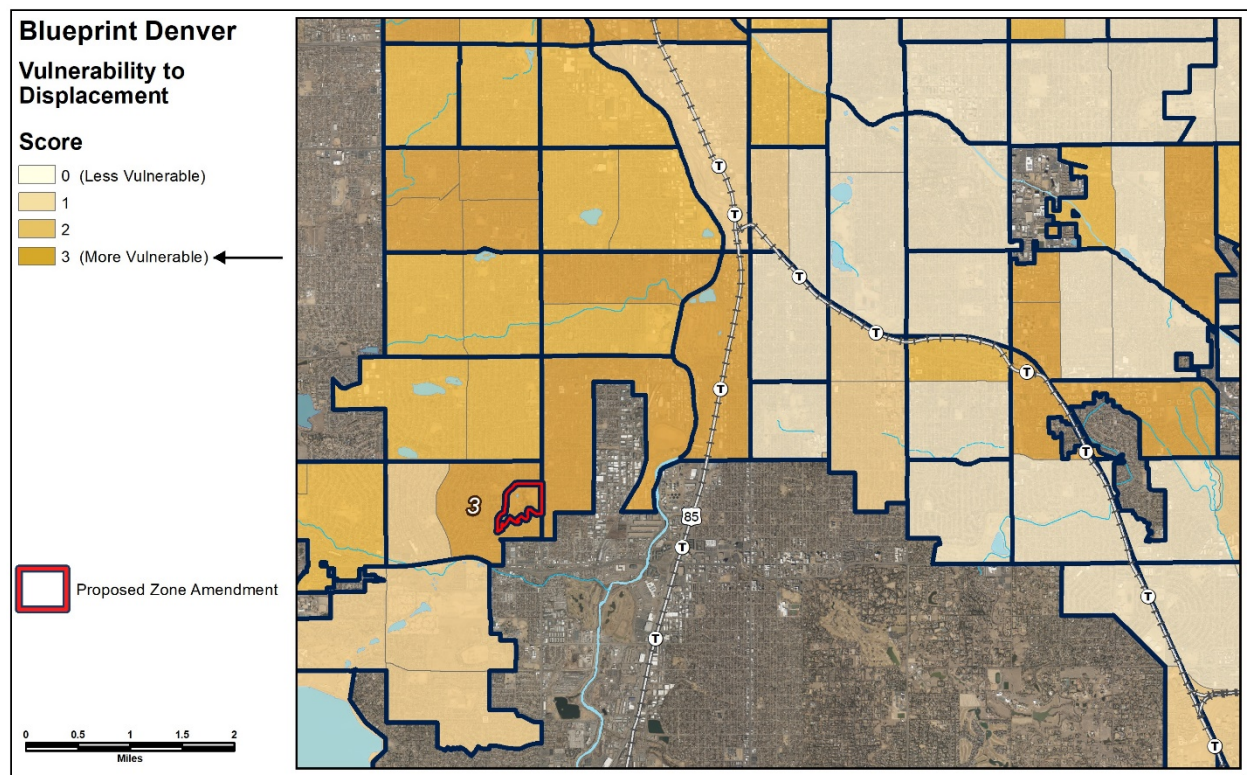


The subject property is in an area with below average access to opportunity for all measurements: the neighborhood equity index measurement (specifically, social determinants of health, access to healthcare, child morbidity, built environment, and life expectancy), access to transit, and the access to centers and corridors. This area scores low on access to transit because it is not located within ½ mile of a light-rail transit station. However, the area has access to several bus lines, including along Federal Boulevard and Dartmouth Avenue (Routes 35 & 36) and Route 30 along Dartmouth Avenue and Yale Avenue. Generally, only 25-49% of the area is covered by a walk, bike, or driveshed to a center or corridor.

The proposed rezoning from the CMP-EI2 zone district will enable a greater mix of residential, retail, commercial, and pedestrian-oriented uses within close proximity to the surrounding community. The anticipated development that will result from this rezoning has the potential to bring additional services and amenities, including publicly accessible open space, that draws residents and visitors into the site from surrounding neighborhoods. Additionally, the application notes that the proposed zone districts will help improve the area's walkability through enhanced building siting standards that will improve circulation around the subject property, increasing the area's access to centers and corridors. Establishment of these built form standards will promote improved health outcomes and facilitate improved redevelopment outcomes. Finally, future development within the subject property and along the Federal Boulevard corridor will support better access to the high-frequency transit in the area. As part of this redevelopment opportunity, the City of Denver is proposing to provide an improved bus stop along Federal Boulevard and improved signalized crossings in the area. Both measures will greatly improve access to transit and to various city centers and corridors. Overall improvements to infrastructure, streetscape, and the existing network of local and regional trails will further improve multi-modal connectivity and greater accessibility in the community.

Vulnerability to Displacement

The basis for measuring vulnerability to displacement is the vulnerability to displacement index developed by the Denver Office of Economic Development and Opportunity. This analysis considers data like median household income, percentage of people who rent housing, and percent of population with less than a college degree.



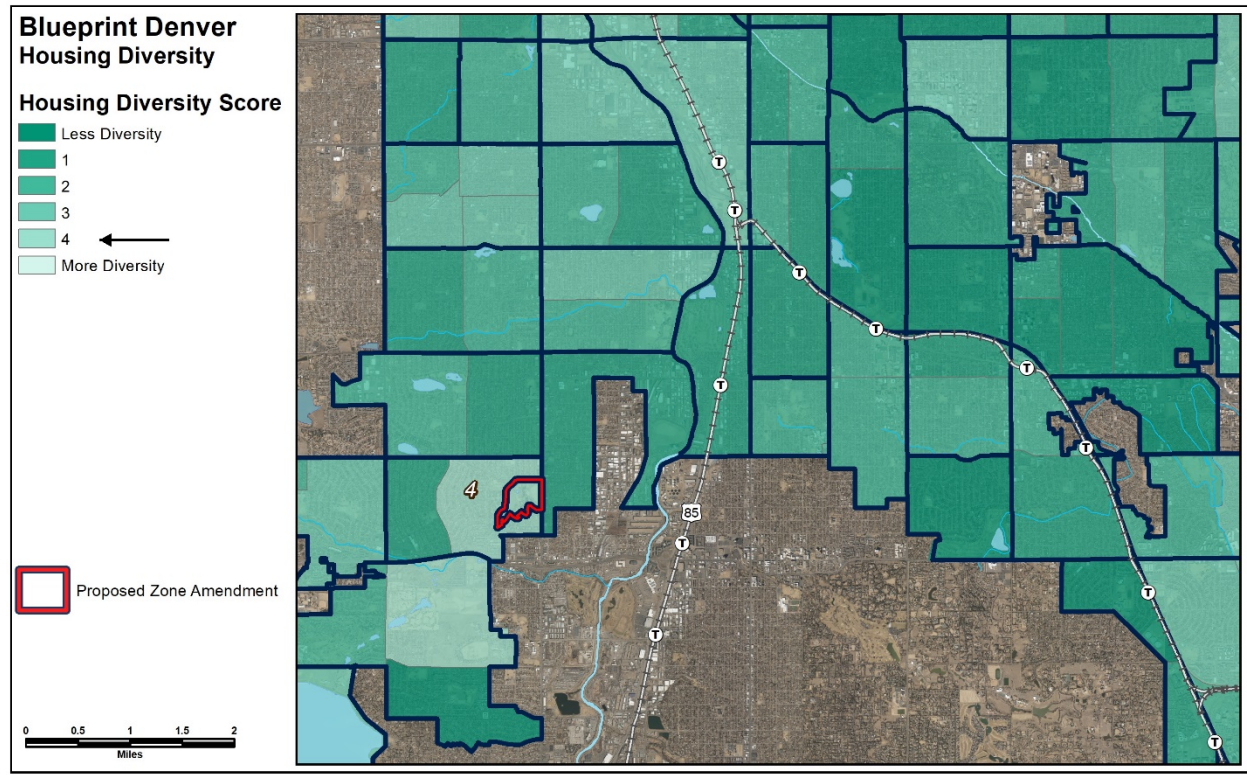
The subject property is in an area that is more vulnerable to displacement. The subject property scores as vulnerable on all three indicators (percent of population with less than a college degree, percent of renter-occupied units, and median household income). In areas vulnerable to involuntary displacement, it is important to maintain and expand affordable housing options so that residents of all income levels can continue to live in these neighborhoods.

The proposed rezoning from the CMP-EI2 zone district will enable greater access to jobs and a diversity of residential opportunities, including both for-sale and for-rent units. The rezoning will allow for a variety of residential building forms, including middle-density housing. The provision of additional amenities that will result from the redevelopment will allow existing and future residents to live, work and play in the area. Additionally, an affordable housing agreement is being developed concurrent with this rezoning. Once formalized, this agreement will ensure the provision of for-rent and for-sale affordable housing units on the subject site. These affordable units will be available to households of diverse income levels, dispersed equitably throughout the site, sized to accommodate a variety of households, and of similar type to market-rate housing units in the redevelopment. The supply of these affordable housing options is key to encouraging a complete neighborhood where families and households of all types and incomes can choose to live. This voluntary affordable housing commitment helps strengthen the application's consistency with *Blueprint Denver*. For more information, see the Affordable Housing section of this staff report.

Staff finds that this rezoning application will have a positive impact on this measurement and has the potential to greatly improve the vulnerability to displacement score for the area over time.

Expanding Housing Diversity

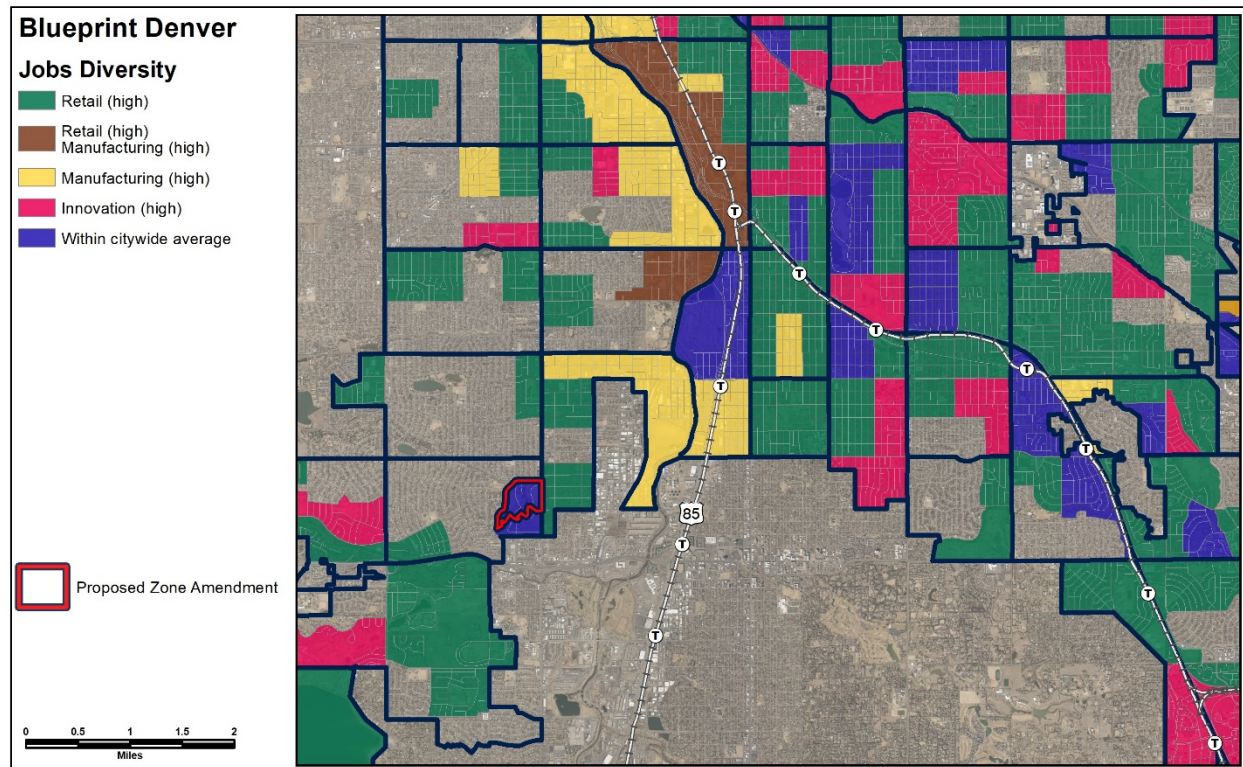
The housing diversity map combines census tract-level data measuring the percentage of middle-density housing (housing with 2-19 units), home size diversity, ownership vs. rental, housing costs and the number of income-restricted units.



The subject property is in an area that has above-average housing diversity. This area is considered not diverse for only one of the indicators (percent of middle-density housing). It has greater diversity in home size, owners compared to renters, housing costs, and number of income restricted units.

It is anticipated that the proposed rezoning from the CMP-EI2 zone district will further increase the diversity of housing options in the area, including single-unit, duplex and both small-scale and large-scale multi-unit options such as townhomes, row houses and apartment building forms. The addition of this middle-density housing will improve this measurement and provide greatly needed housing at a variety of price points. Staff finds that this rezoning application will expand housing diversity in the community.

Expanding Jobs Diversity



The map above shows the mix of jobs in an area with the dominant industry depicted by color. The subject property has a job mix that is similar to the city's overall mix of job types.

The proposed zone districts will continue to allow various commercial, office and retail jobs in the area consistent with the city-wide average. Increasing access to a range of many quality jobs enables people of different incomes and education levels to find employment and wealth-building opportunities. Staff finds that, on balance, this rezoning application will continue to have a positive impact on the area's jobs diversity.

Loretto Heights Area Plan

General Framework

The *Loretto Heights Small Area Plan* contains a framework plan for the entire plan area and recommendations for smaller neighborhood areas. The overarching theme of the *Loretto Heights Small Area Plan* is to create a community destination that preserves the history of the former Loretto Heights campus, while also accommodating a wide variety of new uses and services in an environment that enhances the quality of life for future residents.

The proposed rezoning to PUD-G 24, PUD-G 25, and U-MX-3 (with waivers) will enable high-quality, mixed-use development at an infill location where some infrastructure is already in place. The requested

zone districts broaden the variety of uses allowing residents to live, work and play in the area, while also preserving and protecting the historic resources on the former campus. These uses will provide basic services and amenities to the residents in the surrounding neighborhoods, and the design standards in the proposed districts will promote greater walkability and accessibility. The enhancement of built form standards and the provision of publicly accessible open space will promote better health outcomes and facilitate improved redevelopment outcomes. Finally, the Plan identifies the Administration Building, Chapel, Priest's House, Pancratia Hall, Machebeuf Hall, Library and Theater as priority existing building resources to remain for adaptive reuse. Additionally, the Quadrangle at the heart of PUD-G 25, the Great Lawn leading from Federal Boulevard up the Administration Building, and the Courtyard north and east of the Theater and Library are identified as priority open spaces to remain. The proposed PUD-G 24 likewise identifies these resources as priorities and carries the guidance of the Plan directly into the PUD, such that future development will honor the existing priority resources.

The proposed rezoning is, therefore, consistent with the following Land Use and Built Form, Mobility and Quality of Life Recommendations:

1. Land Use and Built Form Recommendations
 - LU - 01 Promote a diverse mix of land uses
 - LU - 04 Encourage high-quality public realm design that contributes to the neighborhood character and sense of place
 - LU - 05 Promote a variety of building heights and intensities
 - LU - 07 Preserve and re-use historic structures and features on the Loretto Heights campus
 - LU - 10 Minimize involuntary displacement and gentrification
 - LU - 12 Integrate affordable housing throughout the plan area to accommodate households of different ages, sizes, and incomes
2. Mobility Recommendations
 - MOB - 04 Increase access to multi-use trails, pathways and parks and open space
 - MOB - 05 Create a complete pedestrian network
 - MOB - 08 Increase the use of shared mobility options
 - MOB - 09 Improve resident access to transit
3. Quality of Life Recommendations
 - QOL - 03 Create new community gathering spaces to accommodate a variety of activities for residents and visitors
 - QOL - 04 Provide a variety of amenities that contribute to a sense of place, and enhance active and passive uses

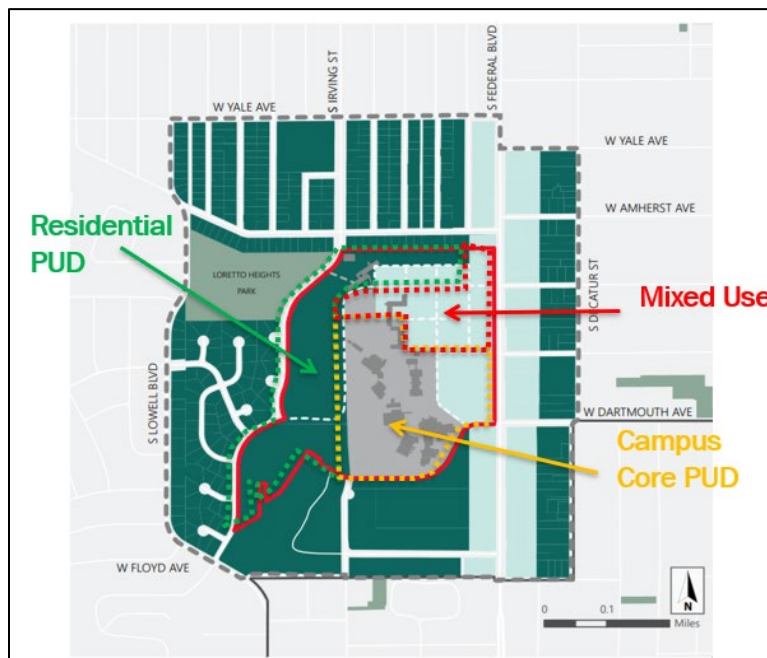
Loretto Heights Small Area Plan Maps

The *Loretto Heights Small Area Plan* was adopted as a supplement to *Blueprint Denver* in 2019 and is consistent with many citywide goals and policies. The Neighborhood Context and Future Place maps created in the *Loretto Heights Small Area Plan* provide detailed guidance for use in rezonings and other policy decisions. In 2019, these maps updated the same *Blueprint Denver* maps.

Suburban, Urban and District Context

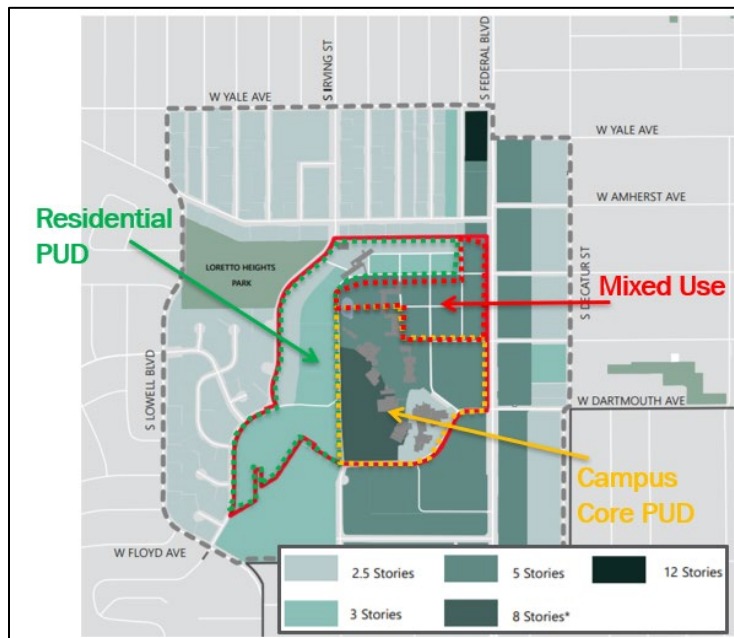
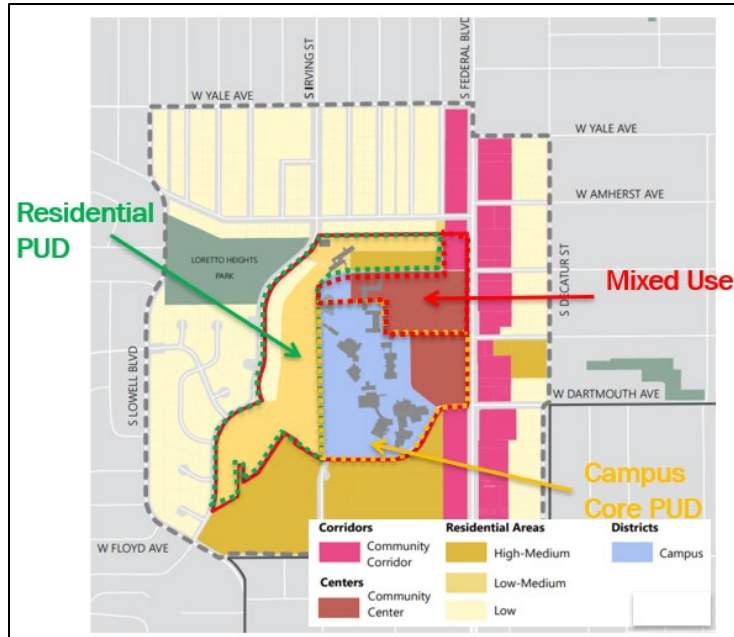
Consistent with the *Blueprint Denver* mapping and analysis above, there are three different future neighborhood contexts for the subject property, Suburban, Special District, and Urban. The proposed

PUD-G 25 would allow compatible residential uses, and some residential mixed-use, in an appropriate building form embedded in the neighborhood, consistent with the *Loretto Heights Small Area Plan* description of the Suburban and Urban neighborhood contexts. The aspirational vision of these contexts is that the proposed districts are more urban in nature, and the design standards found in PUD-G 25 support a vibrant, walkable area along curvilinear streets and publicly accessible open space. Similarly, the proposed PUD-G 24 is appropriate and consistent with the Special District context plan direction as it will allow for the preservation and adaptive reuse of historic buildings and new residential and commercial development in a campus setting. The preservation of existing buildings, integration of open space, and thoughtfully designed infill development will help maintain and further promote for the vision for a unique campus feel. Existing and proposed building forms will vary in height and intensity and respond to the surrounding community. Finally, the proposed U-MX-3 (waivers) would allow for compatible residential and commercial development in an appropriate building form and facilitate activation of a walkable public realm. The proposed rezoning is consistent with the *Loretto Height Small Area Plan's* Urban context guidance.



Future Place and Building Height

Consistent with the *Blueprint Denver* mapping and analysis above, the Future Places map identifies several place types for the subject site. The northern and western areas are identified as High-Medium Residential, Low-Medium Residential, and Low Residential with maximum building heights of 2.5-3 stories. The Future Places map shows the central portion of the subject property as part of a "Campus" area within the Districts context with maximum building heights of 5-8 stories. Finally, the northeast corner and eastern edge of the subject property is identified as the Community Corridor and Community Center, respectively.



PUD-G 25 allows for low-scale residential development oriented to a network of new streets and open spaces. The carefully calibrated height guidance (maximum of 2.5 to 3 stories) and allowable building forms built into the custom zone district is intended to respond to the existing single-unit structures to the west and north, and provide a variety of residential uses that compatibly transition to higher intensity uses the closer you get to the campus core.

PUD-G 24 addresses the historic core of the former Loretto Heights campus with the preservation and adaptive reuse of the historic buildings, and new residential and commercial development in a campus setting. The custom zone district will allow for a variety of sensitive infill development including commercial, residential, and office uses which will serve the surrounding neighborhood consistent with the *Loretto Heights Small Area Plan* place type description. The proposed maximum allowable building height of 5-8 stories, and the mass and scale of buildings varies and is appropriate when considering the historic status of the site. Additionally, the *Loretto Heights Small Area Plan* notes that only one building is allowed to achieve the maximum height of eight stories in the eight story height area (above) and that design requirements should restrict the placement of any building over five stories and limit the footprint of such a building in order to protect the view of the Administration Building. PUD-G 24 contains massing, footprint, and spacing requirements, and restricts the number and placement of any building over five stories on the site to a single location.

Finally, the proposed rezoning to U-MX-3 (waivers) provides a mix of residential, commercial and office uses that promote a safe, active, and pedestrian-scaled street edge. The zone district is intended for corridors like Federal Boulevard, embedded neighborhood business areas, and larger sites like the former Loretto Heights campus. Additionally, the zone district helps to improve the transition between commercial development and adjacent residential neighborhoods, like the College View neighborhood to the east.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to PUD-G 24, PUD-G 25 and U-MX-3 with waivers will result in the uniform application of zone district building form, use and design regulations within the unique zone districts.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City primarily through the implementation of the City's adopted plans, including the recently adopted *Loretto Heights Small Area Plan*. In addition to facilitating the preservation and reuses of some of the existing structures on the former campus, the application notes that the proposed zone districts contain enhanced design standards that reinforce the desired character of the area and encourage better built form outcomes fostering a more pedestrian-oriented environment. As such, a broadened mix of uses and mobility improvements can provide better health outcomes through increased physical activity and lessen the need for driving as services and amenities can be accessed within walkable and bikeable distances.

4. Justifying Circumstance

The application identifies 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 change may include: b. A city adopted plan.”

The application cites the recently adopted *Loretto Heights Small Area Plan* which envisions a redevelopment that includes a variety of uses, additional residential intensity and opportunity, and multi-modal connectivity in and around the former Loretto Heights campus. This new plan guidance documents an increasing demand for community-serving uses such as those that would be allowed by the proposed PUDs and the U-MX-3 (waivers) zone districts. The proposed zone districts will allow the flexibility to facilitate investment and continued active use while preserving the historic elements on the former campus. The updated plan guidance for this area and the changing conditions justify the rezoning to allow additional uses and reinvestment in the public interest.

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

PUD-G 25

Subareas A, B and C within PUD-G 25 are based on the Suburban neighborhood context which is characterized by single-unit residential and multi-unit residential, commercial strips and centers, and office parks. Single-unit residential consists typically of the Suburban House building form, and multi-unit building forms consist of Row House and occasional mid-and-high-rise Apartment building forms (DZC Section 3.1.1). Subarea D within PUD-G 24 is based on the urban neighborhood context and is primarily characterized by single-unit and two-unit residential uses where small-scale multi-unit residential uses and commercial areas are embedded in residential areas (DZC Section 5.1.1).

The proposed map amendment to PUD-G 25 would allow a variety of residential uses, including single unit and rowhouse building forms, consistent with the Suburban context description. Additionally, within Subarea D, PUD-G 25 will allow for small-scale multi-unit residential uses and commercial areas embedded in a primarily residential area, consistent with the Urban context description. For further analysis of consistency with PUD zone district purpose and intent, see section 6.A of this staff report.

PUD-G 24

PUD-G 24 is based on the CMP-EI2 zone district. This Campus context generally consists of midsize to large medical, institutional, educational or entertainment sites (DZC Section 9.2.1). The context allows flexible placement of buildings and a unified treatment of site elements like signage, landscaping, and open space. The context may have transitional areas that taper off in intensity towards adjacent residential neighborhoods, or they may be adjacent to more intense development. Buildings may be oriented either to a street, or to an internal courtyard, or to an open space area. Building massing varies with greater massing generally interior to the site. In this district the General primary building form is the only allowed building form.

The proposed map amendment to PUD-G 24 addresses the historic core of the former Loretto Heights campus with the preservation and adaptive reuse of the historic buildings, and new residential and commercial development in a campus setting. The varying height, building orientation, and publicly accessible open space standards in PUD-G 24 are consistent with the Campus district purpose. For

further analysis of consistency with PUD zone district purpose and intent, see section 6.A of this staff report.

U-MX-3

The requested U-MX-3 zone district is within the Urban neighborhood Context. This neighborhood context contains multi-unit residential uses and commercial areas embedded throughout the single-unit and two-unit residential uses that dominate the context. In this context, “commercial buildings are typically the Shopfront and General building forms that may contain a mixture of uses within the same building,” and “are primarily located along mixed-use arterial or main streets but may be located at or between intersections of local streets” (DZC, Division 5.1). The proposed rezoning to U-MX-3 (waivers) will allow for a variety of residential uses within the subject property and will provide an opportunity for the development mixed-uses and commercial activity along Federal Boulevard, a mixed-use arterial. Therefore, the proposed rezoning to U-MX-3 is consistent with the Urban neighborhood context description.

According to DZC Section 5.2.3.1.D, the Mixed-Use districts are focused on creating mixed, diverse neighborhoods and are intended for corridors, embedded neighborhood business areas and larger sites. The proposed rezoning will allow for a variety of uses, and the subject site is a large redevelopment site located adjacent to the Federal Boulevard corridor in southwest Denver. Therefore, the rezoning to a mixed-use district is appropriate at this location.

The U-MX-3 zone district “applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired” (DZC Section 5.2.3.2.C.) The subject site is located at the intersection of a local street and mixed-use arterial where a building height of up to 5 stories is desired in both *Blueprint Denver* and the *Loretto Heights Small Area Plan*. However, a U-MX zone district that supports this height guidance does not yet exist. As a result, the applicant is requesting a waiver to 5 stories or 70 feet maximum height which is consistent with Community Planning and Development’s policy of using waivers as a bridge to future text amendments to the Denver Zoning Code. All other U-MX-3 zoning code standards would apply. Therefore, rezoning this site is consistent with the specific intent of the zone district.

6. Additional Review Criteria for Rezoning to a PUD District.

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 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 to respond to “unique and extraordinary circumstances where more flexible zoning than what is achievable through a standard zone district is desirable and multiple variances, waivers, and conditions can be avoided.”
 - Under DZC 9.6.1.1.B.1, one example of a unique and extraordinary circumstance applicable to PUD-G 25 is “where a development site has special physical characteristics, including but not limited to irregular or odd-shaped lots, or lots with significant topographical barriers to standard development or construction practices.” There is a significant amount of topography on the western portion of the redevelopment site and the site cannot be redeveloped under the

existing zoning, or any standard zone district without significant waivers and conditions, while also addressing buildings that front desired open spaces. Additionally, PUD-G 25 will implement land use recommendations that do not match an existing DZC zone district (e.g. three-story maximum height for row house districts in the Suburban neighborhood context and side street standards for South Irving and South Julian Streets). This custom zone district will implement these types of land use recommendations that do not match an existing zone district but are found in the recently adopted *Loretto Heights Small Area Plan*.

- Similarly, under DZC 9.6.1.1.B.2, one example of a unique and extraordinary circumstance applicable to PUD-G 24 is “where a customized zoning approach is necessary to protect and preserve the character of a Historic Structure or historic district.” The site cannot be redeveloped under the existing zoning, or any standard zone district without significant waivers and conditions, while maintaining the historic integrity of the former Loretto Heights Campus. The modifications in the proposed PUD-G 24 are necessary to allow the continued and future successful use of the property while preserving the historic structures and character. PUD-G 24 will enable standards to protect historic buildings prior to any local historic designation and by supporting the adaptive reuse of historic buildings and open spaces that are not expected to be formally designated with flexible design allowances for exterior alterations, additions, and new construction.
- Section 9.6.1.1.C states “A PUD District is not intended as either a vehicle to develop a site inconsistent with the applicable neighborhood context and character, or solely as a vehicle to enhance a proposed development’s economic feasibility.”
 - The proposed PUDs would allow development on the subject property that is consistent with the Suburban, Urban and Campus neighborhood contexts and that furthers the public health, safety, and general welfare of the city, as described above.
- According to Section 9.6.1.1.D., “in return for the flexibility in site design a PUD District should provide significant public benefit not achievable through application of a standard zone district, including but not limited to diversification in the use of land; innovation in development; more efficient use of land and energy; exemplary pedestrian connections, amenities, and considerations; and development patterns compatible in character and design with nearby areas and with the goals and objectives of the Comprehensive Plan.” The PUD District is compatible with the goals and objectives of the Comprehensive Plan while providing significant public benefit including:
 - Provision of a diverse range of much needed affordable housing options, including different price points, types, and a mix of rental and for-sale units.
 - Provision of publicly accessible open space and valuable connections to the adjacent Loretto Heights Park and regional trail network including the Platte River Trail.

- Development patterns compatible in character and design with surrounding neighborhoods while preserving the historic structures and character of the former Loretto Heights campus.
 - The expanded allowed uses on the former campus while providing the historic structures more flexibility to adapt to new uses over time.
 - Investments in public infrastructure including both public and private drives which improve east-west vehicular and pedestrian connections throughout the subject site.
- B. The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in Division 9.6;*
- The proposed PUD District and PUD District Plan comply with the standards and criteria stated in Division 9.6, including those described above and the form and content standards in Section 9.6.1.3.
- 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;*
- As described above, the site would require several variances or waivers to the standard S-SU, S-RH, U-RX and CMP-EI2 zone districts to accommodate the development, most notably the location, side street standards, height and scale of the allowed development in PUD-G 25, and the flexible building standards needed to preserve and maintain existing buildings in PUD-G 24. There is no other zone district which would accommodate the development without variances or waivers.
- D. The PUD District establishes permitted uses that are compatible with existing land uses adjacent to the subject property;*
- The PUD District proposes uses consistent with those allowed in S-SU, S-RH, U-RX and CMP-EI2, with additions and modifications described above. These uses are appropriate to apply to a site currently used for public/quasi-public uses in a Suburban neighborhood that is surrounded by varying residential intensity and commercial areas.
- E. The PUD District establishes 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.*
- The PUD Districts allow building heights and building forms that are compatible with the surrounding neighborhoods. The setback and building form restrictions ensure appropriate relationships to adjacent properties, the historic character of the campus core, and the surrounding neighborhood.

Attachments

1. PUD-G 24
2. PUD-G 25
3. U-MX-3 (Waivers)
4. LDR Determination Letter
5. RNO and Public Comment Letters