



**DENVER**  
THE MILE HIGH CITY

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**TO:** Denver City Council – Blueprint Denver Committee  
**FROM:** Deirdre M. Oss, AICP, Senior City Planner  
**DATE:** August 17, 2009  
**RE:** Zoning Map Amendment Application #2009I-00018  
Southwest corner of Jefferson and Yosemite  
Rezoning from B-2 and O-1 to R-1

**Staff Report and Recommendation**

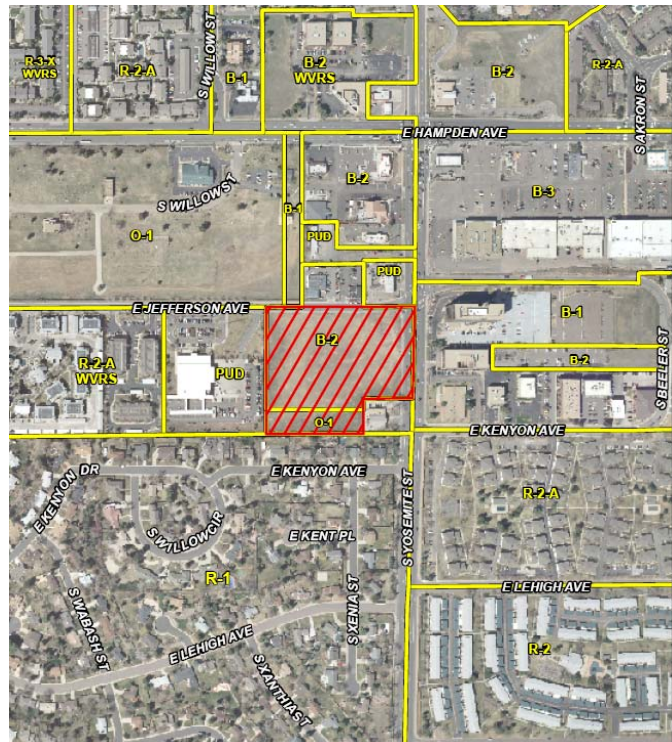
Based on the criteria for review including legal basis evaluation and compliance with adopted City plans, Staff recommends approval of application #2009I00018 from B-2 and O-1 to R-1.

**I. Scope of Rezoning**

Application:	<b>#2009I-00018</b>
Address:	<b>3601 S. Yosemite</b>
Neighborhood/Council District:	Hampden South/Council District #4 - Lehmann
Area of Property:	6.22 acres/ 211,041 SF
Current Zoning:	B-2 and O-1
Proposed Zoning:	R-1
Applicant/Owner:	M.D.C. Holdings, Inc.
Contact Person:	Tim Garrelts - Richmond/Tyler Theder, Land Architects

**II. Summary of Proposal**

The subject property is approximately 6.22 acres located on the southwest corner of the intersection of Jefferson and Yosemite in the Hampden South neighborhood. The applicant is proposing to rezone the site to R-1 for single family residential development. The entire site was zoned O-1 in 1963, with much of the parcel zoned B-2 in 1979. While a large O-1 parcel exists to the north of this site in the cemetery, the remnant of O-1 on the subject property was left as a buffer between the commercial zoning and the residential units to the south.



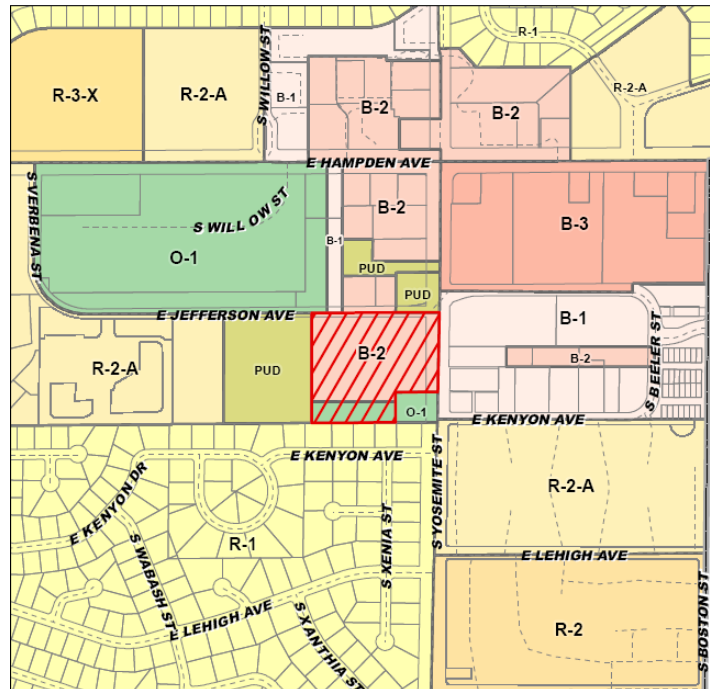


### III. Existing Context

	Existing Zoning	Existing Land Use	Blueprint Denver
<b>Site</b>	B-2 and O-1	Car Dealership and associated uses	Area of Stability Single Family Residential
<b>North</b>	O-1, B-1, B-2 and PUD	Gas station, cemetery	Area of Change Commercial Corridor
<b>South</b>	R-1	Single family residential	Area of Stability Single Family Residential
<b>West</b>	PUD	Post Office	Area of Stability Open Space Limited
<b>East</b>	B-1	Commercial/office/retail	Area of Stability Single Family Duplex

The site is currently vacant, but adjacent to a Denver Fire Station, single-family residential to the south, a gas station to the north, a post office to the west, and office/retail to the east. The site is just over ½ mile away from the Dayton light rail station that runs along Interstate 225, and the neighborhood is adjacent to the Denver Technological Center, a major business center. The site exists in a suburban context, with predominant access to residential neighborhoods off of collector and arterial streets linked to curvilinear local streets. Located along Yosemite

Street one block south of Hampden Avenue, the site is highly accessible by transit with bus lines running along Yosemite and Hampden Avenue. The site is also located one-half mile northwest of the Dayton Station light rail transit stop. All three corners at this intersection that surround this site contain nonresidential uses. To the west of the post office is a multifamily apartment complex with inward facing driveway access shared off of one local street connection along Jefferson.



#### IV. Summary of Agency Referral Responses

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This rezoning has been reviewed concurrently within the context of the Denver Zoning Code and other applicable City Codes as utilized by the referral agencies listed below.

- Asset Management: Approved.
- Denver Fire Department: No comment.
- Denver Parks: No comment.
- DES-Surveyor: Approved attached application.
- DES-Transportation: Approved.
- DES-Wastewater: Approved.

#### V. Legal Notice, Public Process & Public Comment

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The property was legally posted for a period of 15 days announcing the Denver Planning Board public meeting, and written notification of the hearing has been sent to all affected registered neighborhood organizations. Staff has not received any letters of support or opposition related to this rezoning case. However, the applicant did attend a neighborhood meeting for the

Hutchinson Hills Homeowners Association that covers some of the residential neighborhood to the south. There was no opposition for the proposed R-1 zoning.

## **VI. Legal Justification**

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### **Change of Conditions (or) Map Error**

This application has been submitted based on a Change of Conditions warranted by the adoption of Blueprint Denver (2002). Blueprint Denver indicates Single Family Residential as the future desired land use on the property. Existing conditions contain a vacant parcel that was not developed at the time the residential neighborhood was developed to the south.

## **VII. Criteria for Review / Staff Evaluation**

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The criteria for review of this rezoning application include conformance with adopted regulations, and with the Comprehensive Plan and applicable supplements. Applicable documents are as follows:

- *Denver Comprehensive Plan 2000*
- *Blueprint Denver*
- *Denver TOD Strategic Plan*
- *Denver Zoning Code*

### **A. City Plan: Denver Comprehensive Plan 2000**

The proposal is consistent with and positively addresses many Denver Comprehensive Plan strategies, including:

- Environmental Sustainability chapter, Strategy 2F is to *Conserve Land by promoting infill development within Denver at sites where services and infrastructure are already in place; designing mixed use communities and reducing sprawl so that residents can live, work and play within their own neighborhoods; and creating more density at transit nodes* (p. 39). While the site is located with access to major corridors, it will require an additional thru-road for residential development. It is not likely that this road will connect to the neighborhood to the south as there are no connection opportunities on the southern edge.
- Land Use 3-B; to *Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses*. The proposed R-1 zoning is consistent with the zoning to the south, and does not change the opportunity to develop single family residential units on this site.
- Land Use 3-D; *Identify and enhance existing focal points in neighborhoods, and encourage the development of such focal points where none exist*. The site is located at the edge of the residential neighborhood and through site design has potential to be a focal point of the neighborhood.
- Mobility 4-A; *Preserve, enhance and extend the pattern and character of the primary street system, including the prevailing street grid, interconnected parkways, detached*

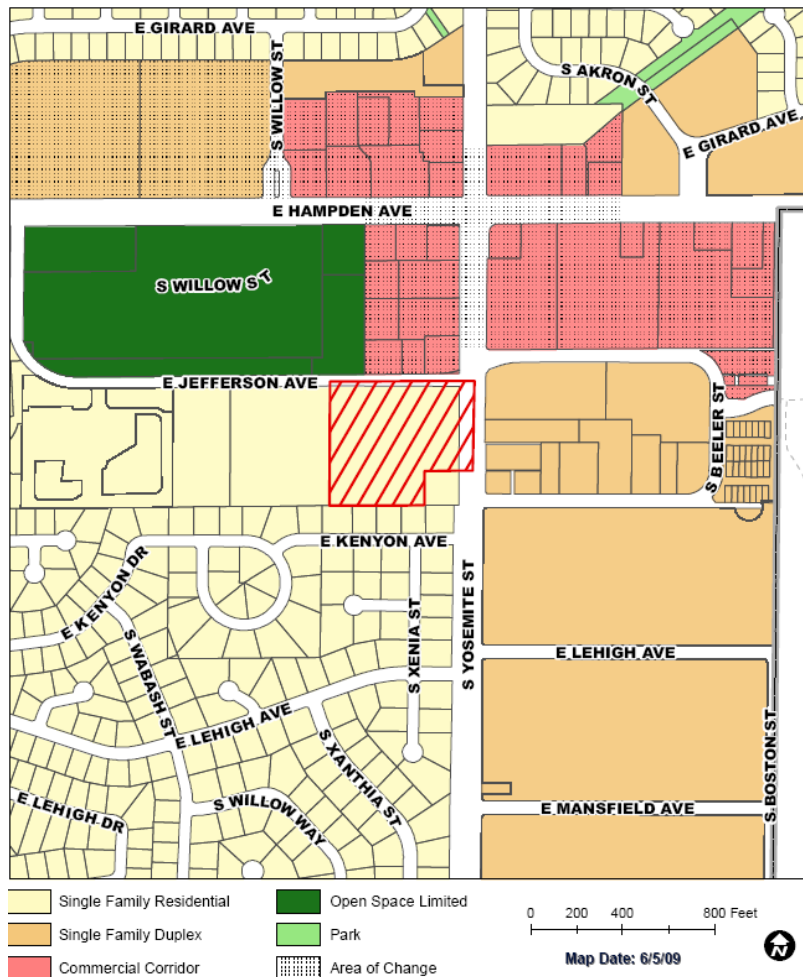
*sidewalks and tree lawns.* Development of the proposed R-1 zoning will rely on access from two established streets. It is likely that a future developer will have to provide a private street to serve residences inside the development. While there will be no physical road connections from the internal portion of the site to the residential neighborhood to the south, the site's location at a corner makes it possible to exit the site easily to gain access to multiple modes of transportation.

**B. City Plan: Blueprint Denver**

As identified in Blueprint Denver, the concept land use for this property is Single Family Residential in an Area of Stability, with adjacent Commercial Corridor to the north and Single Family Duplex to the east. Single family residential districts have densities fewer than 10 units per acre, often less than six units per acre neighborhood-wide, and the employment base is significantly smaller than the housing base (p. 42). They are usually farther from Downtown and have a low FAR (p. 64). Preserving and revitalizing neighborhood character is a prevailing concern in Areas of Stability (p. 23). The Guiding Principles for Areas of Stability are:

- Respect valued development patterns,
  - Respect valued attributes of area,
  - Respect adjoining property,
  - Expand transportation choice,
  - Minimize traffic impacts on neighborhood streets, and
  - Respect environmental quality (p. 141).
- This site is located relatively close to the Denver Technological Center and within one-half mile of a transit station.

Blueprint Denver identifies the concept street classification of Yosemite Street as a Residential Arterial and Jefferson Avenue is an Undesignated Local. Residential Arterials balance transportation choices with land



access, without sacrificing auto mobility, and tend to be more pedestrian-oriented than commercial streets (p. 55).

**C. Denver Zoning Code**

The R-1 district is a single-family residential zone district allowing lower density (less than 7 dwelling units per acre) appropriate to the suburban context. The proposal to rezone this site from B-2 and O-1, is consistent with Blueprint Denver and the adjacent zoning to the south.

***Evaluation of other Zoning Options***

**Leave Property under existing ZONE-DISTRICT zoning:** B-2 zoning is still appropriate for the site given the existing conditions, and it does support development of single-family residential to support Blueprint Denver's recommendation. However, the proposed R-1 zoning ensures implementation of this land use designation.

**Rezone to Another-Zone-District:** Staff reviewed R-MU-20 for potential application to this site. R-MU-20 is a residential mixed use district with a height limit up to 55 feet. Given the current B-2 zoning floor area ratio (FAR) of 1:1, this height could have potentially been reached on this site under existing zoning, although not consistent with the Blueprint Denver designation for this corner.

**VIII. Staff Recommendation**

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Based on the criteria for review and staff evaluation as identified above, Staff recommends approval of the proposed rezoning from B-2 and O-1 to R-1.

**Attachments:**

1. **Application**
2. **Letters of Support/Opposition received that were not a part of application**
3. **Map Series - Aerial, Zoning, Blueprint Map)**