

# **MEMORANDUM**

**TO:** Mayor and City Council  
Lakewood Planning Commission  
West Colfax Avenue Land Use Regulations Focus Group

**THRU:** Rebecca P. Clark, Director of Community Planning and Development  
Roger Wadnal, Manager, Comprehensive Planning and Research

**FROM:** Rob Smetana, Principal Planner  
Comprehensive Planning and Research

**DATE:** October 20, 2008  
City Council Study Session Date: November 3, 2008

**SUBJECT:** Colfax Mixed Use Zone District

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## **RECOMMENDATION**

The action requested at the Joint Study Session will be to move this item forward to a future Planning Commission Public Hearing for a recommendation and a City Council Public Hearing for adoption.

## **BACKGROUND**

The Colfax Mixed Use (CMU) Zone District is a key implementation step of the West Colfax Avenue Action Plan, adopted by the City in 2005.

The West Colfax Avenue Land Use Regulations Focus Group first began developing the CMU Zone District ordinance in July of 2007. Since that time, the Focus Group met 14 times to first evaluate the current land use and development patterns along Colfax, and then to develop a set of regulations to implement key steps from the West Colfax Avenue Action Plan.

The Focus Group consists of City Council, Planning Commission and Board of Adjustment members, West Colfax Community Association (WCCA) board members, Colfax business owners, representatives from neighborhoods adjacent to Colfax, and City staff. A list of the Focus Group members is attached.

The members of the Focus Group and the Planning Commission have been invited to attend the study session.

## **STATUS OF ACTIONS TAKEN AND PROPOSED**

Staff has outlined three steps that would need to be taken in order to fully implement the City's vision for the Colfax Avenue corridor. One of those actions have already been undertaken:

1. Adopt the West Colfax Avenue Action Plan. The West Colfax Avenue Action Plan set the framework for redevelopment efforts along the corridor and provided the basis for the Colfax Mixed-Use (CMU) Zone District via several action steps. The City Council adopted the Action Plan as amendments to the Lakewood Comprehensive Plan on December 12, 2005.

There are two additional actions to be recommended at future public hearings:

1. Adopt the Colfax Mixed (CMU) Use Zone District. The Colfax Mixed-Use (CMU) Zone District is designed to be a strong tool to help implement the West Colfax Avenue Action Plan. This action would repeal the existing Article 19 of the Zoning Ordinance (West Colfax Avenue Overlay District) and replace it with new Article 19, the Colfax Mixed Use Zone District. The Focus Group has held 14 meetings over the past 14 months to develop the proposed zoning document. The Planning Commission has reviewed and revised the document during two study sessions held during October. The Commission is scheduled to hold a public hearing regarding the zone district on November 19, 2008.
2. Re-map Properties within the LRA Boundaries. All of the properties along Colfax Avenue and within the Lakewood Reinvestment Authority (LRA) boundaries, except for those already zoned Transit Mixed Use (TMU), are to be remapped to the CMU Zone District. The CMU Zone District, with the associated Sub-Districts, would replace existing zone designations for these properties. This would be accomplished by a legislative action by City Council once the CMU Zone District has been approved and is effective.

## **PUBLIC OUTREACH**

Public input has been an important part of the language development process. Over the past 14 months, the focus group has hosted two public open houses to present

and discuss the proposed CMU district. The first open house was held in January 2008 and was attended by approximately 60 people. A second open house was held in May 2008 and was attended by approximately 70 people. Additionally, two property owner meetings were held in June.

Staff has also made presentations to the West Colfax Community Association, as well as to neighborhood associations located adjacent to the Colfax Avenue corridor.

The City website has also been updated to include a draft version of the CMU Zone District, as well as the approved Action Plan.

Prior to any public hearings regarding the re-mapping of property as part of this process, staff intends to hold at least one more open house to present the specific sub-district boundaries to property owners and residents adjacent to the corridor.

## **COLFAX MIXED-USE ZONING**

The West Colfax Avenue Land Use Regulations Focus Group has developed the proposed Colfax Mixed Use Zone District language over the past 15 months. In addition, the Planning Commission, the Focus Group, and staff met during two study sessions in October to refine the ordinance language. The following are key provisions of the proposed CMU district:

*Additional Emphasis on the Performance-Based Review Process.* The Planning Commission, in keeping with their desire to implement the Performance-Based Review Process wherever possible, clearly identified the ability to review a project within a CMU zoned area through the process. The CMU ordinance indicates that flexibility and creativity are key elements of project design. The document includes design standards that shall be met. However, an applicant can demonstrate the ability to achieve a comparable result through the Performance-Based Review Process as an alternative.

*Consistent Language Regarding Non-Conforming Commercial Buildings.* The non-conforming language for commercial development generally reflects the code language found in Article 16 of the Zoning Ordinance that addresses non-conforming buildings throughout the City. One exception is that uses and structures within the CMU zone areas will be allowed to expand by up to 30 percent of the floor area. This exception is more lenient and flexible than the existing Article 16 language.

*Existing Uses Allowed to Remain as Permitted Uses.* Existing uses within the proposed boundaries of the zone district would remain as permitted uses. The Focus Group determined that most uses currently existing within the proposed boundaries should remain as permitted uses. The district language was then tailored to address those uses.

Permitted Uses as Identified in the CMU Language. The Focus Group determined that a broad list of uses should be allowed along Colfax and on adjacent streets within the proposed district boundaries. Therefore, the permitted use lists included in the draft language are extensive, and include a wide variety of commercial, office, and residential uses. There are very few Special Uses, which would require Planning Commission approval. The draft language includes only one use, auto sales and leasing, that would terminate in the operation is discontinued for more than 180 days, following adoption of the zoning.

Architecture and Urban Design Requirements. The proposed CMU district language includes some basic urban design and architectural requirements that relate to making a pedestrian friendly environment along Colfax. In lieu of the specific ordinance language regarding these topics, a separate development manual will be created to address important elements. The manual will be similar to the one created for the TMU Zone District. Both the Planning Commission and the Focus Group felt the language included in the draft was important to “place-making” should be codified.

Incentives. The draft language includes incentives for a couple of items. First, incentives have been included for signage along Colfax to encourage creativity and the use of neon or neon-like lighting consistent with the historic sign character. Incentives have along been included for the development of mixed-income residential or mixed-use projects along Colfax.