



August 5th, 2024  
WINDLER Zoning Amendment No. 3

Rezone Request - Letter of Justification

### **Introduction:**

This Zone Amendment 3 to the Windler Master Plan proposes 4 separate rezone requests:

1. To rezone approximately 24 acres of MU-R (Mixed-Use Regional) to R-2 (Medium Density Residential) within Village North (PA-3, Windler Master Plan).
2. To rezone approximately 20 acres from MU-R to R-2 within Midtown (PA-15, Windler Master Plan).
3. To rezone approximately 21 acres from MU-A (Mixed-Use Airport) to R-2 within Midtown (PA-15, Windler Master Plan).
4. To rezone approximately 84 acres from MU-R to MU-A within PA-1 & PA-16, Windler Master Plan.

The purpose of the rezone is to re-align the zoning boundaries to match with the latest planning efforts for the Windler community east of E-470. The requested re-zoning does not fundamentally change the final outcome of the built environment, or the proposed land uses, from what was previously approved in the Master Plan, but refines the boundaries of these uses to align with new planning efforts from the development team. This rezone is accompanied by an amendment to the Windler Master Plan which provides further definition to the land uses proposed in this rezoning request.

### **Conformance with Rezoning Criteria:**

5. The change is required because of changed conditions or circumstances and;
6. that the proposed rezoning is consistent with the spirit and intent of the Comprehensive Plan, with other policies and plans adopted by the City Council, and with the purpose statement of the proposed new zone district;
7. and that the size, scale, height, density, and multi-modal traffic impacts of the proposed rezoning are compatible with surrounding development;
8. and that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits

### **Change in Circumstances:**

The Windler development team has identified a need for attainable housing not only within Aurora but in the Denver Metro Area generally. The Windler Master Plan is uniquely positioned to address this need by way of the Flexible Residential Lot Option (FRLO) applicable to the residential areas of the master plan. The purpose of the FRLO is to offer additional flexibility for the creation of diverse residential housing types by removing minimum lot size standards for residential lots. The benefit of Windler's FRLO designation is that it allows a Master Plan to refine the development standards of the UDO to achieve a higher density than typically permitted, from a maximum of 5 dwelling units per acre up to 12 dwelling units per acre. This flexibility to adjust lot standards in response to market conditions, beyond what would normally be allowed by code, will allow Windler to provide a solution to housing attainability within the City of Aurora. We have already engaged in a productive dialogue with city staff regarding these adjustments and will continue to define a shared path toward increasing attainability.





## **Compatibility with the Comprehensive Plan:**

Exhibit A shows the area east of E-470 as City Corridor and Emerging Neighborhood placetypes in the City of Aurora Comprehensive Plan. The proposed land uses in the Windler Master Plan largely align with these placetypes, defined primarily by commercial, mixed commercial and multi-family adjacent to E-470 and medium density residential, with Flexible Residential Lot Option (FRLO) to the east. The focus of the City Corridor placetype is commercial activity whose primary uses are restaurants, retail, office, and commercial services. Multi-family and single-family attached residential are considered secondary uses to allow for the development of mixed-use projects. The Emerging Neighborhood placetype is described as primarily residential with a mix of housing types and densities, with restaurants, retail and commercial as secondary uses. This placetype is also characterized by a walkable and connected pedestrian infrastructure with highly accessible parks and open space integrated throughout each neighborhood. Consequently, this is exactly what the approved Windler Master Plan provides, and also what this Rezone aims to achieve. If we examine the underlying zoning relative to the current planning for Windler we can see how this amendment is compatible with the Comprehensive Plan.

Current MU-R zoning dictates that the area should serve as an “image-making” gateway, with spatial standards that emphasize a visible focal point, a walkable main street, public plazas and a strong internal multi-modal network. Permitted uses allow for a mix of medium to high-density residential, including single-family attached and greencourt dwellings, and regional commercial uses.

In comparison, MU-A zoning is designed to enable master-planned developments to incorporate a mix of uses that will allow Aurora to leverage the economic opportunities created by the Denver International Airport. A wide variety of attached and detached single-family, duplex, and low to medium-density multi-family housing is permitted, along with a diversity of non-residential including office, hotel and conference facilities, and supporting retail, commercial and service uses. This zone district is especially compatible with the FRLO in that it permits higher residential densities when that residential is adjacent to an Activity Center (AAC). The Windler Master Plan contains two AAC’s within this rezone, one located near 56th Ave, and the other near 48th Ave, where higher permitted residential densities are integrated with local retail/commercial uses.

In contrast with MU-R zoning, which has no limitation on residential density or area, MU-A zoning has a limit on the amount of residential permitted to no more than 50% of the zoned area. And no more than half of this allotment is permitted to be single-family detached. The rezone of MU-R to MU-A ensures at least 67 acres of the Windler development east of E-470 is committed to non-residential uses.

The limit on residential is in line with the land uses proposed within the MU-A, which are primarily commercial and mixed commercial, with multi-family and single-family attached/detached as secondary uses. This distribution of uses fully supports the City Corridor placetype. The addition of Administrative Activity Centers proposed in Planning Areas 3 & 14 of the Windler Master Plan, further supports the City Corridor and Emerging Neighborhood placetypes by providing a transition between commercial/retail/office/service uses and the residential to the east. In the Windler Master Plan these two Activity Centers are described as “main streets” and are intended to integrate small scale retail and commercial services within higher density residential uses. In combination with a strong pedestrian network and a robust Parks and Open Space system, the proposed rezone is consistent with the spirit and intent of these two placetypes within the Windler Master Plan.



### **Compatibility with Surrounding Uses:**

A mix of uses surround the Windler development, including Logistics/Distribution, Commercial, Mixed-Use and Residential, much of which also share the Comprehensive Plan's designation of City Corridor and Emerging Neighborhood placetypes. The proposed land uses in the Windler Master Plan Amendment are also very closely aligned with the land uses in the currently approved Master Plan and so, are compatible with the size, scale, height, density, and multi-modal traffic impacts within the Windler development. If the proposed land uses are almost identical to the approved land uses, then the uses proposed in this rezone are also consistent with adjacent development.

### **Summary:**

The requested zoning change will result in a largely similar outcome and built environment as would be expected from the existing zoning. The zoning change is needed to align with new planning boundaries in the Master Plan, which are intended to help address housing attainability and diversity within the City of Aurora. The requested combination of MU-A (Mixed-Use Airport) and R-2 zoning will allow for, and result in, virtually exactly the uses that the existing MU-R zoning allows.

We appreciate your consideration of this request.

# PLACETYPE PLAN

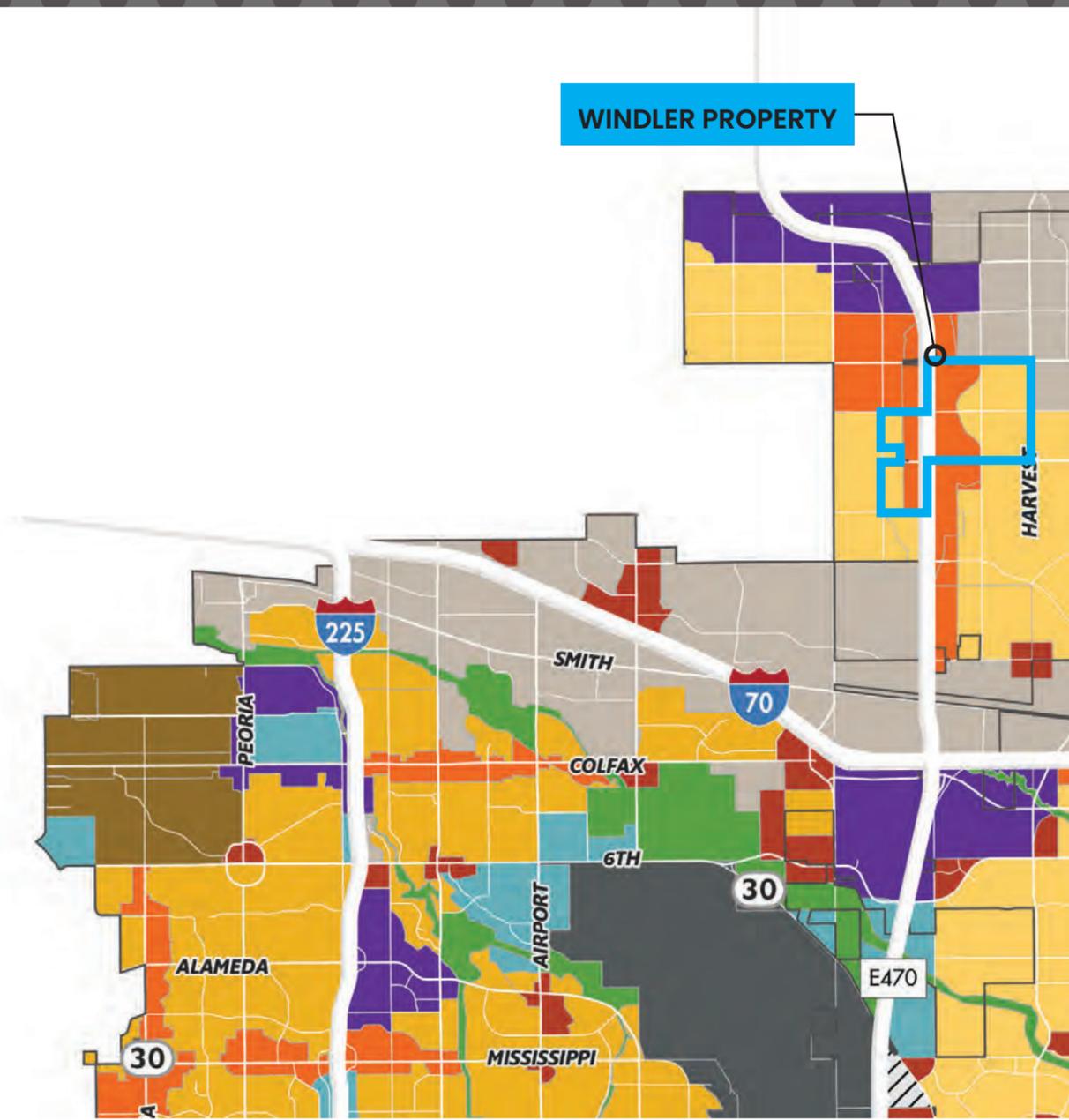


**PLACETYPES**

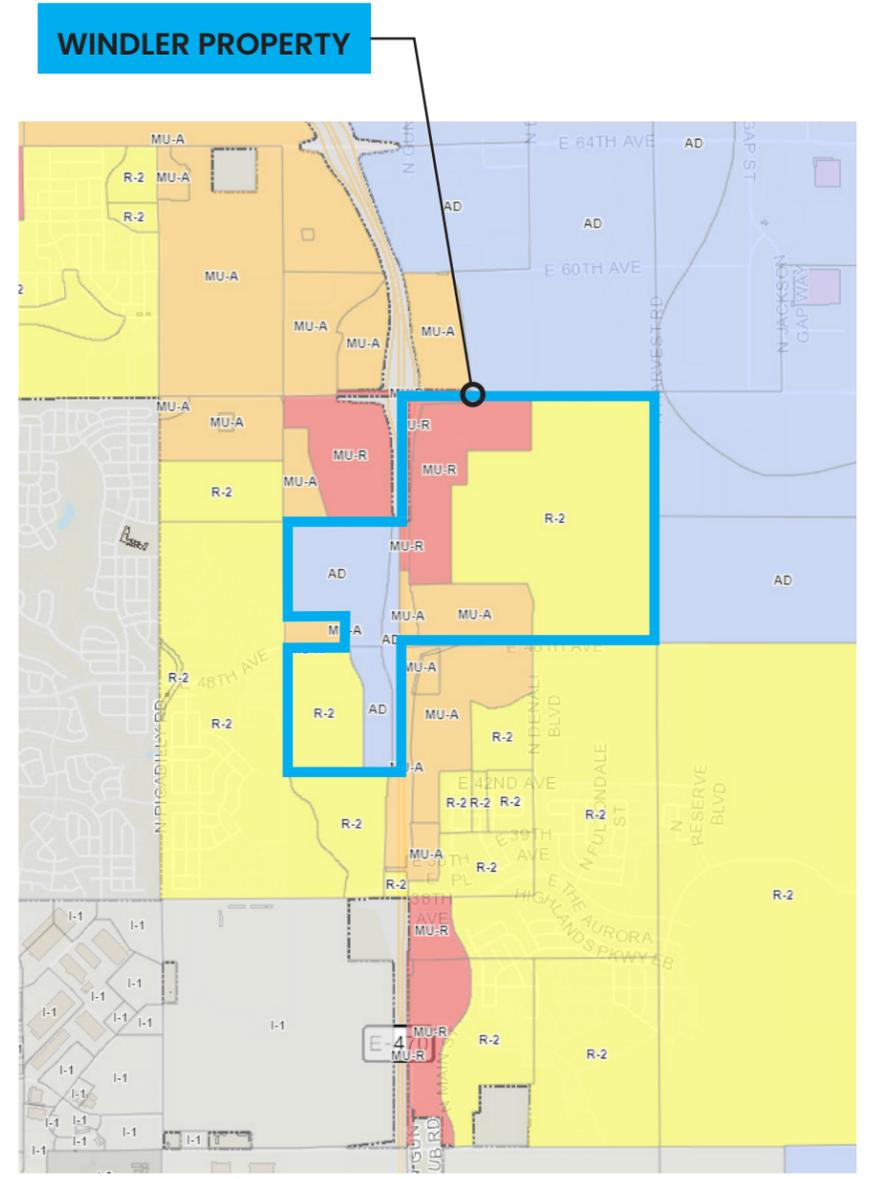
- Urban District
- Innovation District
- Industry Hub
- Buckley Air Force Base
- Urban Green Space
- City Corridor
- Established Neighborhood
- Emerging Neighborhood
- Original Aurora
- Commercial Hub
- Special Use
- State Land Boundary

*This map identifies placetype designations for all areas within the city of Aurora's adopted planning and annexation boundaries. See page 51 for additional information about these boundaries.*

*Placetype designations for areas outside of the city limits are for long-range planning purposes only. These properties are subject to rules and regulations of their appropriate jurisdiction(s). The city of Aurora does not enforce zoning, subdivision or development standards in unincorporated areas.*

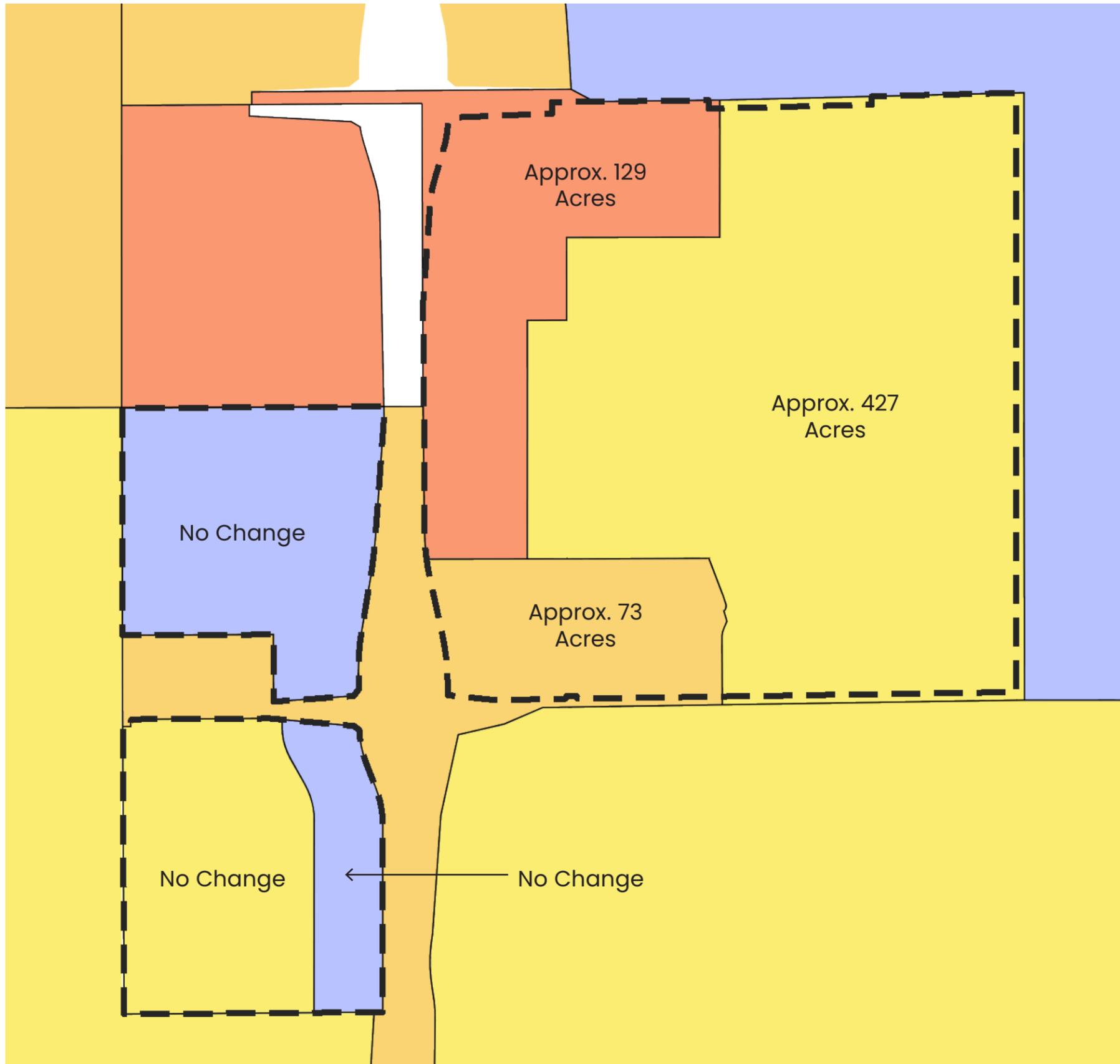


WINDLER PROPERTY



WINDLER PROPERTY





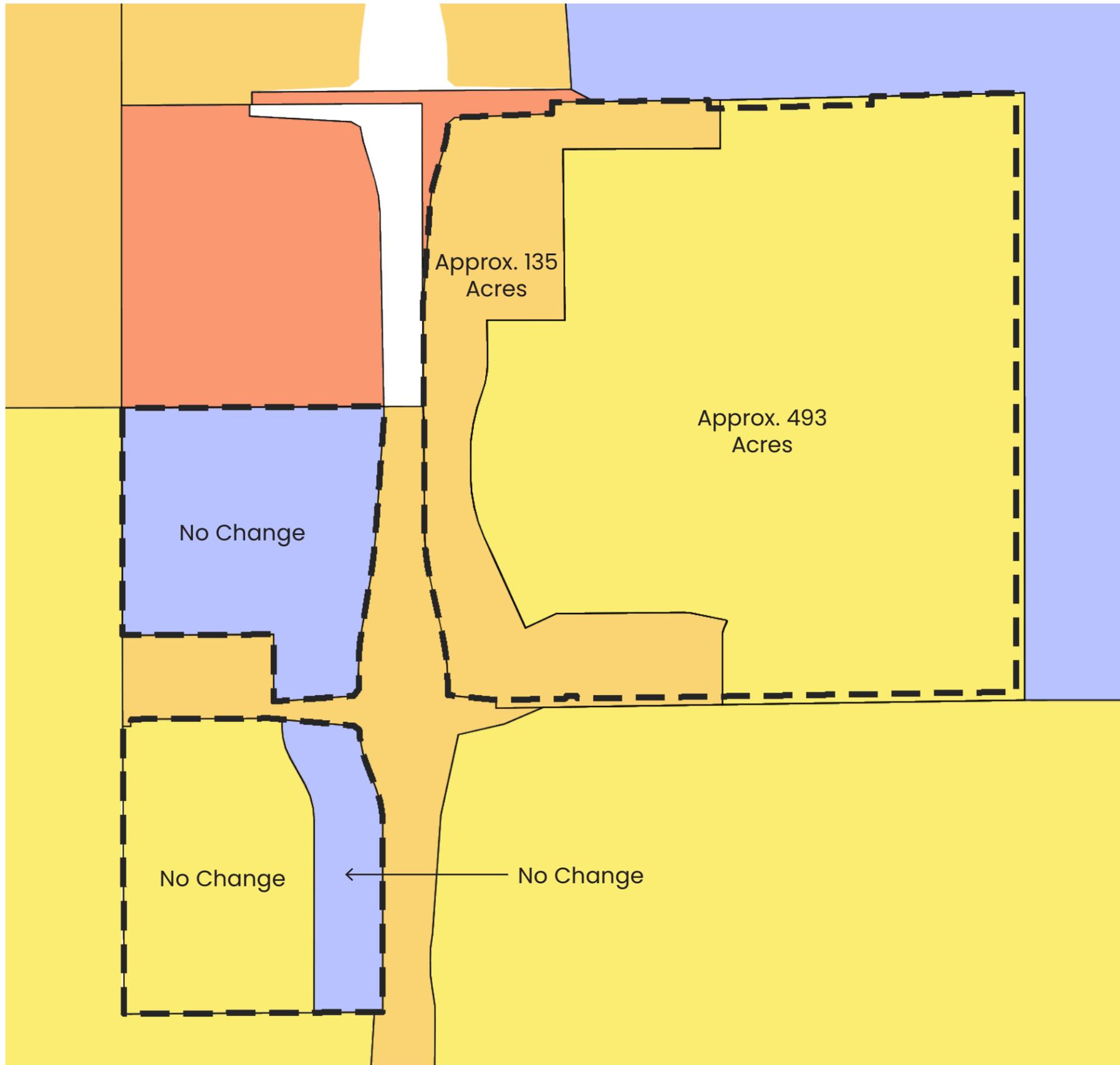
**LEGEND**

-  WINDLER Boundary
-  R-2 Zoning
-  MU-A Zoning
-  MU-R Zoning
-  AD Zoning



**Exhibit B: Existing Zoning Designation**





**LEGEND**

-  WINDLER Boundary
-  R-2 Zoning
-  MU-A Zoning
-  MU-R Zoning
-  AD Zoning