



TO: Denver City Council
FROM: Abe Barge, Senior City Planner
DATE: June 23, 2016
RE: (A) Denver Zoning Code – Text Amendment #9 to create new Downtown Arapahoe Square Zone Districts and a new Arapahoe Square Design Advisory Board
(B) Denver Zoning Code – Map Amendment for rezoning of multiple properties from D-AS and C-MX-12 UO-1, UO-2 to D-AS-20+, D-AS-12+, C-MX-8, C-MX-5, and C-MX-3 (Map Amendment Case# 2016I-00035)

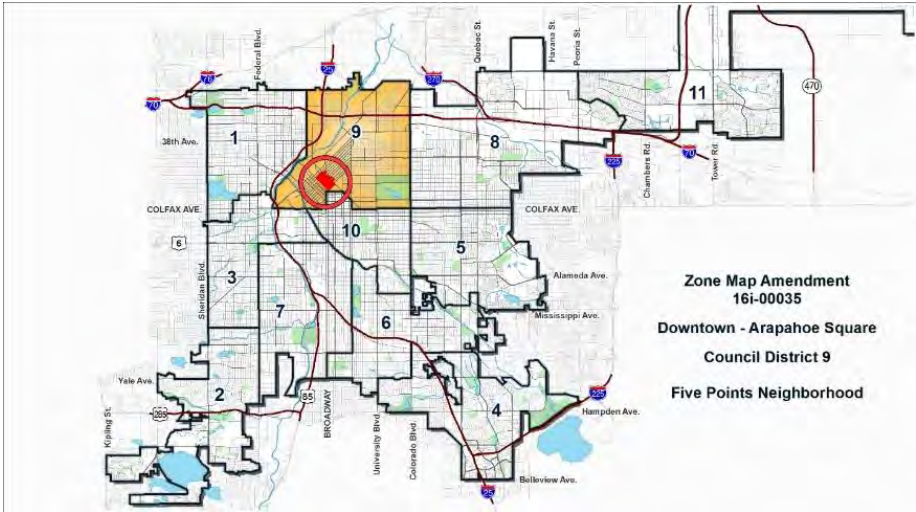
I. Summary of Recommendation

A. Text Amendment

Based on the review criteria for a text amendment stated in Denver Zoning Code (DZC), Section 12.4.11 (Text Amendment), CPD staff recommends that City Council approve Text Amendment #9 to create new Downtown Arapahoe Square zone districts and a new Arapahoe Square Design Advisory Board.

B. Map Amendment

Based on the review criteria for a map amendment stated in Denver Zoning Code (DZC), Section 12.4.10 (Map Amendment), CPD staff recommends that City Council approve Map Amendment #2016I-00035 to rezone multiple properties in the Arapahoe Square area.



II. Summary and Purpose

The *Downtown Denver Area Plan* (2007) and *Northeast Downtown Neighborhoods Plan* (2011) call for Arapahoe Square to be redeveloped as a cutting-edge, densely populated, mixed use area. *The Northeast Downtown Neighborhoods Plan* specifically recommends new form-based zoning for the neighborhood to implement key plan recommendations, including a diversity of building forms and an upper story setback (datum line) at 5 stories.

To implement plan recommendations, Councilman Albus Brooks, in partnership with CPD, initiated a public process to draft new zoning and an updated design review system for Arapahoe Square in the fall of 2014. The project was guided by a Technical Task Force with help from a third-party facilitator. It included three key phases:

- Phase 1: agreement on approach and goals, November 2014 – January 2015 (with two Task Force meetings).
- Phase 2: drafting new zoning and new design standards and guidelines, February 2015 – January 2016 (with nine Task Force meetings).
- Phase 3: public review, February 2016 – March 2016 (with one Task Force meeting).

Public review included the following components:

- A Public Review Draft posted for one month on the project web site with information on how to comment
- A Community Open House
- Office hours for one-on-one meetings with staff
- Staff presentations to the Downtown Denver Partnership, area RNOs and other interested organizations
- A presentation to INC's Zoning and Planning Committee

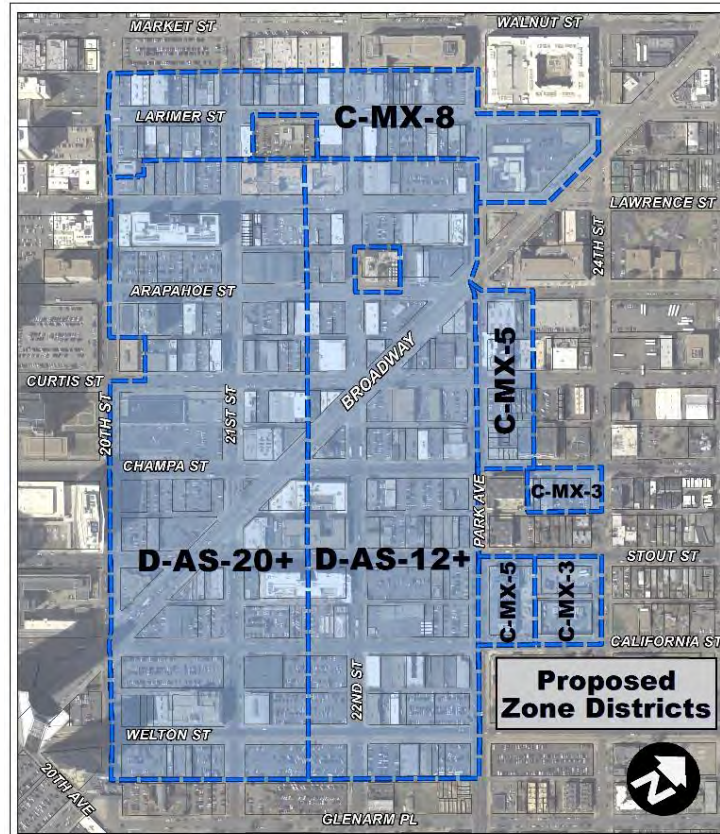
The outcome of the process includes a proposed text amendment to implement two new context- and form-based zone districts (D-AS-12+ and D-AS-20+) and a map amendment application to legislatively rezone properties in the Arapahoe Square area to the new districts. The map amendment application also proposes to rezone some areas outside of Arapahoe Square with existing zone district that implement *Northeast Downtown Neighborhoods Plan* recommendations. Working with the Technical Task Force and other stakeholders, city staff also drafted new design standards and guidelines that will work in tandem with the D-AS-12+ and D-AS-20+ zone districts. Note that City Council does not adopt design standards and guidelines – The Denver Planning Board unanimously recommended adoption of the design standards and guidelines by the Manager of Community Planning and Development per Section 12-18 of the Denver Revised Municipal Code in a public hearing on May 4, 2016. An Executive Summary outlining key points of the proposed zoning and design review system is attached to this staff report.

A. Text Amendment

Councilman Albus Brooks is sponsoring a text amendment to the Denver Zoning Code to add two new zone districts (D-AS-12+ and D-AS-20+) that implement *Northeast Downtown Neighborhoods Plan* land use and building form recommendations. When the Denver Zoning Code (DZC) was created in 2010, the B-8-A zoning that applied to Arapahoe Square under Former Chapter 59 was copied into the DZC along with the other zone districts that compose the Downtown Neighborhood Context. These original Downtown districts are based on maximum floor area ratios (FARs) that are not used in newer 2010 form-based zone districts. At that time, no changes were made to the district, which was named Downtown Arapahoe Square (D-AS), except for a significant reduction in the minimum amount of required off-street vehicle. A redlined draft of the proposed text amendment is attached to this staff report.

B. Map Amendment

Councilman Albus Brooks is also sponsoring a legislative map amendment to apply the two proposed zone districts (D-AS-12+ and D-AS-20+) to the Arapahoe Square neighborhood. The official map amendment also includes rezoning several properties that border the Arapahoe Square area (in the Ballpark and Curtis Park neighborhoods) that currently have D-AS zoning, but are not part of the Arapahoe Square neighborhood. These properties are proposed for rezoning to existing DZC districts that implement specific land use and height recommendations for each area. The map below illustrates the proposed rezoning.



III. Existing Context

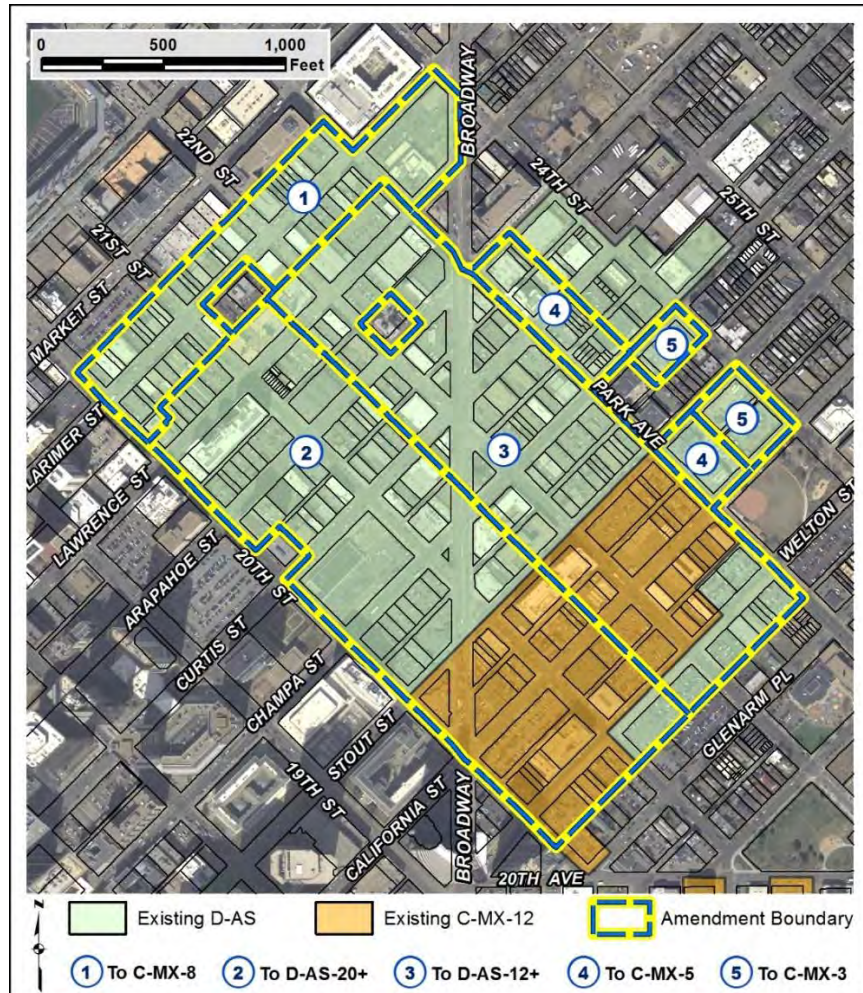
The area proposed for rezoning contains multiple properties located in the Five Points statistical neighborhood. The two new Arapahoe Square zone districts are proposed to apply to the entire Arapahoe Square neighborhood, with the exception of one existing Planned Unit Development (PUD), one Open Space-zoned parcel (the 20th Street Gymnasium) and one parcel that is part of the Ballpark Historic District. The Arapahoe Square neighborhood is bounded by 20th Street, Park Avenue West, the alley between Welton Street and Glenarm Place, and the alley between Lawrence and Larimer streets. The other proposed zone districts (C-MX-8, C-MX-5, and C-MX-3) apply to some adjacent portions of the Ballpark and Curtis Park neighborhoods that are outside of Arapahoe Square.

The following table summarizes the existing context proximate to the area proposed for rezoning.

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	D-AS, C-MX-12 UO-1, UO-2	Multiple uses including office, residential, and parking	Multiple forms and scales, including vacant land, surface parking lots, and one- to multi-story buildings	Generally a grid street pattern with rectangle blocks
Northwest/ Northeast	Multiple districts including C-MX-8 UO-2, R-MU-30 with waivers, and G-MU-3 UO-1, UO-2	Multiple uses including office, residential and parking	Multiple forms and scales, including vacant land, surface parking lots, and one- to multi-story buildings	
Southwest/ Southeast	Multiple including C-MX-5, D-C UO-1, C-MX-5 UO-1, UO-2, G-MU-3 UO-3	Multiple uses including residential and parking	Multiple forms and scales, including vacant land, surface parking lots, and tall multi-story buildings	

Existing Zoning

The majority of the area proposed for rezoning is currently zoned D-AS. A small area within the Arapahoe Square neighborhood is currently zoned C-MX-12 UO-1, UO-2. The area is surrounded by a wide range of other zone districts.

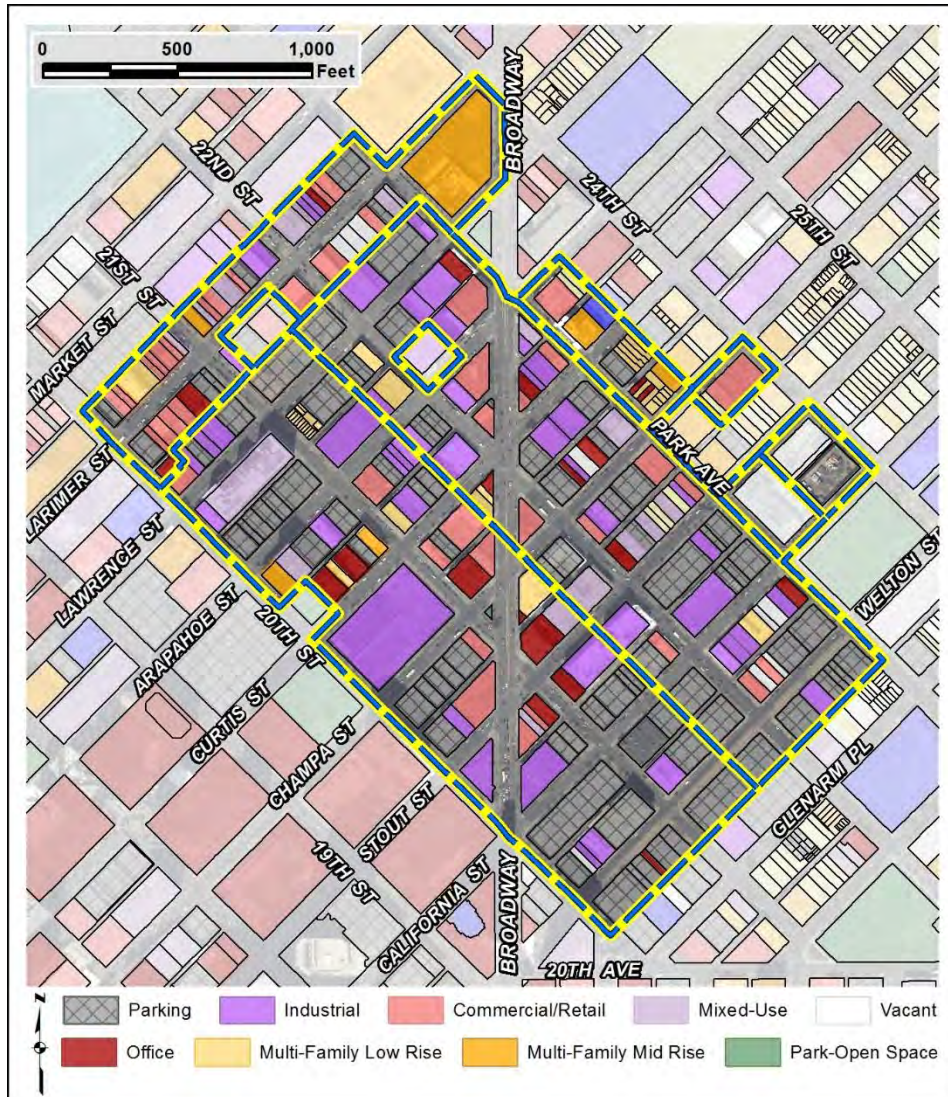


Existing Design Standards & Guidelines

The 1998 Arapahoe Square Design Standards and Guidelines currently apply within the existing boundaries of the D-AS zone district. The existing design standards and guidelines inform Planning Board review and recommendations on proposed projects, as well as final project approval by city staff. They are proposed for repeal and replacement by new design standards and guidelines that will apply in the D-AS-12+ and D-AS-20+ zone districts. The new design standards and guidelines will inform an updated design review process guided by a Design Advisory Board for Arapahoe Square that is proposed as part of this text amendment. Planning Board unanimously recommended adoption of the new design standards and guidelines by the Manager of Community Planning and Development per Section 12-18 of the Denver Revised Municipal Code in a public hearing on May 4, 2016.

Existing Land Use

The area proposed for rezoning is characterized by a wide variety of land uses, as illustrated on the map below.



Existing Building Form and Scale

The area proposed for rezoning includes a wide range of building forms and scales, from surface parking lots to 1-3 story commercial buildings and newer multi-story residential buildings.



The 20th Street Gymnasium at the corner of 20th and Curtis streets is one of two locally-designated landmark buildings in Arapahoe Square (note that this property is not proposed for rezoning).



21st Street connects Arapahoe Square to the Ballpark Historic District and Coors Field.



Most older buildings in Arapahoe Square are 1-3 stories in height.



More recent multifamily buildings in Arapahoe Square are generally taller than 5 stories.

IV. Summary of City Agency Referral Comments

As part of the Denver Zoning Code review process, the map amendment application is referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

Development Services – Project Coordination: Approved

Development Services – Wastewater: Approved – “The applicant should note that redevelopment of these sites may require additional engineering. The extent of the required design and wastewater improvements will be determined once a property begins the redevelopment process.”

Public Works – City Surveyor: Approved

Division of Real Estate – Asset Management: Approved

V. Public Process

As summarized in Section II above, the proposed text and map amendments involved an extensive public process lasting 16 months. Important milestones included:

- | | |
|-------------------------------|---|
| <i>November 2014:</i> | CPD mails all property owners in the rezoning area to notify them of the project |
| <i>Nov 2014 – March 2016:</i> | Twelve meetings of the Technical Task Force, open to the public |
| <i>February 2016:</i> | CPD mails all property owners in the rezoning area to notify them of the Community Open House and Public Review Draft |
| <i>February 17, 2016:</i> | Planning Board Information Item |
| <i>February 27, 2016:</i> | CPD attends Inter-Neighborhood Cooperation (INC) Zoning and Planning Committee briefing |
| <i>February – March 2016:</i> | Public Review Draft of text and map amendment posted to website. Multiple public outreach efforts, including Community Open House, office hours and presentations to organizations and RNOs in the area |
| <i>April 4, 2016:</i> | Email notice to all RNOs and City Council members of scheduled Planning Board public hearing. Rezoning signs were posted in the district. |
| <i>April 6, 2016:</i> | Planning Board Information Item |
| <i>April 20, 2016:</i> | Planning Board Public Hearing on the proposed text and map amendments |
| <i>May 4, 2016:</i> | Planning Board Public Hearing on the proposed design standards and guidelines (separately adopted from this text and map amendment) |
| <i>May 11, 2016:</i> | Neighborhoods and Planning Committee meeting on the proposed text and map amendments |
| <i>June 3, 2016:</i> | Email notice to all RNOs and City Council members of scheduled City Council public hearing. Rezoning signs were posted in the district. |

As of the date of this staff report, three letters have been received from two registered neighborhood organizations (Curtis Park Neighbors and Enterprise Hill Neighborhood) and 34 letters and emails have been received from residents, Arapahoe Square Technical Task Force members and other stakeholders. The Summary of Community Comments attached to this staff report includes a copy of each letter and email, as well as individual comments received through open house activities.

Letters from the Curtis Park Neighbors and Enterprise Hill Neighborhood RNOs support the proposed text and map amendment. A separate letter from Curtis Park Neighbors requests additional discussion prior to moving forward with a zone map amendment for the existing D-AS zoned area northeast of Park Avenue and northwest of Champa Street (note that this request is incorporated into the proposed map amendment, which does not include the existing D-AS zoned area northeast of Park Avenue and northwest of Champa Street).

The letters and emails received from residents and other stakeholders primarily focus on:

- Concern with height transitions to surrounding neighborhoods
 - A number of letters and emails express concern with the potential for taller buildings adjacent to St. Andrews Church and the Clements historic district along the southeast edge of Arapahoe Square.
 - About half of all letters and emails indicate that transitioning down to a 3-story height within the Curtis Park portion of existing D-AS zoning northeast of Park Avenue would be most appropriate (note: considering direction from the Curtis Park RNO and the Arapahoe Square Technical Task Force, a portion of existing D-AS zoning in this area is not included as part of the proposed map amendment to allow additional discussion regarding appropriate heights).
- Mixed opinions regarding height within Arapahoe Square
 - Three emails specifically note that the proposed maximum heights are appropriate for Arapahoe Square.
 - Three emails express concern with, or opposition to, the proposed maximum heights in Arapahoe Square (two of the emails express specific opposition to the Point Tower concept that would allow taller building heights as tall slender towers).
- General support for the proposals
 - Four emails express overall support for the proposals, with one email expressing support for removing minimum parking requirements in Arapahoe Square.

VI. Criteria for Review and CPD Staff Evaluation

A. Text Amendment

The criteria for review of a proposed text amendment are found in Section 12.4.11.4 of the Denver Zoning Code. CPD reviewed the proposed text amendment for compliance with the review criteria stated below and finds that DZC Amendment #9 satisfies each of the criteria.

1. The Text Amendment is Consistent with the City’s Adopted Plans

The proposed Text Amendment is consistent with the city’s adopted plans, strategies, and policies as described below.

Denver Comprehensive Plan 2000

The proposed text amendment is consistent with many Denver Comprehensive Plan goals and objectives, including:

Land Use

- Strategy 2-A: (*paraphrased*) Initiate comprehensive review and detailed revision of the Denver Zoning Ordinance . . . The process should balance the perspective of citizens, neighborhoods, businesses, developers and City agencies. The proposed revisions should ensure that the Denver Zoning Ordinance will be:
 - flexible and accommodating of current and future land-use needs
 - accessible, understandable and easy to use
 - supportive of Denver’s competitive economic strengths and its interest in attracting new development of all types
- Strategy 3-B: 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.

Neighborhoods

- Strategy 1-E: Modify land-use recommendations to ensure flexibility to accommodate changing demographics and lifestyles. Allow, and in some places encourage, a diverse mix of housing types and affordable units, essential services, recreation, business and employment, home-based businesses, transportation and open space networks.

Denver’s Legacies

- Strategy 2-B: Focus design standards and review efforts on new and evolving districts that are undergoing the most dramatic change. Periodically evaluate their need and effectiveness, recognizing that locations of review focus may change over time.
- Strategy 2-C: Identify community design and development issues, and target specific concerns with appropriate controls and incentives.

The proposed text amendment adds new form-based zone districts that respond to the evolving role of Arapahoe Square as a vibrant, mixed-use district that provides a transition between the downtown core and surrounding neighborhoods. The new districts also promote quality, mixed use redevelopment and balance density with appropriate height and building form transitions, consistent with goals and objectives of *Comprehensive Plan 2000*.

Blueprint Denver – 2002

Blueprint Denver designates Arapahoe Square as an Area of Change, where growth and development is most appropriate. Related goals and strategies include:

- Encouraging development within Areas of Change to “allow sufficient development intensity and appropriate mixes of uses so that planned land uses will be economically feasible” (page 128).
- Considering zoning changes to implement design standards that help “ensure that the quality of design is an asset to the surrounding neighborhood” as part of a zoning system that allows “enough density and a mix of uses so that a good development proposal will be economically feasible” (page 74).
- Creating new or modified zone districts where there is not an existing zone district “that allows the appropriate uses, densities, and design standards for certain Areas of change” (page 130).

Blueprint Denver also summarizes appropriate design standards for a variety of contexts throughout the city. The list of appropriate standards for Downtown include:

- Pedestrian-scaled facades
- Contextual design
- Prominent street-facing entries
- Architectural scaling elements
- Window transparency requirements to enable pedestrians to see into buildings
- Retail or other similar active uses on the main floor
- Maximum percentage of garage that can occupy a public-facing facade

The proposed new D-AS-12+ and D-AS-20+ zone districts fulfill *Blueprint Denver* goals and strategies by creating form-based zoning that will allow for significant development intensity and a wide range land uses. The proposed zoning also includes a number of design standards listed in *Blueprint Denver* as being consistent with the Downtown context, including street level transparency, entry requirements, street level active use requirements, an upper-story setback at a maximum of five stories (architectural scaling element), as well as incentives for wrapping exposed parking garages to promote quality development (maximum percentage of garage). The proposed zone districts are therefore consistent with *Blueprint Denver* goals.

Downtown Denver Area Plan – 2007

The *Downtown Denver Area Plan* recognizes Arapahoe Square as the area within Downtown with the “most potential for redevelopment and revitalization” (page 56) and notes that redevelopment will be transformative for Downtown. To accomplish the goal of redeveloping Arapahoe Square as a “cutting edge, densely populated, mixed use area that provides a range of housing types and a center for innovative businesses” (page 35), the plan recommends revising existing land use regulations.

The proposed new D-AS-12+ and D-AS-20+ zone districts promote *Downtown Denver Area Plan* recommendations by updating the former D-AS zone district, which has not been significantly revised since it was created in the 1990s (as the B-8-A district) in Former Chapter 59. The proposed Downtown Arapahoe Square 12+ and 20+ zone districts establish new, form-based zoning standards that expand redevelopment potential through a wide range of building forms with maximum heights and building form standards that encourage quality outcomes appropriate for a transforming area of Downtown.

Northeast Downtown Neighborhoods Plan - 2011

The Northeast Downtown Neighborhoods Plan provides several specific recommendations for Arapahoe Square, as summarized below.

1. The Plan seeks to “enhance Urban Design” by allowing a mix of building forms and encouraging buildings that “add visual interest and pedestrian scale to the public realm” (pages 66-67).

The proposed zoning fulfills these recommendations by:

- Allowing a wide range of flexible building forms, including the General, General with Height Incentive, and Point Tower forms
- Requiring building form features intended to improve the pedestrian realm, including:
 - A minimum build-to range of 0-10 ft. for 70% of the lot frontage on most streets
 - Street level activation through minimum transparency requirements and prohibitions on inactive uses for 70% of the primary street frontage at the street level

2. The Plan makes several recommendations that directly address building form, including provision of a “datum line,” or upper story setback at a maximum of five stories. It also recommends variations in building height based on building form alternatives rather than use premiums, including a point tower building form that would allow for additional height. It seeks to promote urban character by minimizing setbacks to provide a consistent street edge and also specifically recommends minimizing the visual impact of parking (pages 67-68).

The proposed zone districts implement these recommendations by:

- Requiring an upper story setback a minimum of 10 ft. deep at a maximum height of 5 stories for 65% of the lot frontage on most streets (the percentage allowance provides flexibility for creative setback designs).
- Allowing three different building forms that vary in height based on form alternatives to produce a system that places the most stringent design controls onto the tallest buildings.
 - The “General” building form provides a base height limit (lower than Plan-recommended maximum heights), with the fewest design requirements.
 - The “General with Height Incentive” Building Form allows additional height in exchange for wrapping exposed above-grade parking with active uses for a minimum of 70% of lot frontage on primary streets.
 - The “Point Tower” Building Form allows the greatest height in exchange for wrapping exposed above-grade parking and limiting the floor plate of the building to 10,000 SF above the 5th story.
- Providing a minimum build-to range of 0-10 ft. for 70% of the lot frontage on most streets
- Requiring surface parking lots to be located to the side or rear of buildings and establishing building forms that incentivize the wrapping of exposed parking structures within the building.

2. The Text Amendment Furthers the Public Health, Safety and Welfare

The proposed text amendment furthers the public health, safety, and general welfare of Denver residents by implementing adopted plans.

3. The Text Amendment Results in Regulations that are Uniform Across the District

The proposed text amendment will result in uniform regulations applicable to all development within the Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) districts.

B. Map Amendment

The criteria for review of a proposed map amendment are found in Section 12.4.10.7 of the DZC (note that Sec. 12.4.10.8 “Additional Review Criteria for non-Legislative Rezonings” does not apply to this legislative map amendment).

CPD reviewed the proposed map amendment for compliance with the review criteria stated below and finds that the proposed Denver Zoning Code Map Amendment 2016I-00035 to map C-MX-3, C-MX-5 and C-MX-8 zone districts, as well as to map new D-AS-12+ and D-AS-20+ zone districts in the Arapahoe Square area, satisfies each of the criteria.

1. The Map Amendment is Consistent with the City’s Adopted Plans

The proposed map amendment is consistent with the city’s adopted plans, strategies, and policies as described below.

Denver Comprehensive Plan 2000

Denver Comprehensive Plan 2000 envisions Downtown as developing into “one of the most exciting places in the nation to live, work, visit or operate a business.” It also notes that “Downtown will be pedestrian- and transit-oriented, safe, affordable and fun” (page 129). The proposed map amendment promotes this vision by encouraging high density development that incorporates human scale, pedestrian-oriented design. The proposed map amendment is also consistent with specific *Denver Comprehensive Plan 2000* goals and objectives, including:

Land Use

- Strategy 3-B: 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.

Neighborhoods

- Strategy 1-E: Allow, and in some places encourage, a diverse mix of housing types and affordable units, essential services, recreation, business and employment, home-based businesses, transportation and open space networks.

Environmental Sustainability

- Strategy 2-F: Conserve land by promoting infill development within Denver at sites where services and infrastructure are already in place.

Denver's Legacies

- Strategy 2-B: Focus design standards and review efforts on new and evolving districts that are undergoing the most dramatic change. Periodically evaluate their need and effectiveness, recognizing that locations of review focus may change over time.

Consistent with goals and strategies of *Comprehensive Plan 2000*, the proposed map amendment will focus design standards and review efforts on the new and evolving Arapahoe Square neighborhood while implementing flexible design standards to encourage a variety of building types.

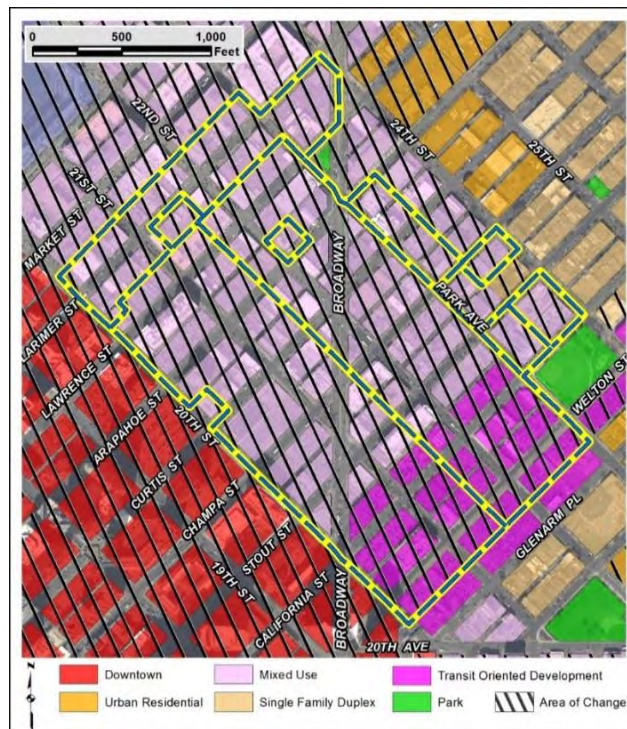
Blueprint Denver – 2002

The 2002 *Blueprint Denver* plan supplements *Comprehensive Plan 2000* with a more specific vision for land use and transportation throughout Denver. The proposed map amendment is consistent with the *Blueprint Denver* vision for future land use and street character in the Arapahoe Square area.

Blueprint Denver Future Land Use

Blueprint Denver designates the Arapahoe Square neighborhood as an Area of Change, where development and redevelopment will be most beneficial to the city. The *Blueprint Denver* future land use map below indicates that mixed use and transit oriented development are the most appropriate future land uses for the district.

The proposed map amendment will implement zone districts that allow a mix of uses that are consistent with *Blueprint Denver* recommendations for future land use.

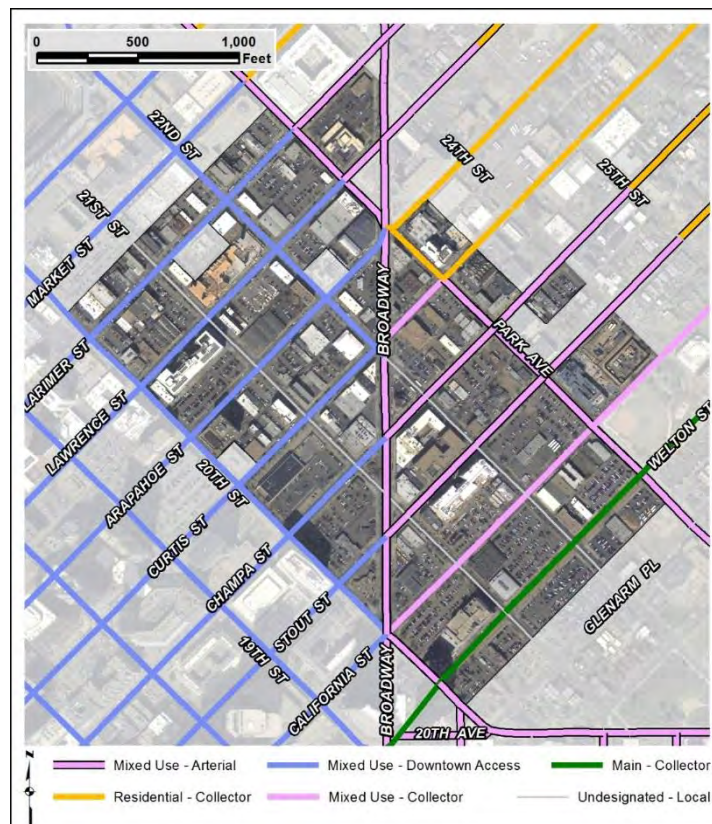


Blueprint Denver Street Classification

As illustrated on the map below, *Blueprint Denver* classifies a variety of, primarily mixed use, street types in Arapahoe Square. Streets in the western half of the district are classified as Downtown Access, which are intended to “provide a high degree of access to the highly intense mixed land uses—including office, retail, entertainment, residential, and public uses—located within downtown” (page 53). Broadway, Park Avenue West and portions of Champa and Stout streets are classified as Mixed Use Arterials, which “are designed to provide a high degree of mobility and generally serve longer vehicle trips to, from, and within urban areas” (page 51) while also serving high-intensity mixed use commercial, retail and residential areas with substantial pedestrian activity” (page 57).

The remaining streets in Arapahoe Square are primarily Mixed Use streets that are designed to carry lower volumes of traffic. In the Curtis Park portion of the proposed map amendment, *Blueprint Denver* classifies Curtis and Champa streets as Residential Collectors that are “designed to emphasize walking, bicycling and land access over mobility” and “tend to be more pedestrian oriented than commercial streets, giving a higher priority to landscaped medians, tree lawns, sidewalks, on-street parking and bicycle lanes” (page 55).

The D-AS-12+ and D-AS-20+ zone districts implemented by the proposed map amendment are consistent with the primarily Mixed Use and Downtown Access street classifications in the Arapahoe Square district. The lower-scale C-MX-3 and C-MX-5 districts implemented by the proposed map amendment are consistent with the Residential classification of streets in the adjacent portion of Curtis Park.



Downtown Denver Area Plan – 2007

The *Downtown Denver Area Plan* indicates that “Arapahoe Square affords great opportunity for another distinct district to develop in Downtown. The relatively large amount of underutilized land presents an opportunity to intensify that is unique within the core” (page 35). By implementing the D-AS-12+ and D-AS-20+ zone districts described in the Text Amendment portion of this staff report, the proposed map amendment is consistent with *Downtown Denver Area Plan* recommendations for Arapahoe Square.

Northeast Downtown Neighborhoods Plan - 2011

The *Northeast Downtown Neighborhoods Plan* includes specific land use and height recommendations for future development in Arapahoe Square, as summarized below.

NE Downtown Plan Land Use

As illustrated on the map below, the *Northeast Downtown Neighborhoods Plan* land use map carries forward *Blueprint Denver* future land use recommendations to indicate that mixed use and transit oriented development are the most appropriate future land uses for the Arapahoe Square area. The proposed map amendment will implement zone districts that allow a mix of uses that are consistent with *Northeast Downtown Neighborhoods Plan* recommendations for future land use.



NE Downtown Plan Height

The *Northeast Downtown Neighborhoods Plan* provides extensive guidance for future building heights in the Arapahoe Square area. As illustrated below, the Plan’s height map recommends a transition from 20 to 12 stories from the Downtown Core towards Curtis Park and a 5 to 3 story transition within Curtis Park on the northeast side of Park Avenue West. An Arapahoe Square design charrette conducted during the *Northeast Downtown Neighborhoods Plan* process recommended a special allowance for tall, slender Point Tower building forms to promote design diversity and allow for taller heights in return for high design quality and reduced building mass. The Plan recommends 10 additional stories for a Point Tower near the Downtown Core and 8 additional stories for a Point Tower closer to Curtis Park.

The proposed map amendment implements *Northeast Downtown Neighborhoods Plan* height recommendations in Arapahoe Square. The proposed D-AS-20+ zone district will allow approximately 20 story* buildings (or approx. 30 story* Point Towers) on the southwest side of the neighborhood and the proposed D-AS-12+ district will allow approximately 12 story* buildings (or approx. 20 story* Point Towers) on the northeast side of the neighborhood closest to Curtis Park. The boundary between D-AS-12+ and D-AS-20+ is proposed to occur near the middle of the block between 21st and 22nd streets per Plan page 68 (with a small adjustment to better relate to existing parcel patterns and the intersection of Broadway and Stout Streets).

Outside of Arapahoe Square in areas of Ballpark and Curtis Park that currently have D-AS zoning, the proposed map amendment will apply existing C-MX zone districts to map 3, 5, and 8 story heights that are consistent with the Plan height map below.

*Maximum height will be calculated in feet rather than stories.



2. The Map Amendment Results in Regulations that are Uniform Across the District

The proposed map amendment will result in the uniform application of zone district building form, use, and design regulations. The proposed D-AS-12+ and D-AS-20+ districts apply uniformly to similar properties throughout Arapahoe Square. The C-MX districts proposed for areas adjacent to Arapahoe Square (with existing D-AS zoning) are consistent with existing zone district mapping on similar adjacent properties.

3. The Map Amendment Furthers the Public Health, Safety and Welfare

The proposed map amendment furthers the public health, safety, and general welfare of Denver residents by implementing adopted plans that describe and map the community's vision.

VII. Planning Board Recommendation

A. *Text Amendment*

The Denver Planning Board held a public hearing on April 20, 2016 to consider Text Amendment #9. The Planning Board heard testimony from three members of the Arapahoe Square Technical Task Force and seven members of the public. By a vote of 6 in favor and 0 against (J. Noble recused, F. Schultz absent), the Planning Board recommended approval of Denver Zoning Code Text Amendment #9, to create new Downtown Arapahoe Square zone districts, with the following conditions, finding that the applicable review criteria have been met:

- That the Planning Board Review Draft be edited for clarity, correctness, illustrative graphic, section references, and other non-substantive matters as well as any other changes to the Planning Board Review Draft made necessary by such edits.

B. *Map Amendment*

The Denver Planning Board held a public hearing on April 20, 2016 to consider Map Amendment #2016I-00035. The Planning Board heard testimony from two members of the Arapahoe Square Technical Task Force and five members of the public. By a vote of 6 in favor and 0 against (J. Noble recused, F. Schultz absent), the Planning Board recommended that City Council approve application #2016I-00035, rezoning of multiple properties from D-AS and C-MX-12 UO-1, UO-2 to D-AS-20+, D-AS-12+, C-MX-8, C-MX-5, and C-MX-3, finding that the applicable review criteria have been met.

VIII. CPD Recommendation

A. Text Amendment

Based on the review criteria for a text amendment stated in Denver Zoning Code (DZC), Section 12.4.11 (Text Amendment), CPD staff recommends that City Council approve Text Amendment #9 to create new Downtown Arapahoe Square zone districts and a new Arapahoe Square Design Advisory Board.

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IX. Attachments

1. Redline Draft of Proposed Denver Zoning Code Text Amendment #9
2. Proposal to Rezone, Map Amendment #2016I-00035
3. Community Comments Summary with attached letters and emails
4. Executive Summary of the proposed zoning and design review system (note that Planning Board unanimously recommended adoption of the design standards and guidelines by the Manager of Community Planning and Development per Section 12-18 of the Denver Revised Municipal Code on May 4, 2016)



Denver Zoning Code Text Amendment #9
ARAPAHOE SQUARE ZONING UPDATE
CITY COUNCIL REDLINE DRAFT 05/25/2016

This document contains a redlined draft of the proposed text amendment create new zone districts and enable a new Design Advisory Board for the Arapahoe Square neighborhood at the northeast edge of Downtown Denver.

1. Text in red underline is proposed new language.
2. Text in ~~red strikethrough~~ is language proposed for deletion.
3. Text in blue underline is language that has been moved from another location in the code.
4. Text in ~~blue strikethrough~~ is language that has been moved to another location in the code.
5. Pages with substantive additions (such as new code sections, requirements or clarifications) include a Text Amendment #9 - Arapahoe Square header
6. Pages with redline changes that are not substantive (such as updated section numbers, figure numbers or cross-references) are also included in this document, but do not have a special Arapahoe Square header.

Note that this draft updates the Planning Board and City Council Neighborhoods and Planning Committee drafts with edits for clarity, correctness, illustrative graphic, section references, and other non-substantive matters, as well changes made necessary by such edits. While every effort is made to ensure document quality, page numbers, and amendment numbers may appear incorrect since both new and old text appears in a redlined draft. These will be corrected in the final, “clean” version of the text amendment that is filed for adoption by City Council.

Please visit the Arapahoe Square zoning update web site at www.DenverGov.org/arapahoesquare for more information about this project.

Please visit our Text Amendments website at www.DenverGov.org/TextAmendments to:

- Learn more about Text Amendments
- Learn more about the process for this text amendment
- Download a summary of the Draft
- Download this complete redlined draft

Please send any questions or comments to PlanningServices@denvergov.org.

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16
SUMMARY OF CONTENTS

ARTICLE 1. GENERAL PROVISIONS

Division 1.1	General	1.1-1
Division 1.2	Zone Lots	1.2-1
Division 1.3	Official Zoning Map	1.3-1

ARTICLE 2. USING THE CODE

Division 2.1	Overview	2.1-1
Division 2.2	Code Approach	2.2-1
Division 2.3	Code organization	2.3-1
Division 2.4	Using the Code	2.4-1
Division 2.5	Establishment of Zone Districts	2.5-1

ARTICLE 3. SUBURBAN (S-) NEIGHBORHOOD CONTEXT

Division 3.1	Neighborhood Context Description	3.1-1
Division 3.2	Districts (S-SU-, S-TH-, S-MU-, S-CC-, S-MX-, S-MS-)	3.2-1
Division 3.3	Design Standards	3.3-1
Division 3.4	Uses and Required Minimum Parking	3.4-1

ARTICLE 4. URBAN EDGE (E-) NEIGHBORHOOD CONTEXT

Division 4.1	Neighborhood Context description	4.1-1
Division 4.2	Districts (E-SU-, E-TU-, E-TH-, E-CC-, E-MX-, E-RX-, E-MS-)	4.2-1
Division 4.3	Design standards	4.3-1
Division 4.4	Uses and Required Minimum Parking	4.4-1

ARTICLE 5. URBAN (U-) NEIGHBORHOOD CONTEXT

Division 5.1	Neighborhood Context Description	5.1-1
Division 5.2	Districts (U-SU-, U-TU-, U-RH-, U-MX-, U-RX-, U-MS)	5.2-1
Division 5.3	Design Standards	5.3-1
Division 5.4	Uses and Required Minimum Parking	5.4-1

ARTICLE 6. GENERAL URBAN (G-) NEIGHBORHOOD CONTEXT

Division 6.1	Neighborhood Context Description	6.1-1
Division 6.2	Districts (G-RH-, G-MU-, G-RO-, G-MX-, G-RX-, G-MS-)	6.2-1
Division 6.3	Design Standards	6.3-1
Division 6.4	Uses and Required Minimum Parking	6.4-1

ARTICLE 7. URBAN CENTER (C-) NEIGHBORHOOD CONTEXT

Division 7.1	Neighborhood Context Description	7.1-1
Division 7.2	Districts (C-MX, C-RX, C-MS, C-CCN)	7.2-1
Division 7.3	Design Standards	7.3-1
Division 7.4	Uses and Required Minimum Parking	7.4-1

ARTICLE 8. DOWNTOWN (D-) NEIGHBORHOOD CONTEXT

Division 8.1	Neighborhood Context Description	8.1-1
Division 8.2	Districts (D-C, D-TD, D-LD, D-CV, D-GT, D-AS)	8.2-1
Division 8.3	Downtown Core and Downtown Theater Districts (D-C, D-TD)	8.3-1
Division 8.4	Lower Downtown District (D-LD)	8.4-1
Division 8.5	Downtown Civic District (D-CV)	8.5-1
Division 8.6	Downtown Golden Triangle District	8.6-1
Division 8.7	Downtown Arapahoe Square District	8.7-1
<u>Division 8.8</u>	<u>Downtown Arapahoe Square 12+ and Downtown Arapahoe Square 20+ Districts</u>	<u>8.8-1</u>
Division <u>8.88.9</u>	Design Standards	<u>8.89-1</u>
Division <u>8.10</u>	Uses and Required Minimum Parking	<u>8.910-1</u>

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16****2.5.1.2 General Urban, Urban Center and Downtown Neighborhood Context:**

GENERAL URBAN NEIGHBORHOOD CONTEXT		URBAN CENTER NEIGHBORHOOD CONTEXT		DOWNTOWN NEIGHBORHOOD CONTEXT	
G-RH-3	Row House 3	C-RX-5	Residential Mixed Use 5	D-C	Downtown Core District
G-MU-3	Multi Unit 3	C-RX-8	Residential Mixed Use 8	D-TD	Downtown Theater District
G-MU-5	Multi Unit 5	C-RX-12	Residential Mixed Use 12	D-LD	Lower Downtown District
G-MU-8	Multi Unit 8	C-MX-3	Mixed Use 3	D-CV	Downtown Civic District
G-MU-12	Multi Unit 12	C-MX-5	Mixed Use 5	D-GT	Downtown Golden Triangle
G-MU-20	Multi Unit 20	C-MX-8	Mixed Use 8	D-AS	Downtown Arapahoe Square
G-RO-3	Residential Office 3	C-MX-12	Mixed Use 12	<u>D-AS-12+</u>	<u>Downtown Arapahoe Square 12+</u>
G-RO-5	Residential Office 5	C-MX-16	Mixed Use 16	<u>D-AS-20+</u>	<u>Downtown Arapahoe Square 20+</u>
G-RX-5	Residential Mixed Use 5	C-MX-20	Mixed Use 20		
G-MX-3	Mixed Use 3	C-MS-5	Main Street 5		
G-MS-3	Main Street 3	C-MS-8	Main Street 8		
G-MS-5	Main Street 5	C-MS-12	Main Street 12		
		C-CCN-3	Cherry Creek North 3		
		C-CCN-4	Cherry Creek North 4		
		C-CCN-5	Cherry Creek North 5		
		C-CCN-7	Cherry Creek North 7		
		C-CCN-8	Cherry Creek North 8		
		C-CCN-12	Cherry Creek North 12		

2.5.1.3 Special Contexts and Zone Districts:

INDUSTRIAL CONTEXT	
I-MX-3	Industrial Mixed Use 3
I-MX-5	Industrial Mixed Use 5
I-MX-8	Industrial Mixed Use 8
I-A	Light Industrial
I-B	General Industrial
CAMPUS CONTEXT	
CMP-H	Campus Healthcare
CMP-H2	Campus Healthcare 2
CMP-EI	Campus Education Institution
CMP-EI2	Campus Education Institution 2
CMP-ENT	Campus Entertainment
CMP-NWC	Campus National Western Center
OPEN SPACE CONTEXT	
OS-A	Open Space Public Parks
OS-B	Open Space Recreation
OS-C	Open Space Conservation

Contents

ARTICLE 8. DOWNTOWN (D-) NEIGHBORHOOD CONTEXT

DIVISION 8.1	NEIGHBORHOOD CONTEXT DESCRIPTION	8.1-1
Section 8.1.1	General Character	8.1-1
Section 8.1.2	Street, Block, and Access Patterns	8.1-1
Section 8.1.3	Building Entrances	8.1-1
Section 8.1.4	Building Placement and Location:	8.1-1
Section 8.1.5	Building Height	8.1-2
Section 8.1.6	Mobility	8.1-2
DIVISION 8.2	DISTRICTS (D-C, D-TD, D-LD, D-CV, D-GT, D-AS)	8.2-1
Section 8.2.1	Districts Established	8.2-1
Section 8.2.2	Downtown Districts	8.2-1
DIVISION 8.3	DOWNTOWN CORE AND DOWNTOWN THEATER DISTRICTS (D-C, D-TD)	8.3-1
Section 8.3.1	Downtown Core and Downtown Theater Districts	8.3-1
DIVISION 8.4	LOWER DOWNTOWN DISTRICT (D-LD)	8.4-1
Section 8.4.1	Lower Downtown District	8.4-1
DIVISION 8.5	DOWNTOWN CIVIC DISTRICT (D-CV)	8.5-1
Section 8.5.1	Allowed Building Forms	8.5-1
DIVISION 8.6	DOWNTOWN GOLDEN TRIANGLE DISTRICT	8.6-1
Section 8.6.1	Golden Triangle District	8.6-1
DIVISION 8.7	DOWNTOWN ARAPAHOE SQUARE (D-AS) DISTRICTS	8.7-1
Section 8.7.1	Arapahoe Square District (D-AS)	8.7-1
DIVISION 8.8	DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS	8.8-1
<u>Section 8.8.1</u>	<u>General Intent</u>	<u>8.8-1</u>
<u>Section 8.8.2</u>	<u>Building Form Intent For Downtown Arapahoe Square 12+ and Downtown Arapahoe Square 20+ Districts</u>	<u>8.8-2</u>
<u>Section 8.8.3</u>	<u>Primary Building Form Standards For Downtown Arapahoe Square 12+ and Downtown Arapahoe Square 20+ Districts</u>	<u>8.8-5</u>
<u>Section 8.8.4</u>	<u>Detached Accessory Building Form Standards for Downtown Arapahoe Square 12+ and Downtown Arapahoe Square 20+ Districts</u>	<u>8.8-12</u>
<u>Section 8.8.5</u>	<u>Supplemental Design Standards for Downtown Arapahoe Square 12+ and Downtown Arapahoe Square 20+ Districts</u>	<u>8.8-16</u>
<u>Section 8.8.6</u>	<u>Design Standard Alternatives for Downtown Arapahoe Square 12+ and Downtown Arapahoe Square 20+ Districts</u>	<u>8.8-17</u>
<u>Section 8.8.7</u>	<u>Design Standard Exceptions for Downtown Arapahoe Square 12+ and Downtown Arapahoe Square 20+ Districts</u>	<u>8.8-18</u>
DIVISION 8.89	DESIGN STANDARDS	8.89-1
Section 8.9.1	Design Standard Exceptions	8.89-1
Section 8.9.2	Reference to Other Applicable Design Standards	8.89-2
Section 8.9.3	Surface Parking Lot Landscaping	8.89-2
DIVISION 8.10	USES AND REQUIRED MINIMUM PARKING	8.910-1
Section 8.10.1	Applicability	8.910-1
Section 8.10.2	Organization	8.910-1
Section 8.10.3	Explanation of Table Abbreviations	8.910-1
Section 8.10.4	District Specific Standards	8.910-3
Section 8.10.5	Applicable Use Limitations	8.910-14

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

DIVISION 8.2 DISTRICTS (D-C, D-TD, D-LD, D-CV, D-GT, D-AS-)

SECTION 8.2.1 DISTRICTS ESTABLISHED

To carry out the provisions of this Article, the following Zone Districts have been established in the Downtown Context and are applied to property as set forth on the Official Map.

Downtown Neighborhood Context

D-C	Downtown Core District
D-TD	Downtown Theater District
D-LD	Lower Downtown (LoDo) District
D-CV	Downtown Civic District
D-GT	Downtown Golden Triangle District
D-AS	Downtown Arapahoe Square District
D-AS-12+	Downtown Arapahoe Square 12+ District
D-AS-20+	Downtown Arapahoe Square 20+ District

SECTION 8.2.2 DOWNTOWN DISTRICTS

8.2.2.1 General Purpose

The purpose of the Downtown Neighborhood Context Districts is to provide building use, building form, and design standards for this central Denver area. Each of the Downtown Districts is specific to and uniquely applies to a single area within the Downtown Context.

8.2.2.2 Specific Intent

A. Downtown Core District (D-C)

The Downtown Core District is and must remain Denver's most prominent public environment; an urban center that is at once comfortable, exciting, and without question the business, entertainment and urban lifestyle center of the region.

B. Downtown Theater District (D-TD)

The Downtown Theater District is specific to an area of the Central Business District associated with the Denver Performing Arts Center, and which specifically enables over-scale, lively, and dynamic billboards and signage to promote Denver's preeminent entertainment district.

C. Lower Downtown (LoDo) District (D-LD)

The Lower Downtown District is specific to the Lower Downtown Historic District.

D. Downtown Civic District (D-CV)

The Downtown Civic District includes primarily public buildings surrounding and in the vicinity of the Civic Center park, and is intended to promote and continue the signature civic architecture and urban design of buildings and public spaces within the district.

E. Downtown Golden Triangle District (D-GT)

The Golden Triangle (D-GT) is a neighborhood with a mixture of housing, office, commercial, and retail. It is a neighborhood of active pedestrian-oriented streets and mixed-use development. Historic buildings as well as contemporary structures designed with human scale and detail are a part of the district's unique character.

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

F. Downtown Arapahoe Square District (D-AS)

The D-AS zone district is specific to a small area of the Curtis Park neighborhood that is adjacent to the Arapahoe Square neighborhood and was previously zoned B-8-A under Former Chapter 59. The Arapahoe Square (D-AS) neighborhood is in a position to knit northeast downtown into a cohesive urban area. D-AS is intended to support a mix of uses that provide a pedestrian friendly transition from the surrounding lower scale neighborhoods to the high-rise scale of downtown.

G. Downtown Arapahoe Square 12+ District (D-AS-12+)

D-AS-12+ applies to mixed-use areas within the Arapahoe Square neighborhood that provide a cohesive, connected and pedestrian-friendly transition between the Downtown Core, D-AS-20+ district and adjacent lower-scale neighborhoods. The district is intended to facilitate development of Arapahoe Square into a cutting edge, densely populated, area that provides a range of housing types and a center for innovative businesses. Typical building heights range from 8 to about 12 stories, with the Point Tower building form providing an opportunity for building heights of about 20 stories in a slender tower.

H. Downtown Arapahoe Square 20+ District (D-AS-20+)

D-AS-20+ applies to mixed-use areas within the Arapahoe Square neighborhood that are adjacent to the Downtown Core and provides a cohesive, connected and pedestrian friendly transition to the Downtown Core and D-AS-12+ district. The district is intended to facilitate the development of Arapahoe Square into a cutting edge, densely populated, area that provides a range of housing types and a center for innovative businesses. Typical building heights range from 12 to about 20 stories, with the Point Tower building form providing an opportunity for building heights of about 30 stories in a slender tower.

DIVISION 8.3 DOWNTOWN CORE AND DOWNTOWN THEATER DISTRICTS (D-C, D-TD)

SECTION 8.3.1 DOWNTOWN CORE AND DOWNTOWN THEATER DISTRICTS

8.3.1.1 Generally

The provisions of this Division apply to all lands, uses and structures in the Downtown Core and Downtown Theater districts.

8.3.1.2 Uses Permitted

See Division 8.910 for uses permitted in the Downtown Core and Downtown Theater Districts.

8.3.1.3 Required Pedestrian-Active Ground Floor Uses

In portions of new buildings and outdoor areas along or within 30 feet of the 16th Street pedestrian and transit mall, and in portions of existing buildings and outdoor areas within 30 feet of the 16th Street pedestrian and transit mall that are renovated and where the renovation includes all or a part of the leasable ground floor areas of the building, at least 65 percent of the linear frontage of the property along the 16th Street pedestrian and transit mall shall be occupied by pedestrian-active uses.

8.3.1.4 Permitted Structures

A. Open Space Required

For each structure designed, used or occupied either in whole or in part as a multiple unit dwelling, there shall be provided a minimum of 30 square feet of unobstructed open space for each dwelling unit; such unobstructed open space may be located on the ground or on several usable roofs or balconies, but shall not include space provided for off-street parking; provided however such requirement shall not apply to any structure converted from nonresidential to residential uses.

B. Minimum and Maximum Heights

1. **Minimum Heights:** The minimum height of structures shall be 2 stories or 30 feet.
2. **Maximum Heights:** The maximum heights of buildings are not limited except in the following height areas as shown on Exhibit 8.1:
 - a. Sunlight Preservation Area 1: See Subsection 8.3.1.4.C. below.
 - b. Height Area 1 : 200 feet
 - c. Height Area 2: 400 feet

DIVISION 8.4 LOWER DOWNTOWN DISTRICT (D-LD)

SECTION 8.4.1 LOWER DOWNTOWN DISTRICT

8.4.1.1 General

The provisions of this Division apply to all lands, uses and structures in the D-LD District.

8.4.1.2 Description of District

The district is intended to provide for and encourage the preservation and vitality of older areas that are significant because of their architectural, historical and economic value. A variety of land uses will be permitted in order to facilitate the reuse of existing structures without jeopardizing or reducing zoning standards promoting the public safety, convenience, health, general welfare and the preservation of the comprehensive plan. New residential development is encouraged. The design of new structures should recognize the style and character of adjoining building exteriors, i.e., cornice lines and building materials and colors should be similar wherever possible.

8.4.1.3 Uses Permitted

See Division 8.910, "Uses and Required Minimum Parking," for uses permitted in the D-LD District.

8.4.1.4 Off-Street Parking Requirements

A. Applicable Standards

All development in the D-LD Zone District shall comply with the off-street parking standards in Division 10.4, Parking and Loading, of this Code except where the standards stated in this Section 8.4.1.4 conflict, in which case the standards in this Section 8.4.1.4 shall apply in the D-LD Zone District.

B. Amount of Parking Spaces Required

1. There shall be no minimum off-street parking requirement for contributing buildings or residential additions to contributing buildings, as such buildings are designated in D.R.M.C., Article III, (Lower Downtown Historic District), of Chapter 30, (Landmark Preservation);
2. One off-street parking space shall be provided for each residential unit of a new residential building or a residential addition to a noncontributing building; provided that, upon qualifying under the provisions of D.R.M.C., Chapter 27, Article IV (Affordable Housing), a 20 percent reduction in the total number of required parking spaces shall be granted;
3. One off-street parking space shall be provided for each 750 square feet of gross floor area for any nonresidential addition to a contributing or noncontributing building, or a new nonresidential building;
4. For zone lots with a mix of residential and any other primary use, off-street parking spaces shall be provided based on the requirements in Subsections B.1 through B.3 above in proportion to the uses in the building provided that, upon qualifying under the provisions of D.R.M.C., Chapter 27, Article IV (Affordable Housing), a 20 percent reduction in the total number of required parking spaces shall be granted. This shall be calculated by first calculating the number of parking spaces otherwise required, multiplying that figure by eight tenths (.8) and rounding up to the nearest whole number;
5. "Additional parking" is parking above the required minimums as set forth in Sections 8.4.1.4.B.1 through 8.4.1.4.B.4 above. All structures may provide up to an additional one-half parking space per residential unit and one space per 1,500 square feet of gross floor area of nonresidential uses;
6. "Excess parking" is any parking in excess of the required minimums and allowed additional parking. Excess parking may be granted only upon application to the Lower

DIVISION 8.6 DOWNTOWN GOLDEN TRIANGLE DISTRICT

SECTION 8.6.1 GOLDEN TRIANGLE DISTRICT

8.6.1.1 Generally

The provisions of this Division apply to all lands, uses and structures in the Golden Triangle district.

8.6.1.2 Uses Permitted

See Division 8.910 for uses permitted in the Golden Triangle District.

8.6.1.3 Permitted Structures.

A. Open Space Required

For each structure designed, used or occupied either in whole or in part as a multiple unit dwelling there shall be provided in the D-GT district a minimum of 25 square feet of unobstructed open space, for each dwelling unit; such unobstructed open space may be located on the ground or on several usable roofs or balconies but shall not include space provided for off-street parking. Such requirement shall not apply to the construction of multiple unit dwellings through the conversion of buildings originally designed for nonresidential uses.

B. Setbacks from Abutting Street Frontages

1. Maximum Setback

Buildings shall be built at or within 5' of the zone lot line abutting the street for no less than 65% of each zone lot frontage, unless otherwise provided in this Division 8.6 or in Design Standards and Guidelines adopted for the Golden Triangle neighborhood.

2. Setbacks from Speer Boulevard

All structures on zone lots abutting Speer Boulevard shall be set back from Speer Boulevard a distance of at least 10 feet. In addition, any structure over 100 feet tall that is located on a zone lot containing at least 15,000 square feet of area shall have that portion of the structure that is more than 100 feet above ground level set back at least 20 feet from the right-of-way of Speer Boulevard; provided, however, that in lieu of such additional setback, the owner of such property may choose to have the design of such structure reviewed and approved by Community Planning and Development to avoid overshadowing of the Speer Boulevard right-of-way. Such design review shall be conducted pursuant to Section 8.6.1.4, Design Review, below.

C. Maximum Height

The maximum height of structures shall not exceed 175 feet above the elevation of Broadway Street as measured at the highest point on Broadway directly east or west of the subject property, as the case may be, as determined by the City Engineer. Upon request by the applicant, the Zoning Administrator, after consulting with the Manager and the chairperson of the Planning Board or their designated representatives, may increase the maximum heights by up to 25 feet according to the Administrative Adjustment procedures in Section 12.4.5, in order to compensate for design constraints imposed by unusually high water tables, irregularly shaped parcels not caused by the property owner, and other unusual site conditions not caused by the property owner.

D. Maximum Gross Floor Area in Structures

1. Basic Maximum Gross Floor Area

The sum total of the gross floor area of all structures on a zone lot shall not exceed 4 times the area of the zone lot on which the structures are located.

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

DIVISION 8.7 DOWNTOWN ARAPAHOE SQUARE DISTRICTS

SECTION 8.7.1 ARAPAHOE SQUARE DISTRICT (D-AS)

8.7.1.1 Generally

The provisions of this Division 8.7 apply to all lands, uses and structures in the Downtown Arapahoe Square (D-AS) Zone District.

8.7.1.2 Uses Permitted

See Division ~~8-9~~ 8.10 for uses permitted in the D-AS District.

8.7.1.3 Permitted Structures

A. Open Space Required

For each structure designed, used or occupied either in whole or in part as a multiple unit dwelling there shall be provided in the D-AS district a minimum of 30 square feet of unobstructed open space for each dwelling unit; such unobstructed open space may be located on the ground or on several usable roofs or balconies but shall not include space provided for off-street parking. Such requirement shall not apply to the construction of multiple unit dwellings through the conversion of buildings originally designed for nonresidential uses.

B. Setbacks from Abutting Street Frontages

Buildings shall be built at or within 10' of the zone lot line abutting the street for no less than 65% of each zone lot frontage, unless otherwise provided in this Division 8.7 or in Design Standards and Guidelines adopted for the D-AS District.

C. Maximum Height

In the D-AS district, the maximum height of structures shall not exceed ~~80~~ 200 feet, ~~except in the height areas shown below, wherein structure height is limited to a maximum 80 feet in those areas on the exhibit shown as "Restriction Area".~~

D. Floor Area in Structures

1. Basic Maximum Gross Floor Area

The sum total of the gross floor area of all structures on a zone lot shall not exceed 4 times the area of the zone lot on which the structures are located. *Delete Map*

2. Floor Area Premiums

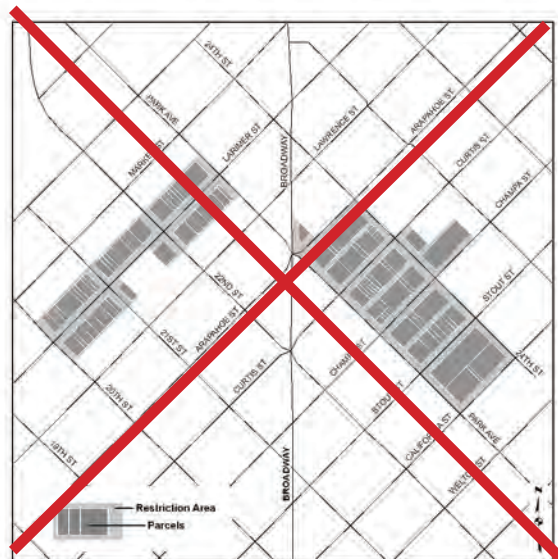
In addition to the basic maximum gross floor area permitted under Section 8.7.1.3.D.1. above, a premium of additional floor area may be constructed according to the following formulas:

a. Premium for Housing

One (1) square foot of floor area premium shall be awarded for each square foot of Residential uses constructed in a new structure or through conversion of all or a part of an existing structure from other uses:

b. Premium for Residential Support Uses

One (1) square foot of floor area premium shall be awarded for each square foot of "Residential support



uses”, defined to be limited to a retail food sales use, or elementary or secondary school meeting all requirements of the compulsory education laws of the state, or day care center constructed to at least the minimum licensing standards of the Colorado Department of Environmental Health.

c. Premium for Arts, Entertainment, or Cultural Facility

One (1) square foot of floor area premium shall be awarded for each square foot of “arts, entertainment, or cultural facility”, defined to be limited to the provision of amusement or entertainment services upon payment of a fee, art gallery, museum, theater, or other similar uses as determined by the Zoning Administrator.

d. Premium for Rehabilitation of Historic Structure

One (1) square foot of floor area premium shall be awarded for each square foot of rehabilitation of a designated historic building defined as a structure designated for preservation or a structure located in a district for preservation, the rehabilitation of which has been approved by the Landmark Preservation Commission in accordance with D.R.M.C., Chapter 30 (Landmark Preservation).

e. Premium for Public Art

A floor area premium equal to 25 percent of the zone lot area for public art constructed in a new structure or through conversion of all or a part of an existing structure from other uses with the following conditions:

- i. The public art must cost at least 1 percent of the valuation of construction of the new structure or 1 percent of the valuation of construction of the structure renovation or \$500,000.00, whichever is less; and
- ii. The public art is displayed outside or on the exterior surface of the new or renovated structure and is visible from at least 1 public street.

f. Premium for Affordable Housing

A floor area premium equal to 40 percent of the zone lot area if the structure qualifies under the provisions of D.R.M.C., Chapter 27, Article IV (Affordable Housing), provided all of said floor area premium is dedicated to residential uses.

g. Continuation of Uses

All areas for which a floor area premium has been granted shall continue to be occupied by those same uses or by other uses eligible for at least an equal amount of premium space and no change of use permit shall be approved except in compliance with the aforementioned requirement.

3. Maximum Gross Floor Area in Structures

Notwithstanding the provisions of Section 8.7.1.3.D.2 (Floor Area Premiums), the sum total of the gross floor area of all structures on a zone lot shall not be greater than 6 times the area of the zone lot on which the structures are located, provided, however, that if an applicant submits the design of the entire project to the design review process described in Section 8.7.1.4 (Design Review), the sum total of the gross floor area of all structures on a zone lot shall not be greater than 7 times the area of the zone lot on which the structures are located. In addition, undeveloped floor area from designated historic structures within the D-AS Zone District may be transferred to other properties within the D-AS district pursuant to the procedures for transfer of undeveloped floor area from historic structures in the Downtown Core/Downtown Theater district set forth in Section 8.3.1.4.D.3, provided, however, that no receiving zone lot may increase its maximum gross floor area by more than 1 times the area of the receiving zone lot through such a transfer, and that no such transfer of undeveloped floor area shall have the effect of increasing the sum total of the gross floor area of all structures on a zone lot to more than those limits set forth in the preceding sentence.

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16**

8.7.1.4 Design Review

A. Applicability

Design ~~standards and~~ review criteria and procedures shall apply to the following:

1. The floor area premium described in Section 8.7.1.3.D above: All structures, and all site improvements or alterations, where the renovation includes alterations to the exterior of the building; and
2. The lower 80 feet of a building: constructed or renovated, and all site improvements or alterations constructed or renovated, where the renovation includes alterations to the exterior of the building.

B. Procedures

Design review shall be conducted by Community Planning and Development. Design review shall be completed within 30 days after the submission of a complete application to the Zoning Administrator, except that the 30-day review period may be extended by an amount of time equal to any delay caused by the applicant, or with the applicant's consent, and no permits for construction and use shall be issued until design review has been completed.

C. Criteria

Design review shall be based on the following criteria.

1. Design Review of Floor Area Premium

The project shall be designed to promote the following objectives:

- a. Be consistent with the pertinent elements of the Comprehensive Plan, particularly any adopted neighborhood plan;
- b. Provide human scale through change, contrast, intricacy in facade form, color and/or materials;
- c. Spatially define the street space; and
- d. Respect the character of the neighborhood as defined by its older, pre-World War II masonry industrial and commercial buildings;
- e. Provide step backs in the building form to:
 - i. Create pedestrian scale along the street;
 - ii. Deflect wind patterns created by taller buildings away, as much as is practicable, from the street;
 - iii. Increase sky and daylight exposure to the street; and
 - iv. Increase sunlight exposure to the street, particularly along "numbered" streets;
- f. Locate pedestrian active uses, wherever possible, along the street;
- g. Provide at Street Level as much as possible, transparent facades, and frequent pedestrian access to the buildings;
- h. Provide finished, architecturally designed and detailed facades for all exposures of the building, particularly those exposures above the first floor;
- i. Architecturally design the top of the building to provide a finished terminus to the building's form. At a minimum, screen all roof-top mechanical equipment and carefully design and detail all roof-top penthouses; and
- j. Avoid highly reflective glass, and facades composed predominantly of glass curtain wall systems.

2. Review of Lower 80 Feet Required for All Structures

Project layout and design of the lower 80 feet of structures shall be designed to promote the following objectives:

- a. Be consistent with the pertinent elements of the Comprehensive Plan, particularly any adopted neighborhood plan;
- b. Provide human scale through change, contrast, intricacy in facade form, color, and/or materials where lower levels of a structure face public streets;
- c. Spatially define the street space in order to promote pedestrian activity; and
- d. All structures should respect the character of the neighborhood as defined by its older, pre-World War II masonry industrial and commercial buildings;
- e. Provide setbacks in the building form to:
 - i. Create pedestrian scale along the street;
 - ii. Deflect wind patterns created by taller buildings away, as much as is practicable, from the street;
 - iii. Increase sky and daylight exposure to the street; and
 - iv. Increase sunlight exposure to the street, particularly along “numbered” streets;
- f. Locate pedestrian active uses, wherever possible, along the street;
- g. Provide, at Street Level, as much as possible, transparent facades, and frequent pedestrian access to the buildings; and,
- h. Avoid highly reflective glass, and facades composed predominantly of glass curtain wall systems.

3. Parking Structures Review

- a. All parking structures in the D-AS District shall have ground floor frontages occupied by Pedestrian-Active Uses, as defined in Article 13 of this Code, or shall have driving aisles, ceiling heights, utility layouts, and structural openings designed to be consistent with future occupancy of the street frontages by pedestrian-active uses, unless such requirements are inconsistent with the structural layout of existing structures being converted to parking uses;
- b. All parking structures in the D-AS District shall be designed to be compatible with the scale and character of the surrounding area and the vision and goals of the Denver comprehensive plan and any adopted neighborhood plan; and
- c. All parking structures in the D-AS District shall provide variety and human scale through the use of architectural proportions, detail, surface relief, texture, and materials that are complementary to traditional commercial and industrial structures.

4. Rules and Regulations

The Manager has the authority to adopt rules and regulations further establishing criteria, standards and procedures for the Arapahoe Square neighborhood.

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

DIVISION 8.8 DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS

The following Intent Statements are intended to provide further information regarding intent and performance expectations for the district, site and building design standards.

SECTION 8.8.1 GENERAL INTENT

The Intent of this Division 8.8 Design Standards for Downtown Arapahoe Square 12+ and Downtown Arapahoe Square 20+ Zone Districts is to:

- 8.8.1.1 Implement the Denver Comprehensive Plan.
- 8.8.1.2 Implement the General Purpose and Specific Intent for the Downtown Arapahoe Square 12+ and 20+ zone districts provided in Section 8.2.2.2.
- 8.8.1.3 Continue Denver’s physical character, including access to parks and parkways, tree lined streets, detached sidewalks, interconnected street networks, and convenient access to parks, open space, and transit.
- 8.8.1.4 Give prominence to the pedestrian realm as a defining element of neighborhood character.
- 8.8.1.5 Promote development of a vibrant sense of place in Arapahoe Square.
- 8.8.1.6 Further establish a sense of human scale design in Arapahoe Square.
- 8.8.1.7 Encourage innovative and unique design solutions that help define a special character for Arapahoe Square.
- 8.8.1.8 Promote harmonious relationships within Arapahoe Square and with surrounding neighborhoods through the arrangement of building heights and scaling devices.
- 8.8.1.9 Promote environmental, social and economic sustainability.
- 8.8.1.10 Arrange residential, employment, retail, service, and open space uses to be convenient to and compatible with each other.
- 8.8.1.11 Maximize pedestrian amenities near transit facilities and along the primary pedestrian connections to transit facilities.

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

SECTION 8.8.2 BUILDING FORM INTENT FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS

8.8.2.1 Height

- A. Encourage buildings whose forms are responsive to the surrounding context, including opportunities to reinforce existing and evolving nodes of mixed-use, pedestrian and transit activities.
- B. Arrange building heights, and scaling devices to provide transitions to adjoining areas.
- C. Arrange building heights to maximize sky exposure.

8.8.2.2 Siting

- A. Required Build-To
 1. Provide a consistent street edge to enhance the character of the context.
 2. Define streets to promote pedestrian activity and sense of place.
 3. Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation and access to the street.
- B. Setbacks
 1. Site buildings to be consistent with the intended character and functional requirements of the downtown context.
 2. Site buildings to define the street edge/public realm consistent with the context.
 3. Utilize buildings to create positive transitions between districts.
- C. Parking Location
 1. Minimize the visual impacts of parking areas on streets and adjoining property.
 2. Minimize conflicts between pedestrians and vehicles.
 3. Ensure that surface parking is well integrated into to the streetscape.
 4. Ensure that surface parking contributes positively to a sustainable urban environment.

8.8.2.3 Design Elements

- A. Primary Street Upper Story Setback
 1. Provide appropriate pedestrian scale, height and massing along the street.
 2. Maintain the general appearance of a predominantly 5-story height near the sidewalk edge.
 3. Maximize sky exposure.
- B. Building Configuration
 1. Promote variation in building form that enhances access to sky exposure, air and views in the district.
 2. Encourage variation in building form, especially in the design of a larger building.

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

- C. Transparency
 - 1. Maximize transparent windows at the Street Level to activate the street.
 - 2. Utilize doors and windows to establish scale, variation, and patterns on building facades that provide visual interest and reflect uses within the building.
 - 3. Limit the use of highly reflective glass to avoid reflected glare onto neighboring streets and properties and promote engagement between building activities and the sidewalk.
- D. Entrances
 - 1. Give prominence to pedestrian realm as a defining element of neighborhood character.
 - 2. Provide convenient access to buildings and active uses from the street.
 - 3. Provide a positive relationship to the street through access, orientation and placement consistent with the context.
 - 4. Create visually interesting and human-scaled facades.
- E. Limitation on Visible Parking Above the Street Level
 - 1. Promote structured parking designs that are compatible in character and quality with adjoining buildings, open spaces and streetscapes.
 - 2. Promote visual interest on upper story building facades.

8.8.2.4 Specific Building Form Intent

- A. **General**
To establish the base set of standards for the zone district from which all other building forms deviate for specific situations.
- B. **General with Height Incentive**
To promote buildings with elevated design quality that minimize the visibility of structured parking while allowing increased building height.
- C. **Point Tower**
To promote tall, slender building forms with elevated design quality that preserves views and sky exposure while also minimizing the visibility of structured parking.

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TEXT AMENDMENT #9 - ARAPAHOE SQUARE
 CITY COUNCIL REDLINE DRAFT 05/25/16

SECTION 8.8.3 PRIMARY BUILDING FORM STANDARDS FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS

8.8.3.1 Applicability

All development, except detached accessory structures, in the Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts.

8.8.3.2 General Standards

Combining standards from different building forms for the same structure is prohibited, except where expressly allowed.

8.8.3.3 District Specific Standards Summary

The maximum number of structures per zone lot and building forms allowed by Zone District is summarized below:

<u>Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts</u>	<u>Max Number of Primary Structures per Zone Lot</u>	<u>Building Forms</u>													
		<u>Suburban House</u>	<u>Urban House</u>	<u>Detached Accessory Dwelling Unit</u>	<u>Duplex</u>	<u>Tandem House</u>	<u>Town House</u>	<u>Garden Court</u>	<u>Row House</u>	<u>Apartment</u>	<u>Drive Thru Services</u>	<u>Drive Thru Restaurant</u>	<u>General</u>	<u>General with Height Incentive</u>	<u>Point Tower</u>
<u>Downtown Arapahoe Square 12+ District (D-AS-12+)</u>	no max												■	■	■
<u>Downtown Arapahoe Square 20+ District (D-AS-20+)</u>	no max												■	■	■

■ = Allowed □ = Allowed subject to limitations

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

8.8.3.4 District Specific Standards

A. General

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20th Street or Broadway

21st Street or Park Avenue



All Other Streets



TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

GENERAL

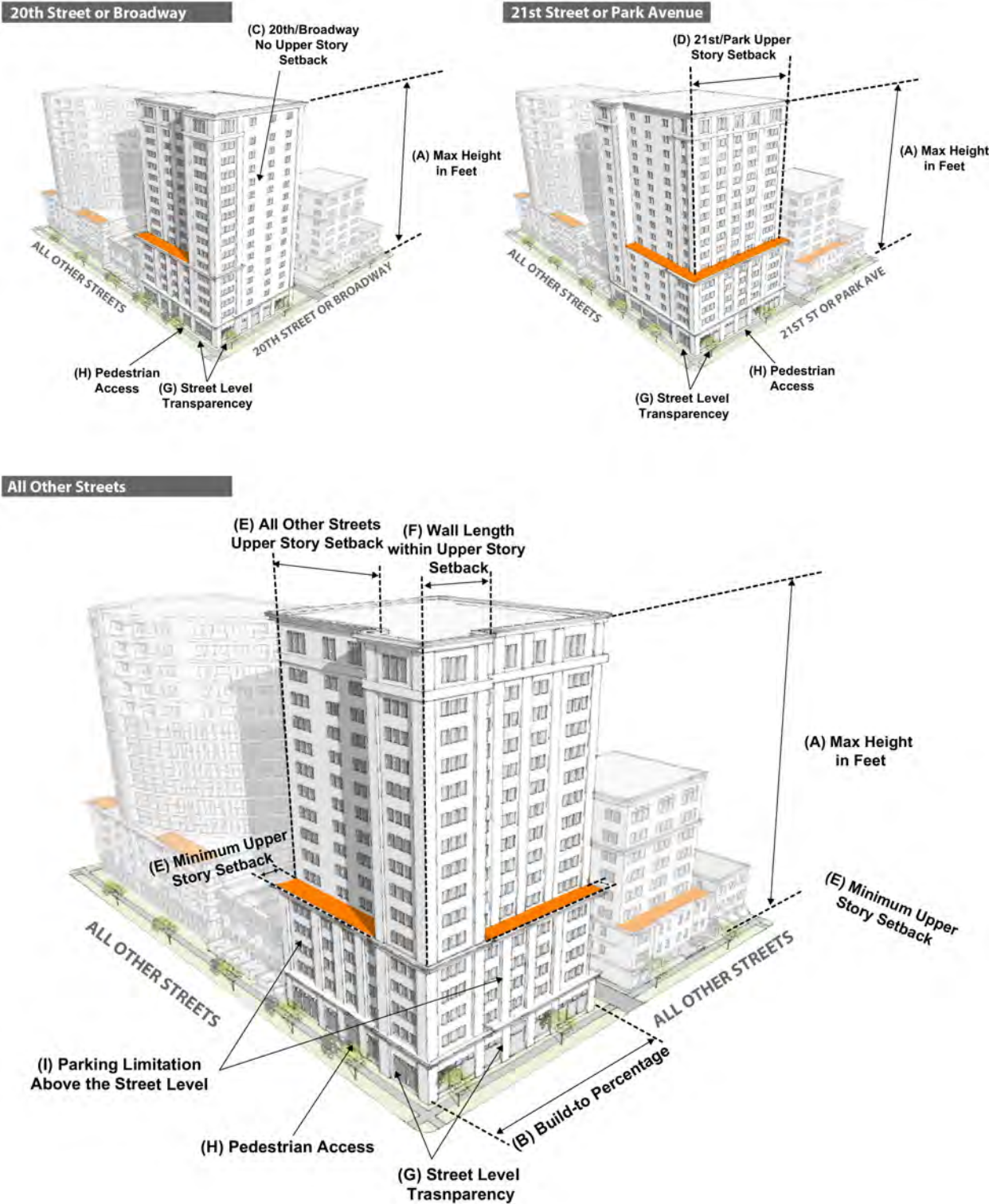
HEIGHT	D-AS-12+	D-AS-20+
<u>A Stories (max)</u>	8	12
<u>A Feet (max)</u>	110'	150'
<u>Height Exceptions</u>	<u>See Section 8.9.1.1</u>	
SITING	D-AS-12+ and D-AS-20+ Districts	
<u>REQUIRED BUILD-TO BY STREET</u>		
<u>B All Primary Streets (min build-to %)</u>	70%	
<u>21st Street, Arapahoe Street, Curtis Street (min/max build-to range)</u>	<u>0'/15'; Residential Only Buildings: 0'/20'</u>	
<u>Southeast (light rail) Side of Welton Street (min/max build-to range)</u>	<u>0'/20'; Residential Only Buildings: 0'/25'</u>	
<u>All Other Streets (min/max build-to range)</u>	<u>0'/10'; Residential Only Buildings: 0'/15'</u>	
<u>Build-to Exceptions and Alternatives</u>	<u>See Sections 8.8.6.1 and 8.8.7.1</u>	
<u>SETBACKS</u>		
<u>Primary Street (min)</u>	0'	
<u>Side Interior (min)</u>	0'	
<u>Rear, alley and no alley (min)</u>	0'	
<u>PARKING</u>		
<u>Surface Parking between building and Primary Street</u>	Not Allowed	
<u>Surface Parking Screening Required</u>	<u>See Section 10.5.4.4</u>	
<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>	<u>From Alley; or Street access allowed when no Alley present</u>	
<u>Vehicle Access, all other permitted uses</u>	<u>Shall be determined as part of Site Development Plan Review</u>	
DESIGN ELEMENTS	D-AS-12+ and D-AS-20+ Districts	
<u>REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET</u>		
<u>C 20th Street, Broadway - Upper Story Setback above 5 stories and 70'</u>	<u>No Upper Story Setback required</u>	
<u>D 21st Street, Park Avenue - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)</u>	100%/10''*	
<u>E All Other Streets - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)</u>	65%/10'	
<u>20th, 21st, Broadway, Park Avenue - Primary Street Wall Length within the Upper Story Setback (max)</u>	na	
<u>F All Other Streets - Primary Street Wall Length within the Upper Story Setback (max)</u>	80'	
<u>21st Street, Park Avenue - Primary Street Upper Story Setback Alternative</u>	<u>See Section 8.8.6.2</u>	
<u>STREET LEVEL ACTIVATION</u>		
<u>G Street Level Transparency, Primary Street (min for non-residential/ min for residential only buildings)</u>	60%/40%	
<u>Street Level Transparency Alternatives</u>	<u>See Section 8.8.6.3</u>	
<u>H Pedestrian Access, Primary Street</u>	Entrance	
<u>LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL</u>		
<u>I Limitation on Visible Parking above Street Level</u>	<u>No Limitation on Visible Parking Above Street Level</u>	
USES	D-AS-12+ and D-AS-20+ Districts	
<u>(1) All permitted Primary Uses shall be allowed within this building form. See Division 8.10 Uses and Parking; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 8.8.5.1.</u>		

*Does not apply to Park Avenue northwest of Broadway or southeast of Welton Street (requirements for "All Other Streets" apply)

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

B. General with Height Incentive

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CITY COUNCIL REDLINE DRAFT 05/25/16

GENERAL WITH HEIGHT INCENTIVE

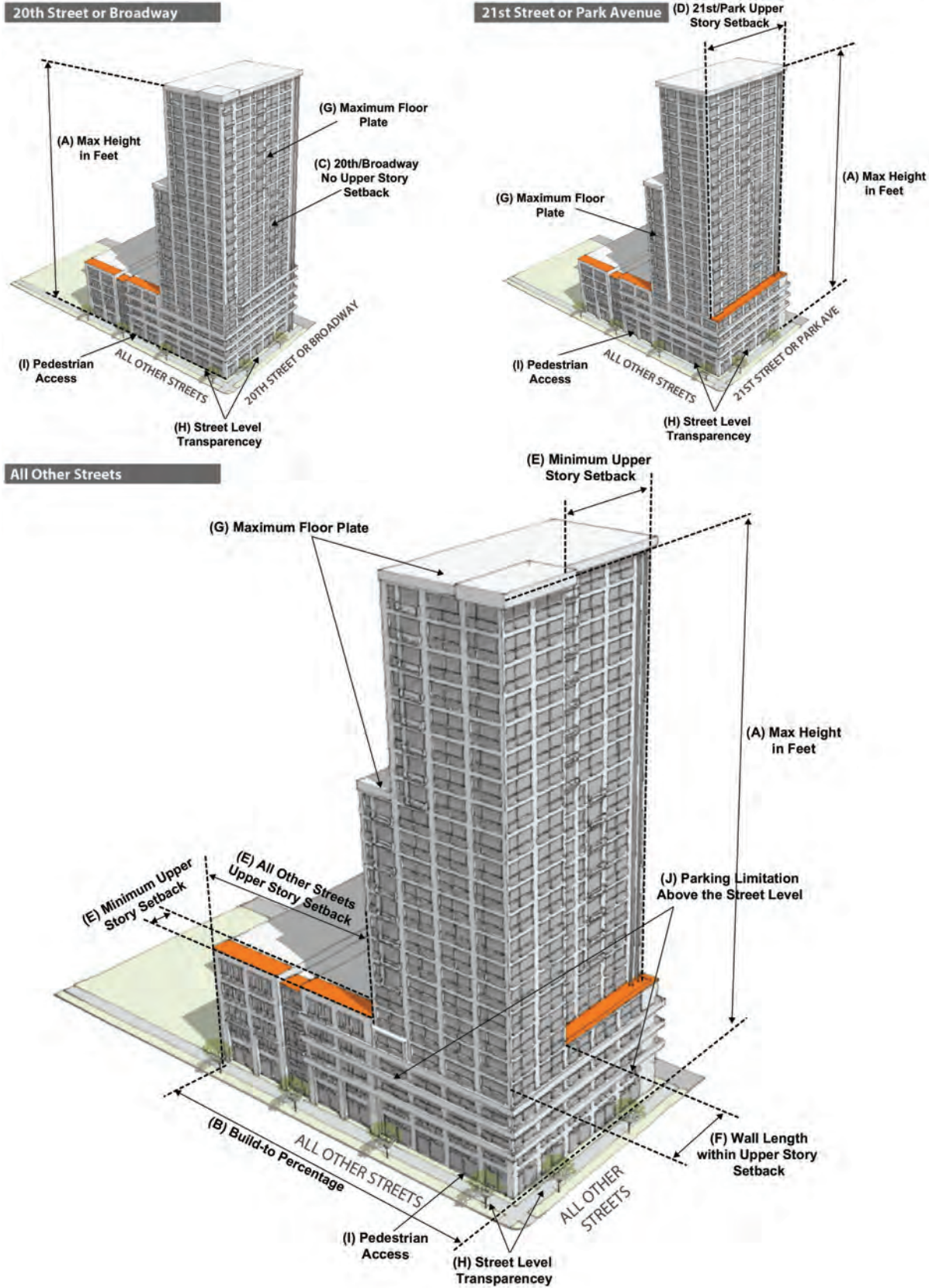
HEIGHT	D-AS-12+	D-AS-20+
<u>Stories (max)</u>	na	na
A <u>Feet (max)</u>	150'	250'
<u>Height Exceptions</u>	See Section 8.9.1.1	
SITING		
REQUIRED BUILD-TO BY STREET		
B <u>All Primary Streets (min build-to %)</u>	70%	
<u>21st Street, Arapahoe Street, Curtis Street (min/max build-to range)</u>	0'/15'; Residential Only Buildings: 0'/20'	
<u>Southeast (light rail) Side of Welton Street (min/max build-to range)</u>	0'/20'; Residential Only Buildings: 0'/25'	
<u>All Other Streets (min/max build-to range)</u>	0'/10'; Residential Only Buildings: 0'/15'	
<u>Build-to Exceptions and Alternatives</u>	See Sections 8.9.6.1 and 8.9.7.1	
SETBACKS		
<u>Primary Street (min)</u>	0'	
<u>Side Interior (min)</u>	0'	
<u>Rear, alley and no alley (min)</u>	0'	
PARKING		
<u>Surface Parking between building and Primary Street</u>	Not Allowed	
<u>Surface parking screening required</u>	See Section 10.5.4.4	
<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>	From Alley; or Street access allowed when no Alley present	
<u>Vehicle Access, all other permitted uses</u>	Shall be determined as part of Site Development Plan Review	
DESIGN ELEMENTS		
REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET		
C <u>20th Street, Broadway - Upper Story Setback above 5 stories and 70'</u>	No Upper Story Setback required	
D <u>21st Street, Park Avenue - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)</u>	100%/10**	
E <u>All Other Streets - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)</u>	65%/10'	
<u>20th, 21st, Broadway, Park Avenue - Primary Street Wall Length within the Upper Story Setback (max)</u>	na	
F <u>All Other Streets - Primary Street Wall Length within the Upper Story Setback (max)</u>	80'	
<u>21st Street, Park Avenue - Primary Street Upper Story Setback Alternative</u>	See Section 8.8.6.2	
STREET LEVEL ACTIVATION		
G <u>Street Level Transparency, Primary Street (min for non-residential/ min for residential only buildings)</u>	60%/40%	
<u>Street Level Transparency Alternatives</u>	See Section 8.8.6.3	
H <u>Pedestrian Access, Primary Street</u>	Entrance	
LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL		
I <u>Limitation on Visible Parking above Street Level, Primary Street (min % of Primary Street-facing zone lot width)</u>	70% See Section 8.8.5.2	
USES		
All D-AS Districts		
(1) All permitted Primary Uses shall be allowed within this building form. See Division 8.10 Uses and Parking; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 8.8.5.1.		

*Does not apply to Park Avenue northwest of Broadway or southeast of Welton Street (requirements for "All Other Streets" apply)

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

C. Point Tower

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TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

POINT TOWER

HEIGHT		D-AS-12+	D-AS-20+
	Stories (max)	<u>na</u>	<u>na</u>
A	Feet (max)	<u>250'</u>	<u>375'</u>
	Height Exceptions	<u>See Section 8.9.1.1</u>	
SITING		D-AS-12+ and D-AS-20+ Districts	
REQUIRED BUILD-TO BY STREET			
B	All Primary Streets (min build-to %)	70%	
	21st Street, Arapahoe Street, Curtis Street (min/max build-to range)	<u>0'/15'</u> ; Residential Only Buildings: <u>0'/20'</u>	
	Southeast (light rail) Side of Welton Street (min/max build-to range)	<u>0'/20'</u> ; Residential Only Buildings: <u>0'/25'</u>	
	All Other Streets (min/max build-to range)	<u>0'/10'</u> ; Residential Only Buildings: <u>0'/15'</u>	
	Build-to Exceptions and Alternatives	<u>See Sections 8.9.6.1 and 8.9.7.1</u>	
SETBACKS			
	Primary Street (min)	<u>0'</u>	
	Side Interior (min)	<u>0'</u>	
	Rear, alley and no alley (min)	<u>0'</u>	
PARKING			
	Surface Parking between building and Primary Street	Not Allowed	
	Surface Parking Screening Required	<u>See Section 10.5.4.4</u>	
	Vehicle Access, 3 or more side-by-side dwelling units in one structure	<u>From Alley; or Street access allowed when no Alley present</u>	
	Vehicle Access, all other permitted uses	<u>Shall be determined as part of Site Development Plan Review</u>	
DESIGN ELEMENTS		D-AS-12+ and D-AS-20+ Districts	
REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET			
C	20th Street, Broadway - Upper Story Setback above 5 stories and 70'	No Upper Story Setback required	
D	21st Street, Park Avenue - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)	<u>100%/10'*</u>	
E	All Other Streets - Upper Story Setback above 5 stories and 70' (min % of zone lot width/min setback)	<u>65%/10'</u>	
	20th, 21st, Broadway, Park Avenue - Primary Street Wall Length within the Upper Story Setback (max)	<u>na</u>	
F	All Other Streets - Primary Street Wall Length within the Upper Story Setback (max)	<u>80'</u>	
	21st Street, Park Avenue - Primary Street Upper Story Setback Alternative	<u>See Section 8.8.6.2</u>	
BUILDING CONFIGURATION			
G	Point Tower Floor Plate above 5 stories and 70' (max)	<u>10,000 square feet</u>	
STREET LEVEL ACTIVATION			
H	Street Level Transparency, Primary Street (min for non-residential/min for residential only buildings)	<u>60%/40%</u>	
	Street Level Transparency Alternatives	<u>See Section 8.8.6.3</u>	
I	Pedestrian Access, Primary Street	<u>Entrance</u>	
LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL			
J	Limitation on Visible Parking above Street Level, Primary Street (min % of Primary Street-facing zone lot width)	<u>70%</u> <u>See Section 8.8.5.2</u>	
USES		All D-AS Districts	
(1) All permitted Primary Uses shall be allowed within this building form. See Division 8.10 Uses and Parking; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 8.8.5.1.			

*Does not apply to Park Avenue northwest of Broadway or southeast of Welton Street (requirements for "All Other Streets" apply)

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

**SECTION 8.8.4 DETACHED ACCESSORY BUILDING FORM STANDARDS
FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE
SQUARE 20+ DISTRICTS**

8.8.4.1 Applicability

All detached accessory structures in the Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts

8.8.4.2 General Standards

A. Combining standards from different building forms for the same structure is prohibited.

B. Detached Accessory Structures Specifically Allowed

The following detached accessory structures are specifically allowed:

1. Buildings:

Sheds, utility buildings, playhouses, Patios, cabanas, pool houses, Porches, garages, and guard houses

2. Underground Structures:

Swimming pools, storm and fallout shelters

3. Unenclosed Structures:

a. Carpports

b. Decks, gazebos, arbor/trellis, swimming pools and other recreational and play facilities, non-commercial barbecues, outside fireplaces, and eating areas

c. Radio and Television Receiving Antennas and Support Structures

Permitted accessory radio and television receiving antennas and support structures shall include satellite dishes less than 32 inches in diameter, and one amateur radio sending and receiving antenna and support structures provided for same.

d. Solar and photo-voltaic energy systems

4. Fences, Walls and Retaining Walls

All accessory fences, walls and retaining walls shall comply with the fence and wall standards in Division 10.5, instead of this Section 8.8.4.

5. Accessory Structures Not Specifically Listed

a. The Zoning Administrator shall determine and impose limitations on accessory structures not otherwise listed as allowed in an applicable Use Table in Articles 3 through 9, or not otherwise covered by the standards in this Section 8.8.4.

b. All such determinations shall be reviewed according to the procedures and review criteria stated in Section 12.4.6, Code Interpretations and Determination of Unlisted Uses. In addition to the criteria stated in Section 12.4.6, the Zoning Administrator shall determine whether a proposed accessory structure is common and customary to the primary structure on the zone lot or to a specific primary use, and if the structure is incidental to the primary structure(s) on the zone lot or to a specific primary use.

c. The Zoning Administrator may impose limitations on the proposed accessory structure, which shall be uniform throughout the Zone District, and taking into consideration the size of the accessory structure, the total number of structures on the zone lot, and the effect on adjacent property.

d. Matters that may be regulated according to this Section shall include, but shall not be limited to, the size, area and number of accessory structures, except as specifically permitted or excluded by Articles 3 through 9, or by this Section 8.8.4.

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
 CITY COUNCIL REDLINE DRAFT 05/25/16

8.8.4.3 Supplemental Standards

A. Gross Floor Area for Detached Accessory Structures in Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts

If an accessory use is operated partially or entirely in one or more detached accessory structures, the gross floor area of such detached accessory structures shall not exceed 10 percent of the area of the zone lot; provided, however, that this limitation shall not apply to detached accessory structures with vehicle access doors.

B. Additional Standards for Detached Structures Accessory to Single Unit Dwellings

1. Required Building Materials

All detached structures accessory to a primary single unit dwelling use shall be constructed of materials that are (1) compatible with the materials employed on the primary building, (2) durable, and (3) are not constructed from salvage doors, or other similar materials as designated by the Zoning Administrator.

2. Access and Contiguity

Any residential floor area contained within a second story located above an attached accessory structure shall be contiguous to and accessed only through other residential floor area contained within the principal residential structure.

8.8.4.4 District Specific Standards Summary

The maximum number of structures per zone lot and building forms allowed by Zone District is summarized below:

<u>Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts</u>	<u>Max Number of Detached Accessory Structures per Zone Lot</u>	<u>Building Forms</u>			
		<u>Detached Accessory Dwelling Unit</u>	<u>Detached Garage</u>	<u>Other Detached Accessory Structures</u>	<u>Detached Accessory Structures</u>
<u>Downtown Arapahoe Square 12+ District (D-AS-12+)</u>	no max				■
<u>Downtown Arapahoe Square 20+ District (D-AS-20+)</u>	no max				■

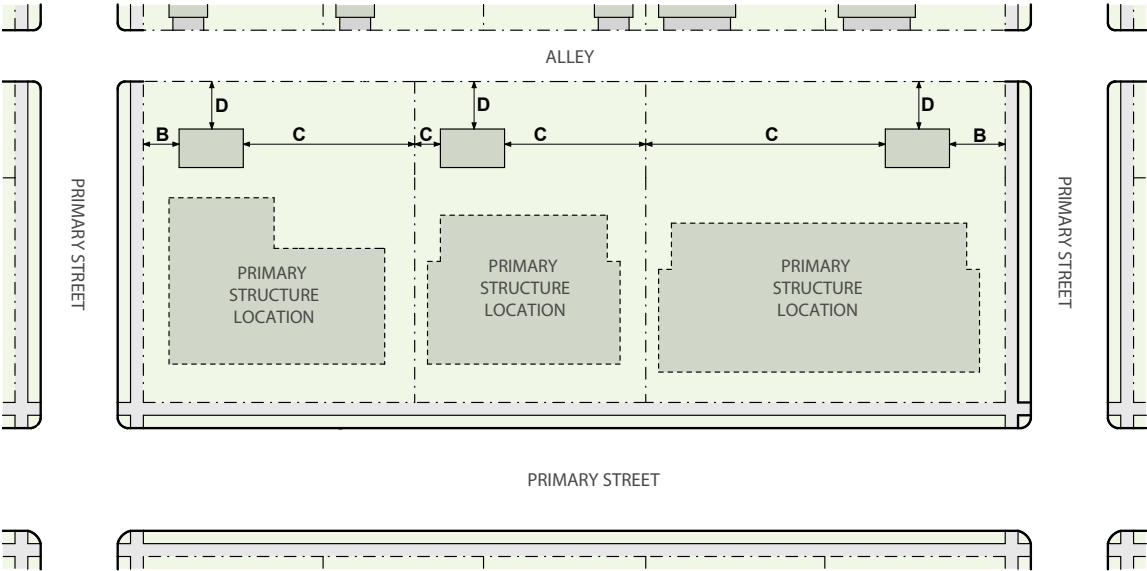
■ = Allowed □ = Allowed subject to limitations

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

8.8.4.5 District Specific Standards

A. Detached Accessory Structures

Not to Scale. Illustrative Only.



TEXT AMENDMENT #9 - ARAPAHOE SQUARE
 CITY COUNCIL REDLINE DRAFT 05/25/16

DETACHED ACCESSORY STRUCTURES

HEIGHT		D-AS-12+ and D-AS-20+ Districts
A	<u>Stories (max)</u>	<u>1</u>
A	<u>Feet (max)</u>	<u>17'</u>
SITING		D-AS-12+ and D-AS-20+ Districts
<u>Additional Standards</u>		<u>See Section 8.8.4.3</u>
SETBACKS		D-AS-12+ and D-AS-20+ Districts
B	<u>Primary Street</u>	<u>5'</u>
C	<u>Side Interior (min)</u>	<u>0'</u>
D	<u>Rear (min)</u>	<u>0'</u>
DESIGN ELEMENTS		D-AS-12+ and D-AS-20+ Districts
<u>Gross Floor Area (max)</u>		<u>10% of the Zone Lot, provided this restriction shall not apply to the parking of vehicles. See Section 8.8.4.3</u>
USES		D-AS-12+ and D-AS-20+ Districts
		<u>Accessory Uses Only</u>

See Section 8.9.1 for Design Standard Exceptions

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

SECTION 8.8.5 SUPPLEMENTAL DESIGN STANDARDS FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS

8.8.5.1 Street Level Active Uses in the D-AS-12+ and D-AS-20+ Zone Districts

A. Intent

To promote activity on the street and sidewalk, enhance safety and encourage a vibrant urban environment.

B. Applicability

This Section 8.8.5.1 applies to all building forms in the D-AS-12+ and D-AS-20+ Zone Districts.

C. Street Level Active Uses

1. Street Level active uses include all permitted primary uses except the following:

- a. Automobile Services, Light;
- b. Mini-storage Facility; or
- c. Wholesale Trade or Storage, Light.

2. Street Level active uses include all permitted accessory uses except the following:

- a. Car Wash Bay Accessory to Automobile Services or Hotel Uses; or
- b. Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses.

3. Street Level active uses shall not include Parking Spaces or Parking Aisles.

4. Street Level active uses shall occupy Street Level floor area for a minimum depth of 15 feet (may include the depth of a recessed entrance allowed to meet minimum pedestrian access standards and insets for building articulation up to 10 feet in depth).

D. Exception for Pre-Existing Small Zone Lots

Zone lots equal to or smaller than 75 feet in Primary Street lot width or 9,400 square feet in area on June 27, 2016 shall be exempt from the required Street Level active use where the uses that do not meet the requirements of Section 8.8.5.1.C. are located in a Street Level area that:

1. Has a minimum floor-to-floor height of 12 feet to allow for future conversion to an active use;
2. Is fully enclosed with similar building materials to those used on the upper story facade, including transparent glass.

8.8.5.2 Limitation on Visible Parking Above Street Level in the D-AS-12+ and D-AS-20+ Zone Districts

A. Intent

To minimize the visibility, and impacts of structured parking and promote visual interest on upper story building facades.

B. Applicability

This Section 8.8.5.2 applies to the General with Height Incentive and Point Tower building forms in the D-AS-12+ and D-AS-20+ zone districts.

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
 CITY COUNCIL REDLINE DRAFT 05/25/16

C. Allowance

1. Uses that meet the Limitation on Visible Parking above Street Level shall include all primary uses, but shall not include Parking Spaces or Parking Aisles for the minimum percentage of the Primary Street-facing zone lot width specified in the building form table.
2. Uses that meet the Limitation on Visible Parking above Street Level shall occupy floor area above Street Level for a minimum depth of 15 feet from the Primary Street frontage (may include the depth of recessed balcony or terrace areas and insets for building articulation up to 10 feet in depth).

SECTION 8.8.6 DESIGN STANDARD ALTERNATIVES FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS

8.8.6.1 Required Build-To Alternatives in D-AS-12+ and D-AS-20+ Districts

A. Intent

To help define the public realm and enhance the visual quality of the built environment where it is not possible to define the street and public sidewalk edge with building facades.

B. Allowance

The following alternative may be used as an alternative to a required build-to standard and may count toward the required build-to no more than as described in the table below, provided it meets the requirements stated in Section 13.1.5.6.E)

REQUIRED BUILD-TO ALTERNATIVE	
ZONE DISTRICT	PRIVATE OPEN SPACE (MAX % OF BUILD-TO)
D-AS-12+ D-AS-20+	25%

8.8.6.2 Primary Street Upper Story Setback Alternative for 21st Street & Park Avenue in D-AS-12+ and D-AS-20+ Districts

A. Intent

To allow a flexible alternative for creative designs fronting 21st Street and Park Avenue that maintain a building setback at or below 5 stories and 70 feet, but do not meet the specific Primary Street Upper Story Setback requirements set forth in the building form tables.

B. Applicability

This Section 8.8.6.2 applies to Primary Street upper story setbacks on the 21st Street and Park Avenue frontage of all building forms in the D-AS-12+ and D-AS-20+ Zone Districts.

C. Allowance

The Zoning Administrator may approve an alternative Primary Street Upper Story setback design that does not meet the specific Upper Story setback requirements set forth in the building form standards tables where the alternative is found to meet the design standards and guidelines for the Upper Story setback alternative on 21st Street and Park Avenue in the Design Standards and Guidelines for Arapahoe Square.

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

8.8.6.3 Street Level Transparency Alternatives in D-AS-12+ and D-AS-20+ Districts

- A. Intent**
To provide visual interest on building facades, to activate the public street and sidewalk, and enhance the visual quality of the built environment along Street Level facade areas where windows do not provide sufficient transparency.
- B. Allowance**
The following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than as described in the table below, if all alternatives meet the requirements stated in Section 13.1.6.2.A.5:

TRANSPARENCY ALTERNATIVES				
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	DISPLAY CASES (MAX)	PERMANENT ART (MAX)	COMBINATION OF ALTERNATIVES (MAX)
D-AS-12+ D-AS-20+	Primary Street	20%	20%	40%

SECTION 8.8.7 DESIGN STANDARD EXCEPTIONS FOR DOWNTOWN ARAPAHOE SQUARE 12+ AND DOWNTOWN ARAPAHOE SQUARE 20+ DISTRICTS

8.8.7.1 Required Build-To Exceptions in D-AS-12+ and D-AS-20+ Districts

- A. Civic, Public & Institutional Uses**
 - 1. Intent**
To accommodate signature entrance architecture, gathering spaces, plazas, or community amenities along the front facades of structures containing civic, public and institutional uses.
 - 2. Standard**
Structures containing one or more uses in the Civic, Public & Institutional Use Classification are not required to meet the Primary Street and Side Street Build-To standards.

DIVISION 8.89 DESIGN STANDARDS

SECTION 8.89.1 DESIGN STANDARD EXCEPTIONS

8.89.1.1 Height Exceptions

A. Intent

To allow building features to exceed maximum height for utility purposes and/or limited recreation or building amenities in the higher intensity zone districts/larger forms.

B. Applicability and Standards:

1. The following building features are allowed to exceed height in feet, stories, bulk plane and upper story setbacks as described in the table below, subject to the standards in this section 8.89.1.1.B.
2. Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment granted an exception for height in stories shall only be as large as necessary to achieve the intended function of the feature and shall not exceed the minimum required dimensions defined in the Denver Building and Fire Code.
3. An elevator lobby granted an exception for height in stories shall be no larger in area than the area of the elevator shaft which it abuts, measured to the exterior walls.
4. Unoccupied building features shall not include space for living, sleeping, eating, cooking, bathrooms, toilet compartments, closets, halls, storage, or similar space.

BUILDING FEATURES	ZONE DISTRICTS	THE AGGREGATE SHALL NOT EXCEED 33-1/3 PERCENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Eaves	All D- Zone Districts	No	No	Any distance when attached to a feature that meets the definition of a Story	Not applicable	Any distance	Any distance
Unoccupied spires, towers, flagpoles, antennas, chimneys, flues and vents	All D- Zone Districts	No	No	28'	Not applicable	Any distance	Any distance
Unoccupied cooling towers and enclosures for tanks	All D- Zone Districts	No	Yes	28'	Not applicable	Not allowed	Not allowed
Unoccupied elevator penthouses, stair enclosures, and enclosed or unenclosed mechanical equipment including vertical or sloped screen walls for such equipment	All D- Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed
Elevator lobbies	All D- Zone Districts	Yes	Yes	28'	1 story	Not allowed	Not allowed

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
 CITY COUNCIL REDLINE DRAFT 05/25/16**

BUILDING FEATURES	ZONE DIS-TRICTS	THE AGGRE-GATE SHALL NOT EXCEED 33-1/3 PER-CENT OF THE AREA OF THE SUPPORTING ROOF	SHALL BE SET BACK FROM THE PERIMETER OF THE BUILDING A MINIMUM OF ONE FOOT HORIZONTALLY FOR EVERY ONE FOOT OF VERTICAL HEIGHT	MAY EXCEED MAXIMUM HEIGHT IN FEET BY:	MAY EXCEED MAXIMUM HEIGHT IN STORIES BY:	MAY PROJECT THROUGH THE BULK PLANE	MAY ENCROACH INTO THE UPPER STORY SETBACK
Open Structures	All D- Zone Districts	Yes	Yes	28'	Not applicable	Not allowed	Not allowed
Parapet Wall and/or Safety Railing	All D- Zone Districts	No	No	Any distance	Not applicable	Not allowed	Not allowed
Flush-mounted solar panels	All D- Zone Districts	No	No	Any distance	Not applicable	Any distance	Any distance
Evaporative coolers	All D- Zone Districts	No	Yes	Any distance	Not applicable	Any distance	<u>Any distance Not Allowed</u>
Accessory water tanks	All D- Zone Districts	No	Yes	28'	Not applicable	Any distance	<u>Any distance Not Allowed</u>

8.89.1.2 Setback Exceptions

A. Intent

To promote compatible building character along Parkways, when Parkway setbacks are more restrictive than this Code’s setbacks.

B. Standard

In all D- Zone Districts, where a zone lot has street frontage on a Parkway designated under D.R.M.C., Chapter 49, the greater of the following street setbacks shall apply:

1. The street setback required by the applicable building form standards in this Code; or
2. The required Parkway setback established under D.R.M.C., Chapter 49.

SECTION 8.89.2 REFERENCE TO OTHER APPLICABLE DESIGN STANDARDS

See Article 10, General Design Standards.

SECTION 8.89.3 SURFACE PARKING LOT LANDSCAPING

A. Applicability

1. Surface Parking as a primary use in the D-C, D-TD, D-LD, D-GT, D-AS and D-CV zones shall be landscaped according to this Section 8.89.3.

B. Street Tree Planting Required

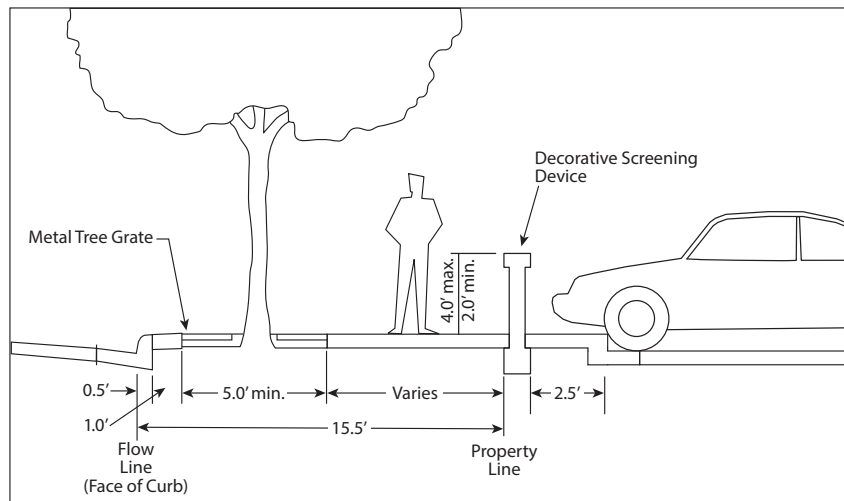
1. Street trees shall be required on all street frontages for all proposed new parking areas.
2. Such trees shall be located on the public right-of-way where the available space between the flow line (face of curb) and the right-of-way/private property line is at least 10 feet wide and where no unusual problem or physical constraint exists. If such problem or constraint does occur in this situation, then the trees shall be located on private property.

C. Screening Device Required

1. In addition to required street tree planting, a decorative screening device is required that conforms to city design concepts or a similar screening device as may be acceptable to the Zoning Administrator. The height of such device may vary between 2’-8” and 3 feet. Such screening device shall be located on private property.

2. Except for required street tree planting and additional standards in Section 8.89.3.D, no tree lawn, landscaping or interior landscaping is required; however, owners may submit for Zoning Administrator review proposals for alternative designs that incorporate landscaping (sod and/or shrubs) with the screening device.

Illustration 1: D-C, D-TD, D-LD, D-CV and D-AS D-GT Zone Districts



D. Additional D-GT and D-AS Zone District Parking Lot Landscaping Requirements

1. Tree Lawn Required

- a. In addition to required street tree planting, a street front tree-lawn at least 8 feet wide shall be required between the flow line and the parking lot. If the space between the flow line and the property line is inadequate to install an 8-foot wide tree lawn, the width of such tree lawn may be reduced; however, in no case shall it be reduced to less than 5 feet in width. Further, if such 5-foot wide tree lawn is located partially on private property, that portion on private property shall be counted toward the satisfaction of the 5% area requirement of Section D.2 below.
- b. "Tree lawn" for the purposes of this provision is defined as a linear strip of ground which contains trees as required by Section 8.89.3.B above.
- c. A tree lawn is generally located on the public right-of-way, but may in some cases be partially located on private property.

2. Additional Parking Lot Landscaping Requirement

An area of landscaping equal to 5% of the parking area shall be provided in addition to street tree and tree lawn landscaping areas. This additional landscaped area may be located:

- a. In the interior of the parking area according to the standards in Section 10.5.4.5, Interior Surface Parking Lot Landscaping Standards; or
- b. Along the street front as an addition to the tree lawn in the case of attached sidewalks; or
- c. With detached sidewalks, this area may be in the form of a landscaped planting strip with a minimum width of 5 feet located between the sidewalk and the parking area.

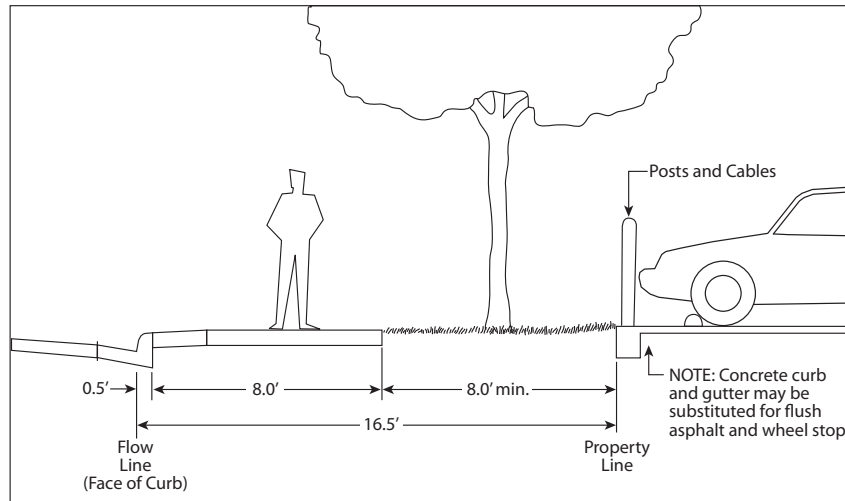
3. Pedestrian Access

A 3-foot-wide opening for pedestrians shall be located a maximum of 80 feet apart along all public street and alley frontages of the parking lot.

4. Variations Allowed

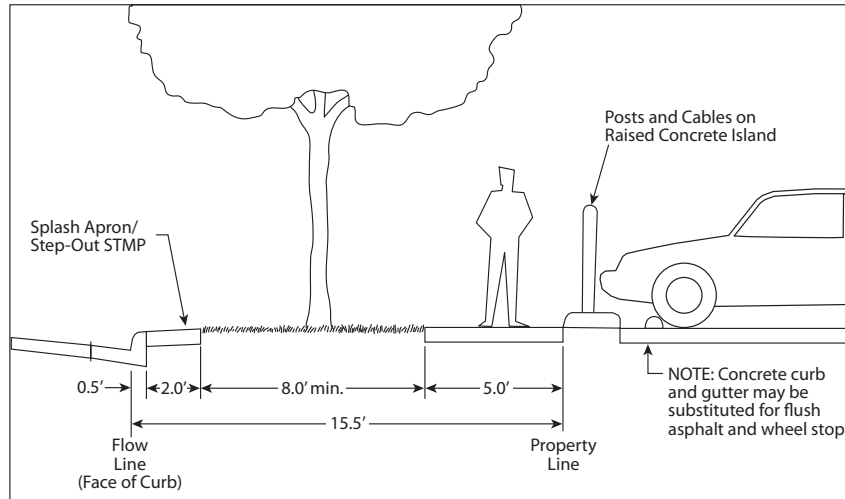
Variations in the arrangement or location of the tree lawn may be allowed depending on the location of existing sidewalks or on the quality of design proposals made by the developer according to the minimum widths set forth in Section 8.89.3.D.1 above.

Illustration 2: D-C, D-TD, D-LD, D-CV and D-AS D-GT Zone Districts



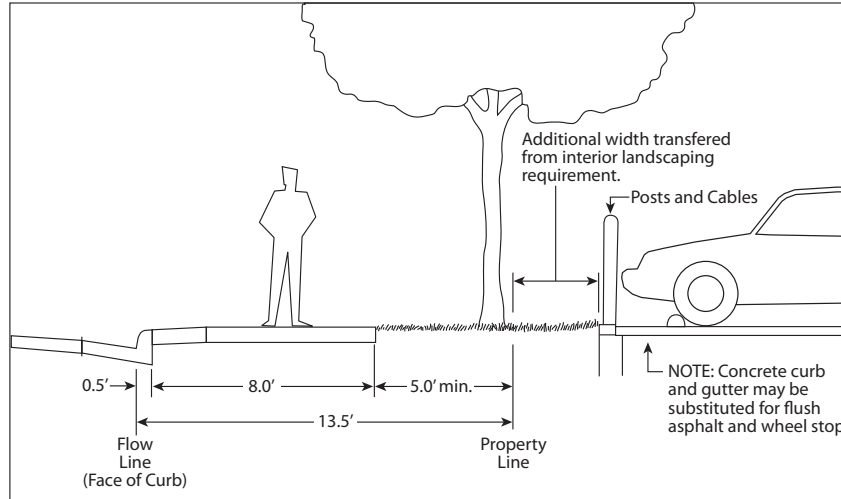
Applicable where right-of-way (flow line to property line) is at least 16.5' or more and sidewalk is attached.

Illustration 3: D-C, D-TD, D-LD, D-CV and D-AS D-GT Zone Districts



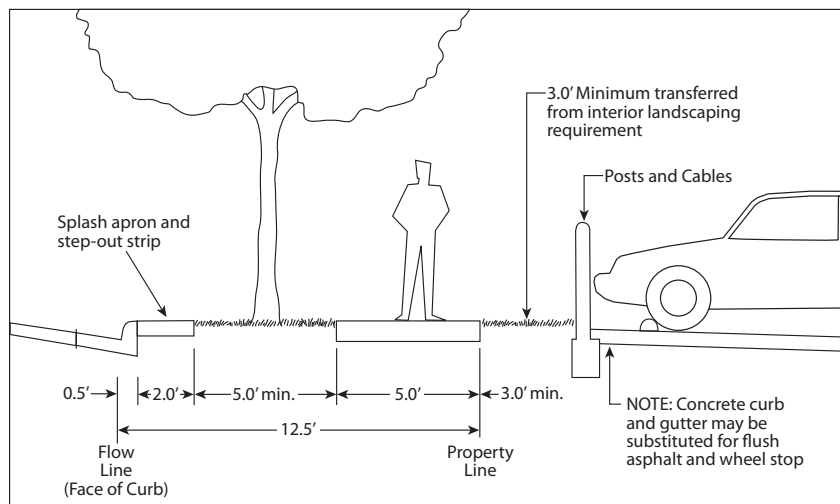
Applicable where right-of-way (flow line to property line) is 15.5' or more and sidewalk is detached.

Illustration 4: D-C, D-TD, D-LD, D-CV and D-AS D-GT Zone Districts



Applicable where right-of-way (flow line to property line) is at least 13.5' and sidewalk is attached.

Illustration 5: D-C, D-TD, D-LD, D-CV and D-AS D-GT Zone Districts



Applicable where right-of-way (flow line to property line) is at least 12.5' or more and sidewalk is attached.

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TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

DIVISION 8.910 USES AND REQUIRED MINIMUM PARKING

SECTION 8.910.1 APPLICABILITY

8.910.1.1 This Division ~~8.9~~ 8.10 sets forth the land uses permitted and the required zoning procedure in all the Downtown Neighborhood Context Zone Districts, ~~and the~~ It also provides minimum off-street vehicle parking requirements for the D-GT and D-AS Zone Districts, as well as minimum bicycle parking requirements for the D-GT, D-AS, D-AS-12+ and D-AS-20+ Zone Districts. The D-C, D-TD, D-CV, D-AS-12+ and D-AS-20+ Zone Districts have no minimum off-street vehicle parking requirement (see Section 8.3.1.5 for more information on vehicle and bicycle parking in the D-C, D-TD and D-CV Zone Districts). Parking requirements for the D-LD Zone District are provided in Section 8.4.1.4.

8.910.1.2 Uses not listed are prohibited, unless the Zoning Administrator specifically permits the unlisted use according to Section 12.4.6, Code Interpretations and Determination of Unlisted Uses.

8.910.1.3 For number of primary and accessory uses allowed per Zone Lot, see Section 1.2.3.5, Number of Uses and Structures Allowed per Zone Lot.

SECTION 8.910.2 ORGANIZATION

8.910.2.1 Organized by Primary, Accessory and Temporary Uses

The Use and Parking Table first presents all primary uses, then all accessory uses, and finally all temporary uses. Primary uses are arranged hierarchically within the table by use classification, category of primary uses, and then by specific use type. Accessory uses are organized by whether such use is accessory to a primary residential use or to a primary nonresidential use. Temporary uses are presented alphabetically ordered in the last division of the table.

8.910.2.2 Primary Use Classifications, Categories & Specific Use Types

A. Primary Use Classifications

All primary land uses in the Use and Parking Table are organized into one of the following five general land use classifications:

1. Residential Uses
2. Civic, Public & Institutional Uses
3. Commercial Sales, Service & Repair Uses
4. Industrial, Manufacturing & Wholesale Uses
5. Agriculture

B. Primary Use Categories & Specific Use Types

Primary uses are further organized into use categories and specific use types listed under each general primary land use classification. The Use and Parking Table is organized into the above five general land use classifications, use categories and specific use types.

C. Classifications & Categories Are Mutually Exclusive

The general land use classifications and use categories listed in the Use and Parking Table are intended to be mutually exclusive; that is, a use classified into one use category, such as “lodging accommodations,” cannot be classified in a different use category, such as “group living,” unless otherwise expressly allowed by this Code.

SECTION 8.910.3 EXPLANATION OF TABLE ABBREVIATIONS

8.910.3.1 General Explanation of Table Cell Entries

In each of the table cells, the entry will indicate first whether use limitations apply to the specific use, and then separated by a hyphen, the type of zoning review required prior to establishment of the use under this Code. For example, as described in more detail below, a cell entry “L-ZPIN” means, first, the use is subject to use limitations (the “L”), and, second, that the use is subject to zoning permit review with information notice (the “ZPIN”) prior to its establishment.

8.910.3.2 Permitted, Limited, Not Permitted

A. Permitted Use - No Use Limitations Apply (“P”)

A “P” in a table cell indicates that the use is permitted in the respective Zone District, and is not subject to use limitations.

B. Permitted Use - Subject to Use Limitations (“L”)

“L” in a table cell indicates the use is permitted in the Zone District subject to compliance with the use limitations referenced in the last column of the use table (“Applicable Use Limitations”).

C. Uses Not Permitted (“NP”)

“NP” in a table cell indicates that the use is not permitted in the specific Zone District.

8.910.3.3 Zoning Procedure

A. Use Subject to Zoning Permit Review (“ZP”)

“ZP” in a table cell indicates that the use is permitted in the respective Zone District only if reviewed and approved according to the requirements in Section 12.4.1, Zoning Permit Review.

B. Use Subject to Zoning Permit Review with Informational Notice (“ZPIN”)

“ZPIN” in a table cell indicates that the use is permitted in the respective Zone District only if reviewed and approved according to the public notice and procedural requirements in Section 12.4.2, Zoning Permit Review with Informational Notice. Such uses shall comply with any applicable use limitations noted in the last column of the use table (“Applicable Use Limitations”), as well as the review criteria stated in Section 12.4.2, Zoning Permit Review with Informational Notice.

C. Use Subject to Zoning Permit with Special Exception Review (“ZPSE”)

“ZPSE” in a table cell indicates that use is generally appropriate in the neighborhood context and zoning district, yet may have the potential for limited impacts on adjacent properties or on the established character of the neighborhood context or zoning district. “ZPSE” uses are subject to a Board of Adjustments public hearing according to Section 12.4.9, Zoning Permit with Special Exception Review, which grants the Board of Adjustment the authority to impose conditions on the specified use to mitigate any potential impacts. Such uses shall comply with any applicable use limitations noted in the last column of the use table (“Applicable Use Limitations”), as well as the review criteria stated in Section 12.4.9, Zoning Permit with Special Exception Review.

D. Uses Where More Than One Zoning Procedure Is Indicated

Where a table cell shows more than one zoning procedure applies to a use, for example “L-ZP/ZPIN”, the referenced use limitation (last table column) will indicate which zoning procedure applies in a specific case. For example, a table cell may indicate “L-ZPIN/ZPSE” for a use. This means that the ZPIN zoning procedure will apply, unless the applicable use limitation specifies the ZPSE zoning procedure is triggered (e.g., by proximity to a Protected District).

8.910.3.4 Enclosure of Uses

All primary, accessory and temporary uses must be established, operated and maintained within a completely enclosed structure, unless otherwise specifically allowed by this Code. The Use and Parking Tables in Articles 3-9 indicate when a use may be established, operated or maintained outside a completely enclosed structure by including an asterisk “*” next to the specific use type. For example, the asterisk following the “Telecommunication Tower*” use type in the tables indicates that a telecommunication tower land use need not be enclosed.

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16**

SECTION 8.910.4 DISTRICT SPECIFIC STANDARDS

KEY: * = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use
 ZP = Zoning Permit Review ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Excep-
 tion Review
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE <i>Parking Ratios Shown in Table Apply in D-GT & D-AS Districts Only</i> <i>D-C, D-TD, D-CV, D-AS-12+/20+ Districts have no vehicle parking requirement. D-LD vehicle parking requirements are provided in Section 8.4.1.4.</i> • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)							APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV	
RESIDENTIAL PRIMARY USE CLASSIFICATION								
Household Living	Dwelling, Single Unit • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	NP	
	Dwelling, Two Unit • <u>D-AS & D-GT Districts</u> - Vehicle: 0.75/unit • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	NP	
	Dwelling, Multi-Unit D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: 0.75/unit • <u>D-AS, D-AS-12+/20+ & D-GT Districts</u> - Bicycle: 1/2 units (80/20)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	NP	
	Dwelling, Live / Work D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: 0.75/unit • <u>D-AS, D-AS-12+/20+ & D-GT Districts</u> - Bicycle: 1/2 units (80/20)	L-ZP	L-ZP	L-ZP	L-ZP	<u>P-ZP</u>	NP	§ 11.2.4

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 CITY COUNCIL REDLINE DRAFT 05/25/16**

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 ZP = Zoning Permit Review ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Excep-
 tion Review
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE Parking Ratios Shown in Table Apply in D-GT & D-AS Districts Only D-C, D-TD, D-CV, D-AS-12+/20+ Districts have no vehicle parking requirement. D-LD vehicle parking requirements are provided in Section 8.4.1.4. • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)							APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV	
Group Living	Assisted Living Facility D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .75/unit • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10 units (50/50)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	NP	
	Community Corrections Facility D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: No requirement • D-AS & D-GT Districts: - Bicycle: 1/10 units (50/50)	L-ZPIN	L-ZPIN	L-ZPIN	NP	<u>NP</u>	NP	§ 8.910.5.1
	Nursing Home, Hospice D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .75/unit • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10 units (50/50)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	NP	
	Residence for Older Adults D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: No requirement • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10 units (50/50)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	NP	
	Residential Care Use, Small or Large D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: No requirement • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10 units (50/50)	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	<u>L-ZPIN</u>	L-ZPIN	§ 11.2.8
	Rooming and Boarding House • <u>No Parking Requirements</u>	NP	NP	NP	NP	<u>P-ZP</u>	NP	
	Shelter for the Homeless D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: No requirement • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: No requirement	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	L-ZPIN/L	<u>L-ZPIN/L</u>	L-ZPIN/L	§ 11.2.9
	Student Housing D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 0.75/unit • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/2 units (80/20)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	NP	

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16**

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 ZP = Zoning Permit Review ZPIN = Subject to Zoning Permit Review with Informational Notice ZPSE = Subject to Zoning Permit with Special Excep-
 tion Review
 When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE <i>Parking Ratios Shown in Table Apply in D-GT & D-AS Districts Only</i> <i>D-C, D-TD, D-CV, D-AS-12+/20+ Districts have no vehicle parking requirement. D-LD vehicle parking requirements are provided in Section 8.4.1.4.</i> • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)							APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-GT D-AS	<u>D-AS-12+</u> <u>D-AS-20+</u>	D-CV	
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION								
Basic Utilities	Utility, Major Impact* D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: .5 / 1,000 s.f. GFA • <u>D-AS, D-AS-12+/20+ & D-GT Districts</u> - Bicycle: No requirement	L- ZPSE	L-ZPSE	L- ZPSE	L-ZPSE	<u>L-ZPSE</u>	L- ZPSE	§ 11.3.1
	Utility, Minor Impact* D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: .5 / 1,000 s.f. GFA • <u>D-AS, D-AS-12+/20+ & D-GT Districts</u> - Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	§ 11.3.2
Community/ Public Services	Community Center • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	§ 11.3.3
	Day Care Center D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: 1/ 1,000 s.f. GFA • <u>D-AS, D-AS-12+/20+ & D-GT Districts</u> - Bicycle: 1/10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	
	Postal Facility, Neighborhood D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: 1.25/ 1,000 s.f. GFA • <u>D-AS, D-AS-12+/20+ & D-GT Districts</u> - Bicycle: 1/7,500 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	
	Postal Processing Center D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: 1/ 1,000 s.f. GFA • <u>D-AS, D-AS-12+/20+ & D-GT Districts</u> - Bicycle: 1/7,500 s.f. GFA(20/80)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	NP	
	Public Safety Facility D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: 1/ 1,000 s.f. GFA • <u>D-AS, D-AS-12+/20+ & D-GT Districts</u> - Bicycle: 1/ 10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	
	Hospital	P-ZP	P-ZP	NP	NP	<u>NP</u>	NP	
Correctional Institution	NP	NP	NP	NP	<u>NP</u>	NP		

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		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV	
Cultural/Special Purpose/Public Parks & Open Space	Cemetery*	NP	NP	NP	NP	NP	NP	
	Library D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Museum D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/10,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	City Park*	NP	NP	NP	NP	NP	NP	
	Open Space - Recreation* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
	Open Space - Conservation* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	
Education	Elementary or Secondary School D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle- Elementary: 1/1,000 s.f. GFA • D-AS-12+ & 20+ & D-AS & D-GT Districts - Bicycle- Elementary: 1/ 10,000 s.f. GFA (0/100) • D-AS & D-GT Districts - Vehicle-Secondary: 1/1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/ 5,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8
	University or College D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/ 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8; § 11.3.8
	Vocational or Professional School D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1/ 1,000 s.f. GFA • D-AS-12+/20+ - Vehicle: No Requirement • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/ 10,000 s.f. GFA (0/100)	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.3.8
Public and Religious Assembly	All Types • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	P-ZP	

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		D-C	D-TD	D-LD	D-GT D-AS	<u>D-AS-12+</u> <u>D-AS-20+</u>	D-CV	
COMMERCIAL SALES, SERVICES, & REPAIR PRIMARY USE CLASSIFICATION								
Adult Business	All Types	NP	NP	NP	NP	<u>NP</u>	NP	See Section 9.4.4, Use Overlay Districts, for adult business use allowance in the UO-1 District.
Arts, Recreation & Entertainment	Arts, Recreation and Entertainment Services, Indoor D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle - Artist Studio: 0.3/1000 ft ² GFA • <u>D-AS & D-GT Districts</u> - Vehicle - All Others: 1.25/ 1,000 s.f. GFA • <u>D-AS, D-AS-12+/20+ & D-GT Districts</u> - Bicycle: 1/7,500 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	
	Arts, Recreation and Entertainment Services, Outdoor* D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: 1.25/ 1,000 s.f. GFA • <u>D-AS, D-AS-12+/20+ & D-GT Districts</u> - Bicycle: 1/7,500 s.f. GFA (20/80)	L-ZP	L-ZP	L- ZPIN	L-ZPIN	<u>L-ZPIN</u>	L- ZPIN	§ 11.4.3
	Sports and/or Entertainment Arena or Stadium*	NP	NP	NP	NP	<u>NP</u>	NP	
Nonresidential Uses in Existing Business Structures In Residential Zones		Not Applicable						
Parking of Vehicles	Parking, Garage • No Parking Requirements	L-ZP	L-ZP	NP	L-ZP/ ZPIN	<u>P-ZP</u>	NP	§ 11.4.6
	Parking, Surface* • No Parking Requirements	L-ZP	L-ZP	NP	<u>D-GT:</u> <u>L-ZPIN</u> <u>D-AS:</u> <u>P-ZPIN</u>	<u>NP</u>	NP	§ 11.4.7
Eating & Drinking Establishments	All Types D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: 2.5/ 1,000 s.f. GFA • <u>D-AS, D-AS-12+/20+ & D-GT Districts</u> - Bicycle: 1/1,000 s.f. GFA (0/100)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	

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		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV	
Lodging Accommodations	Bed and Breakfast Lodging D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle - MS only: 2/ 1,000 s.f. GFA • D-AS & D-GT Districts - Vehicle: 0.875/guest room or unit • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (60/40)	P-ZP	P-ZP	P-ZP	P-ZPIN	<u>P-ZP</u>	NP	
	Lodging Accommodations, All Others D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 0.875/ guest room or unit • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (60/40)	P-ZP	P-ZP	P-ZP	P-ZPIN	<u>P-ZP</u>	NP	
Office	Dental / Medical Office or Clinic D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	\$11.4.8
	Office, All Others D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Animal Sales and Services, Household Pets Only D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	\$11.4.11
	Animal Sales and Services, All Others • No Parking Requirements	P-ZP	P-ZP	NP	NP	<u>NP</u>	NP	
	Body Art Establishment D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (20/80)	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	\$11.4.13
	Food Sales or Market D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	

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		D-C	D-TD	D-LD	D-GT D-AS	<i>D-AS-12+ D-AS-20+</i>	D-CV	
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service & Repair)	Liquor Store, Including Drugstores Licensed to Sell Liquor D-GT & D-AS Districts: • D-GT District - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA(20/80)	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	\$11.4.15
	Pawn Shop D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA(20/80)	L-ZP	L-ZP	NP	L-ZPIN	<u>L-ZPIN</u>	NP	\$11.4.16
	Retail Sales, Service & Repair -- Outdoor*	NP	NP	NP	NP	<u>NP</u>	NP	
	Retail Sales, Service & Repair - Firearms Sales	NP	NP	NP	NP	<u>NP</u>	NP	
	Retail Sales, Service & Repair, All Others D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: 1.25/ 1,000 s.f. GFA • D-AS-12+/20+ & D-GT Districts - Bicycle: 1/7,500 s.f. GFA (20/80)	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	NP	
Vehicle / Equipment Sales, Rentals, Service & Repair	Automobile Emissions Inspection Facility D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: No requirement	L-ZP	L-ZP	NP	L-ZP	<u>NP</u>	NP	\$ 11.4.18
	Automobile Services, Light D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: No requirement	NP	NP	NP	L-ZPIN	<u>L-ZP</u>	NP	\$11.4.19; \$11.4.20
	Automobile Services, Heavy	NP	NP	NP	NP	<u>NP</u>	NP	
	Automobile / Motorcycle / Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer* D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5/ 1,000 s.f. GFA • D-AS, D-AS-12+/20+ & D-GT Districts - Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZPIN	<u>L-ZP</u>	NP	\$11.4.22
	Heavy Vehicle/ Equipment Sales, Rentals & Service*	NP	NP	NP	NP	<u>NP</u>	NP	

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		D-C	D-TD	D-LD	D-GT D-AS	<u>D-AS-12+</u> <u>D-AS-20+</u>	D-CV	
INDUSTRIAL, MANUFACTURING & WHOLESALE PRIMARY USE CLASSIFICATION								
Communications and Information	Antennas Not Attached to a Tower* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.5.2
	Communication Services D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: .5/ 1,000 s.f. GFA • <u>D-AS, D-AS-12+/20+ & D-GT Districts</u> - Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.5.1
	Telecommunications Towers* • No Parking Requirements	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	L-ZP/ ZPIN/ ZPSE	<u>L-ZP/ZPIN/ ZPSE</u>	L-ZP/ ZPIN/ ZPSE	\$11.5.2
	Telecommunications Tower - Alternative Structure* • No Parking Requirements	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	L-ZP/ ZPIN	<u>L-ZP/ZPIN</u>	L-ZP/ ZPIN	\$11.5.2
	Telecommunication Facilities -- All Others* • No Parking Requirements	L- ZPIN	L-ZPIN	L- ZPIN	L-ZPIN	<u>L-ZPIN</u>	L- ZPIN	\$11.5.2
Industrial Services	Contractors, Special Trade - General D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: .5/ 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	\$11.5.3
	Contractors, Special Trade - Heavy/ Contractor Yard*	NP	NP	NP	NP	<u>NP</u>	NP	
	Food Preparation and Sales, Commercial D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	\$ 11.5.5
Industrial Services	Laboratory, Research, Development and Technological Services D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	\$11.5.6
	Service/Repair, Commercial D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	\$11.5.7
Manufacturing and Production	Manufacturing, Fabrication & Assembly -- Custom D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	\$11.5.8
	Manufacturing, Fabrication & Assembly -- General D-GT & D-AS Districts: • <u>D-AS & D-GT Districts</u> - Vehicle: .5 / 1,000 s.f. GFA • Bicycle: No requirement	L-ZP/ ZPSE	L-ZP/ ZPSE	L- ZPIN/ ZPSE	L-ZPIN/ ZPSE	<u>L-ZP/ZPSE</u>	NP	\$11.5.9
	Manufacturing, Fabrication & Assembly -- Heavy	NP	NP	NP	NP	<u>NP</u>	NP	

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		D-C	D-TD	D-LD	D-GT D-AS	<i>D-AS-12+ D-AS-20+</i>	D-CV	
Mining & Extraction and Energy Producing Systems	Oil, Gas -- Production, Drilling*	NP	NP	NP	NP	<u>NP</u>	NP	
	Sand or Gravel Quarry*	NP	NP	NP	NP	<u>NP</u>	NP	
	Wind Energy Conversion Systems* • No Parking Requirements	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	§11.5.13
Transportation Facilities	Airport*	NP	NP	NP	NP	<u>NP</u>	NP	
	Helipad, Helistop, Heliport* • No Parking Requirements	L-ZP	L-ZP	NP	L-ZP	<u>L-ZP</u>	L-ZP	§11.5.14
	Railroad Facilities* D-GT & D-AS Districts:- • D-AS & D-GT Districts - Vehicle: .5 /1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	NP	L-ZP	<u>NP</u>	L-ZP	§8.910.5.2
	Railway Right-of-Way* • No Parking Requirements	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	
	Terminal, Station or Service Facility for Passenger Transit System D-GT & D-AS Districts:- • D-AS & D-GT Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	
Terminal, Freight, Air Courier Services D-GT & D-AS Districts:- • D-AS & D-GT Districts - Vehicle: .5 /1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZPIN	<u>NP</u>	L-ZP	§ 8.910.5.3	
Waste Related Services	Automobile Parts Recycling Business*	NP	NP	NP	NP	<u>NP</u>	NP	
	Junkyard*	NP	NP	NP	NP	<u>NP</u>	NP	
	Recycling Center	NP	NP	NP	NP	<u>NP</u>	NP	
	Recycling Collection Station	NP	NP	NP	NP	<u>NP</u>	NP	
	Recycling Plant, Scrap Processor	NP	NP	NP	NP	<u>NP</u>	NP	
	Solid Waste Facility	NP	NP	NP	NP	<u>NP</u>	NP	
Wholesale, Storage, Warehouse & Distribution	Automobile Towing Service Storage Yard*	NP	NP	NP	NP	<u>NP</u>	NP	
	Mini-storage Facility D-GT & D-AS Districts:- • D-AS & D-GT Districts - Vehicle: 0.1/1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	NP	§11.5.23
	Vehicle Storage, Commercial* D-GT & D-AS Districts:- • D-AS & D-GT Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	L-ZP/ ZPSE	<u>L-ZP/ZPSE</u>	L-ZP/ ZPSE	§ 11.5.24
	Wholesale Trade or Storage, General	NP	NP	NP	NP	<u>NP</u>	NP	
	Wholesale Trade or Storage, Light D-GT & D-AS Districts:- • D-AS & D-GT Districts - Vehicle: .5 /1,000 s.f. GFA • Bicycle: No requirement	P-ZP	P-ZP	P-ZP	P-ZP	<u>L-ZP/ZPIN/ ZPSE</u>	NP	§ 11.5.26

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
 CITY COUNCIL REDLINE DRAFT 05/25/16**

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 tion Review
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USE CATEGORY	SPECIFIC USE TYPE <i>Parking Ratios Shown in Table Apply in D-GT & D-AS Districts Only</i> <i>D-C, D-TD, D-CV, D-AS-12+/20+ Districts have no vehicle parking requirement. D-LD vehicle parking requirements are provided in Section 8.4.1.4.</i> • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt : # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)								APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV		
AGRICULTURE PRIMARY USE CLASSIFICATION									
Agriculture	Aquaculture*	NP	NP	NP	NP	NP	NP	NP	
	Garden, Urban* D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.6.2
	Husbandry, Animal*	NP	NP	NP	NP	NP	NP	NP	
	Husbandry, Plant*	NP	NP	NP	NP	NP	NP	NP	
	Plant Nursery D-GT & D-AS Districts: • D-AS & D-GT Districts - Vehicle: .5/1,000 s.f. GFA • Bicycle: No requirement	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	§ 11.6.5
ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION									
Accessory to Primary Residential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts							§11.7
	Accessory Dwelling Unit	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.7; §11.8.2
	Domestic Employee	L	L	L	L	L	L	NP	§11.7.1; §11.8.3
	Garden*	L	L	L	L	L	L	NP	§11.7; §11.8.4
	Keeping of Household Animals*	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	L/L-ZPIN	NP	§11.7; §11.8.5
	Keeping and Off-Street Parking of Vehicles, Motorcycles, Trailers & Recreational Vehicles*	L	L	L	L	L	L	NP	§11.7; §10.9
	Kennel or Exercise Run*	L	L	L	L	L	L	NP	§11.7; §11.8.6
	Limited Commercial Sales, Services Accessory to Multi-Unit Dwelling Use	Not Applicable - See Permitted Primary Uses							§11.7; §11.8.7
	Second Kitchen Accessory to Single Unit Dwelling Use	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.7; §11.8.8
	Vehicle Storage, Repair and Maintenance*	L	L	L	L	L	L	NP	§11.7; §10.9
	Wind Energy Conversion Systems*	Not Applicable - See Permitted Primary Uses							
	Yard or Garage Sales*	L	L	L	L	L	L	NP	§11.7; §11.8.9
HOME OCCUPATIONS ACCESSORY TO PRIMARY RESIDENTIAL USES USE CLASSIFICATION									
Home Occupations Accessory to a Primary Residential Use (Parking is Not Required for Home Occupations Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Child Care Home, Large	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	NP	§11.9; §11.9.3
	All Other Types	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	NP	§11.9; §11.9.4
	Unlisted Home Occupations	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	L-ZPIN	NP	§11.9; §11.9.5

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16**

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When no ZP, ZPIN, ZPSE listed = No Zoning Permit required

USE CATEGORY	SPECIFIC USE TYPE <i>Parking Ratios Shown in Table Apply in D-GT & D-AS Districts Only</i> <i>D-C, D-TD, D-CV, D-AS-12+/20+ Districts have no vehicle parking requirement. D-LD vehicle parking requirements are provided in Section 8.4.1.4.</i> • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)							APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV	
ACCESSORY TO PRIMARY NONRESIDENTIAL USES USE CLASSIFICATION								
Accessory to Primary Nonresidential Uses (Parking is Not Required for Accessory Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Accessory Uses	L - Applicable to all Zone Districts						\$11.7; \$11.10.1
	Amusement Devices Accessory to Eating/Drinking Establishments, College/University and Theater Uses	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.2
	Automobile Rental Services Accessory to Certain Retail Uses*	Not Applicable - See Permitted Primary Uses						NP
	Book or gift store; media recording and production facilities accessory to public libraries, museums, places of religious assembly, colleges or universities	L	L	L	L	L	L	\$11.7; \$11.10.4
	Car Wash Bay Accessory to Automobile Services	NP	NP	NP	NP	NP	NP	
	College accessory to a Place for Religious Assembly	L	L	L	L	L	L	\$11.7; \$11.10.6
	Conference Facilities Accessory to Hotel Use	L	L	L	L	L	L	\$11.7; \$11.10.7
	Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses*	NP	NP	NP	L-ZP	NP	NP	\$11.7; \$11.10.8
	Garden*	L	L	L	L	L	L	\$11.7; \$11.10.9
	Keeping of Animals	L/ L-ZP/ L- ZPIN	L/ L-ZP/ L- ZPIN	L/ L-ZP/ L- ZPIN	L/ L-ZP/ L- ZPIN	L/ L-ZP/ L- ZPIN	L/ L-ZP/ L- ZPIN	\$11.7; \$ 11.10.10
	Nonresidential Uses in Existing Business Structures In Residential Zones - Accessory Uses	Not Applicable						
	Occasional Sales, Services Accessory to Places of Religious Assembly*	L	L	L	L	L	L	\$11.7; \$11.10.11
	Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.12
	Outdoor Entertainment Accessory to an Eating/Drinking Establishment Use*	L- ZPIN/ ZPSE	L- ZPIN/ ZPSE	L- ZPIN/ ZPSE	L- ZPIN/ ZPSE	L- ZPIN/ ZPSE	L- ZPIN/ ZPSE	\$11.7; \$11.10.13
	Outdoor Retail Sale and Display*	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	L-ZP	\$11.7; \$11.10.14
	Outdoor Storage, General*	NP	NP	NP	NP	NP	NP	
Outdoor Storage, Limited*	L	L	L	L	L	L	\$11.7; \$11.10.16	
Rental or Sales of Adult Material Accessory to a Permitted Bookstore Retail Sales Use	L	L	L	L	L	L	\$11.7; \$11.10.17	

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
 CITY COUNCIL REDLINE DRAFT 05/25/16**

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USE CATEGORY	SPECIFIC USE TYPE <i>Parking Ratios Shown in Table Apply in D-GT & D-AS Districts Only</i> <i>D-C, D-TD, D-CV, D-AS-12+/20+ Districts have no vehicle parking requirement. D-LD vehicle parking requirements are provided in Section 8.4.1.4.</i> • Vehicle Parking Reqmt: # spaces per unit of measurement • Bicycle Parking Reqmt: # spaces per unit of measurement (% Required Spaces in Enclosed Facility /% Required Spaces in Fixed Facility)							APPLICABLE USE LIMITATIONS
		D-C	D-TD	D-LD	D-GT D-AS	D-AS-12+ D-AS-20+	D-CV	
TEMPORARY USE CLASSIFICATION								
Temporary Uses (Parking is Not Required for Temporary Uses Unless Specifically Stated in this Table or in an Applicable Use Limitation)	Unlisted Temporary Uses	L - Applicable to all Zone Districts						\$11.11.1
	Ambulance Service - Temporary	Not Applicable - See Permitted Primary Uses						\$11.11.2
	Amusement / Entertainment - Temporary*	NP	NP	NP	NP	<u>NP</u>	NP	\$11.11.3
	Bazaar, Carnival, Circus or Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.11.4
	Building or yard for construction materials*	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.11.5
	Concrete, Asphalt, and Rock Crushing Facility*	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.11.6
	Fence for Demolition or Construction Work	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.11.7
	Health Care Center	P-ZP	P-ZP	P-ZP	P-ZP	<u>P-ZP</u>	P-ZP	\$11.11.8
	Noncommercial Concrete Batching Plant*	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.11.9
	Outdoor Retail Sales - Pedestrian / Transit Mall*	L-ZP	L-ZP	L-ZP	NP	<u>L-ZP</u>	NP	\$11.11.10
	Outdoor Retail Sales*	NP	NP	NP	NP	<u>NP</u>	NP	
	Outdoor Sales, Seasonal*	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.11.12
	Parking Lot Designated for a Special Event*	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.11.13
	Retail Food Establishment, Mobile*	L-ZP	L-ZP	L-ZP	NP	<u>L-ZP</u>	NP	\$11.11.14
	Temporary Construction Office	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.11.15
	Temporary Office - Real Estate Sales	L-ZP	L-ZP	L-ZP	L-ZP	<u>L-ZP</u>	L-ZP	\$11.11.16
Tent for Religious Services	NP	NP	NP	NP	<u>NP</u>	NP		

SECTION 8.910.5 APPLICABLE USE LIMITATIONS

8.910.5.1 Community Corrections Facility

In all Downtown Zone Districts, where permitted with limitations, all Community Corrections Facilities shall comply with the following limitations:

A. Community Corrections Subject to Large Residential Care Use Limitations

Community Corrections Facilities are classified as Large Residential Care uses and are therefore subject to all of the requirements applicable to Large Residential Care uses in Section 11.2.5, in addition to the following use-specific limitations. In case of conflict with the requirements of Section 11.2.5, the more specific limitations in this Subsection shall apply.

B. Moratorium on New Community Corrections Facilities

After April 30, 2008, no new community corrections facilities shall begin operation until May 1, 2018.

C. Permitted Location

Community corrections facilities (for purposes of this Subsection, hereinafter “facilities” or “facility”) shall be allowed only in the D-C, D-TD, and D-LD Zone Districts, and shall be located more than:

1. 1,500 feet from a school meeting all requirements of the compulsory education laws of the state;
2. 1,500 feet from a Residential Zone District; and
3. 1,000 feet from any liquor store, any drugstore licensed to sell package liquors, or any retail package liquor business.

D. Limits on Number of Residents

1. The proposed number of residents in a facility shall not exceed 1 person per 50 square feet of gross floor area in sleeping areas or 40 residents, whichever is less, in the permitted Zone Districts.
2. The expansion of any existing community corrections facility to more than 60 residents shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice.

E. Government Supervision Required for Transition Programs in a Community Corrections Facility

Any program to facilitate transition to a less-structured or independent residential arrangement in a community corrections facility shall be supervised directly or indirectly by an agency of the city, the state or the federal government.

8.910.5.2 Railroad Facilities

In all Downtown Zone Districts where permitted with limitations, all mass transit railroad facilities located within 200 feet of a conforming residential structure shall comply with review procedures according to Section 12.4.3, Site Development Plan Review.

8.910.5.3 Terminal, Freight, Air Courier Service

In the Downtown Zone Districts, where permitted with limitations, this use shall comply with the following:

- A. Any terminal proposed after January 11, 1991, shall be a minimum of 500 feet from a Residential Zone District; provided, however, this 500-foot spacing requirement does not apply to an increase of an existing use of less than 15 percent gross floor area or gross site area.
- B. The 500-foot spacing requirement may be reduced by the Zoning Administrator for an expansion greater than 15 percent gross floor area or gross site area of an existing facility if the applicant proves by a preponderance of the evidence that an analysis of the proposed use, its traffic generation, and other external effects indicates a smaller separation will have no significant effect on the nearby residential district.

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**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
 CITY COUNCIL REDLINE DRAFT 05/25/16**

URBAN NEIGHBORHOOD CONTEXT AND MASTER PLANNED CONTEXT		
Parking Category	Minimum Bicycle Parking Spaces Required	% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility
Commercial Low	No Requirement	n/a
Public Use High	1/10,000 sq. ft. GFA	0%/100%
Public Use Medium	1/10,000 sq. ft. GFA	0%/100%
Public Use Low	No Requirement	n/a

GENERAL URBAN NEIGHBORHOOD CONTEXT AND ALL I-MX ZONE DISTRICTS		
Parking Category	Minimum Bicycle Parking Spaces Required	% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility
Multi-unit	1/4 units	80%/20%
Residential Low	No Requirement	n/a
Residential Medium	No Requirement	n/a
Commercial High	1/3,000 sq. ft. GFA	0%/100%
Commercial Medium	1/10,000 sq. ft. GFA	60%/40% Retail, sales, service and repair uses: 20%/80%
Commercial Low	No Requirement	n/a
Public Use High	1/10,000 sq. ft. GFA	0%/100%
Public Use Medium	1/10,000 sq. ft. GFA	0%/100%
Public Use Low	No Requirement	n/a

URBAN CENTER NEIGHBORHOOD CONTEXT AND CAMPUS ZONE DISTRICTS		
Parking Category	Minimum Bicycle Parking Spaces Required	% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility
Multi-unit	1/2 units	80%/20%
Residential Low	No Requirement	n/a
Residential Medium	No Requirement	n/a
Commercial High	1/1,500 sq. ft. GFA	0%/100%
Commercial Medium	1/7,500 sq. ft. GFA	60%/40% Retail, sales, service and repair uses: 20%/80%
Commercial Low	No Requirement	n/a
Public Use High	1/5,000 sq. ft. GFA	0%/100%
Public Use Medium	1/10,000 sq. ft. GFA	0%/100%
Public Use Low	No Requirement	n/a

DOWNTOWN NEIGHBORHOOD CONTEXT - D-LD, D-GT, D-AS, <u>D-AS-12+</u>, <u>D-AS-20+</u> ZONE DISTRICTS ONLY		
Parking Category	Minimum Bicycle Parking Spaces Required	% Parking Spaces Provided in Enclosed Bicycle Parking Facility /Fixed Bicycle Rack Parking Facility
Multi-unit	1/2 units	80%/20%
Residential Low	No Requirement	n/a
Residential Medium	No Requirement	n/a
Commercial High	1/1,000 sq. ft. GFA	0%/100%
Commercial Medium	1/7,500 sq. ft. GFA	60%/40% Retail, sales, service and repair uses: 20%/80%
Commercial Low	No Requirement	n/a
Public Use High	1/5,000 sq. ft. GFA	0%/100%
Public Use Medium	1/10,000 sq. ft. GFA	0%/100%
Public Use Low	No Requirement	n/a

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

SECTION 10.5.3 TREE PRESERVATION - RESIDENTIAL ZONE DISTRICTS

10.5.3.1 Applicability - Preservation of Established Trees in Residential Primary and Side Street Setbacks

As a condition of any permit to demolish or construct any building containing a single unit dwelling, two-unit dwelling, or multi-unit dwelling in a Residential Zone District, the owner of the zone lot shall be required to preserve any established tree not otherwise diseased or decayed within the primary and side street setback areas of the zone lot.

10.5.3.2 Preservation Measures Required

In order to protect an established tree from damage or destruction and to enhance the tree's chance of survival after construction activities on the zone lot are completed, the owner shall take and maintain throughout the course of demolition or construction the following measures:

- A. Erect and maintain temporary fencing surrounding the area beneath the tree in order to mitigate the chance of impact injuries to the tree during demolition or construction;
- B. Refrain from operating construction equipment or storing construction materials beneath the canopy of the tree or engaging in other activities that would cause the undue compaction of the soil in the tree's root zone; and
- C. Refrain from any excavation beneath the canopy of the tree that would cause undue destruction of the tree's roots.

10.5.3.3 Permit for Tree Removal

The owner may be relieved from the requirements of this Section only upon obtaining a permit for tree removal from the City Forester according to the provisions of Sections 57-20(b) and 57-25 of the D.R.M.C.

10.5.3.4 Definition of "Established Tree"

See Article 13, Rules of Measurement and Definitions, for the definition of "established tree."

SECTION 10.5.4 LANDSCAPING STANDARDS

10.5.4.1 Applicability and Exceptions

A. Applicability

1. This Section 10.5.4 shall apply to development in all Zone Districts, except residential development in all SU or TU Zone Districts.
2. Whenever the area of an existing surface parking lot is expanded or when a new area is constructed, the entire Off-Street Parking Area shall be landscaped according to this Section 10.5.4.
3. For Surface Parking as a Primary Use in the D-LD, D-CV, D-C, D-TD, D-GT and D-AS Zone Districts, Downtown Neighborhood Context, Section 8.8.3 8.9.3, Surface Parking Lot Landscaping, shall apply rather than this Section 10.5.4.
4. The City of Denver Landscaping of Parking Areas Rules and Regulations shall not apply to properties zoned under the Denver Zoning Code.
5. See the City of Denver Streetscape Design Manual for additional provisions.

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
 CITY COUNCIL REDLINE DRAFT 05/25/16**

10.5.4.4 Perimeter Surface Parking Lot Landscaping Standards

- A. Applicability**
 Section 10.5.4.1, Applicability and Exceptions, shall apply.
- B. Perimeter Surface Parking Lot Landscaping Standards Abutting Street Right-of-Way**

1. Standards

- a. To the maximum extent feasible, on-site drainage required for a zone lot shall be integrated into the perimeter planting strip.
- b. Alternatives to required landscape, fence and wall materials may be allowed to better match primary building materials used on the site according to Section 12.4.5, Administrative Adjustment.
- c. The following shall be provided within zone lot boundaries between the boundary of any surface parking lot and street rights-of-way (except as noted):

CONTEXT AND/OR DISTRICT	PERIMETER PLANTING STRIP REQUIRED	PLANTINGS REQUIRED WITHIN THE PERIMETER PLANTING STRIP	GARDEN WALL REQUIRED	GARDEN WALL HEIGHT	GARDEN WALL MATERIALS	PEDESTRIAN ACCESS REQUIRED
Suburban Neighborhood Context I-A and I-B Zone Districts I-MX Zone Districts with Industrial Building Form (See Figure 10.5-4)	Yes, minimum width of 10 feet	1 deciduous canopy tree for every 25' of linear frontage Spacing of trees may vary, the maximum spacing is 40'	No; however may reduce perimeter planting strip width to 5 feet if provide a garden wall	Min 30 inches; Max 42 inches	Masonry or Ornamental fence with masonry piers spaced not more than 25 feet	Yes
Urban Edge, Urban, General Urban Neighborhood Contexts Campus Master Planned Contexts I-MX Zone Districts with General Building Form (See Figure 10.5-5)	Yes, minimum width of 5 feet		Yes			
Urban Center Neighborhood Context (See Figure 10.5-6)	Not Required	NA	Yes			
<u>Downtown Neighborhood Context D-AS-12+ and D-AS-20+ Districts only (See Figure 10.5-5)</u>	<u>Yes, minimum width of 8 feet (may be located in street right-of-way)</u>	<u>1 deciduous canopy tree for every 25' of linear frontage Spacing of trees may vary, the maximum spacing is 40'</u>	<u>Yes</u>	<u>Min 30 inches; Max 42 inches</u>		<u>Yes; Min. 3 feet wide access at max. of 80 feet intervals along all public street and alley frontages of the parking lot</u>
Downtown Neighborhood Context <u>D-C, D-TD, D-LD, D-CV, D-GT, D-AS Districts</u>	See <u>Downtown Neighborhood Context Section 8.9.3</u> in Article 8					

Figure 10.5-4

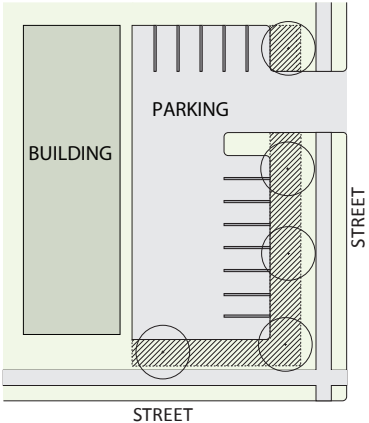


Figure 10.5-5

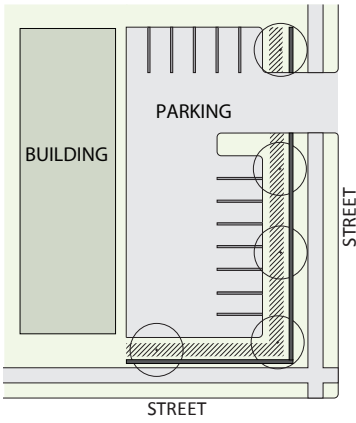
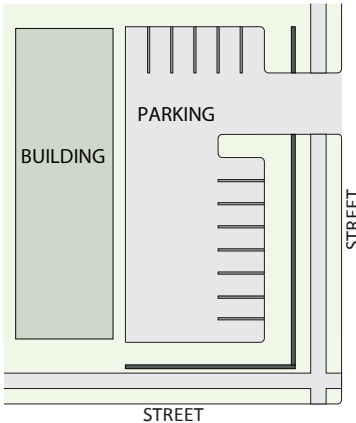


Figure 10.5-6



▨ Perimeter Planting Strip
 ○ Canopy Tree
 — Garden Wall

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16**

G. Projecting Signs

Projecting signs may be allowed as part of the sign plan if they conform to the purpose of Section 10.10.16, Special Provisions for the D-C, D-TD, D-LD, D-CV, ~~and D-AS~~, D-AS-12+ and D-AS-20+ Zone Districts. Except in districts for preservation or on structures for preservation, determination of compliance with 10.10.16 shall be made by the Zoning Administrator. In districts for preservation or on structures for preservation determination of compliance with 10.10.16 shall be made by the Landmark Preservation Commission or the Lower Downtown Design Review Board as appropriate.

H. Animation

Flashing signs and animated signs shall not be allowed except when the sign is a projecting sign which is readable from the 16th Street Mall, in which case the provisions of 10.10.16.4.C shall apply.

I. Rules and Regulations

The planning board has the authority to adopt rules and regulations concerning its review of comprehensive sign plans.

J. Fee

The fee for review of a comprehensive sign plan for large facilities is \$500.00 per facility.

SECTION 10.10.4 SIGN AREA / VOLUME MEASUREMENT

10.10.4.1 General

The area of a sign shall be measured in conformance with the regulations according to this Section, provided that the structure or bracing of a sign shall be omitted from measurement, unless such structure or bracing is made part of the message or face of the sign. Where a sign has 2 or more display faces, the area of all faces shall be included in determining the area of the sign unless the display faces join back to back, are parallel to each other and not more than 48 inches apart, or form a V type angle of less than 90 degrees. See special rules for measuring the volume/area of projecting signs below.

10.10.4.2 Sign With Backing

The area of all signs with backing or a background material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the areas of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of the display surface or face of the sign including all frames, backing, face plates, non structural trim or other component parts not otherwise used for support. See special rules for measuring the volume/area of projecting signs below.

10.10.4.3 Signs Without Backing

The area of all signs without backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the area of each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of each word, written representation (including any series of letters), emblems or figures of similar character including all frames, face plates, non structural trim or other component parts not otherwise used for support. See special rules for measuring the volume/area of projecting signs below.

10.10.4.4 Projecting Signs

A. Sign Volume - Relationship to Maximum Sign Area Allowed

The sign area allowed for projecting signs shall be deducted from the permitted maximum sign area allowed in the applicable zone district. For these purposes, a cubic foot of projecting sign or graphic volume is considered to be equivalent to a square foot of sign area.

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16**

10.10.12.4 Joint Identification Signs

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, joint identification signs are permitted for three or more uses by right on the same zone lot as the sign, excluding parking. The following joint identification signs are in addition to all other signs:

- A. Permitted sign types: Wall and ground.
- B. Permitted maximum number: 1 sign for each front line of the zone lot.
- C. Permitted area: The greater number of the following:
 - 1. 100 square feet; or
 - 2. 1 square foot of sign area for each 2 linear feet of street frontage of the zone lot; provided, however, that the total area of all signs on the zone lot shall not exceed 200 square feet.
- D. Permitted maximum height above grade: 25 feet.
- E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot.
- F. Permitted illumination: May be illuminated and all direct illumination shall not exceed 25 watts per bulb.
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.

SECTION 10.10.13 DOWNTOWN ZONE DISTRICTS SIGN STANDARDS

10.10.13.1 General

- A. Signs may be erected, altered and maintained only for and by a use by right in the district in which the signs are located; shall be located on the same zone lot as the use by right and shall be clearly incidental, customary and commonly associated with the operation of the use by right
- B. Provided, however, that off-site advertising devices may be allowed in the D-TD district pursuant to a district sign plan according to Section 10.10.14.
- C. The sign standards contained within this Section apply to the following Zone Districts: D-LD; D-CV; D-GT; D-AS; D-AS-12+; D-AS-20+; D-C; and D-TD.

10.10.13.2 Permanent Signs

Permanent signs shall comply with the following standards:

	D-LD; D-CV; D-GT; D-AS, <u>D-AS-12+</u> , <u>D-AS-20+</u>	D-C; D-TD
Contents	Identification by letter, numeral, symbol or design of the use by right by name, use, hours of operation, services and products offered, events and prices of products and services; and/or any sign or signs that do not come within the definition of off-site commercial sign.	Identification by letter, numeral, symbol or design of the use by right by name and use, hours of operation, services and products offered, events and prices of products and services.
Sign Types	Wall, window, ground and arcade.	Wall, window, ground and arcade.
Maximum Number	Each use may have the greater number of the following: 5 signs; or 3 signs for each front line of the zone lot on which the use by right or conditional use is located.	Ground level uses by right with street frontage for each separate building: Each use by right may have 3 for each street front of the use by right plus 1 additional sign for each 100 feet of street frontage in excess of 200 feet. All other uses by right combined for each separate building: 1 sign plus 1 sign for each front line of the zone lot on which the building is located.

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
 CITY COUNCIL REDLINE DRAFT 05/25/16**

	D-LD; D-CV; D-GT; D-AS, <u>D-AS-12+</u> , <u>D-AS-20+</u>	D-C; D-TD
Maximum Sign Area	<p>Dwelling, Multiple Unit: One square foot of sign area for each dwelling unit in a multiple unit dwelling; not, however, to exceed 192 square feet of total sign area for any use and not more than 64 square feet of sign area to be applied to any 1 street frontage.</p> <p>Hospitals: 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot not, however, to exceed 96 square feet of sign area to be applied to any 1 street front and not more than 2 street fronts, 1 contiguous with the other, shall be used.</p> <p>University or College: The following regulations shall apply to the campus. 2 square feet of sign area for each 5 linear feet of street frontage of the zone lot; provided, however, that: The total area of all signs along any 1 street front shall not exceed 150 square feet of sign area; and no sign over 50 square feet shall be located within 100 feet of the zone lot line or campus boundary.</p> <p>All Others: 80 square feet, or the total permitted sign area for each use by right shall be determined by one of the following provisions; provided, however, that no sign shall exceed 200 square feet in area nor shall the total sign area of any use exceed 600 square feet:</p> <ul style="list-style-type: none"> • For a zone lot having but 1 use by right. 1.5 square feet of sign area for each linear foot of front line of the zone lot for the first 100 feet of the front line and 1 square foot of sign area for each linear foot of zone lot front line thereafter; provided, however, in computing the area of such signs, the measurements of not more than 2 front lines, 1 contiguous with the other, shall be used. • For a zone lot having 2 or more uses by right. For each use by right 2.5 square feet of sign area for each horizontal linear foot of that portion of building frontage occupied by the use by right, for the first 100 feet of building frontage, then .5 square foot of sign area for each horizontal linear foot of building frontage thereafter. 	<p>Ground level uses by right with street frontage: Sign area shall be based on 1 or the other of the following provisions provided, however, that the total sign area of any use by right shall not exceed 600 square feet and the sign area permitted by this Section shall not be combined with the sign area permitted by any other Section of this chapter:</p> <p>Zone lot with 1 use by right: 2 square feet of sign area for each linear foot of the front line of the zone lot. All measurements shall be applied to each street front separately.</p> <p>Zone lot with more than 1 use by right: 4 square feet of sign area for each linear foot of that portion of the building frontage occupied by a ground level use by right. The resulting sign area is to be applied only to that portion of the building occupied by the use by right and all measurements shall be applied to each street front separately.</p> <p>Uses by right other than ground level uses by right with street frontage: 1 square foot of sign area for each foot of the front line of the zone lot on which the building is located or 3 percent of the exterior wall surface of the building whichever is greater. All measurements shall be applied to each building front separately.</p>
Maximum Height Above Grade	<p>Wall and window signs: The roof line of the building to which the sign is attached.</p> <p>Ground and arcade signs: 32 feet.</p>	<p>Wall or window signs: The roof line of the building to which the sign is attached.</p> <p>Ground and arcade signs: 32 feet.</p>
Location	<p>Shall be set back at least 5 feet from every boundary line of the zone lot in districts requiring a setback for structures; otherwise need not be set back from the boundary lines of the zone lot. Wall signs may project into the required setback space the permitted depth of the sign. In districts not requiring a building setback, wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C. Section 49-436. In no case shall there be more than 5 signs applied to any street front.</p>	<p>No setback is required from any boundary line of the zone lot. Wall signs attached to walls which are adjacent to a street right-of-way line may project into the right-of-way in accordance with D.R.M.C., Section 49-436.</p>
Illumination	<p>May be illuminated and all direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited.</p>	<p>May be illuminated and all direct illumination shall not exceed 25 watts per bulb. Flashing signs are prohibited.</p>
Animation	<p>Animated signs are prohibited.</p>	<p>Animated signs are prohibited.</p>

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16**

10.10.13.3 Temporary Signs

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, signs identifying or advertising new construction, remodeling, rebuilding, development, sale, lease or rental of either a use by right or a designated land area; each such permit shall be valid for a period of not more than twelve (12) calendar months and shall not be renewed for more than 1 successive period at the same location.

- A. Permitted sign types: Wall, window or ground.
- B. Permitted maximum number: 2 signs for each front line of the zone lot or designated land area on which the signs are located.
- C. Permitted sign area:
 - 1. D-C and D-TD: 64 square feet for each front line of the zone lot or designated land area on which the signs are located. Computations shall be made and sign area shall be applied to each front line separately.
 - 2. D-LD, D-CV, D-GT, ~~and~~ D-AS, D-AS-12+ and D-AS-20+: 64 square feet for each front line of the zone lot or designated land area on which located, but not more than 32 square feet per sign.
- D. Permitted maximum height above grade:
 - 1. D-C and D-TD: 20 feet.
 - 2. D-LD, D-CV, D-GT, ~~and~~ D-AS, D-AS-12+ and D-AS-20+: 25 feet.
- E. Permitted location: No limitation.
- F. Permitted illumination:
 - 1. D-C and D-TD: May be illuminated but only from a concealed light source.
 - 2. D-LD, D-CV, D-GT, ~~and~~ D-AS, D-AS-12+ and D-AS-20+: May be illuminated but only from a concealed light source; and shall not remain illuminated between the hours of 11:00 p.m. to 6:00 a.m.
- G. Prohibited: Flashing signs are prohibited and animated signs are prohibited.

10.10.13.4 Joint Identification Signs for D-LD; D-CV; D-GT; ~~and~~ D-AS; D-AS-12+ and D-AS-20+

Subject to the conditions hereinafter set forth and upon application to and issuance of a zoning permit therefore, joint identification signs are permitted for three or more uses by right on the same zone lot as the sign, excluding parking. The following joint identification signs are in addition to all other signs:

- A. Permitted sign types: Wall and ground.
- B. Permitted maximum number: 1 sign for each front line of the zone lot.
- C. Permitted area: The greater number of the following:
 - 1. 100 square feet; or
 - 2. 1 square foot of sign area for each 2 linear feet of street frontage of the zone lot; provided, however, that the total area of all signs on the zone lot shall not exceed 200 square feet.
- D. Permitted maximum height above grade: 25 feet.
- E. Permitted location: Shall be set in at least 5 feet from every boundary line of the zone lot.
- F. Permitted illumination: May be illuminated and all direct illumination shall not exceed 25 watts per bulb.

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16**

- F. Relationships to the building facade. Maximum projecting sign dimensions, volumes and locations may additionally be restricted by the dimensions of the building facade on which signage is to be located and the relationship to other tenant signage on the same facade:
1. Signs shall not exceed the height of the parapet of the building on which mounted.
 2. Signs shall not be placed less than 8 feet apart.

10.10.15.6 Illumination

Illumination of graphics as defined herein shall be permitted by direct, indirect, neon tube, light-emitting diode (LED), and fluorescent illumination for users with over 20 linear feet of frontage. Users with fewer than 20 linear feet of frontage may have direct external illumination only. The following additional provisions also apply to the illumination of street graphics:

- A. Color of light. Graphics as defined herein may use a variety of illuminated colors.
- B. Fully internally-illuminated plastic sign boxes with internal light sources are prohibited.
- C. Flashing signs are prohibited.
- D. Animated signs are prohibited.

**SECTION 10.10.16 SPECIAL PROVISIONS FOR D-C, D-TD, D-LD, D-CV, ~~AND~~
D-AS, D-AS-12+, AND D-AS-20+**

10.10.16.1 General

The provisions of this Section 10.10.16 shall apply to the D-C, D-TD, D-LD, D-CV, ~~and~~ D-AS, D-AS-12+ and D-AS-20+ districts. The other provisions of this Division 10.10 (Signs) shall remain in full force and effect in the D-C, D-TD, D-LD, ~~and~~ D-AS, D-AS-12+ and D-AS-20+ districts, and there is no requirement that proposed signs be submitted for approval pursuant to this Section. However, an application for a sign may be submitted pursuant to the provisions of this Section in which case this Section will be applicable with respect to the issuance of the sign permit.

10.10.16.2 Purpose

The purpose of this Section is to create the policy for a comprehensive and balanced system of signs and street graphics to facilitate the enhancement and improvement of the D-C, D-TD, D-LD, ~~and~~ D-AS, D-AS-12+ and D-AS-20+ districts through the encouragement of urban, innovative signs and street graphics which will aid in the creation of a unique downtown shopping and commercial area, facilitate an easy and pleasant communication between people and their environment and avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. To accomplish these purposes, it is the intent of this Section to encourage and to authorize the use of signs and street graphics which are:

- A. Compatible with and an enhancement of the character of the surrounding district and adjacent architecture when considered in terms of scale, color, materials, lighting levels, and adjoining uses.
- B. Compatible with and an enhancement of the architectural characteristics of the buildings on which they appear when considered in terms of scale, proportion, color, materials and lighting levels.
- C. Appropriate to and expressive of the business or activity for which they are displayed.
- D. Creative in the use of unique 2 and 3 dimensional form, profile, and iconographic representation; employ exceptional lighting design and represent exceptional graphic design, including the outstanding use of color, pattern, typography and materials. Signage which simply maximizes allowable volume in rectangular form is strongly discouraged.

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16**

- E. Of high quality, durable materials appropriate to an urban setting.

10.10.16.3 Permitted Maximum Sign Area

The other provisions of this Division 10.10 (Signs) pertaining to the D-C, D-TD, D-LD ~~and D-AS, D-AS-12+, and D-AS-20+~~ districts are applicable, and the sign area allowable under this Section shall be deducted from the permitted maximum sign area. A cubic foot of sign or graphic volume is considered to be equivalent to a square foot of sign area.

10.10.16.4 Projecting Graphics Permitted

A projecting graphic is a sign or street graphic attached to and projecting from the wall of a building and not in the same plane as the wall.

- A. The following limitations apply to projecting graphics:
1. Each use may display 1 projecting graphic adjacent to every street upon which the use has frontage, provided that the approval of the manager of public works has been given pursuant to the provisions of Section 49-436 of the Revised Municipal Code.
 2. Projecting graphics must clear sidewalks by at least 8 feet in height and may project no more than 7 feet out from a building.
 3. Projecting graphics shall be mounted no less than 6 inches and no more than 1 foot away from the building wall or the furthest projecting elements (belt courses, sills, etc.) which are adjacent to it on the building facade.
 4. Allocation of allowable sign volume. For uses that are located at the ground story and have entries with direct access to a public sidewalk, court or plaza the allowable projecting sign volume will be allocated on the following basis:
 - a. Uses that occupy up to 49 linear feet of building frontage may have up to 30 cubic feet of projecting sign volume. However, to avoid crowding of signage types, uses that occupy less than 30 linear feet of exterior building frontage will be limited to utilizing either a projecting sign as allowed under these regulations, or any other non projecting sign types as currently allowed.
 - b. Uses that occupy between 50 and 74 linear feet of building frontage may have up to 64 cubic feet of projecting sign volume.
 - c. Uses that occupy 75 linear feet or more of building frontage may have up to 96 cubic feet of projecting sign volume.
 - d. Uses occupying corner locations may base the maximum allowable volume of their signage on the length of the 1 actual building frontage on which it is placed.
 5. The calculation of sign volume. The volume of a projecting sign will be calculated as the volume within a rectilinear form that could be constructed to enclose the primary form of the sign. Minor sign elements may project beyond the primary boundaries of this volume at the discretion of the review committee. Minor elements will be defined as those parts of the sign which add to the design quality without adding significantly to the perceived volume and mass of the sign. No dimension (height, width or depth) shall be considered to be less than 1'-0" for the purposes of calculating sign volume.
 6. Multiple projecting signs. The total sign volume allowed for a single use may be broken into multiple projecting signs, not to exceed 1 per 25 linear feet of the actual building frontage adjacent to a public walk, court or plaza only at the discretion of the review committee based on the following criteria:
 - a. Multiple signs significantly enhance the creative impact of the signage concept.
 - b. Multiple signs are not detrimental to the building, the surrounding context or the signage opportunities of adjoining uses.

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16**

- a. The appropriateness of flashing signs, where otherwise allowed, will be based on the character and uses of the face block, existing uses within the building and the surrounding vicinity, and the protection of public safety.
 - b. Use of flashing signs shall be limited to entertainment uses such as, by way of example and not by way of limitation, theaters, movie houses, restaurants, and cabarets, and is limited to the times the business is open.
3. Fully illuminated plastic sign boxes with internal light sources will not be allowed.

10.10.16.5 Design Review Committee

There is hereby created a separate design review committee (DRC) for each of the D-C, D-TD, D-LD ~~and~~ D-AS, D-AS-12+ and D-AS-20+ districts, which shall be composed and comprised as hereinafter set forth, and which shall have the powers and authorities described herein.

- A. Within the D-C, D-TD, ~~and~~ D-AS, D-AS-12+ and D-AS-20+ zone districts, when signage is proposed on a zone lot with landmark designation or located in a landmark district, the Denver Landmark Preservation Commission shall be the DRC.
- B. Within the D-C and D-TD districts, except as provided by Section 10.10.16.5.A above, the DRC shall be comprised of 7 members as follows:
 1. 1 property owner, who owns property in the D-C, or D-TD district;
 2. 2 business operators, who operate businesses in the D-C or D-TD district;
 3. 1 member of Downtown Denver, Inc., nominated by Downtown Denver, Inc.;
 4. 2 design professionals;
 5. 1 resident of Denver, with preference given to a resident of the D-C or D-TD district; and
 6. The Manager, or his designee, who shall serve as an ex- officio member.

Members of the D-C and D-TD DRC shall be nominated by downtown businesses, residents and property owners in the D-C and D-TD districts and shall be appointed by the mayor. The term of membership on the DRC is 3 years with initial appointments being of 3 appointees for 1 year terms, 2 appointees for 2 year terms and 2 appointees for 3 year terms.

- C. Within the D-LD district, the lower downtown design review board shall comprise the DRC.
- D. Within the D-AS, D-AS-12+ and D-AS-20+ districts, except as provided by Section 10.10.16.5.A above, the planning office staff shall act as the DRC.
- E. Each DRC shall meet monthly or within 14 calendar days of a special request.
- F. Authority is hereby expressly granted to the applicable DRC to review and recommend approval to the Zoning Administrator of applications for signs and street graphics in the applicable district pursuant to the provisions of this Section.

10.10.16.6 Design Review

Applications for sign permits submitted for approval pursuant to the provisions of this Section shall be forwarded to the applicable DRC by the department of zoning administration. The applicable DRC shall prepare a recommendation and submit it to the Zoning Administrator. After taking into consideration the recommendation of the applicable DRC, the Zoning Administrator shall approve or deny the permit, except that the Zoning Administrator may not approve a permit if the lower downtown design review board has recommended denial.

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

SECTION 11.4.19 AUTOMOBILE SERVICES, LIGHT OR HEAVY

11.4.19.1 All RX Zone Districts

In all RX Zone Districts, where permitted with limitations,

- A. All Automobile Services uses, including the sale of automotive fuel and associated fuel pumps, shall be completely enclosed.

11.4.19.2 All MX-2A, -2; MS-2 Zone Districts

In all MX-2, -2A; MS-2 Zone Districts, where permitted with limitations, automobile wash, laundry, detail or polishing shops (a specific type of Automobile Services, Light use) are prohibited.

11.4.19.3 All C-CCN Zone Districts **and D-AS-12+ and D-AS-20+ Districts**

In all C-CCN **and D-AS-12+ and D-AS-20+** Zone Districts, where permitted with limitations, the following limitations shall apply and control in case of any conflict with the more general limitations in Section 11.4.169.4:

A. Intent

Improve the pedestrian experience ~~in important mixed-use districts through along the Street Level in the Cherry Creek North mixed-use shopping district by requiring ground-story, Street Level pedestrian-friendly active uses in all new development or redevelopment.~~ While Automobile Services uses provide a desirable neighborhood service, such uses do not invite the high-intensity customer, visitor, and resident interactions throughout the day and night that ~~substantially~~ contribute ~~substantially~~ to the activation, economic vitality, and safety of ~~this important vibrant~~ mixed-use neighborhoods. Street Level area set aside in buildings for non-Automobile Services uses according to this limitation is intended to be adequately configured and dimensioned to support the feasible use of such space for ~~Street Level active uses pedestrian-friendly active uses.~~

B. Limitations

1. Permitted Automobile Services uses are limited to routine maintenance and minor repair of automobiles, which may include greasing, tire repair, wheel alignment, brake repair, muffler replacement, engine tune-up, flushing of radiators, servicing of air conditioners, and other similar minor repair and servicing activities.
2. All Automobile Services uses shall be operated in a completely enclosed structure with no outdoor displays, sales, or storage.

See also C-CCN Zone District use limitations related to ground-story Household Living uses in Section 11.2.5, and C-CCN Zone District supplemental design standards in Section 7.3.5.1 related to permitted ground-story uses in structures or buildings containing parking spaces and Street Level active use requirements for the D-AS-12+ and D-AS-20+ Zone Districts in Section 8.8.5.1.

3. Accessory fuel sales, including the sale of compressed natural gas or liquefied petroleum, are prohibited, except accessory electric charging of vehicles shall be permitted.
4. Accessory trailer rental is prohibited.
5. Washing, cleaning, and/or waxing of automobiles by hand or with manually or automatically operated equipment is permitted only as accessory to the primary Automobile Services use, and shall be located in the same building as the primary Automobile Services use.
6. ~~In the C-CCN Zone Districts, Ww~~hen located in a building that abuts one or more named or numbered public streets, Automobile Services uses may be located:
 - a. On any story above or below the Street Level, and/or

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16**

- b. On the Street Level, but only if 100% of the building's street frontage(s) is occupied by one or more primary uses other than the Automobile Services use. Internal pedestrian-only access to the Automobile Services use from the primary street side(s) of the building is permitted (e.g., a pedestrian lobby or waiting area), and such area may be credited toward compliance with the 100% Street Level use frontage requirement.

See also C-CCN Zone District use limitations related to ground-story Household Living uses in Section 11.2.5, and C-CCN Zone District supplemental design standards in Section 7.3.5.1 related to permitted ground-story uses in structures or buildings containing parking spaces.

7. ~~Accessory fuel sales, including the sale of compressed natural gas or liquefied petroleum, are prohibited, except accessory electric charging of vehicles shall be permitted.~~
8. ~~Accessory trailer rental is prohibited.~~
9. ~~Washing, cleaning, and/or waxing of automobiles by hand or with manually or automatically operated equipment is permitted only as accessory to the primary Automobile Services use, and shall be located in the same building as the primary Automobile Services use.~~

11.4.19.4 All Zone Districts

In all Zone Districts, where permitted with limitations:

- A. Outdoor public address or loudspeaker systems are prohibited.
- B. Rental or sale of motor vehicles is prohibited, unless otherwise permitted as a primary use in the subject Zone District.
- C. Fuel pumps and permitted accessory trailer storage need not be enclosed, except in a RX Zone District.
- D. All discarded parts and materials shall be deposited into a completely enclosed container concealed from adjacent properties.
- E. Vehicles being serviced or stored for customers shall not be parked on streets, alleys, public sidewalks or public park strips.
- F. The use shall be provided with barriers of such dimensions that occupants of adjacent structures are not unreasonably disturbed, either by day or night, by the movement of vehicles; outdoor lighting shall be arranged so it neither unreasonably disturbs occupants of adjacent residential properties nor interferes with traffic.
- G. All outdoor lighting shall be provided with full cut-off fixtures. The use shall extinguish all outdoor lighting that is not fully shielded at close of business or 11:00 p.m., whichever is earlier.
- H. Trailer rentals are permitted as an accessory use subject to the following limitations:
1. One trailer is permitted on the zone lot for each 4,000 square feet of land area in the zone lot, not, however, exceeding 5 trailers at any one time; and
 2. Each trailer shall not exceed 8 feet in height, length and width.
- I. A single bay car wash containing either manual or automatic equipment is permitted as an accessory use subject to compliance with the accessory use standards in Division 11.7, Accessory Use Limitations, and in Division 11.10, Uses Accessory to Nonresidential Uses - Limitations.
- J. An automobile services use may include the sale of compressed natural gas, liquefied petroleum, or other types of fuel for vehicles as regulated by the Denver Fire Code. Any above-ground fuel tanks shall be located a minimum of 1,000 feet from a protected use, as "protected use" is defined by the Denver Fire Code.

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

SECTION 11.5.26 WHOLESALE TRADE OR STORAGE, LIGHT

11.5.26.1 All CC, MX, MS, CMP, and D-AS-12+ and D-AS-20+ Zone Districts

In all CC, MX, MS, CMP, and D-AS-12+ and D-AS-20+ Zone Districts, where permitted with limitations:

- A. A Wholesale Trade or Storage, Light use proposed on a zone lot greater than 25,000 square feet or is proposed to operate between 10:00 p.m. and 5:00 a.m. shall be reviewed according to Section 12.4.9, Zoning Permit with Special Exception Review.
- B. A Wholesale Trade or Storage, Light use proposed on zone lots fronting 56th Avenue, Tower Road, or Pena Boulevard, or within 300 feet of any boundary with any portion of Adams County other than the Rocky Mountain Arsenal, shall be reviewed according to Section 12.4.2, Zoning Permit Review with Informational Notice, in order to permit review and comment by adjacent jurisdictions.

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

Contents

ARTICLE 12. ZONING PROCEDURES & ENFORCEMENT

DIVISION 12.1	GENERAL PROVISIONS.	12.1-1
Section 12.1.1	General	12.1-1
DIVISION 12.2	REVIEW AND DECISION MAKING BODIES	12.2-1
Section 12.2.1	City Council	12.2-1
Section 12.2.2	Planning Board	12.2-1
Section 12.2.3	Manager of Community Planning & Development	12.2-1
Section 12.2.4	Zoning Administrator	12.2-2
Section 12.2.5	Development Review Committee	12.2-3
Section 12.2.6	Board of Adjustment	12.2-3
Section 12.2.7	Cherry Creek North Design Advisory Board	12.2-5
Section 12.2.8	Downtown Arapahoe Square Design Advisory Board	12.2-6
Section 12.2.8	12.2.9 Summary Table of Authority and Notice	12.2-7
DIVISION 12.3	REQUIREMENTS COMMON TO ALL ZONING PROCEDURES.	12.3-1
Section 12.3.1	General	12.3-1
Section 12.3.2	Pre-Application Meeting/ Concept Plan Review	12.3-1
Section 12.3.3	Submission of Applications	12.3-1
Section 12.3.4	Public Notice Requirements	12.3-4
Section 12.3.5	Effect of Approved Applications, Plans and Permits	12.3-7
Section 12.3.6	Lapse of Approval Provisions and Extension of Approval Period	12.3-8
Section 12.3.7	Modification or Amendment of Applications, Plans and Permits.	12.3-9
Section 12.3.8	Withdrawal of Recorded Site Development Plans and General Development Plans.	12.3-10
DIVISION 12.4	ZONING APPLICATION AND REVIEW PROCEDURES	12.4-1
Section 12.4.1	Zoning Permit Review.	12.4-1
Section 12.4.2	Zoning Permit Review With Informational Notice	12.4-3
Section 12.4.3	Site Development Plan Review	12.4-6
Section 12.4.4	Zone Lot Amendments.	12.4-10
Section 12.4.5	Administrative Adjustment	12.4-11
Section 12.4.6	Code Interpretations and Determination of Unlisted Uses	12.4-17
Section 12.4.7	Variance.	12.4-20
Section 12.4.8	Appeal of Administrative Decision	12.4-24
Section 12.4.9	Zoning Permit with Special Exception Review	12.4-25
Section 12.4.10	Official Map Amendment (Rezoning)	12.4-27
Section 12.4.11	Text Amendment	12.4-36
Section 12.4.12	General Development Plan	12.4-38
Section 12.4.13	Regulating Plan	12.4-46
DIVISION 12.5	COMPLIANT USES.	12.5-1
Section 12.5.1	Intent	12.5-1
Section 12.5.2	Definition	12.5-1
Section 12.5.3	Effect	12.5-1
Section 12.5.4	Termination of Compliant Uses	12.5-2
Section 12.5.5	Determination of Compliant Status	12.5-3
DIVISION 12.6	COMPLIANT STRUCTURES.	12.6-1
Section 12.6.1	Intent	12.6-1
Section 12.6.2	Definition.	12.6-1
Section 12.6.3	Effect	12.6-1
Section 12.6.4	Determination of Compliant Status	12.6-4

DIVISION 12.2 REVIEW AND DECISION MAKING BODIES

Division 12.2 states the roles and responsibilities of all bodies with respect to administering and enforcing this Code.

SECTION 12.2.1 CITY COUNCIL

12.2.1.1 General Authority

The City Council may exercise powers described by the charter, ordinances, and rules and regulations.

12.2.1.2 Authority for Final Action

The City Council is responsible for final action regarding:

- A. Official Map Amendments (Rezoning)
- B. Text Amendments

SECTION 12.2.2 PLANNING BOARD

12.2.2.1 General Authority

The Planning Board may exercise the powers described by D.R.M.C. Sec. 12-45, Powers and Duties of the Planning Board, and as described in this Code.

12.2.2.2 Authority for Final Action

The Planning Board is responsible for final action regarding:

- A. District Sign Plans in the Downtown Theater Zone District.
- B. Site development plan applications for certain construction and exceptions in the Campus Healthcare (CMP-H and CMP-H2) Zone Districts, as specified in Article 9, Division 2 (Campus Context) of this Code.

12.2.2.3 Review Authority

The Planning Board shall review and make recommendations to the authority responsible for final action shown in Section ~~12.2.8~~12.2.9, Summary Table of Authority and Notice, regarding:

- A. Official Map Amendments (Rezoning)
- B. Text Amendments
- C. General Development Plans (GDPs)
- D. Comprehensive Sign Plans for Large Facilities

SECTION 12.2.3 MANAGER OF COMMUNITY PLANNING & DEVELOPMENT

12.2.3.1 Short Title

The Manager of Community Planning and Development shall be known as "Manager" for the purposes of this Code.

12.2.3.2 General Authority

The Manager may exercise powers described by the Charter and D.R.M.C., Section 12-17, General Powers and Duties, and other ordinances, rules and regulations. In addition, the Manager shall:

- A. Maintain the Official Map showing the current zoning classification of all land in the city;
- B. Record with the Denver County Clerk and Recorder and file with the Denver City Clerk all matters and documents required by this Code to be recorded or filed;

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

12.2.7.2 Review Authority

- A. Within the C-CCN Zone Districts, the Cherry Creek North Design Advisory Board shall review and make recommendations to the Development Review Committee or the Zoning Administrator as specified in adopted rules and regulations, as may be amended from time to time.

SECTION 12.2.8 DOWNTOWN ARAPAHOE SQUARE DESIGN ADVISORY BOARD

12.2.8.1 Creation

- A. The Downtown Arapahoe Square Design Advisory Board shall consist of seven members appointed by the Mayor. The seven members shall include individuals from the following categories: four design professionals, including architects, landscape architects, and urban designers, at least one of whom shall be a landscape architect; one owner of property in the Arapahoe Square area; one resident of the downtown area (including the Ballpark, Curtis Park and Enterprise Hill areas, as well as other nearby parts of the Five Points, Central Business District and Union Station statistical neighborhoods); and one representative of the development/construction industry, including but not limited to engineers, contractors, and developers. All board members must be residents of Denver.
- B. The members of the board shall be appointed by the Mayor for terms of three years and shall serve at the pleasure of the Mayor. Terms of office shall be staggered by making the appointments so that approximately one-third of the members' terms expire each year. Vacancies shall be filled by the mayor within 30 days from the date on which the vacancy occurs.

12.2.8.2 Board Meetings

- A. All meetings of the Downtown Arapahoe Square Design Advisory Board shall be open to the public and allow opportunity for public comment.

12.2.8.3 Review Authority

- A. Within the Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+ (D-AS-20+) Zone Districts, the Downtown Arapahoe Square Design Advisory Board shall review and make recommendations to the Development Review Committee or Zoning Administrator, as specified in adopted rules and regulations, which may be amended from time to time.

SECTION 12.2.812.2.9 SUMMARY TABLE OF AUTHORITY AND NOTICE

	REVIEW AND DECISION-MAKING AUTHORITY						TYPE OF PUBLIC NOTICE REQUIRED				
	D = Decision-Making Authority R = Review and Recommendation Authority * = Public Hearing Required						■ = Notice Required Blank Cell = Notice Not Required				
							Informational Notice		Notice of Public Hearing		
	Zoning Administrator	Manager	DRC	Board of Adjustment	Planning Board	City Council	Written and Posted Notice of Receipt of Application	Posted Notice of Final Administrative Decision	Written	Posted	Published
Zoning Permit Review	D										
Zoning Permit Review with Informational Notice	D						■	■			
Site Development Plan Review	R	R	D				■ See Sec. 12.4.3 for site development plans that require public notice	■ See Sec. 12.4.3 for site development plans that require public notice	■ See Sec. 12.4.3 for site development plans that require notice of a public hearing		
Zone Lot Amendment	D										
Administrative Adjustment	D										
Code Interpretation, Determination of Unlisted Use	D										
Comprehensive Sign Plan	D				R*		■	■	■	■	
Variance	R			D*			Refer to rules of Board of Adjustment				
Appeal of Administrative Decision	R			D*			Refer to rules of Board of Adjustment				
Special Exception	R	R		D*			Refer to rules of Board of Adjustment				
Official Map Amendment (Rezoning)		R			R*	D*	■ - Written Notice Only		■	■	■
Text Amendment	R	R			R*	D*			■		■
General Development Plan	R		D		R*				■	■	
Regulating Plan	R	D									

12.3.4.2 Types of Public Notice

There are two types of public notice addressed by this Section:

A. Notice of Public Hearings

When required by Section [12-2-812.2.9](#), Summary Table of Authority and Notice, “Notice of Public Hearings” provides the public with advance notice of a required hearing at which a review- or decision-making body will take action on an application under this Code. Such notice may be provided in writing (mailed), by posting (signs), or by publication.

B. Informational Notice

When required by Section [12-2-812.2.9](#), Summary Table of Authority and Notice, “Informational Notice” provides the public with notice of Community Planning and Development’s receipt of an application for review (e.g., a zoning permit or site development plan), and/or the approving authority’s final decision on such application and available avenues for appeal. Such notice may be provided in writing (mailed) and/or by posting (signs).

12.3.4.3 Public Notice – When Required

Required public notices are summarized in the table shown in Section [12-2-812.2.9](#), Summary Table of Authority and Notice. More detailed information may be included with each specific zoning procedure described in Division 4 of this Article 12.

12.3.4.4 Notice of Public Hearing

A. Written Notice of Public Hearings

When required by Section [12-2-812.2.9](#), Summary Table of Authority and Notice, written notice of a public hearing shall be provided in compliance with the following standards:

1. Written Notice of Planning Board Public Hearings

No later than 15 days before a required Planning Board public hearing on an application, the Manager shall notify the city council members in whose district the subject property is located and the at-large city council members. In addition, if the subject application affects areas within, or within 200 feet of, a registered neighborhood organization’s boundaries, the Manager shall notify such registered neighborhood organizations registered according to D.R.M.C. Section 12-94.

2. Written Notice of City Council Public Hearings

No later than 21 days before a required City Council public hearing on an application, the Manager shall notify the city council members in whose district the subject property is located and the at-large city council members. In addition, if the subject application affects areas within, or within 200 feet of, a registered neighborhood organization’s boundaries, the Manager shall notify such registered neighborhood organizations registered according to D.R.M.C. Section 12-94.

3. General Requirements

- a. The notice shall be sent via U.S. mail first class or by electronic mail if the recipient has indicated their acceptance of notice by electronic mail.
- b. Notification shall include, where applicable, the location and general description of the proposed action; the process to be followed, including the date, time and place of the scheduled public hearing and/or public meeting.

4. Minor Defects in Notice Do Not Impair Hearing

Minor defects in a notice shall not impair the notice or invalidate proceedings under the notice if a *bona fide* attempt has been made to comply with applicable notice requirements. Where written notice was properly mailed, failure of a party to receive written notice shall not invalidate any subsequent action. In all cases, however, the requirements for the timing of the notice and for specifying the time, date, and place of a hearing and the location of the subject property shall be strictly construed. If questions arise at the

hearing regarding the adequacy of notice, the review or decision-making body shall make a finding regarding whether there was substantial compliance with the notice requirements of this Code before proceeding with the hearing.

B. Posted Notice of Public Hearings

When required by Section ~~12-2-812.2.9~~, Summary Table of Authority and Notice, posted notice of a required public hearing shall be provided in compliance with the following standards:

1. No later than 15 days prior to the required Planning Board public hearing, and no later than 21 days prior to the required City Council public hearing, the applicant shall be responsible for posting signs on the subject property providing public notice thereof.
2. Posted notice shall be in number, size, location, and content as prescribed by the Manager and shall indicate the time and place of the public meeting or hearing, and any other information prescribed by the Manager.
3. The applicant shall take all reasonable efforts to assure that posted signs remain on the site in the number and location prescribed by the Manager, and in good condition to maintain legibility, during the posting period.
4. Posted notices shall be removed by the applicant from the subject property no later than 15 days after the public hearing has been held. Failure to do so shall constitute a violation of this Code.

C. Published Notice of City Council Public Hearing

No later than 21 days prior to the required City Council public hearing, the Office of the City Council, together with the Denver City Clerk's Office, shall publish notice of the time and place of a required public hearing before the City Council in the official newspaper.

12.3.4.5 Informational Notice – General Provisions

A. Written Notice of Receipt of Application

When required by Section ~~12-2-812.2.9~~, Summary Table of Authority and Notice, written notice of receipt of application shall be provided in compliance with the following standards:

1. Official Map Amendment (Rezoning) - Timing of Notice

For an official map amendment (rezoning) application, Community Planning and Development shall cause written informational notice to be provided no later than 10 days after the determination that a complete application has been received in accordance with Section 12.3.3.8, Determination of Complete Application. Community Planning and Development shall cause written informational notice to be sent to the city council members in whose district the subject property is located, to the at-large city council members, and to those neighborhood organizations registered according to D.R.M.C. Section 12-94, whose boundaries encompass or are within 200 feet of the proposed development.

2. All Other Applications - Timing of Notice

Except for an official map amendment (rezoning) application, no later than 10 days after receipt of a complete application, Community Planning and Development shall cause written informational notice to be sent to the city council members in whose district the subject property is located, to the at-large city council members, and to those neighborhood organizations registered according to D.R.M.C. Section 12-94, whose boundaries encompass or are within 200 feet of the proposed development.

3. Notice to Landmark Preservation Commission

If the subject property falls within an area designated as a structure or district for preservation according to the Chapter 30 (Landmarks) of the Denver Revised Municipal Code, Community Planning and Development shall notify the Denver Landmark Preservation

Commission regarding the application within the same time periods specified in paragraphs 1 and 2 above.

4. General Rules

- a. The informational notice shall be sent via U.S. mail first class or by electronic mail if the recipient has indicated their acceptance of notice by electronic mail.
- b. Notification shall include the location and general description of the application and proposed action; and the process to be followed, including the date, time and place of any related public meeting or hearing, if such has been scheduled; and information concerning, as applicable, when and where written comments may be submitted.
- c. The failure of a registered neighborhood organization for whatever reason to receive a notification required hereunder shall not invalidate any final action by the city.

B. Posted Notice of Receipt of Application

When required by Section ~~12-2-812.2.9~~, Summary Table of Authority and Notice, posted notice of receipt of an application shall be provided in compliance with the following standards:

1. No later than 10 days after receipt of a complete application, the applicant shall post the subject property in a conspicuous location for 10 days with a sign or sign template provided by Community Planning and Development. The start of the 10-day period shall be the first day of the posting of the sign.
2. Such sign shall describe the proposal, give directions for submitting comments to Community Planning and Development within 30 days from the beginning of the posting period, and state that any final decision to approve the application shall be posted at the same location for 15 days as soon as it is effective.
3. Posted notices shall be removed by the applicant from the subject property by no later than 15 days after the end of the posting period. Failure to do so shall constitute a violation of this Code.

C. Posted Notice of Final Administrative Action

When required by Section ~~12-2-812.2.9~~, Summary Table of Authority and Notice, posted notice of final administrative action on an application shall be provided in compliance with the following standards:

1. Within 7 days after reaching a final decision to approve an application subject to informational notice, Community Planning and Development shall cause the applicant to post the property with a copy of the approving decision for a period of 15 days.
2. The applicant shall post the property in a conspicuous location with a sign or sign template provided by Community Planning and Development.
3. The effective date of the final administrative action and the start of the 15-day period during which appeals may be made to the Board of Adjustment shall be the first day of the posting of the sign. Such sign shall describe how an appeal from the final administrative decision may be filed and state that any appeal must be filed within 15 days, and shall provide contact information for obtaining the standards and criteria that will govern the appeal.

SECTION 12.3.5 EFFECT OF APPROVED APPLICATIONS, PLANS AND PERMITS

All applications, plans and permits approved under this Article 12 and this Code shall be binding upon the applicants, their successors and assigns, shall limit and control the issuance and validity of all subsequent site

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16**

2. For the purpose of computing the size of an area for compliance herewith, there shall be excluded from the minimum area calculation the following:
 - a. That portion of public rights-of-way in excess of 60 feet in width;
 - b. Water reservoirs, including supporting land, owned by the city, the state, the Denver Water Board, or any agency of the federal government;
 - c. All land owned by Denver School District No. 1 which is used for school purposes; and
 - d. All land owned by the city, the state, or any agency of the federal government which is used for public park or recreational purposes.

D. Minimum Area Requirements for Rezoning

Subject to the foregoing limitations, an area proposed to bear the following zoning classifications shall contain at least the following area:

ZONE DISTRICT CLASSIFICATION PROPOSED	MINIMUM AREA REQUIRED
SU	4 acres or at least two facing block faces except as required below: <ul style="list-style-type: none"> • Rezone from "A", "B", "C", etc. SU zone to "A1", "B1", "C1" etc. SU Zone District: minimum 1 block • Rezone from "A", "B", "C", etc. SU zone to "A2", "B2", "C2" etc. SU Zone District: 8 acres
TU	4 acres or at least two facing block faces except as required below: <ul style="list-style-type: none"> • Rezone from "A", "B", "C", etc. TU zone to "A1", "B2", "C1" etc. TU Zone District: 8 acres

TH	2 acres, or at least one face block
RH	2 acres, or at least one face block
MU	2 acres, or at least two facing block faces or one block
RO	No requirement

CC	No requirement
RX	No requirement
MX	No requirement
MS	No requirement
CCN	No requirement

D-C	Must abut an existing D-C District
D-TD	Must abut an existing D-TD district
D-LD	Must abut an existing D-LD district
D-CV	Must abut an existing D-CV district
<u>D-AS-12+ and D-AS-20+</u>	<u>Must abut an existing D-AS-12+ or D-AS-20+ District</u>

I-MX	No requirement
I-A	8 acres
I-B	8 acres
CMP-H, H2	6 acres or no minimum if abutting an existing CMP-H or CMP-H2 district
CMP-EI, EI2	CMP-EI: 6 acres or no minimum if abutting an existing CMP-EI district CMP-EI2: 70,000 square feet or no minimum if adjacent to or across the street from an existing CMP-EI or CMP-EI2 district
CMP-ENT	6 acres

Contents

ARTICLE 13. RULES OF MEASUREMENT & DEFINITIONS

DIVISION 13.1	RULES OF MEASUREMENT	13.1-1
Section 13.1.1	Introduction	13.1-1
Section 13.1.2	Height for all SU, TU, TH, RH, E-MU-2.5, MU-3, and RO-3 Zone Districts.	13.1-2
Section 13.1.3	Height for all Other Zone Districts.	13.1-8
Section 13.1.4	Other Height Rules	13.1-16
Section 13.1.5	Siting Form Standards	13.1-21
Section 13.1.6	Design Element Form Standards	13.1-48
Section 13.1.7	Fence and Wall Height Measurement.	13.1- 6670
Section 13.1.8	Measurement of Motor Vehicle or Trailer Length	13.1- 6670
Section 13.1.9	Measurement of Separation or Distance	13.1- 6670
DIVISION 13.2	RULES OF INTERPRETATION	13.2-1
DIVISION 13.3	DEFINITIONS OF WORDS, TERMS & PHRASES	13.3-1

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

13.1.5.2 Determination of Primary Street Zone Lot Line, Side Street Zone Lot Line, Side Interior Zone Lot Line, and Rear Zone Lot Line for All Zone Districts EXCEPT CC, MX, MS, ~~C-CCN, and C-CCN-D-AS-12+ and D-AS-20+ Zone Districts~~

A. Intent

To provide a reference of measurement for standards related to form and building placement (e.g. Build-to, Setback).

B. General Requirements

1. A primary street zone lot line or a side street zone lot line may abut a zone lot line abutting a private street if approved by the Zoning Administrator.
2. Once designated for a zone lot, zone lot line designations cannot be changed after development (e.g., a primary street cannot, for purposes of subsequent development, be re-designated a side street) unless all requirements of the Zone District can be met.

C. Criteria for Zoning Administrator Determinations

Where identified in the following sections, the Zoning Administrator shall designate a zone lot's Primary Street, Side Street, Side Interior and Rear Zone Lot Lines, based on an analysis, at a minimum, of:

1. The prevailing building orientation and setback patterns of buildings located on the same face block(s) as the subject zone lot;
2. Block and lot shape;
3. The functional street classification of all abutting streets as adopted by the Public Works Department;
4. The future street classification of all abutting streets as adopted in Blueprint Denver;
5. Guidance provided in any applicable General Development Plan or regulating neighborhood plan, such as designation of pedestrian priority streets in such plan; and
6. In a Campus Zone District, guidance provided in any applicable Campus Master Plan or similar document formally adopted by the primary campus user (e.g., a university or college) to guide land development within the campus, such as designation of pedestrian priority streets in such plan.

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

13.1.5.5 Determination of Primary Street, Side Interior, and Rear Zone Lot Lines for all C-CCN, D-AS-12+ and D-AS-20+ Zone Districts

A. Intent

To provide a reference of measurement for standards related to form, building placement, and design elements: (e.g. Build-to, Setbacks, Transparency) in Cherry Creek North (C-CCN), Downtown Arapahoe Square 12+ (D-AS-12+) and Downtown Arapahoe Square 20+(D-AS-20+) Zone Districts.

B. General Requirements

1. Each Zone Lot Line shall have a designation of Primary Street, Side Interior or Rear.

C. Criteria for Zoning Administrator Determinations

The Zoning Administrator shall designate a zone lot's Side Interior and Rear Zone Lot Lines, as applicable, based on an analysis of:

1. Guidance provided in any applicable General Development Plan, regulating plan, and/or Urban Design Standards and Guidelines.
2. If criterion C.1 does not apply, then the following criteria shall be used:
 - a. The prevailing building orientation and setback patterns of buildings located on the same face block(s) as the subject zone lot; and
 - b. Block and lot shape.

D. Determining Zone Lot Lines

1. All Zone Lots - Primary Street Zone Lot Lines

The Zoning Administrator shall designate all Zone Lot Lines abutting a street to be Primary Street zone lot lines.

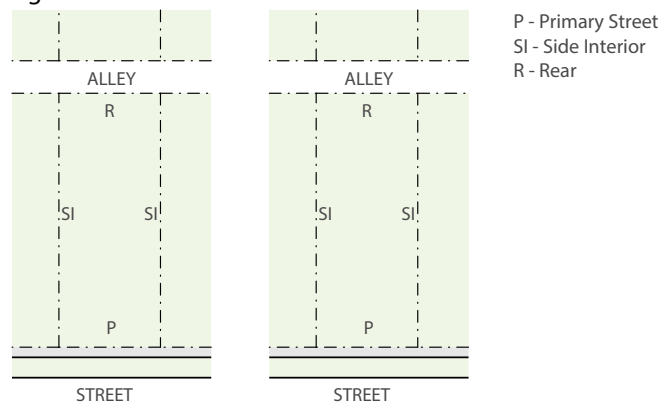
2. Interior Zone Lots

For interior zone lots in all C-CCN, D-AS-12+, and D-AS-20+ Zone Districts:

- a. The Primary Street Zone Lot Line shall be the Zone Lot Line abutting the named or numbered street.
- b. The Rear Zone Lot Line shall be the Zone Lot Line(s) opposite the Primary Street.
- c. The Side Interior Zone Lot Line shall be the remaining Zone Lot Lines.

See Figure 13.1-55.

Figure 13.1-55



**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
 CITY COUNCIL REDLINE DRAFT 05/25/16**

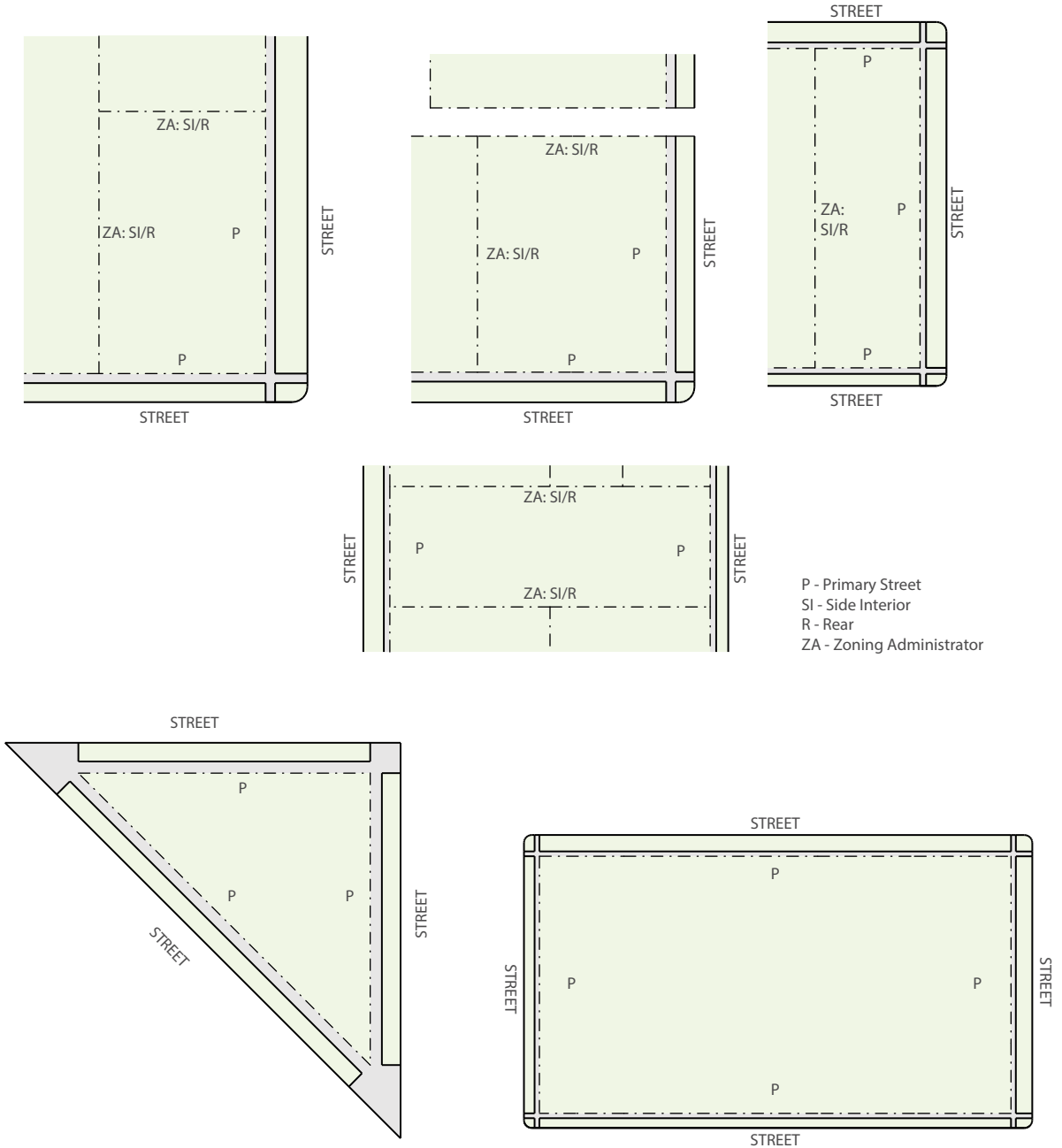
3. Corner Zone Lots, Double Frontage Zone Lots, and Zone Lots with Frontage on 3 or More Streets/Full Block

For all corner zone lots, double frontage zone lots, and zone lots with frontage on 3 or more streets or a full block in all C-CCN, D-AS-12+, and D-AS-20+ Zone Districts:

- a. All Zone Lot Lines abutting a named or numbered street shall be Primary Street ~~Zone Lot Lines~~.
- b. The Zoning Administrator shall determine the Side Interior and Rear Zone Lot Lines, as applicable.

See Figure 13.1-56

Figure 13.1-56



**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16**

D. General Requirements

1. Required build-to standards shall apply only to the ground floor of the primary structure(s) on a zone lot.
2. Buildings, or a permitted alternative, shall be built at or within the Build-To requirement for at least the minimum percentage (%) required along the Primary and/or Side Street frontage.
3. Build-to requirements are calculated separately for each separately owned zone lot frontage comprising a development site.

E. Build-to Alternative Requirements

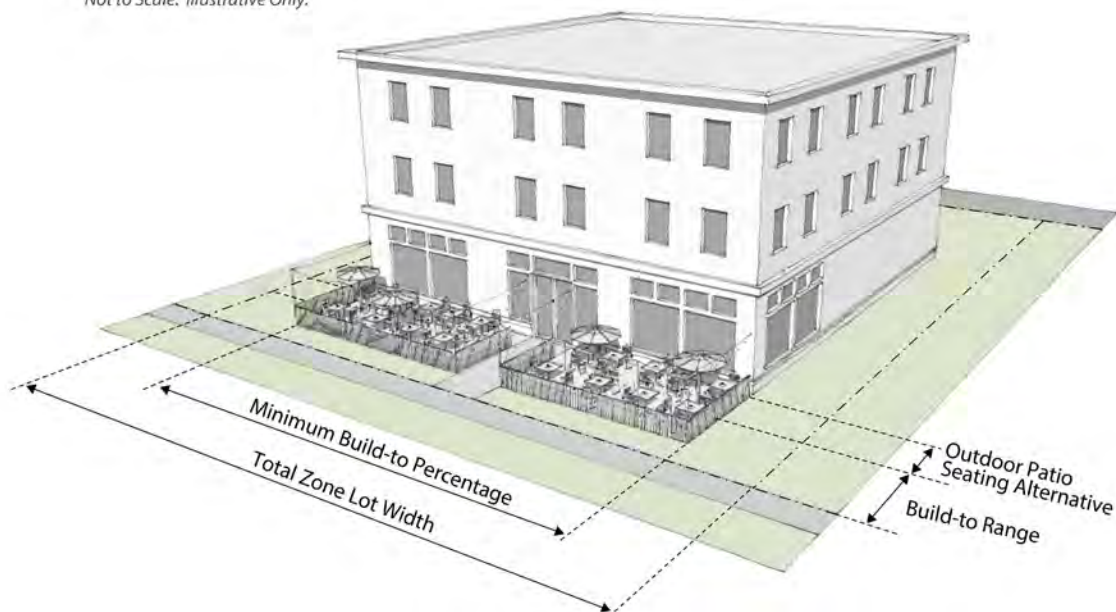
Where permitted, the following alternatives may be used singularly or in combination as alternatives to a required build-to minimum percentage standard:

1. Permanent Outdoor Patio Seating

Permanent outdoor patio seating shall be placed between the building and the Primary Street zone lot line. Street Level Activation standards shall still apply for portions of the facade behind permanent outdoor patio seating.

Figure 13.1-58

Not to Scale. Illustrative Only.



2. Private Open Space

~~When used as an alternative to a required build-to standard,~~ Private Open Space shall comply with the following standards: shall meet the intent and rules of measurement provided in Section 13.1.6.1.B.

- a. Private Open Space used as a build-to alternative in any Zone District:
 - i. Shall be open to the sky
 - ii. Shall not be covered by an Off-Street Parking Area or a Completely or Partially Enclosed Structure, but may include Open Structures excluding Exterior Balconies
 - iii. May include tables, chairs, benches, sculptures and similar elements

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16**

- iv. May include the operation of any unenclosed primary, accessory, or temporary uses permitted in the zone district
- v. Shall be fully visible from a primary street
- vi. Shall not be permanently enclosed by railings, fences, gates, or walls that do not allow public access during business hours.
- b. Private Open Space used as a build-to alternative in a C-CCN Zone District shall contain at least one Minimum Contiguous Area meeting the requirements of Section 13.1.6.1.B.3.b.vii

3. Garden Wall

A garden wall shall comply with all of the following standards:

- a. Garden Walls must be between 30" and 42" in height with the following exceptions:
 - i. Decorative and/or structural piers may exceed 42" in height.
 - ii. Seating incorporated into the wall may be a minimum of 18" in height and may be accessed from both sides of the wall without an intervening division.
 - iii. Pergola, awning and trellis structures must maintain clear visual sight lines between the public right of way and the property between the heights of 42" and 84."
- b. Allowed materials are limited to masonry or an ornamental metal fence with masonry piers spaced at not more than 25' with landscaping.
 - i. An Administrative Adjustment to the allowed material is permitted to better match the primary building. See Article 12.
- c. Garden walls used as a Required Build-To Alternative may also be counted toward Perimeter Landscaping Requirements in Article 10.

Figure 13.1-59

Not to Scale. Illustrative Only.



4. Pergola

A pergola shall comply with all of the following standards:

- a. Pergola structure shall consist of an arbor or passageway of columns that is at least 50% open to the sky.
- b. Pergola structure shall be no less than 5' deep as measured perpendicular to the Primary or Side Street zone lot line.
- c. Pergola structure shall not be erected over a Drive or Driveway, or over any part of an Off-Street Parking Area.

TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

SECTION 13.1.6 DESIGN ELEMENT FORM STANDARDS

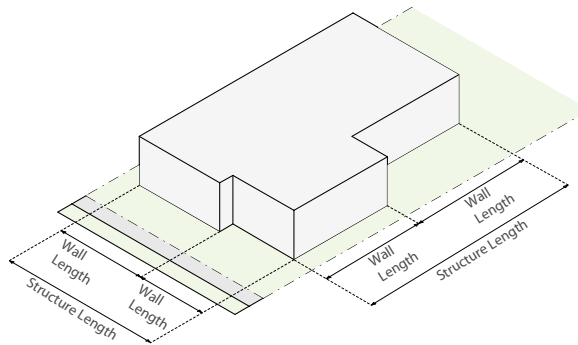
The design element form standards of this Code are defined and measured as set forth below.

13.1.6.1 Building Configuration

A. Front or Side Wall Length / Overall Structure Length

The length of the front or side wall of a structure, or the overall structure length, shall be measured along the primary or side street zone lot line for the entire length of the structure, as shown in Figure 13.1-70 below.

Figure 13.1-70



B. Private Open Space for Cherry Creek Open Space Building Forms

1. Intent

To create quality privately owned open spaces on private property in the Cherry Creek North mixed use shopping district that are adjacent and physically open to the street. Private open space should provide visual interest and activate the pedestrian realm.

2. Applicability

This section applies to zone lots in the C-CCN Zone Districts.

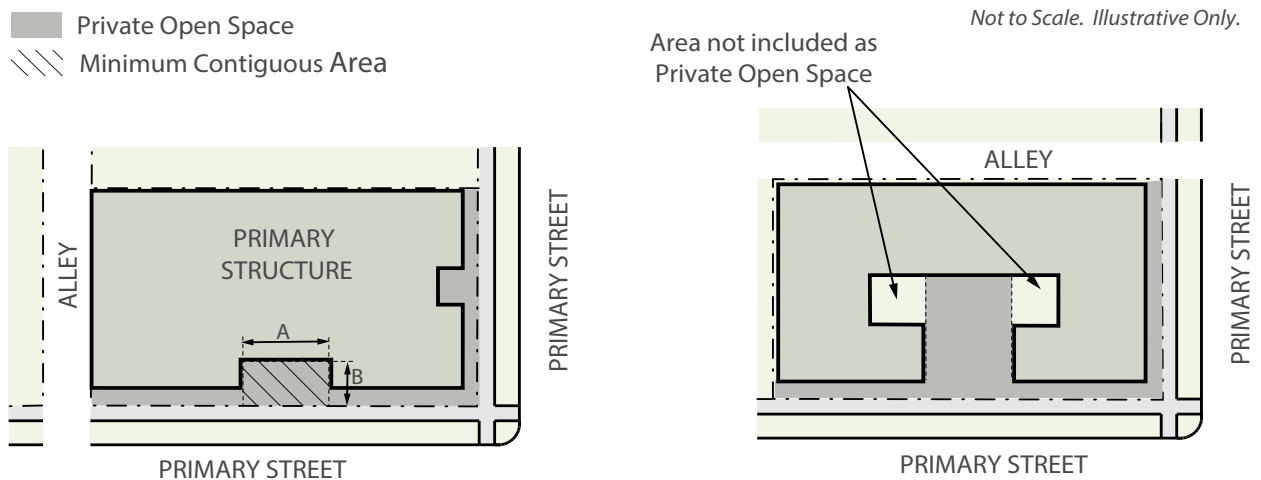
3. Rules of Measurement

- a. For Cherry Creek Open Space building forms, Private Open Space shall be calculated as a percentage (%) using the total area open to the sky, subject to the below requirements, divided by the total gross square footage of the zone lot and multiplied by 100.
- b. For purposes of Private Open Space measurement for Cherry Creek Open Space building forms, the total area open to the sky:
 - i. Shall not be covered by Off-Street Parking Area or a Completely or Partially Enclosed Structure, but may include Open Structures excluding Exterior Balconies. Private Open Space may also include tables, chairs, benches, sculptures and similar elements.
 - ii. May include the operation of any unenclosed primary, accessory, or temporary uses permitted in the zone district.
 - iii. Any portion of the Private Open Space within the build-to range shall count toward the required build-to percentage (see Subsection 7.3.6.1, Required Build-To Alternatives).
 - iv. Shall abut a primary street zone lot line.
 - v. Shall be fully visible from a primary street.

**TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16**

- vi. Shall not be permanently enclosed by railings, fences, gates, or walls that do not allow public access during business hours.
- vii. Shall contain at least one Minimum Contiguous Area, subject to the minimum dimensions below. The width of the Minimum Contiguous Area shall be measured parallel to the primary street zone lot line, shown as “A” in Figure 13.1-71. The depth of the Minimum Contiguous Area shall be measured as the horizontal distance between the primary street zone lot line and the closest facade of the exterior building wall facing the primary street, measured perpendicular to the zone lot line, shown as “B” in Figure 13.1-71.
 - a) For zone lots 9,375 square feet or less, as of October 27, 2014, the Minimum Contiguous Area shall be at least 15 feet wide and 15 feet deep.
 - b) For zone lots 9,375 square feet or less, as of October 27, 2014, where the zone lot abuts the southern boundary of the 3rd Avenue right-of-way, the Minimum Contiguous Area shall be at least 15 feet wide and 15 feet deep and shall abut, be fully visible from, and fully accessible from the 3rd Avenue right-of-way.
 - c) For all other zone lots the Minimum Contiguous Area shall be at least 15 feet wide and 30 feet deep.

Figure 13.1-71



C. Mass Reduction

1. Intent

To sculpt building mass above the base of a building, to reduce the horizontal scale of taller buildings, to provide sun and light exposure through taller buildings, and to encourage architectural variety.

2. Rule of Measurement see Figure 13.1-72

- a. The Mass Reduction is calculated as a percentage (%) using the “gross area without building coverage” at a height of 31 feet or the highest point of the second story, whichever is less, divided by the total gross square foot area of the zone lot and multiplied times 100. For purposes of Mass Reduction, “gross area without building coverage” shall be calculated as the gross area from all zone lot lines to the exterior faces of the following structures:
 - i. Structure, Completely Enclosed;

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CITY COUNCIL REDLINE DRAFT 05/25/16

D. **Point Tower Floor Plate**

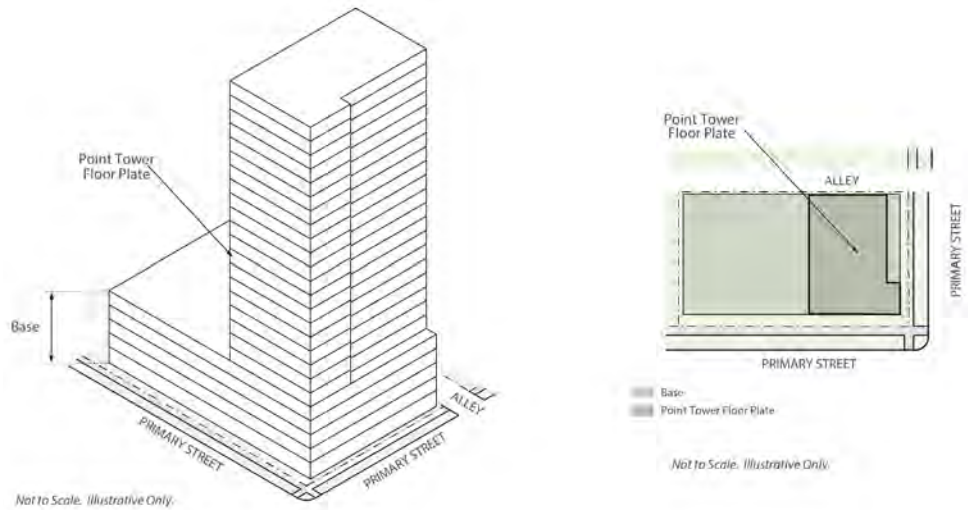
1. **Intent**

To preserve sky exposure and encourage architectural variety by reducing the horizontal scale of the tower portion of a point tower building form.

2. **Rule of Measurement**

- a. Point Tower Floor Plate shall be measured as the Floor Plate of the largest Habitable Story located above the specified height in the building form table. See Figure 13.1-76.

Figure 13.1-76



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E. Upper Story Side or Rear Setback, adjacent to Protected District

- 1. Intent**
 To provide appropriate height and massing transitions to less intensive adjoining zone districts.
- 2. Rule of Measurement**
 An upper-story side or rear setback is measured from the side or rear zone lot line, extending to the specified height from the Base Plane and then horizontally to the specified setback distance. See Figure 13.1-7677.

F. Primary Street Upper Story Setback

- 1. Intent**
 To provide appropriate pedestrian scale, height and massing along a main Primary Street.
- 2. Rules of Measurement**
 - a. Upper Story Setback**
 A minimum Primary Street Upper-story setback shall be measured from the Primary Street zone lot line, extending to the maximum specified height in feet and stories from the Base Plane and then horizontally to the specified setback distance, see Figure 13.1-7677.
 - b. Percentage of Zone Lot Width for an Upper Story Setback**
Where a minimum percentage of Zone Lot Width is specified for a Primary Street Upper Story Setback, the minimum percentage of Zone Lot Width at the Primary Street Zone Lot Line specified in the building form table shall be required to meet the minimum Upper Story Setback. See Figure 13.1-78

Figure 13.1-7677

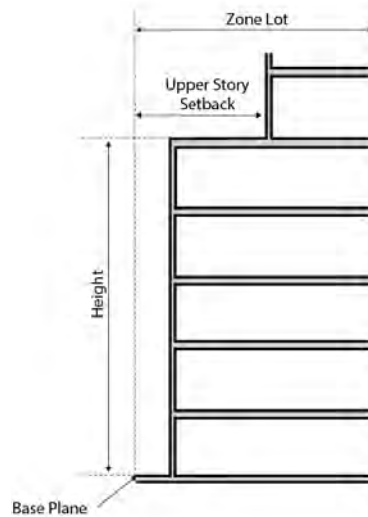
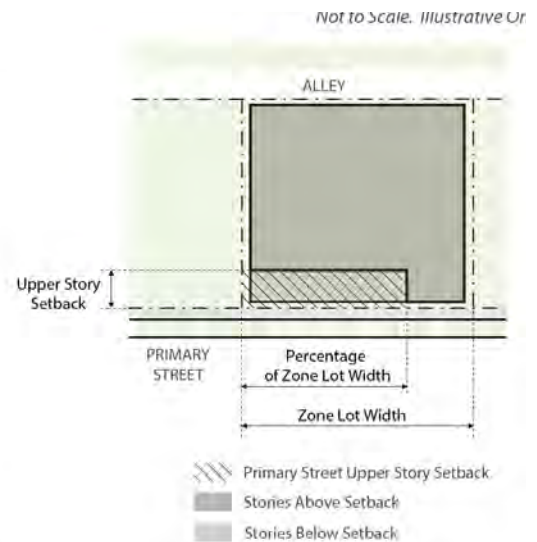


Figure 13.1-78

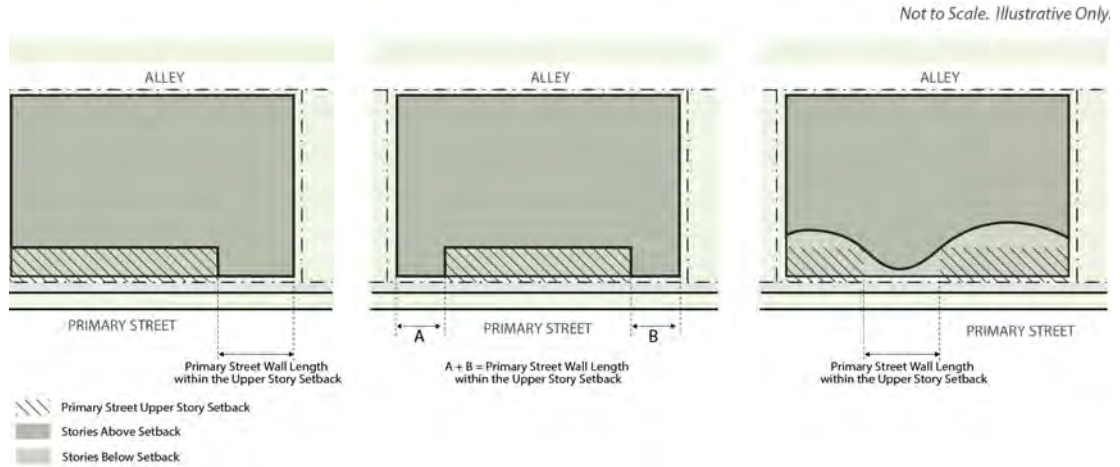


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c. Primary Street Wall Length Within the Upper Story Setback

- i. Where a maximum Primary Street Wall Length within the Upper Story Setback is specified, it shall be measured as the total length of walls along the Primary Street zone lot line within the specified depth of the Upper Story Setback. For example, if the minimum Primary Street Upper Story Setback is 10 feet, and the maximum Wall Length within the Upper Story Setback is 80 feet, the combined length of all walls above the Upper Story Setback height and within 10 feet of the Primary Street property line may be no more than 80 feet. See Figure 13.1-79.

Figure 13.1-79



G. Upper Story Stepback

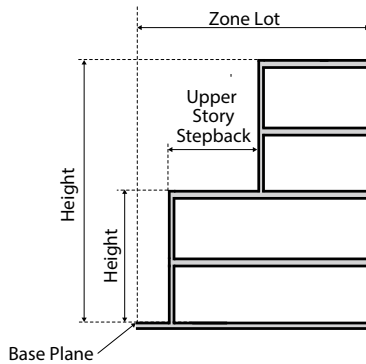
1. Intent

To shape building forms to reduce effect of massing on adjoining properties or along a street.

2. Rule of Measurement

Upper Story Stepback is measured as the specified vertical distance starting at the Base Plane, and then extending the specified horizontal distance from the face of the building's lower portion, as shown in Figure 13.1-7780.

Figure 13.1-7780



TEXT AMENDMENT #9 - ARAPAHOE SQUARE
CITY COUNCIL REDLINE DRAFT 05/25/16

H. **Limitation on Visible Parking Above Street Level**

1. **Intent**

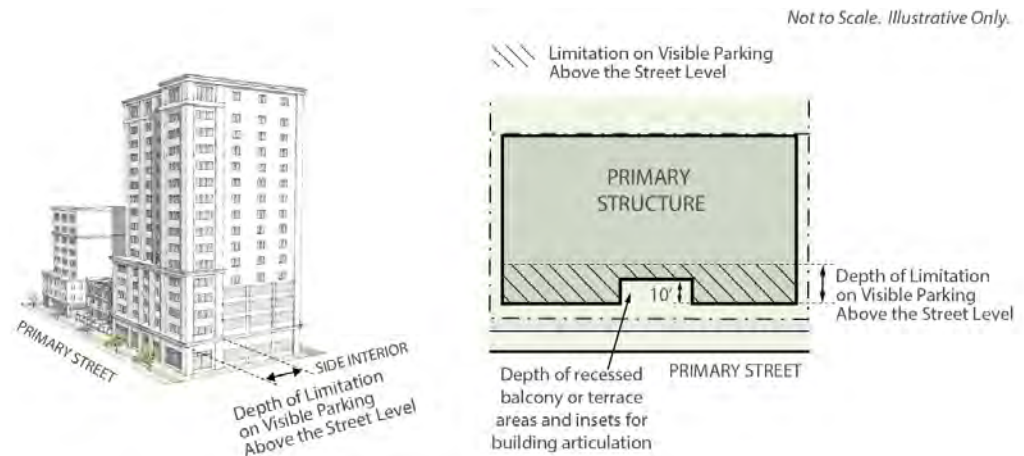
To minimize the visibility, and impacts of structured parking and promote visual interest on upper story building facades.

2. **Rules of Measurement**

a. **Depth of Limitation on Visible Parking Above Street Level**

- i. The depth of a Limitation on Visible Parking above Street Level shall be measured from the exterior of the street-facing building wall. See Figure 13.1-81. Uses that meet the Limitation on Visible Parking above Street Level shall be located within the specified depth, except as provided below.
- ii. Recessed balcony/terrace areas or insets for building articulation up to 10 feet in depth shall be excluded from the Limitation on Visible Parking above Street Level. The remaining depth after recessed balcony/terrace areas and insets for building articulation are excluded shall be subject to the uses that meet the Limitation on Visible Parking above Street Level. See Figure 13.1-81.

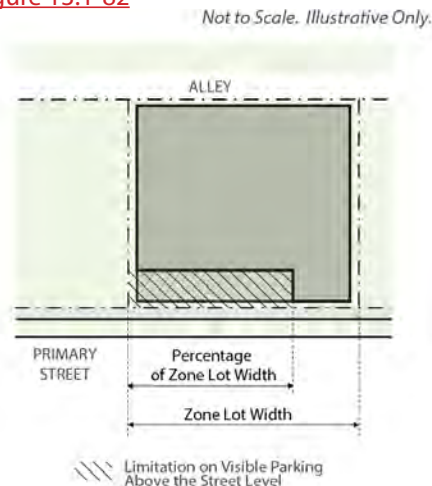
Figure 13.1-81



b. **Percentage of Zone Lot Width for a Limitation on Visible Parking Above Street Level**

The minimum specified building form table percentage of Zone Lot Width at the Primary Street Zone Lot Line shall be required to meet the Limitation on Visible Parking above Street Level. See Figure 13.1-82

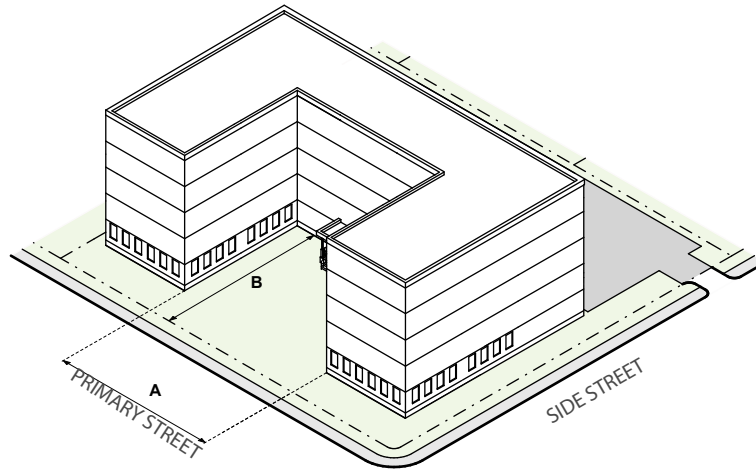
Figure 13.1-82



I. Street-facing Courtyard Width and Depth

1. The street-facing courtyard width shall be measured as the distance between the two closest edges of the exterior walls facing each other across the courtyard, shown as "A" in Figure 13.1-7882.
2. The street-facing courtyard depth shall be measured as the horizontal distance between the primary street zone lot line and the closest facade of the exterior building wall facing the primary street, measured perpendicular to the zone lot line, shown as "B" in Figure 13.1-7882.

Figure 13.1-7882

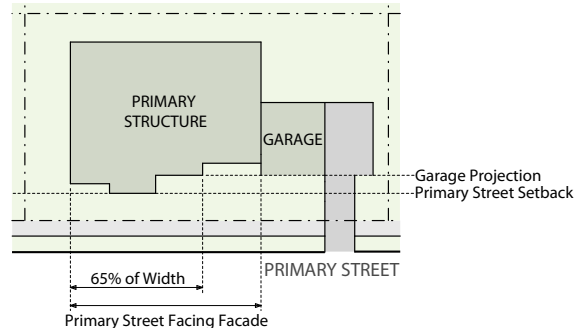


J. Attached Garage Design Standard

1. Rule of Measurement

- a. Identify the portions of the Primary Street facing facade that shall constitute at least 65% of the total width of the primary structure enclosing the primary use.
- b. Draw a line parallel to the primary street setback line that is not forward at any point of the 65% identified in a. above, thereby determining the maximum permitted attached garage projection. See Figure 13.1-7983.

Figure 13.1-7983



K. Street-facing Attached Garage Door Width

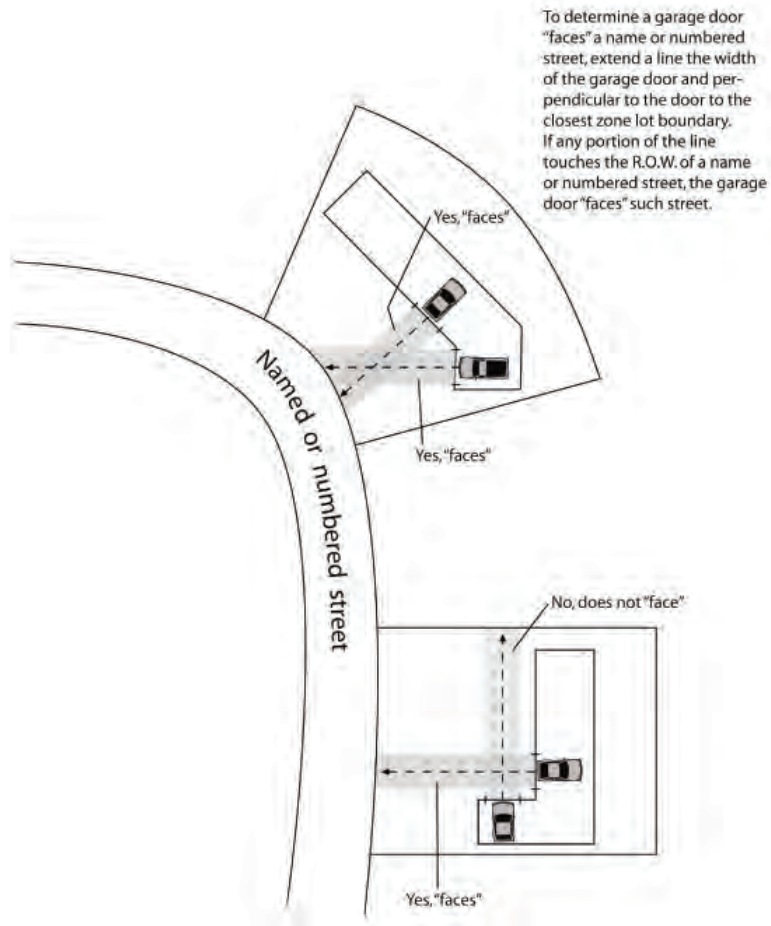
1. Rule of Measurement

- a. "Street-facing attached garage door width" is measured as the total width of all street-facing garage doors attached to the primary building form, divided by the total width of the front facade of the primary building, or of the front facade of an individual dwelling unit, as applicable.
- b. For purposes of this rule, the total width of a street-facing garage door(s) shall be measured as the linear distance between the outer edges of the door(s).

2. Determination of "Street-facing"

A garage door is "street facing" if it faces a named or numbered street, which shall be determined by extending a line the width of the garage door and perpendicular to it to the zone lot boundary. If any portion of said line touches the right-of-way of a named or numbered street at the zone lot boundary then said garage door faces a named or numbered street. See Figure 13.1-8084.

Figure 13.1-8084



13.1.6.2 Street Level Activation

A. Transparency, Primary Street and Side Street

1. Intent

To provide visual interest to building facades, to activate the street and sidewalk, and to provide a safe pedestrian realm.

2. Applicability

The Primary Building Form Standards in Articles 3 through 9 specify transparency standards for many Primary Building Forms. Rules of measurement, window requirements, and transparency alternative requirements are provided in this Section 13.1.6.2.A.

3. Rules of Measurement

a. Zone of Transparency

The Zone of Transparency is the area between 2 feet and 9 feet above the finished Street Level height across the entire street-facing Street Level building facade. See Figure 13.1-~~8185~~.

- i. A building facade is “street-facing” if it faces a name or numbered street, which shall be determined by extending a line the width of the facade and perpendicular to it to the zone lot boundary. If any portion of said line touches the right-of-way of a name or numbered street at the zone lot boundary, then said facade is “street-facing.” See Figure 13.1-~~8286~~
- ii. The required amount of transparency shall be provided within the zone of transparency for the subject building, unless an exception or alternative is permitted by this Code.

b. Street Level Transparency

Street Level transparency, primary or side street, is measured as the total amount of linear feet of windows or permitted alternatives provided within the Zone of Transparency divided by the total length of that same street-facing building facade (including any open parking structure entrances).

Figure 13.1-8†85



Not to Scale. Illustrative Only.

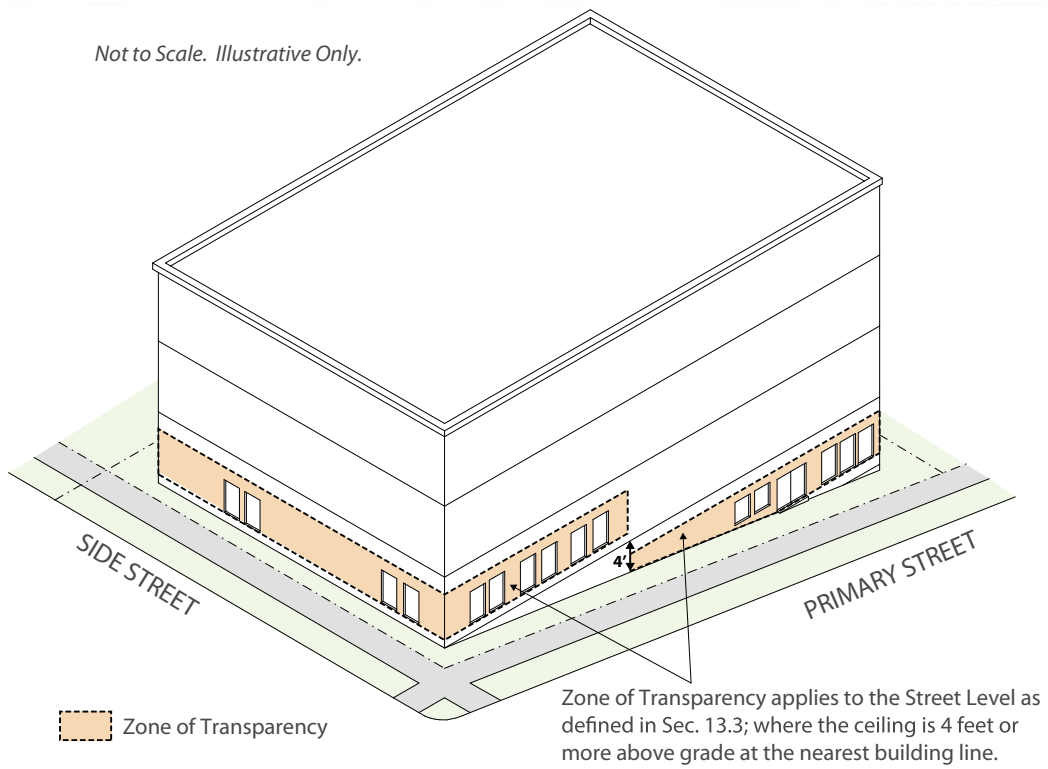
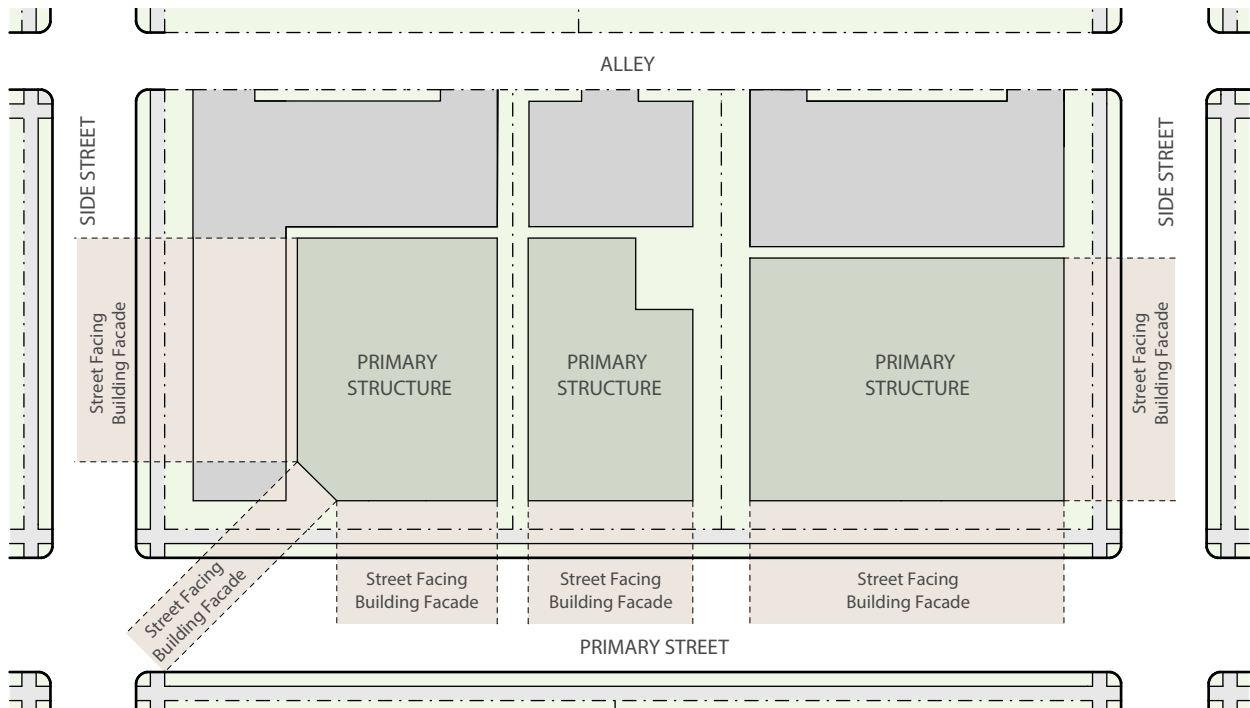


Figure 13.1-8286

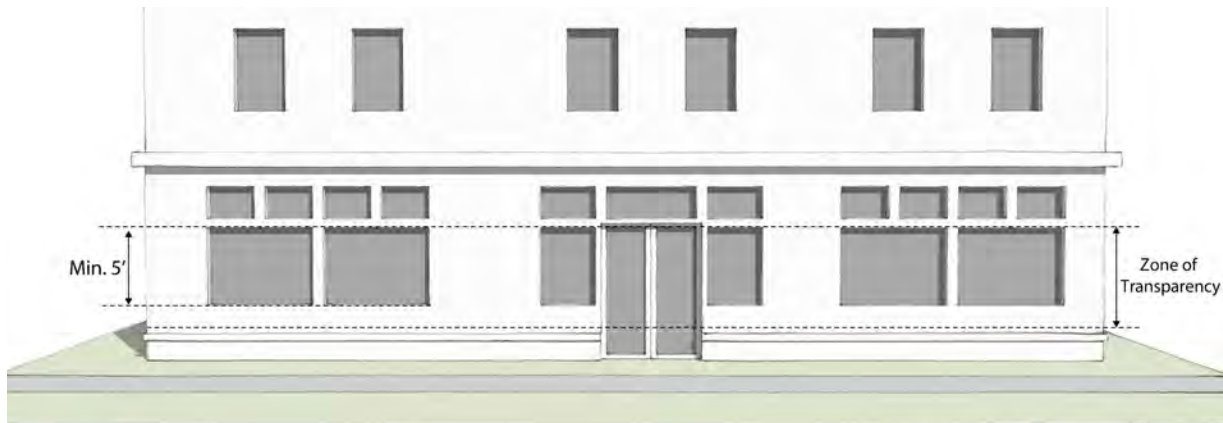


4. Window Requirements

Windows shall be provided to satisfy the transparency requirement, except where a transparency alternative is permitted. All windows used to satisfy the transparency requirement shall comply with the following:

- a. All windows shall be a minimum of 5 feet in vertical dimension within the zone of transparency; and
- b. Window glazing shall be clear and shall transmit at least 65 percent of the visible daylight (visible transmittance shall be 0.65 or greater); and
- c. No interior or exterior modifications, including temporary and permanent signage, window tinting, furnishings, fixtures, equipment or stored items within 3 feet of the windows will be permitted to reduce the effective minimum transparency standards by more than 25%. Open display of individual merchandise is permitted.

Figure 13.1-8387



Not to Scale. Illustrative Only.

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CITY COUNCIL REDLINE DRAFT 05/25/16**

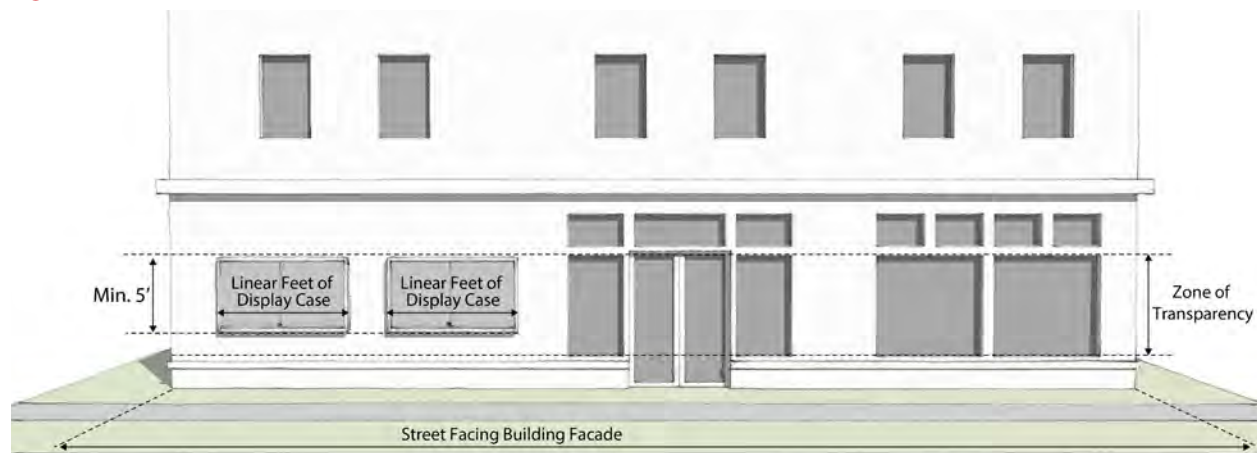
5. Transparency Alternative Requirements

Where permitted, the following alternatives may be used singularly or in combination as alternatives to a transparency requirement:

a. Display Cases and Automated Teller Machines

- i. Display cases ~~and automated teller machines~~ shall be permanently recessed, integrated into, or installed on the building wall. ~~Display cases~~ They shall be a minimum of 5 feet in height within the Zone of Transparency.
- ii. Display cases ~~and automated teller machines~~ are measured as the total linear width (in feet) of display cases ~~or automated teller machines~~ provided within the Zone of Transparency, divided by the total length of that same street-facing building façade (including any open parking structure entrances).

Figure 13.1-8488



Not to Scale. Illustrative Only.

b. Automated Teller Machines

- i. Automated teller machines shall be permanently recessed, integrated into, or installed on the building wall.
- ii. Automated teller machines are measured as the total linear width (in feet) of automated teller machines provided within the Zone of Transparency, divided by the total length of that same street-facing building façade (including any open parking structure entrances).

Figure 13.1-8589

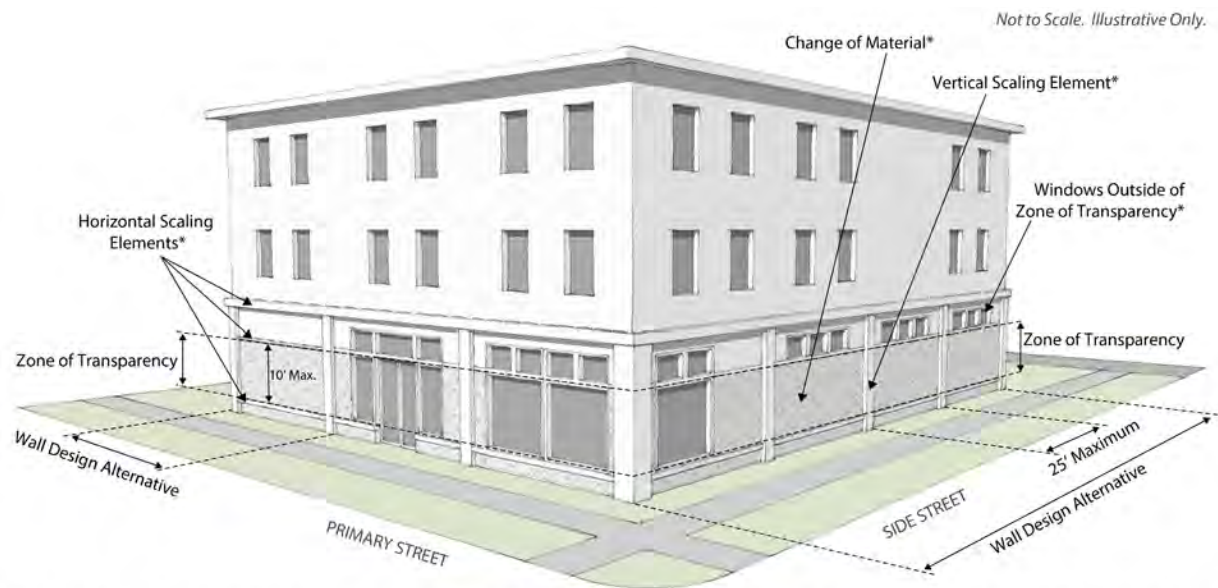


Not to Scale. Illustrative Only.

c. Wall Design Elements

- i. Wall design elements shall be combined into a unified wall design that provides visual interest, pedestrian scale, and integrates into the architecture of the building.
- ii. The unified wall design shall incorporate a minimum of 3 of the following elements, which shall occur at intervals no greater than 25' horizontally:
 - a) An offset or other horizontal change in wall plane not less than 3" in depth.
 - b) A vertical scaling element, such as a pilaster, not less than 4' in height and 1" in width/depth.
 - c) A horizontal scaling element, such as a belt course, string course, or cornice, occurring at an interval no greater than 10' vertically.
 - d) A green screen or planter wall.
 - e) A variation in material, pattern, and/or color (shall not also count as translucent, fritted, patterned or colored windows per **if.** below).
 - f) Translucent, fritted, patterned or colored windows (shall not also count as a variation in material, pattern, and/or color per **he.** above).
 - g) Windows outside the zone of transparency when located at the Street Level and compliant with Sections 13.1.6.2.A.4.b and c.
- iii. Wall design elements are measured as the linear width (in feet, measured to the outside design elements) of the unified wall design, divided by the total length of that same street-facing building façade (including any open parking structure entrances).

Figure 13.1-8690



*Horizontal Scaling Elements, Vertical Scaling Elements, Change of Material, and Windows Outside of Zone of Transparency create a system of wall design elements.

Figure 13.1-8791

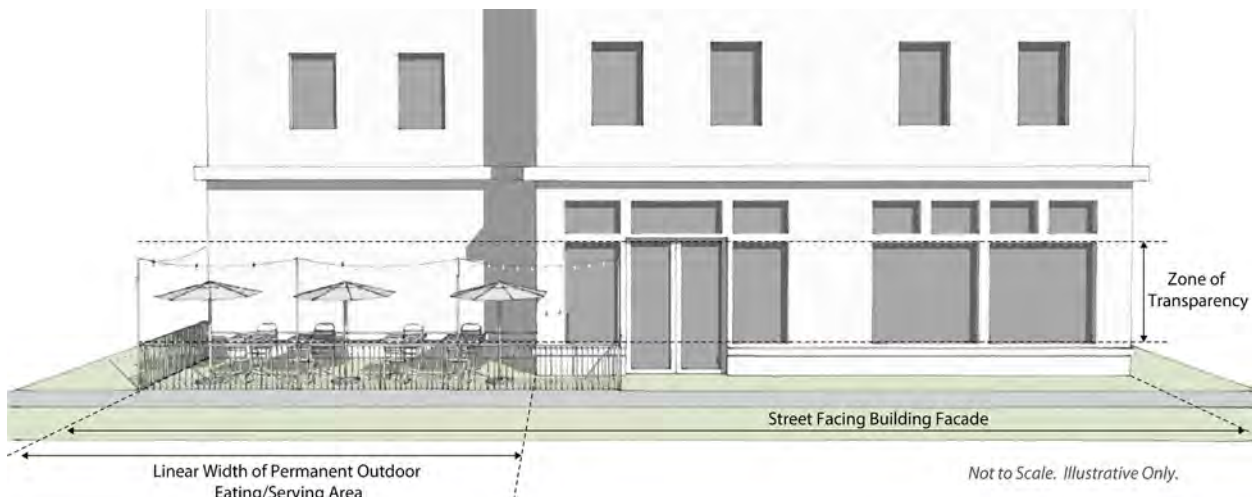


*Green Screen, Vertical Scaling Elements, and Change in Wall Plane create a system of wall design elements.

d. Permanent Outdoor Eating/Serving Areas

- i. Permanent accessory outdoor eating/serving areas shall be located between the building and the Primary Street or Side Street zone lot line depending on which transparency standard (Primary or Side Street) the alternative is applied toward.
- ii. Outdoor eating/serving areas are measured as the linear width (in feet, measured to the outside posts or railings of an outdoor eating/serving area), divided by the total length of the same street-facing building façade (including any open parking structure entrances).

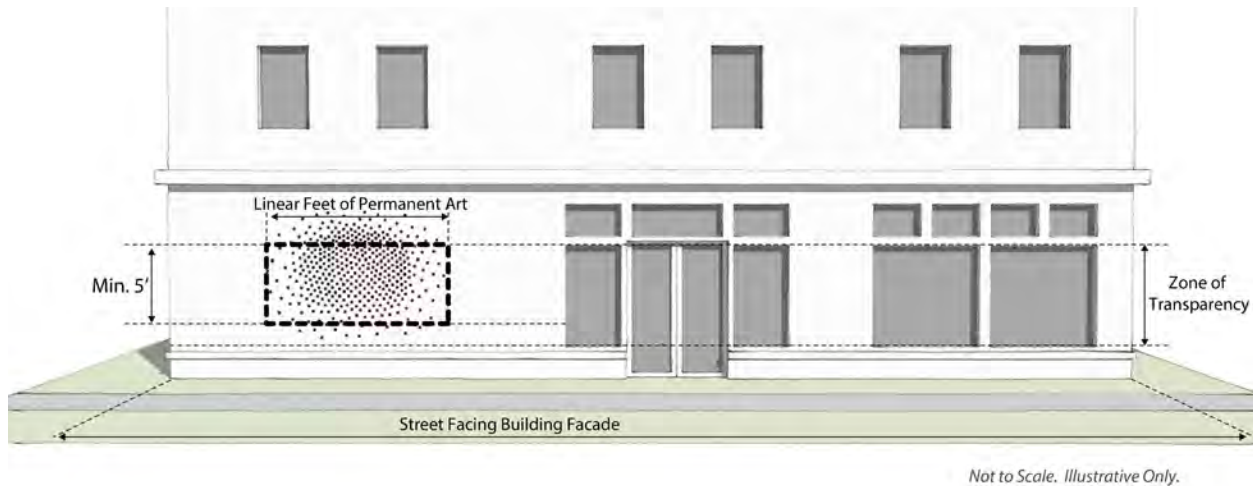
Figure 13.1-8892



e. Permanent Art

- i. Permanent art shall comply with all of the following standards:
 - a) Shall be a “work of public art” as defined by Section 20-86 of the Denver Revised Municipal Code, as determined by the Zoning Administrator, with input from Denver Arts and Venues,
 - b) Shall be a minimum of 5 feet in vertical dimension within the Zone of Transparency (permanent art may extend outside the Zone of Transparency),
 - c) Shall not be a Sign, unless permitted according to Section 10.10.3.2.J as a Sign which is a work of public art.
 - d) Shall be rendered in materials or media that are durable in an exterior, urban environment; and
 - e) Shall be permanently integrated into, or installed on, the building wall.
- ii. Permanent art is measured as the total linear width (in feet) of rectangles enclosing distinct artworks provided within the Zone of Transparency, divided by the total length of that same street-facing building façade (including any open parking structure entrances). Where more than one piece of art is used, the linear width (in feet) of each piece of art is measured separately and combined to determine the total linear width of permanent art.

Figure 13.1-8993



6. Changes to Existing Buildings

No existing building shall be altered in such a way that the total linear feet of windows and permitted alternatives in the zone of transparency is reduced below the required amount. If the total linear feet of windows and permitted alternatives in the zone of transparency is already below the required amount, it shall not be further reduced.

B. Pedestrian Access

1. Intent

To provide clear, obvious connections for pedestrians between Primary Streets and primary uses within buildings.

2. Applicability

The Primary Building Form Standards in Articles 3 through 9 specify which type of Pedestrian Access is required for each Primary Building Form. Pedestrian access requirements are provided in this Section 13.1.6.2.B.

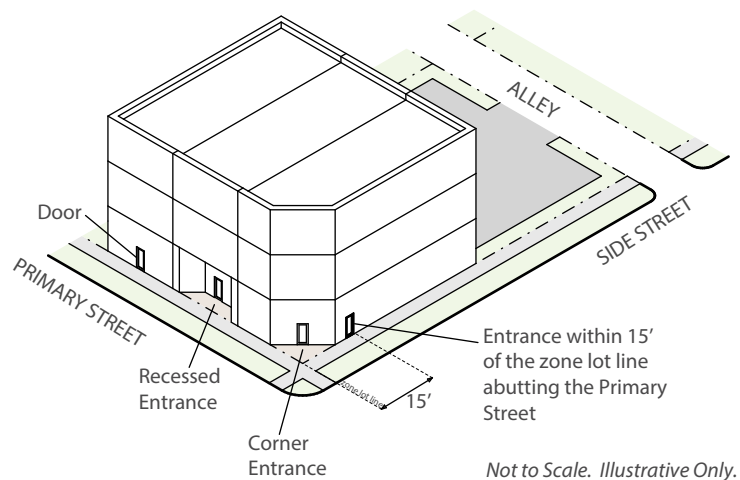
3. Pedestrian Access Requirements

The following are required supplemental standards for each type of Pedestrian Access:

a. Entrance

- i. Where required by the Primary Building Form Standards, an Entrance shall provide a clear, obvious, publicly accessible connection between the Street defined by the building form (Primary and/or Side) and the primary uses within the building.
- ii. For the Garden Court, Town House, and Row House building forms, an entrance shall be street-facing according to the standards specific to such building forms in Articles 3 through 9.
- iii. For all other building forms, an entrance shall be located:
 - a) On the Primary Street facing facade; or
 - b) Located on a Side Street facing facade but entirely within 15 feet of the zone lot line abutting the Primary Street and provided the entrance is clearly visible from the public right-of-way. See Figure 13.1-9094.
- iv. An entrance shall be one of the following three types:
 - a) Door - An entrance on the same plane as the building facade.
 - b) Recessed Entrance - An entrance inset behind the plane of the building facade by no more than 15 feet.
 - c) Corner Entrance - An angled street-facing entrance located on the corner of a building at approximately 45 degrees to the intersecting streets.

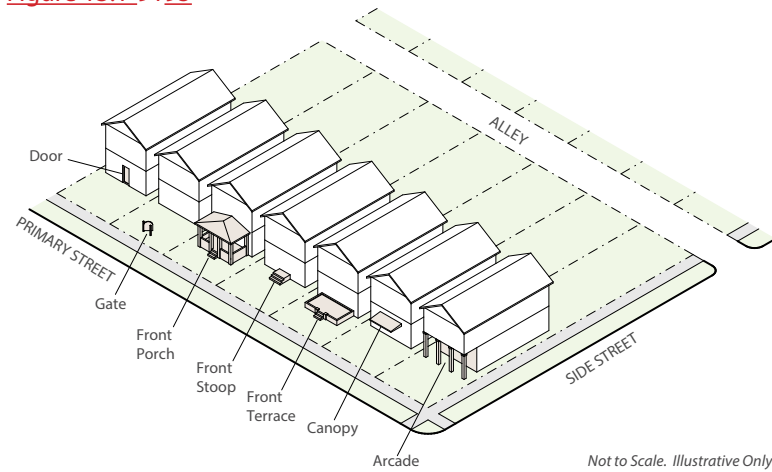
Figure 13.1-9094



b. Entry Feature

- i. Where required by the Primary Building Form Standards, an Entry Feature shall signal the connection between the Primary Street and the primary uses within the building.
- ii. An entry feature shall be located either on the Primary Street facing facade or be visible from the Primary Street. See Figure 13.1-9195.
- iii. An entry feature shall be a Door, Gate, Front Porch, Front Stoop, Front Terrace, Canopy, and/or Arcade

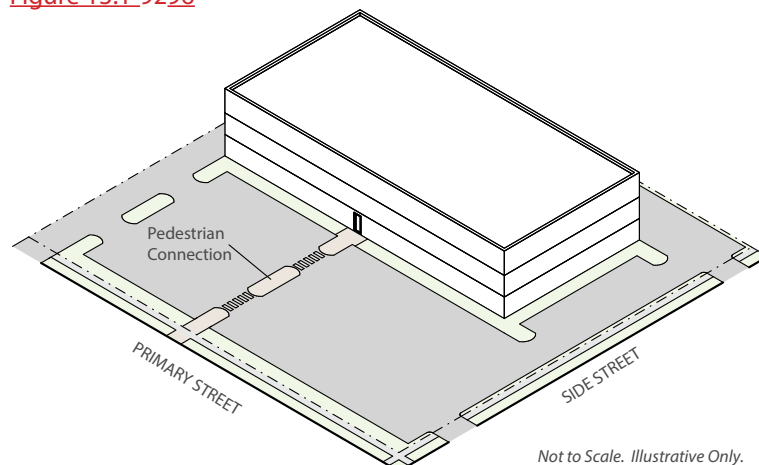
[Figure 13.1-9195](#)



c. Pedestrian Connection

- i. Where required by the Primary Building Form Standards, a Pedestrian Connection shall provide a clear, obvious, publicly accessible connection between the Primary Street and the primary uses within the building. See Figure 13.1-9296. The Pedestrian Connection shall comply with the following:
 - a) Fully paved and maintained surface not less than 5' in width.
 - b) Unit pavers or concrete distinct from the surrounding parking and drive lane surface.
 - c) Located either within a raised median or between wheel stops to protect pedestrians from vehicle overhangs where parking is adjacent.
 - d) The portions of pedestrian connection that cross driveways or drive aisles shall not exceed 25' in length.

[Figure 13.1-9296](#)



4. Pedestrian Access (Entrance) Alternative Requirements

Where permitted, the following design elements may be used as an alternative to a required entrance on all building forms except Row House:

a. Courtyard or Plaza

This alternative may be used only if the courtyard or plaza complies with all of the following standards:

- i. Shall be accessible to public during business hours.
- ii. Shall be within 2' of grade at edge of public right-of-way.
- iii. The Entrance shall not be a distance from the public right-of-way more than 3 times the width of the space measured at the primary street facing facade.
- iv. Maximum dimension shall not exceed 3 times the minimum dimension.
- v. Required public Entrance shall be visible from the public right-of-way.
- vi. Perimeter walls of court or plaza shall meet primary facade transparency standards.

Figure 13.1-9397

Not to Scale. Illustrative Only.



b. Covered Walkway

This alternative may be used only if the covered walkway complies with all of the following standards:

- i. Shall take the form of an Arcade, Canopy, or Pergola.
- ii. Shall be accessible to the general public during business hours.
- iii. Shall provide continuous covered access to a required Entrance from the public right-of-way.
- iv. A required public Entrance shall be visible from the Primary Street zone lot line.

Figure 13.1-9498

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CITY COUNCIL REDLINE DRAFT 05/25/16**

- iii. Overall structure length
 - iv. Pedestrian access, primary structure
 - v. Private open space
 - vi. Mass reduction
 - vii. Limitation on Visible Parking Above the Street Level
- d. Use Building Form Standards
2. The legally established structure was conforming under Former Chapter 59 on June 24, 2010, but does not currently comply with Denver Zoning Code “building height standards,” “siting form standards,” or “design element form standards,” as those terms are defined in Article 13.

Structure, Nonconforming: A structure or building that was lawful prior to the adoption, revision, or amendment to this Code, but which fails by reason of such adoption, revision, or amendment, to conform to the present requirements for a conforming structure or a compliant structure in the Zone District in which such structure or building is located.

Structure - Group C:

Structure, Accessory: A subordinate structure located on the same zone lot with the primary building, structure, or use, and which is incidental and customary to the primary building, structure, or use. Accessory structures include man-made structures with walls and roofs, along with man-made structures with no walls or no roofs,, including, but not limited to detached garages, fences, walls, gazebos, decks and patios.

Structure, Detached: Any structure having no party wall or common wall with another structure. Bridges, tunnels, breezeways and other similar means of connecting one (1) structure to another shall not, for the purpose of this Code, be considered to constitute a party wall or common wall. See Detached accessory dwelling unit, Detached garage and Detached utility building.

Structure, Permanent: A structure that is built of such materials and in such a way that it would commonly be expected to last and remain useful for a period of time.

Structure, Permitted: A structure meeting all the requirements established by this Code for the Zone District in which the structure is located.

Structure, Primary: The main or primary structure or building in which the primary use of a property is conducted or operated.

Structure, Principal: See “Structure, Primary.”

Structure, Residential: Any building or part of a building constructed with or as sleeping accommodations for a person or group of persons. Other housekeeping accommodations also may be provided.

Structure, Temporary: A structure that is built of such materials and in such a way that it would commonly be expected to have a relatively short life, or is built for a purpose that would commonly be expected to be relatively short, or any structure intended for nonpermanent use or occupancy.

Studio, Professional: A specific type of arts, recreation and entertainment service use. A place where works of art are created, displayed and/or sold, and/or where instruction of the arts to students occurs in the fields of painting, drawing, sculpture, etching, craft work, fine arts, photography, music, or similar fields; but not including health treatment.

REZONING GUIDE

Proposal Page 1 of 2



Zone Map Amendment (Rezoning) - Legislative Rezoning Proposal

PROPERTY OWNER INFORMATION		REPRESENTATIVE*	
Property Owner Name	Multiple owners	Representative Name	Councilman Albus Brooks - legislative rezoning
Address		Address	3280 Downing Street
City, State, Zip		City, State, Zip	Denver, CO
Telephone		Telephone	720-337-7709
Email		Email	albus.brooks@denvergov.org
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	Multiple properties generally located in or near the Arapahoe Square neighborhood at the northeast edge of Downtown Denver - refer to map on page 2.		
Assessor's Parcel Numbers:	Multiple		
Area in Acres or Square Feet:	Approx. 96 acres		
Current Zone District(s):	D-AS; C-MX-12 UO-1, UO-2		
PROPOSAL			
Proposed Zone District:	D-AS-12+; D-AS-20+; C-MX-3; C-MX-5; C-MX-8		
REVIEW CRITERIA			
General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.13	<input checked="" type="checkbox"/>	Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan	
		Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.	
	<input checked="" type="checkbox"/>	Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.	
	<input checked="" type="checkbox"/>	Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.	

Last updated: June 20, 2014

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2016I-00035

201 W. Colfax Ave., Dept. 205

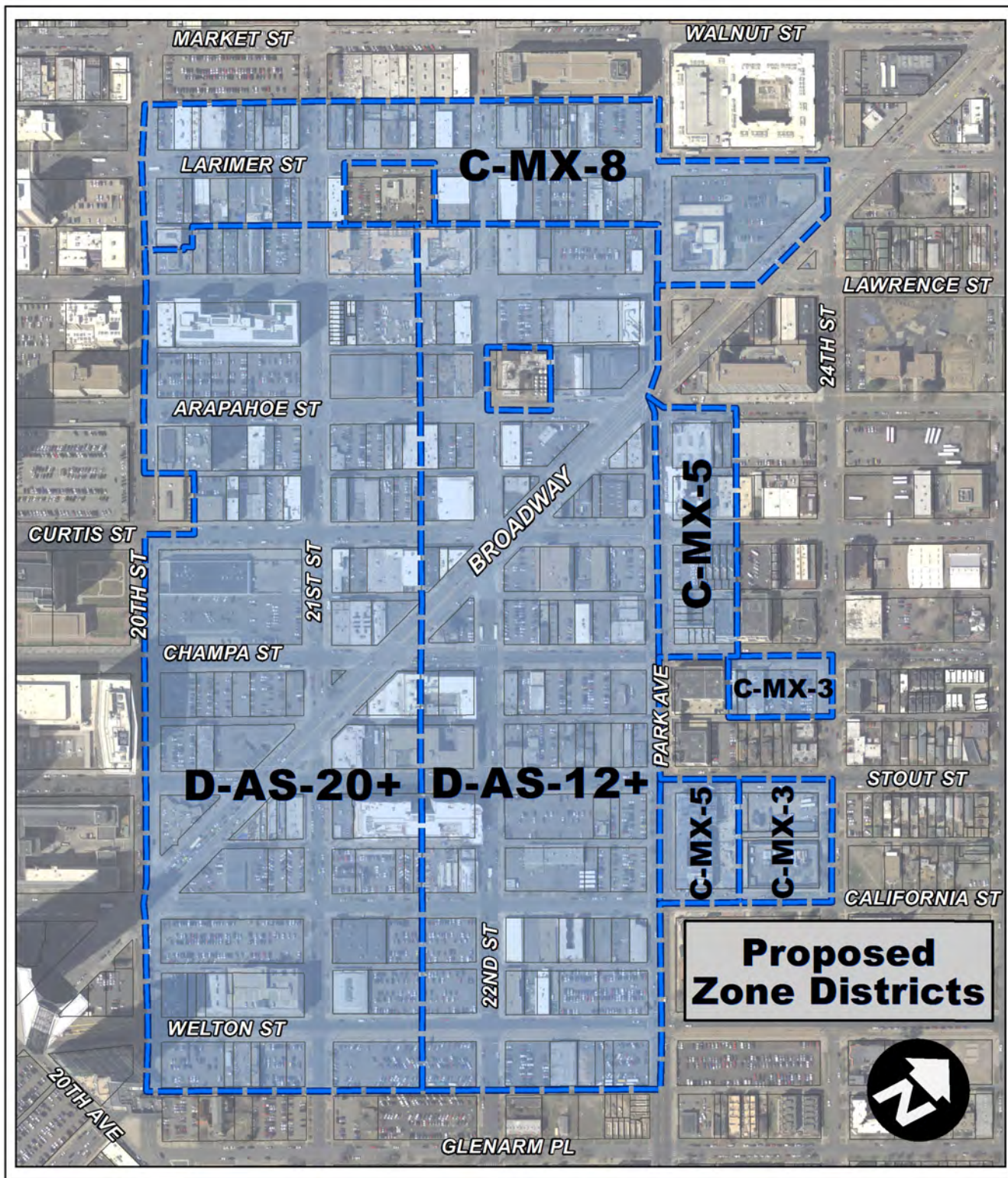
Denver, CO 80202

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April 4, 2016 fees waived per 12.4.10.4.A.1.a

REZONING GUIDE

Proposal Page 2 of 2



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2016I-00035

April 4, 2016 fees waived per 12.4.10.4.A.1.a



THE HONORABLE
Albus Brooks
COUNCILMAN DISTRICT 9

City and County of Denver
CITY COUNCIL

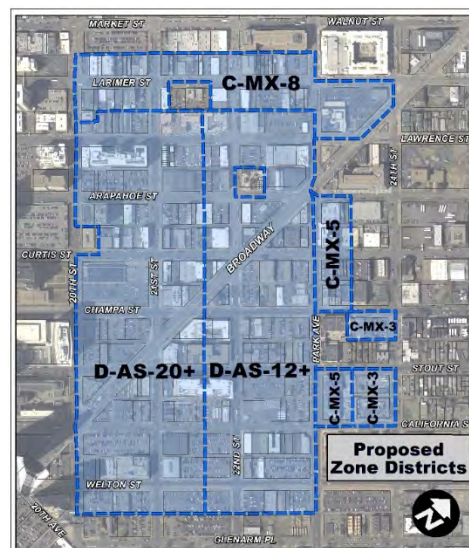
Elbra M. Wedgeworth Municipal Building
2855 Tremont Place, Suite 201
Denver, CO 80205
p: 720.337.7709
albus.brooks@denvergov.org

April 4, 2016

Mr. Brad Buchanan
Executive Director
Community Planning & Development
201 W. Colfax
Denver, Colorado 80202

Dear Mr. Buchanan,

As the Councilman for District 9, I am writing to request that City Planning and Development (CPD) initiate the legislative map and text amendments for the newly proposed Downtown Arapahoe Square zone districts (D-AS-20+ and D-AS-12+). The map amendment will include the area and zone districts shown in the map below.



The proposed zone districts are a result of a robust 16-month process with CPD Staff, Arapahoe Square Task Force and the public. Each component of the zoning has been thoughtfully considered by the task force to reach a final consensus of the proposed zoning. I am confident that the result of this work has ensured a zoning proposal that will conform to the recommendations of the Northeast Downtown Neighborhoods Plan (2011) and further the vision for Arapahoe Square. As a result, I believe that there is substantial community support for this map amendment application for which I will sponsor.

Please contact me with any questions at (720) 337-7709.

Sincerely,

Albus Brooks
Denver City Council, District 9

A part of the Northeast and Northwest One-quarter of Section 34, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado.

That the zoning classification of the area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from **D-AS and C-MX-12 UO-1, UO-2 to D-AS-20+**

That part of East Denver not resubdivided by Clements' Addition to the City of Denver or Stiles' Addition to the City of Denver

Block 63, Lots 17 through 26

Block 64, Lots 17 through 32 Except the rear or Northwestly 58 feet of Lots 17 through 19 and Except the rear of Northwestly 50 feet of Lot 20

All of Block 80

Block 81, Lots 7 through 26

Block 92, Lots 7 through 26

Block 93, Lots 1 through 16 and Lots 21 through 32

All of Block 112 and the Alley vacated by Ordinance 475, Series of 1990

All of Block 113

All of Block 124

All of Block 125

All of Block 144 and All of the Alley vacated by Ordinance 18, Series of 1939

Clements' Addition to the City of Denver

All of Block 124

All of Block 125

All of Block 144 and All of the Alley vacated by Ordinance 18, Series of 1939

Block 145, Lots 7 through 26

Block 156, Lots 7 through 26

All of Block 157

Block 178, Lots 1 through 16 and that part of Lot A lying North and East of 20th Street and the alley dedicated by Ordinance 127, Series of 1912

Block 179, Lots 7 through 16

Stiles' Addition to the City of Denver

Block 113, Lots 7 through 26

Block 124, Lots 7 through 26

In addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

A part of the Northeast and Northwest One-quarter of Section 34, Township 3 South, Range 68 West, and a part of the Southwest One-quarter of Section 27, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado.

That the zoning classification of the area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from **D-AS and C-MX-12 UO-1, UO-2 to D-AS-12+**

That part of East Denver not resubdivided by Steck's Addition to Denver, Clements' Addition to the City of Denver or Stiles' Addition to the City of Denver

Block 62, Lots 17 through 32
Block 63, Lots 27 through 32
Block 81, Lots 1 through 6 and Lots 27 through 32
Block 82, Lots 1 through 16 and Lots 23 through 32
All of Block 91
Block 92, Lots 1 through 6 and Lots 27 through 32
Block 113, Lots 2 through 6

Clements' Addition to the City of Denver

Block 145, Lots 1 through 6 and Lots 27 through 32
All of Block 146
All of Block 155
Block 156, Lots 1 through 6 and Lots 27 through 32
Block 179, Lots 1 through 6
Block 180, Lots 1 through 16

Stiles' Addition to the City of Denver

All of Block 82
All of Block 91
Block 113, Lots 1 through 6 and Lots 28 through 32
All of Block 114
All of Block 123
Block 124, Lots 1 through 6 and Lots 27 through 32
Block 145, Lots 1 through 6
All of Block 146
All of Block 155

Steck's Addition to Denver

Block 62, Lots 17 through 32
Block 82, Lots 1 through 4

In addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

A part of the Northwest One-quarter of Section 34, Township 3 South, Range 68 West of the Sixth Principal Meridian, and a part of the Southwest One-quarter of Section 27, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado.

That the zoning classification of the area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from **D-AS to C-MX-8**

That part of East Denver not resubdivided by Steck's Addition to Denver

Block 51, Lots 17 through 32
Block 52, Lots 17 through 32
Block 62, Lots 12 through 16
Block 63, Lots 1 through 4 and Lots 15 and 16
Block 64, Lots 1 through 16, the rear or Northwesterly 58 feet of Lots 17 through 19, and the rear or Northwesterly 50 feet of Lot 20

Steck's Addition to Denver

Block 52, Lots 27 through 32
Block 53, Lots 17 through 32
Block 61, Lots 1 through 29
Together with the Alley in Block 61 vacated by Ordinance 513, Series of 1985
Block 62, Lots 1 through 16

Map of Davis Addition to Denver

Block 61, Lots 1 through 4 and Lots 24 through 30,
Together with the portion of the Alley in Block 61 vacated by Ordinance 513, Series of 1985 adjacent to said Lots 1 through 4 and said Lots 24 through 30

In addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

A part of the Northeast One-quarter of Section 34, Township 3 South, Range 68 West, of the Sixth Principal Meridian, City and County of Denver, State of Colorado.

That the zoning classification of the area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from **D-AS to C-MX-5**

Stiles' Addition to the City of Denver

Block 90, Lots 10 through 23

Block 115, Lots 10 through 23

Block 147, Lots 10 through 23

Together with the portion of the Alley in Block 147 vacated by Ordinance 56, Series of 1936, adjacent to said Lots 10 through 23,

In addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

A part of the Northeast One-quarter of Section 34, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado.

That the zoning classification of the area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from **D-AS to C-MX-3**

Stiles' Addition to the City of Denver

Block 122, Lots 1 through 10

Block 147, Lots 1 through 9 and Lots 24 through 32

Together with the portion of the Alley in Block 147 vacated by Ordinance 56, Series of 1936, adjacent to said Lots 1 through 9 and said Lots 24 through 32

In addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

Community Comments Summary

ARAPAHOE SQUARE ZONING + DESIGN STANDARDS & GUIDELINES

This document summarizes community comments on the proposed zoning and design standards/guidelines for the Arapahoe Square neighborhood. It includes information on opportunities for the public to provide comments and outlines key themes in the comments provided to date. It also includes attachments with specific public comments received to date.

Opportunities for Community Comment

The project included a number of opportunities for community members to interact with City staff and the Arapahoe Square technical task force to ask questions and provide comments. Key opportunities for community comment are summarized below. See “Additional Opportunities for Comments” on the next page for future opportunities to comment.

- **A Community Open House** at the Stout Street Health Center on March 9, 2016 was attended by over 50 residents and other stakeholders (as shown at right). City Councilman Albus Brooks and the City staff project manager presented project objectives and key proposals. Participants then rotated through six stations related to major project components to ask questions and provide comments.
- **Office Hours** were provided for one-on-one drop-in conversations with the public and other stakeholders on three days following the community open house. Office hours were held at the Mile High United Way on Park Avenue West and at the Wellington Webb municipal building on Colfax.
- **Technical Task Force Meetings** for the project were open to the public. Each of the 12 task force meetings in 2015 and 2016 were posted to the project web site and noticed to the Arapahoe Square zoning update email list.
- **The Project Web Site** at www.DenverGov.org/ArapahoeSquare was regularly updated to include information regarding upcoming meetings and draft proposals. The web site includes an archive with detailed summaries of all project meetings and events.



Key Community Comment Themes

Community members provided a wide range of comments on the proposed zoning and design standards/guidelines for Arapahoe Square. Comments were generally supportive of many components of the proposals, such as tools to promote quality design, but were more divided on other components, such as the proposed maximum building heights to implement *Northeast Downtown Neighborhoods Plan* recommendations.

- **Excitement Regarding the Neighborhood’s Potential.** Many comments express excitement regarding the potential for Arapahoe Square to become the densely-populated, vibrant, mixed-use neighborhood envisioned by the 2011 *Northeast Downtown Neighborhoods Plan*.
- **Support for Promoting a Pedestrian-oriented Neighborhood.** Many comments support the proposed zoning requirements and design standards/guidelines that promote Arapahoe Square as a pedestrian-oriented neighborhood. Proposed design standards and guidelines related to streetscape and street level building design received especially favorable comments.

FOR MORE INFORMATION

Contact: Abe Barge, Senior City Planner
abe.barge@denvergov.org

www.DenverGov.org/ArapahoeSquare

Key Community Comment Themes (continued)

- **Support for Promoting Quality, Human-Scaled Design.** Many comments support the proposed massing, articulation, upper-story setback, transparency and building material standards that are intended to promote quality, human-scaled design. Some comments indicate that the standards should also apply to some alley-facing facades.
- **Support for Promoting Context-sensitive Design.** Many comments support the concept for 21st Street as a special “park-like” corridor, as well as recommendations for high-quality, “four-sided” design on facades facing historic districts.
- **Interest in Community Gathering Spaces.** Some comments express interest in promoting more community gathering spaces, including parks and private open spaces, such as courtyards or plazas that receive sunlight.
- **Support for Flexible Design Options.** Some comments indicate that the flexible design options (such as the variety of building forms, flexible build-to ranges and upper-story setback alternatives) included in the proposed system are appropriate to encourage development.
- **A Diversity of Opinions on Building Heights in Arapahoe Square.** A number of comments support the proposed maximum building heights for Arapahoe Square as recommended in the *Northeast Downtown Neighborhoods Plan*, while others say that there should be no limit on building heights, or that heights should not exceed the height of the tallest existing buildings (about 12 to 16 stories).
- **Interest in Providing a Height Transition Adjacent to the Clements Historic District and St. Andrew’s Church.** Some open house comments and a number of emails indicate that specific height transitions should be required along the boundary between Arapahoe Square and the Clements Historic District to the southeast (note that the *Northeast Downtown Neighborhoods Plan* proposed height map does not indicate specific height transitions). Several comments express concern regarding the possibility of an approximately 30-story Point Tower adjacent to St. Andrew’s church at 20th and Lincoln Streets (note that the proposed D-AS-20+ zoning would allow for a slender 375 foot tall Point Tower at 20th and Welton Streets, near St. Andrew’s church and across 20th Street from the existing 380 foot tall One Lincoln Park tower).
- **Diversity of opinions on Building Heights in Curtis Park.** Comments are divided regarding proposed zone district mapping to implement *Northeast Downtown Neighborhoods Plan* recommendations for a three story height transition in the portion of Curtis Park that is currently zoned D-AS (Downtown Arapahoe Square), but is not part of the Arapahoe Square neighborhood. A number of comments at the open house and task force meetings indicated that further study and discussion is needed before proposing to implement a three story height transition. However, many letters and emails express support for the plan-recommended height transition to three stories for development that is not near Park Avenue West.
- **Interest in Preserving Access to Sunlight.** Several comments express concern regarding the impact of tall building heights on access to sunlight for open spaces or solar energy systems.
- **A Diversity of Opinions on Parking.** Several comments express concern regarding the proposal to remove minimum vehicular parking requirements (similar to existing rules in the Downtown Core) and create height incentives to limit visible structured parking, while other comments say that removing parking requirements could support more affordable construction.

ADDITIONAL OPPORTUNITIES FOR COMMENTS

As of the date of this document, additional opportunities to provide comments on the project include:

- » June 27 (tentative): City Council Public Hearing on Zoning Text and Map Amendments
- » Letter, email or phone call

See www.DenverGov.org/ArapahoeSquare for addresses and additional information.

ATTACHMENTS TO THIS DOCUMENT

Specific public comments received to date are attached to this document. They include:

- » **Open House Posters** annotated with comments provided on post-it notes by participants in the March 9, 2016 community open house
- » **Open House Worksheets** with participant comments
- » **Letters and Emails** received as of the date of this document

INTRODUCTION TO THE PROPOSED ARAPAHOE SQUARE ZONING AND DESIGN STANDARDS/ GUIDELINES

How We Got Here

1996

B-8-A zoning created for Arapahoe Square

1998

Arapahoe Square/B-8-A Design Standards and Guidelines adopted



2007

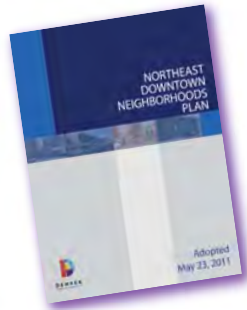
Adoption of the Downtown Area Plan



2010

Adoption of the Denver Zoning Code

Zoning for Arapahoe Square (B-8-A) transferred to DZC but is not updated beyond the name change to D-AS (Downtown- Arapahoe Square)



2011

Adoption of the North East Downtown Area Plan

Recommended a form based zoning study and review of the design review process

"Enhance Urban Design in Arapahoe Square" p. 66

"Buildings should add visual interest and pedestrian scale to the public realm" p. 66

"The mix of building forms in Arapahoe Square should include the podium and point tower, apartment, courtyard apartment and general building types" p. 66

"A five-story height datum line for upper story setbacks is recommended for all structures in Arapahoe Square over five stories to produce the effect that each new building reads as not more than five stories at the street level... this is a concept that allows taller **buildings to related to a pedestrian scale**" p. 67

"Height variations should be based on form alternatives rather than use premiums" p. 67

"Promote urban character by minimizing setbacks to provide a consistent street edge and to support pedestrian activity.

Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation, and access to the street" p. 68

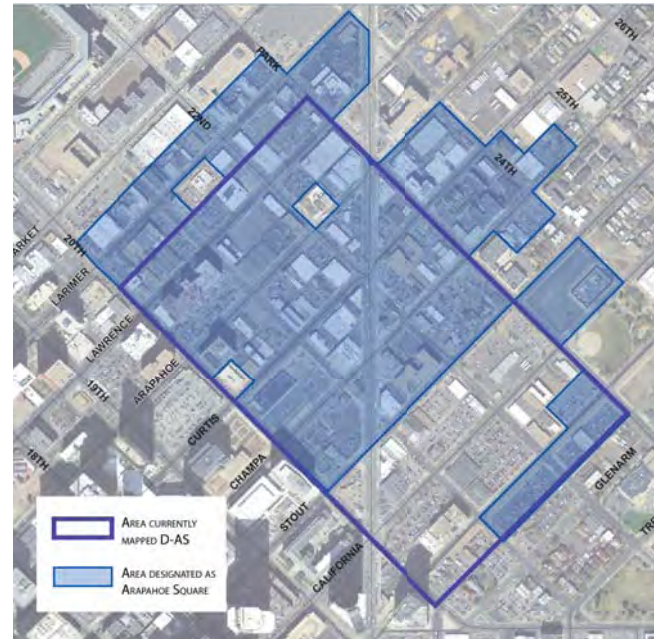
"Minimize the visual impacts of parking by structuring it within the development, or by locating surface lots to the rear or side of buildings" p. 68

"Give prominence to the pedestrian realm as a defining element of neighborhood character. **Locate commercial uses on the ground floors to activate buildings and the street.** Provide transparency and street facing entries to help activate and improve safety on the street. Create **visually interesting and human scaled facades,** and **encourage variation in building form** to provide opportunities for architectural scale relationships" p. 68

ARAPAHOE SQUARE PROJECT AREA

This project looked at areas that:

- Are currently mapped with D-AS (Arapahoe Square Zoning)
- Are in the area designated as "Arapahoe Square" by the Northeast Downtown Neighborhoods Plan.



2015 - 2016

Arapahoe Square Zoning and Design Standards & Guidelines

Project Objectives:

1. Implement 2010 Northeast Downtown Neighborhood Plan Recommendations for Arapahoe Square
2. Update zoning to 2010 form-based code approach
3. Update existing design review system

- Develop the Arapahoe Square Zoning Technical Task Force, a volunteer group of stakeholders including residents, property owners, architects and design professionals
- Develop Building Form Standards
- Address Uses and Parking
- Conduct outside testing of draft building forms
- Develop Design Standards and Guidelines and Design Review Process
- Develop Zoning Map
- Release Public Review Draft
- Community Open House
- Public Adoption Process

INTRODUCTION TO THE PROPOSED ARAPAHOE SQUARE ZONING AND DESIGN STANDARDS/ GUIDELINES

Project Components

THE PROJECT INCLUDES NEW ZONING AND DESIGN STANDARDS & GUIDELINES TO PROMOTE:

1. Building heights that transition from downtown
2. A vibrant neighborhood with a mix of building forms
3. A pedestrian-oriented neighborhood
4. Quality, human-scale design that promotes a sense of place
5. Context-sensitive design



PUBLIC COMMENTS ON THE PROPOSED DESIGN REVIEW PROCESS:

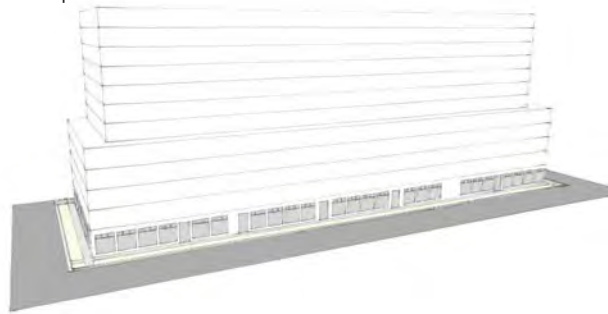
- Put a time limit on the SDP review process. Multiple review processes can kill a project.
- The DAB needs to have a neighborhood representative from Curtis Park or Clements.
- The DAB should have more than one resident from different income brackets.

WHAT DOES THE ZONING ADDRESS?

As illustrated at right, the proposed zoning requirements shape the basic building form.

Prescriptive zoning requirements address:

- Height
- Build-to
- Street level & upper-story setbacks
- Parking location
- Street level transparency
- Permitted uses



WHAT DO THE DESIGN STANDARDS & GUIDELINES ADDRESS?

As illustrated at right, the proposed Design Standards & Guidelines inform a case-by-case design review process. A new Design Advisory Board (DAB) composed of architects, landowners and residents will review proposed projects using the Design Standards & Guidelines to ensure high-quality, context sensitive design.

Qualitative design standards and guidelines address:

- Building placement & open space
- Vehicular access and parking
- Building massing & articulation
- Building materials & transparency
- Scale transitions
- Signs
- Special consideration for key streets



PROPOSED DESIGN REVIEW PROCESS



1

BUILDING HEIGHTS THAT TRANSITION FROM DOWNTOWN

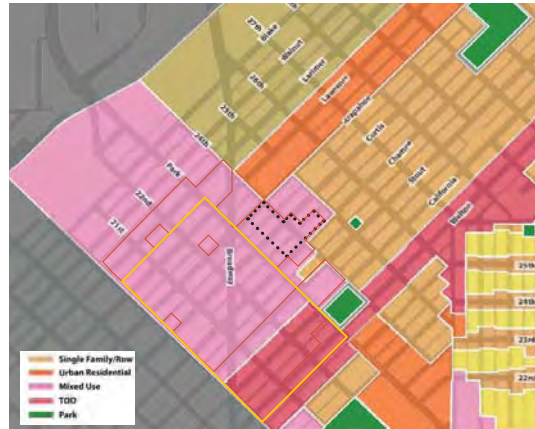
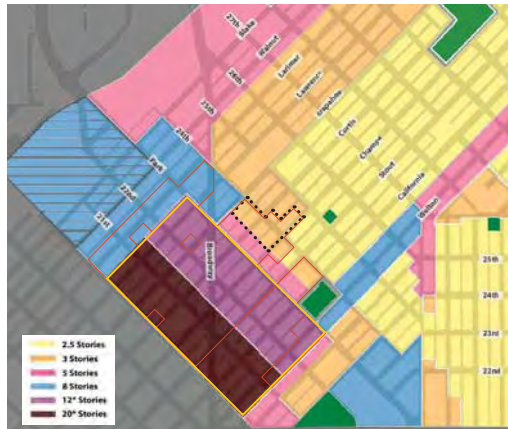
Proposed Mapping

NE DOWNTOWN PLAN RECOMMENDATIONS

COMMENTS

HEIGHT RECOMMENDATIONS

LAND USE RECOMMENDATIONS



PUBLIC COMMENTS RELATED TO THE AREA PROPOSED FOR D-AS ZONING:

Even if we lost our valuable views, we would support this intentional height from for the more renewed development of Arapahoe Square.

No height limits! This place is for tall buildings.

12-20 stories seems too tall. Folks in the historic neighborhood to the west will not no longer see the mountains. This city needs a height cap.

I oppose changing the existing height zoning, especially above 12 stories.

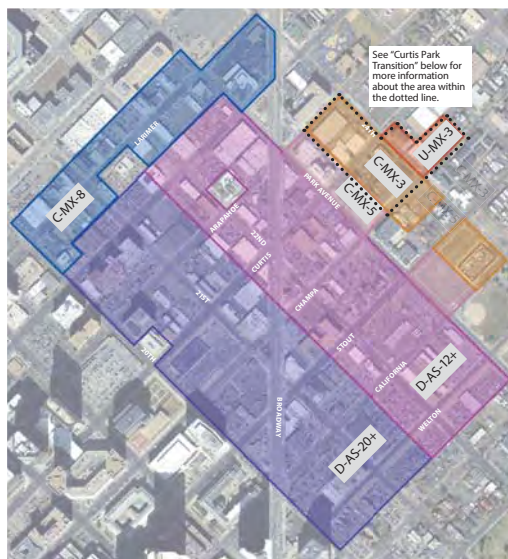
Buildings in AS should not rise above the tallest buildings that already exist. Limit to 20 tops 12 tops.

22nd and California - Solar Access

Is there a way to zone out the homeless shelters?

PROPOSED ZONE DISTRICT MAPPING

IMPLEMENTING PLAN RECOMMENDATIONS



The proposed zone district map at left closely follows recommendations of the NE Downtown Neighborhoods Plan, including:

"Arapahoe Square's urban design needs to create an identifiable character and successfully transition between areas that range from high intensity commercial and mixed-use districts to lower intensity and historic single-family neighborhoods" p. 64

"Building height will be highly varied depending on location, form and use of buildings" p. 67

"The concept building height map makes use of mid-block transitions between 21st and 22nd streets as well as Park Avenue and 24th Street to step down building heights. The height transition should occur somewhere in the block between the identified streets" p. 69

PUBLIC COMMENTS RELATED TO THE AREA OUTSIDE OF ARAPAHOE SQUARE:

The zoning on the east side of Park Avenue should not exceed 3 stories.

Parcels that extend onto Curtis Park, especially 2400 blocks of Curtis and Champa absolutely should not exceed 3 stories.

Curtis Park Neighbors DID NOT SEEK input from neighbors or the neighborhood. The decision was made by a small group of individuals. They CANNOT do this just to help a single land owner (Larry Bell) make more \$\$ when he sells his property.

In Curtis Park, do 3 stories and then set back for two more stories, so 5 stories total.

Curtis Park Neighborhood Board voted to leave 5 stories between Curtis to Champa, Park Avenue to 25th.

Curtis Park Neighbors recommends NOT down zoning northeast of Champa. More discussion needed.

I am the only underdeveloped property owner besides La Fiesta or be down-zoned, really? The neighborhood supports 5 stories - Larry Bell.

I live at 24th and Champa and would like the C-MX-3 and U-MX-3 to be C-MX-5 and U-MX-5.

CURTIS PARK TRANSITION

IMPLEMENTING PLAN RECOMMENDATIONS



The Arapahoe Square Technical Task Force is evaluating zone district mapping options for the area of Curtis Park within the dotted line on the maps above and at left to reflect concerns regarding the relationship of existing to planned zoning entitlement.

The proposed zone district map closely follows recommendations of the NE Downtown Neighborhoods Plan, including:

- A.3 Low Intensity Development in Residential Neighborhoods (p. 20) In areas with established residential neighborhood character, including Curtis Park, San Rafael, and the neighborhood edge east of Downing Street:
 - Maintain the current mix of low scale building forms such as urban house, duplex and row house.
 - Allow new development to replicate existing development patterns, including small lots, shallow setbacks and high building coverage with parking and access in the rear/off the alley.
 - Make use of entry features that connect the building and front yards to the street.
 - Allow a mix of land uses consisting primarily of residential uses with limited neighborhood-serving commercial.
 - Encourage the use of streetscape elements that promote residential character and pedestrian and bicycle use, such as detached sidewalks, pedestrian scale lighting, and tree lawns.



2 A VIBRANT NEIGHBORHOOD WITH A MIX OF BUILDING FORMS

General Building Form

INTENT OF THE GENERAL BUILDING FORM (ZONING P. 8.7-10 - 8.7-11)

This base building form provides the greatest design flexibility to meet the objectives of the Northeast Downtown Neighborhoods Plan (NEDP), but has a lower height limit than other allowed building forms.

As illustrated below, proposed zoning requirements that apply to this building form include:

- Build-to (requires buildings near the sidewalk edge)*
- Upper story setback*
- Street level use requirements
- Maximum height limit in stories and feet

*May vary depending on the street. See Key Streets for more information.

This building form allows flexibility for:

- Row houses or other smaller-scale buildings
- Buildings with structured parking that is not wrapped with other uses (note that the Design Standards & Guidelines address the design of structured parking)



Allows a wide variety of building types
 Promote a mix of building forms (NEDP)



*Upper Story Setback standards vary depending on the street, see Key Streets for more information.

** Allows structured parking that is not wrapped with another use. Note that the proposed zoning does not have minimum vehicle parking requirements.

COMMENTS

PUBLIC COMMENTS:

There should be a minimum parking requirement, parking is an issue already.

For sites that are not full depth, 125' min frontage may not be enough. Suggest 8 lots.

Give developers more flexibility if they activate the alley.



Arapahoe Square

Zoning and Design Standards & Guidelines



2 A VIBRANT NEIGHBORHOOD WITH A MIX OF BUILDING FORMS

General with Height Incentive

INTENT OF THE GENERAL WITH HEIGHT INCENTIVE BUILDING FORM (P. 8.7-12 - 8.7-13)

COMMENTS

This building form allows greater building height (about 4 or 8 more stories depending on the district) as an incentive to limit the visibility of structured parking to meet the objectives of the Northeast Downtown Neighborhoods Plan (NEDP) for a pedestrian-oriented neighborhood.

As illustrated below, proposed zoning requirements that apply to this building form include:

- Build-to (requires buildings near the sidewalk edge)*
- Upper story setback*
- Street level use requirements
- Maximum height limit in feet only (no limit on stories)
- Limitation on visibility of structured parking above the street level

*May vary depending on the street. See Key Streets for more information.



PUBLIC COMMENTS:

The city should not incentive larger buildings with less parking. Parking and traffic are already a problem.

This is a great, intentional way to regulate an inevitable shift in Arapahoe Square building height. Enthusiastic Support!

For properties within a developed block, there should be some guidance that new buildings be in context with the existing buildings.

Incentive regarding 5th level setback to vary based on daylight and hidden parking.

Solar panel protection. Clean energy matters.

Allows a wide variety of building types
Promote a mix of building forms (NEDP)



Maximum Height in Feet
150' (approx. 12 stories) towards Curtis Park
250' (approx. 20 stories) towards downtown
Provide additional height for form alternatives (NEDP)

Parking Limitation Above the Street Level
70% wrapped by a use other than parking**
Reduce the impacts of structured parking (NEDP)

Upper Story Setback
10' for 65% on typical street*
Provide a datum to relate to the pedestrian scale (NEDP)

*Upper Story Setback standards vary depending on the street, see Key Streets for more information.

**Requires structured parking to be wrapped with another use, located underground, or not provided. Note that the proposed zoning does not have minimum vehicle parking requirements.



Arapahoe Square

Zoning and Design Standards & Guidelines



2 A VIBRANT NEIGHBORHOOD WITH A MIX OF BUILDING FORMS

Point Tower Building Form

INTENT OF THE POINT TOWER BUILDING FORM (ZONING P. 8.7-14 - 8.7-15 & DSG P. 43-44)

COMMENTS

This building form allows significantly greater building height (about 14 or 18 more stories depending on the district) as an incentive to limit the visibility of structured parking and reduce the mass of taller building elements. The form specifically implements Northeast Downtown Neighborhoods Plan (NEDP) objectives a diverse mix of building forms, including tall, slender towers.

As illustrated below, proposed zoning requirements that apply to this building form include:

- Build-to (requires buildings near the sidewalk edge)*
- Upper story setback*
- Street level use requirements
- Maximum height limit in feet only (no limit on stories)
- Limitation on visibility of structured parking above the street level
- Limitation on the floor area of towers elements that rise above the fifth floor

*May vary depending on the street. See Key Streets for more information.

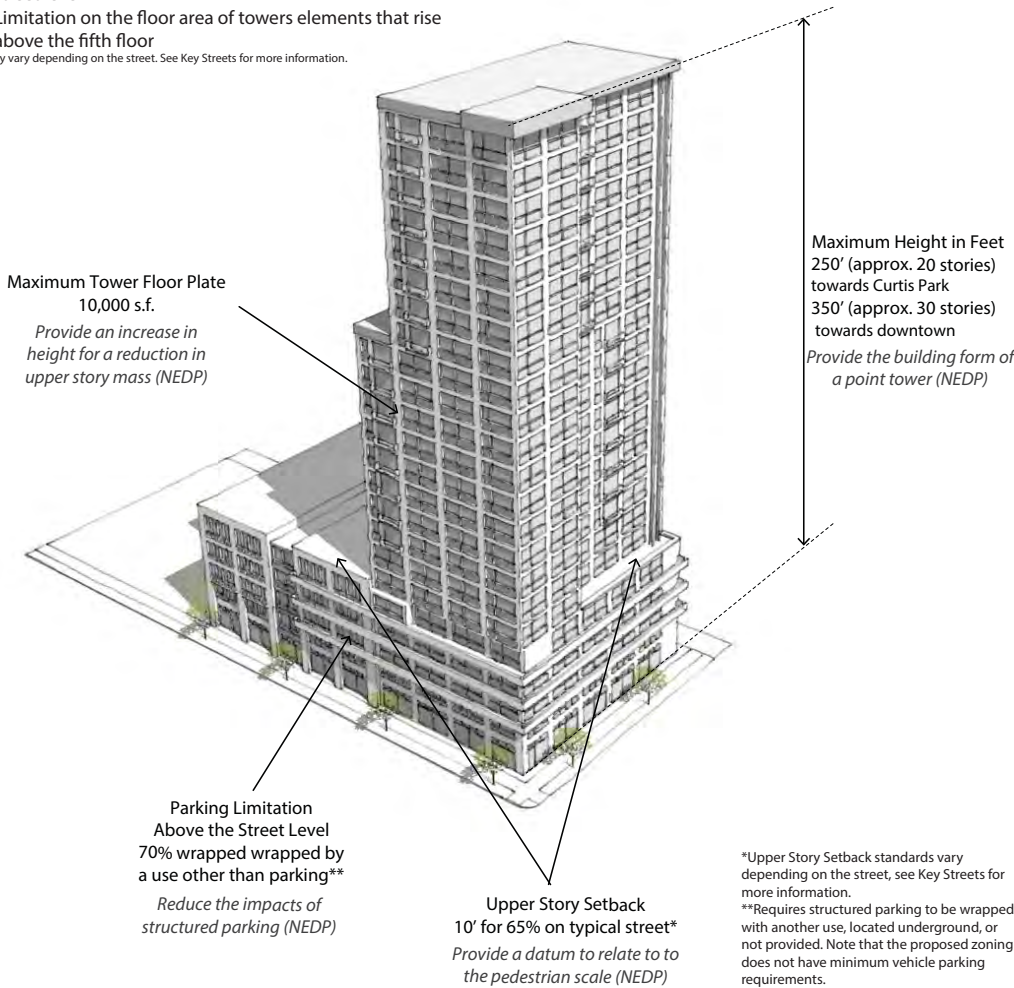


PUBLIC COMMENTS:

An excellent way to add a skyline element to our neighborhood. I'd sacrifice my condo views to see this.

I like the Point Tower

I oppose the Point Tower height change in zoning.



Arapahoe Square
Zoning and Design Standards & Guidelines



Zoning and Design Standards & Guidelines

COMMENTS

PUBLIC COMMENTS:

Looks great! Keep the ground floor active!

Build-to and enhanced setback is important for pedestrian experience and flexibility.



A BUILDING PLACEMENT (ZONING P. 8.7-11 - 8.7-15 & DSG P. 12-13)

Building placement close to the sidewalk creates an interesting urban edge for pedestrians and prevents surface parking from fronting the public realm.

The proposed zoning requires:

- Buildings to be built 0-10 feet from the front property line for at least 70% of the frontage (build-to requirement)*

*Some of these standards vary depending on the street, see Key Streets for more information

The proposed zoning allows flexibility to substitute high-quality open space for a percentage of the build-to requirement.



B TRANSPARENCY AT THE STREET LEVEL (ZONING P. 8.7-11 - 8.7-15 & DSG P. 37-38)

Transparency requirements ensure an appropriate number of glass windows and doors at the street level to create an active, engaging and safe street level experience.

The proposed zoning requires:

- 60% minimum transparency on non-residential buildings
- 40% minimum transparency on buildings that only include residential

The proposed zoning prohibits highly-reflective glass.



C FACADE DESIGN AT THE STREET LEVEL (ZONING P. 8.7-11 - 8.7-15 & DSG P. 35-36)

Thoughtfully designed, pedestrian-friendly, facades include human-scale articulation, scaling features such as awnings or canopies and strategically located pedestrian entrances.

The proposed zoning requires:

- Pedestrian entries
- Transparency (see above)
- Uses other than parking for most of the street level frontage (see below)

The proposed Design Standards & Guidelines promote:

- Features to define the street level
- Articulation
- Substantial floor-to-floor heights



D USES AT THE STREET LEVEL (ZONING P. 8.7-11 - 8.7-15, 87-20 & DSG P. 14-15, 50-52)

Locating active uses at the street level promotes a vibrant pedestrian environment.

The proposed zoning does not allow the following uses for most of the street level:*

- Parking
- Mini-storage
- Automobile services

*For smaller lots, additional flexibility is provided for this limitation

The proposed Design Standards & Guidelines encourage highly active retail uses, such as retail storefronts, cafes, building lobbies and cultural facilities at the street level adjacent to open spaces and along 21st Street.



3 A PEDESTRIAN-ORIENTED NEIGHBORHOOD

Open Space & Streetscape

COMMENTS

PUBLIC COMMENTS:

Bikes need great bike ways.

Excellent! Brings life into a great, dormant neighborhood.

A process for parklets and streetscape needed. Streetscape is the most important for the pedestrian interest.

How do you create community gathering spaces mid-block with views and sunlight?

Maximize rooftop/high level outdoor space.

Trees need to be planted in rectangular beds, not 5'x5' tree coffins.

Develop standards for streetscape. Rectangular planters like 14th Street in Downtown and across from the convention center.

Need more room between sidewalk cafe seating and street for pedestrians. Clear path, accessible is very important. (Wurstkurche was an offender)

5' sidewalks are sufficient on neighborhood streets, but must be wider on commercial or highly traveled areas.

Standards for sidewalk width maintenance with cafes should be reviewed.

Different sidewalk materials would be great for the 21st Street project.



OPEN SPACE & ENHANCED SETBACKS (ZONING P. 8.7-21 & DSG P. 14-15)

Privately-owned open space, where thoughtfully designed and easily accessible to the public, contributes to a vibrant pedestrian experience.

The proposed zoning allows build-to exceptions for pedestrian-friendly features such as courtyards, plazas, and outdoor cafe seating.

The proposed Design Standards & Guidelines promote:

- Safe, attractive places for pedestrians to linger
- Enhanced areas that serve as extensions of the sidewalk
- Open space areas that are activated by uses and building entries



STREETSCAPE (ZONING P. 8.7-21 & DSG P. 60-66)

High-quality, low maintenance streetscaping is an important component of a pedestrian-friendly street.

The proposed Design Standards & Guidelines promote:

- Appropriately spaced street trees to provide shade and buffer pedestrians from the street
- Distinctive paving patterns to help designate the pedestrian zone
- Street furniture and lighting that are designed to create safe, pedestrian-friendly streetscapes



4 QUALITY, HUMAN-SCALED DESIGN

Massing, Articulation, Setbacks

COMMENTS

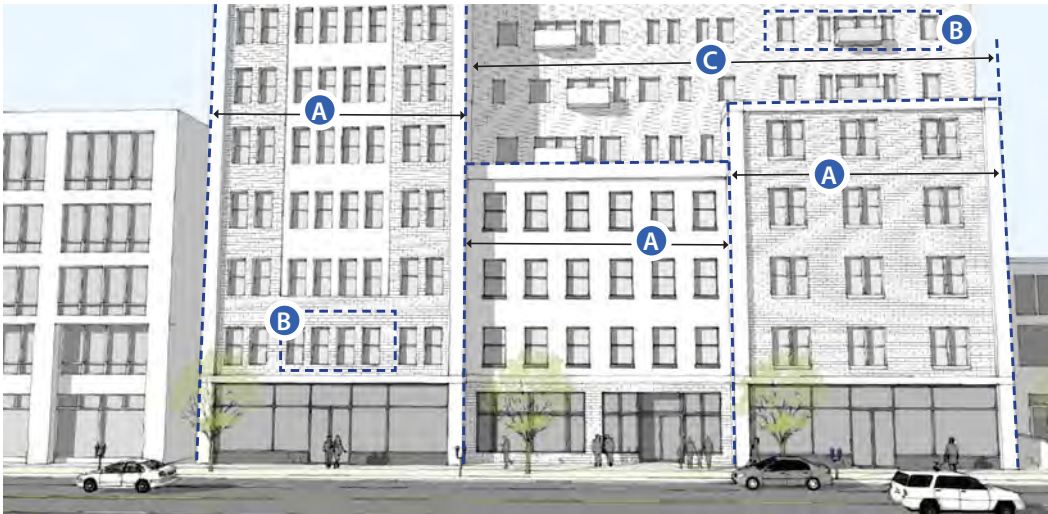
PUBLIC COMMENTS:

Carry design articulation to back alley side. No blank wall with punched windows.

I like the flexibility associated with the setbacks.

So important for guiding the inevitable development of this area. Full support.

Some guidance on the materials section.



A MASSING (DSG P. 26-29)

Design techniques that break down the mass of large buildings into smaller modules are an important tool to promote quality, human-scale design that provides variety and pedestrian interest.

For larger or taller buildings, the proposed Design Standards & Guidelines promote:

- Changes in facade material
- Variations in facade plane
- Changes in the height of building setbacks along the street



B ARTICULATION (DSG P. 30-32)

Facade articulation reinforces building massing techniques and further promotes a cohesive and visual interesting facade.

The proposed Design Standards & Guidelines promote integration of:

- Facade plane changes
- Vertical projections
- Horizontal banding
- Cohesive window groupings and alignment
- Balconies



C UPPER STORY SETBACK (ZONING P. 8.7-11 - 8.7-15 & DSG P. 33-34)

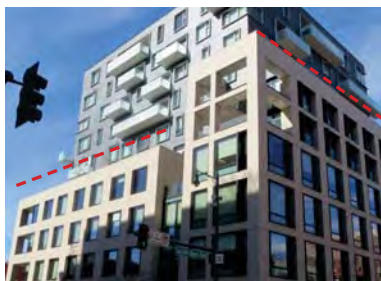
The Northeast Downtown Neighborhoods Plan calls an upper-story building setback (or "Datum") to minimize the impact of taller buildings on the pedestrian realm.

The proposed zoning requires:

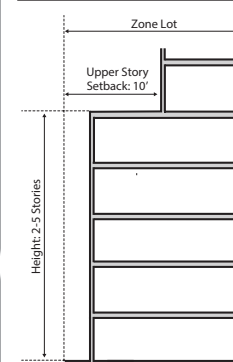
- A minimum 10 foot setback anywhere below the sixth story for most of the building frontage*

The proposed zoning provides flexibility for the location and design of upper-story setbacks to allow flexibility and promote creative approaches.

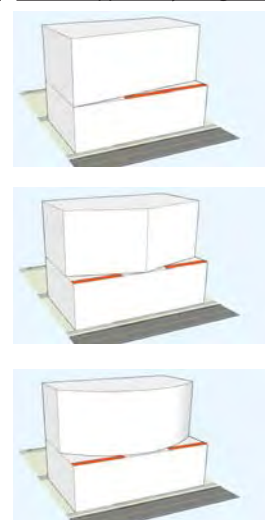
*Some upper-story setback requirements vary depending on the street, see the Key Streets poster for more information.



Setback Measurement



Creative Upper Story Designs



Arapahoe Square
Zoning and Design Standards & Guidelines



MATERIALS (DSG P. 39)

The use and application of durable building materials provide a sense of human scale, increase sustainability and ensure a cohesive facade design.

The proposed Design Standards & Guidelines:

- Allow for a wide range of innovative and creative materials
- Discourage the use of cementitious stucco or fiber cement siding on large facade areas
- Do not allow use of synthetic stucco (EIFS)
- Promote high-quality masonry materials of facades facing a historic district (including alley facades)



TRANSPARENCY (ZONING P. 8.7-11 - 8.7-15 & DSG P. 37-38)

Facades with a high percentage of transparent windows promote a sense of human scale, enhance safety, and add visual interest for pedestrians.

The proposed zoning requires 60% transparency at the street level (40% for an all residential building)

The proposed Design Standards & Guidelines encourage:

- 50% transparency on the lower floors above the street level
- 40% transparency on upper floors
- 25% transparency on upper floors of alley-facing facades (note that any facade facing historic district must meet higher standards)



STRUCTURED PARKING (ZONING P. 8.7-11 - 8.7-15 & DSG P. 41-41)

Building facades that minimize the visibility of structured parking help maintain a sense of human scale and reduce visual impacts on the pedestrian environment.

The proposed zoning incentivizes building forms that wrap above grade parking, or provide all parking below grade.

The proposed Design Standards & Guidelines encourage:

- Use of materials and articulation patterns that are similar to other, non-parking portions of the building
- Creating patterns of openings in the parking structure that reflect the minimum transparency for non-parking facades
- Aligning openings in the parking garage with windows in the upper stories of the building



COMMENTS

PUBLIC COMMENTS:

Keep high transparency on the ground floor.

Use timeless (brick) materials.

I like the idea to limit EIFS and cementitious siding.

5 CONTEXT-SENSITIVE DESIGN

Key Streets

The proposed regulations recognize the importance of several Key Streets throughout Arapahoe Square. This includes variations in zoning build-to and upper-story setback requirements, as well as design standards & guidelines that promote context-sensitive approaches along each Key Street.



COMMENTS

PUBLIC COMMENTS:

Love the "park" street on 21st.

RTD Light rail in its current form is really hurting Welton. We need two-way street to slow down traffic!

21ST STREET

This important corridor is planned to be the signature street for Arapahoe Square. A recent urban design plan for 21st Street reinforces the vision of the street as a high-quality public space with focus on pedestrian and bicycle travel.

- Proposed zoning build-to range is 0-20' to encourage open space
- Proposed zoning upper story setback is 10' at 100% (with additional flexibility to encourage gateway features and strong building elements by the DSG)



20TH STREET & BROADWAY

20th Street is the border between Arapahoe Square and the Central Business District. It is envisioned to have a more urban character common to the Downtown Core. Broadway is a wide arterial that cuts diagonally through Arapahoe Square. North of 20th, and is envisioned as a Grand Boulevard in the city's adopted plans with a high-quality streetscape and pedestrian realm.

- The proposed zoning does not require an upper story setback on 20th or Broadway



PARK AVENUE WEST

This street, at the northeastern edge of Arapahoe Square, is a key transition between Downtown and the Curtis Park neighborhood. This corridor is identified as a Grand Boulevard in the city's adopted plans, with a strong emphasis on the pedestrian experience.

- Proposed zoning upper story setback is 10' for 100% of the frontage (flexibility is provided through design review) to ensure a successful transition to Curtis Park



ARAPAHOE & CURTIS

Both of these streets provide an important pedestrian connection between the Central Business District, Arapahoe Square, and Curtis Park. Arapahoe Street is also an important bike corridor with a protected bike lane.

- Proposed zoning build-to range is 0-15' to encourage enhanced setbacks and open space
- Proposed Design Standards & Guidelines promote pedestrian-oriented streetscape features



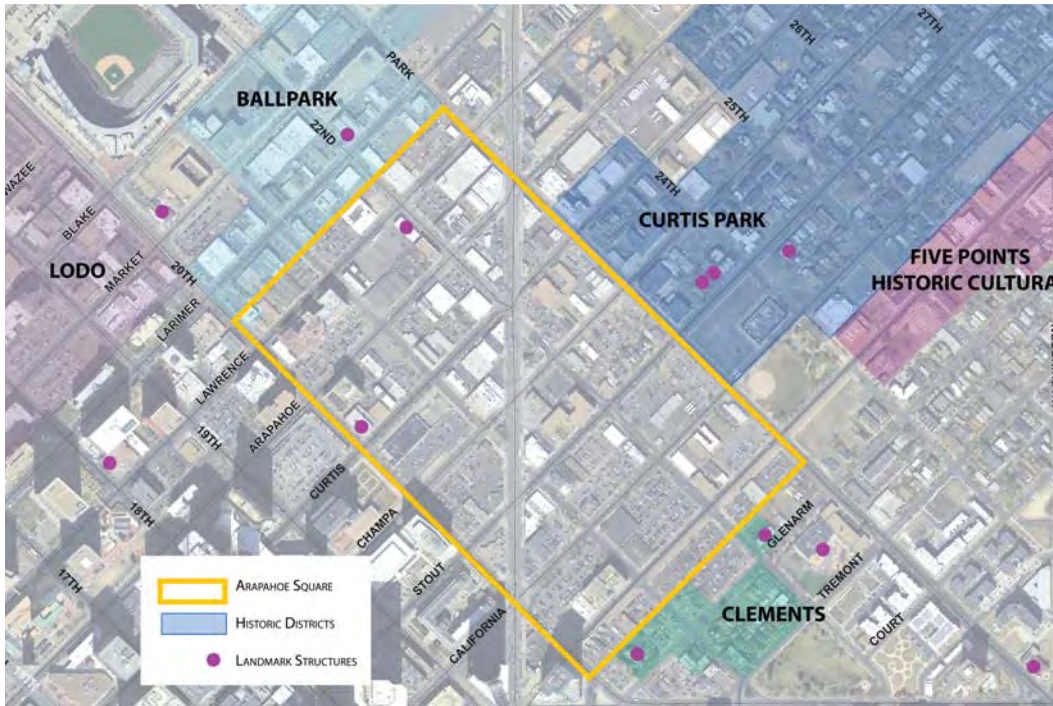
WELTON STREET

Welton Street is an important transit corridor with light rail service that connects Arapahoe Square to downtown and the Five Points Historic Cultural District. It also forms a transition between Arapahoe Square and the Clements Historic District.

- Proposed zoning build-to range is 0-20' on the SE side of the street to acknowledge the light rail
- Proposed Design Standards & Guidelines promote streetscape techniques that help to buffer pedestrians from the light rail



LANDMARK DISTRICTS AND STRUCTURES



COMMENTS

PUBLIC COMMENTS:

- Please design from all four sides.
- Consider visual block for the car headlights at parking structures.
- Good transitions, I like the DSG.

TRANSITIONS TO HISTORIC DISTRICTS (DSG P. 45-46)

Context sensitive design includes respecting and responding to the historic resources in and around Arapahoe Square, which abuts three historic districts: Ballpark, Clements, and Curtis Park.

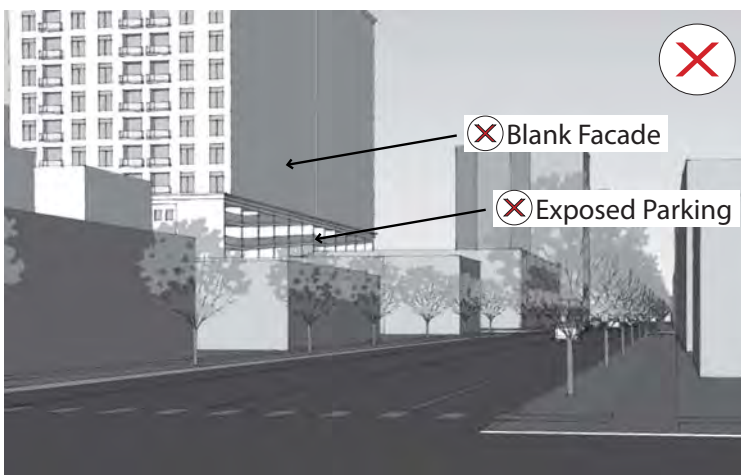
The Design Standards and Guidelines promote

- Highlighting the historic resources in and around Arapahoe Square
- High-quality four-sided design on facades, including structured parking that may be visible from the adjacent historic district
- Design compatibility on facades adjacent to designated landmark structures
- Use of masonry and historically compatible materials adjacent to historic districts
- Mass and scale techniques that respond to the character of any adjacent landmark structure or district

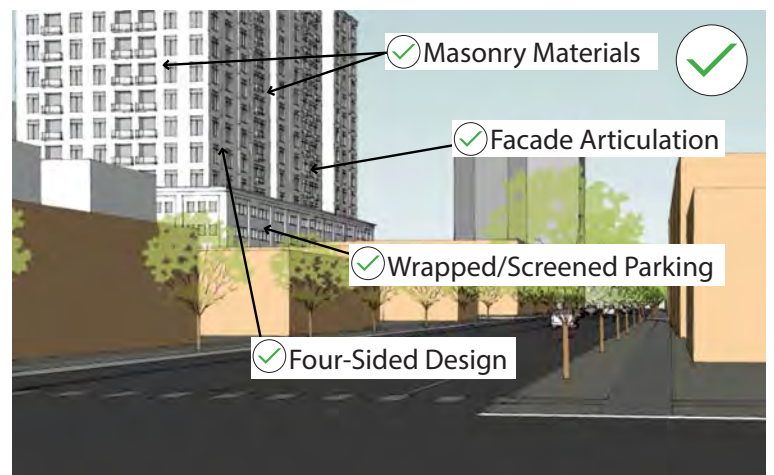
Proposed tools to ensure four-sided design include:

- Transparency and material standard consistent with standards for the primary street-facing facade
- Facade articulation standards consistent with the standards for the primary street facing-facade
- Standards for to ensure that visible structured parking incorporates high-quality design techniques

DSG DO NOT ALLOW:



DSG PROMOTE:



Arapahoe Square

Zoning
and Design Standards
& Guidelines

Community Open House

COMMENTS WORKSHEET

A new zoning and design review system is proposed for the Arapahoe Square neighborhood at the northeast edge of downtown. We would like your feedback!

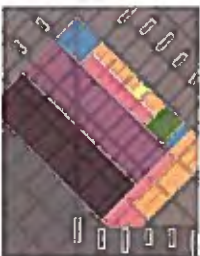
This open house includes an introduction and five stations based on objectives and components of the proposed system. As you visit each station, you may answer the questions below. Space is also provided on the back side of this sheet for general comments. Your answers and comments will help the Arapahoe Square Technical Task Force and City Staff make updates to the proposed system before review by the Denver Planning Board and potential adoption by the Denver City Council.



INTRODUCTION TO THE PROPOSED ZONING & DSG

The boards at this station provide an introduction to the project scope and objectives, as well as the primary components of the proposed regulations.

Do you have comments on the proposal to create an updated zoning and design review system that will help implement the objectives of the 2011 Northeast Downtown Neighborhood Plan?



STATION 1: BUILDING HEIGHTS THAT TRANSITION FROM DOWNTOWN

The board at this station illustrates implementation of height transitions through proposed mapping of the new Arapahoe Square zone districts and mapping of other Denver Zoning Code districts to areas that currently have specialized Arapahoe Square zoning, but are not within the neighborhood.

Do you have comments on the proposed zone district map, or feedback to assist the Arapahoe Square technical task force with their evaluation of proposed building heights adjacent to the Curtis Park Neighborhood (see poster board notes)?

looks good - I do think Curtis to Champo 24th to 25th should be able to go 5 stories because we need density to deconcentrate impact of homeless shelters

STATION 2: A VIBRANT NEIGHBORHOOD WITH A MIX OF BUILDING FORMS

The boards at this station illustrate the proposed Denver Zoning Code building forms that would shape new development and redevelopment in Arapahoe Square.

Do you have comments on the building forms or incentives that allow greater height if parking is less visible (General with Height Incentive building form) or if parking is less visible and taller building elements are expressed as slender towers (Point Tower building form)?

Very Good I like this

ARAPAHOE SQUARE COMMUNITY OPEN HOUSE COMMENTS WORKSHEET

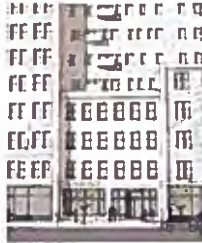


STATION 3: A PEDESTRIAN-ORIENTED NEIGHBORHOOD

The boards at this station describe and illustrate proposed zoning requirements and design standards/guidelines that promote pedestrian-oriented street level design and use, as well as high quality streetscape and active open spaces.

Do you have comments on the proposed strategies to promote a pedestrian-oriented neighborhood?

like this very much. want to see trees
+ Good Pedestrian Environment



STATION 4: QUALITY, HUMAN-SCALE DESIGN

The boards at this station describe and illustrate proposed design standards and guidelines to promote building massing that is divided into smaller human-scale modules, as well as facade designs that incorporate transparent windows and high-quality materials.

Do you feel that the massing techniques will help promote human scale on larger building facades while allowing flexibility for creative designs? Do you have comments on facade transparency or materials?

yes. make this a pedestrian oriented
Neighborhood with out parking requirements



STATION 5: CONTEXT-SENSITIVE DESIGN

The boards at this station describe context-sensitive design considerations for several key streets in Arapahoe Square, as well as transitional design techniques for new development adjacent to a historic district.

Do you have comments on the key streets or proposed standards and guidelines for historic transitions?

yes please design buildings from 4
sides.

GENERAL COMMENTS & FEEDBACK

I don't think the ~~20.~~ reduction from
5 to 3 stories on Champa at 24th
is needed because there are already
4 or 5 story buildings around it and
we really need the density of residential
mixed use to bring eyes to the area
where the homeless shelters are concentrated.
That block also already has landmark
status so it has design review.
The down zoning just isn't
Necessary. and might do harm.

FOR MORE INFORMATION

Contact: Abe Barge, Senior City Planner
abe.barge@denvergov.org

www.DenverGov.org/ArapahoeSquare

Arapahoe Square

Zoning and Design Standards & Guidelines

Community Open House

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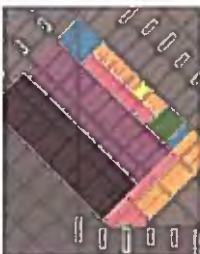


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Do you have comments on the proposal to create an updated zoning and design review system that will help implement the objectives of the 2011 Northeast Downtown Neighborhood Plan?

yes, except the plan was to conservative w 3 stories on the 23-25th ~~and~~ in Curtis Park should be max 5 stories



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Do you have comments on the proposed zone district map, or feedback to assist the Arapahoe Square technical task force with their evaluation of proposed building heights adjacent to the Curtis Park Neighborhood (see poster board notes)?

The 23rd-25th area in Curtis Park need to be 5 stories to reflect the height of the buildings around it that exist. 25-26th has very tall height as well, so it will be fine at 5 stories

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Arapahoe Square

Zoning
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& Guidelines

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*Existing solar panels + windmills
need to be protected*



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ARAPAHOE SQUARE COMMUNITY OPEN HOUSE COMMENTS WORKSHEET



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Do you have comments on the proposed strategies to promote a pedestrian-oriented neighborhood?

Landscape all areas that receive full sunlight, including alleyways



STATION 4: QUALITY, HUMAN-SCALE DESIGN

The boards at this station describe and illustrate proposed design standards and guidelines to promote building massing that is divided into smaller human-scale modules, as well as facade designs that incorporate transparent windows and high-quality materials.

Do you feel that the massing techniques will help promote human scale on larger building facades while allowing flexibility for creative designs? Do you have comments on facade transparency or materials?



STATION 5: CONTEXT-SENSITIVE DESIGN

The boards at this station describe context-sensitive design considerations for several key streets in Arapahoe Square, as well as transitional design techniques for new development adjacent to a historic district.

Do you have comments on the key streets or proposed standards and guidelines for historic transitions?

GENERAL COMMENTS & FEEDBACK

The time is long past for Denver to mandate clean energy in every new development or large remodels remodel.

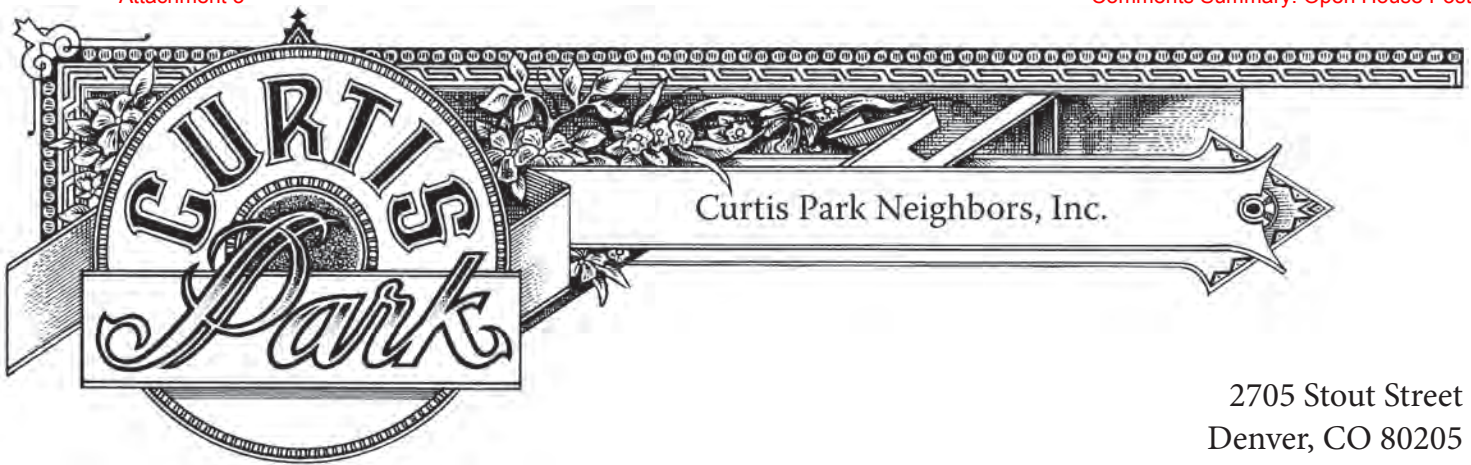
Mandate Geothermal, solar and wind energy. We should have done this 30 years ago.

Protect all existing solar and wind energy.

FOR MORE INFORMATION

Contact: Abe Barge, Senior City Planner
abe.barge@denvergov.org

www.DenverGov.org/ArapahoeSquare



2705 Stout Street
Denver, CO 80205

December 9, 2015

Abe Barge, Senior City Planner, Denver CPD
201 West Colfax Ave, Second Floor
Denver, CO 80202

CPN Requests a Portion of D-AS Zoning in Curtis Park Remain Unchanged or Mapped to Closely Match Existing Entitlements in Arapahoe Square Zoning Update, and Requests CPD Consider a Plan Amendment Process

Mr. Barge,

Curtis Park Neighbors (CPN), the primary active RNO in the Curtis Park sub-area of Five Points, requests that the D-AS zoning found northeast of Park Avenue and northwest of Champa Street remain the same, or if that is infeasible that closely comparable zoning to the existing entitlements be applied, until further outreach and community conversation occurs.

In this mixed-use and semi-industrial corner of the neighborhood, we believe that insufficient outreach and property-owner conversation has occurred to rezone to three stories at this time. Although such height limits (above mid-block on the 2300 block) are envisioned in *Northeast Downtown Neighborhoods Plan*, we recognize that it is common to not necessarily implement all plan recommendations in these 20-year-horizon documents simultaneously. Certainly, more property owner outreach is necessary before taking the serious step of reducing development potential in this area.

In the interim, CPN understands that property owners may develop under existing zoning (or something close to it if re-mapped), and notes that Landmark design review applies to all but one property in the area described, so that design compatibility is assured.

Given the redevelopment potential in this corner of the neighborhood, the desire for new community-supportive uses in this subarea, and the great need for housing at a variety of price points, we request that CPD initiate a plan amendment process to determine the current vision of the community for the forms and uses on these blocks. The result of that process may be new height and use zoning recommen-

(continued)

dations, design overlay concepts, and support for extending Landmark district boundaries in a “notch” where it is currently absent (including a very notable historic Temple not yet designated for preservation).

Prior to that full community discussion and possible plan amendment, we believe downzoning this specific area currently mapped D-AS northeast of Park Avenue and northwest of Champa is premature.

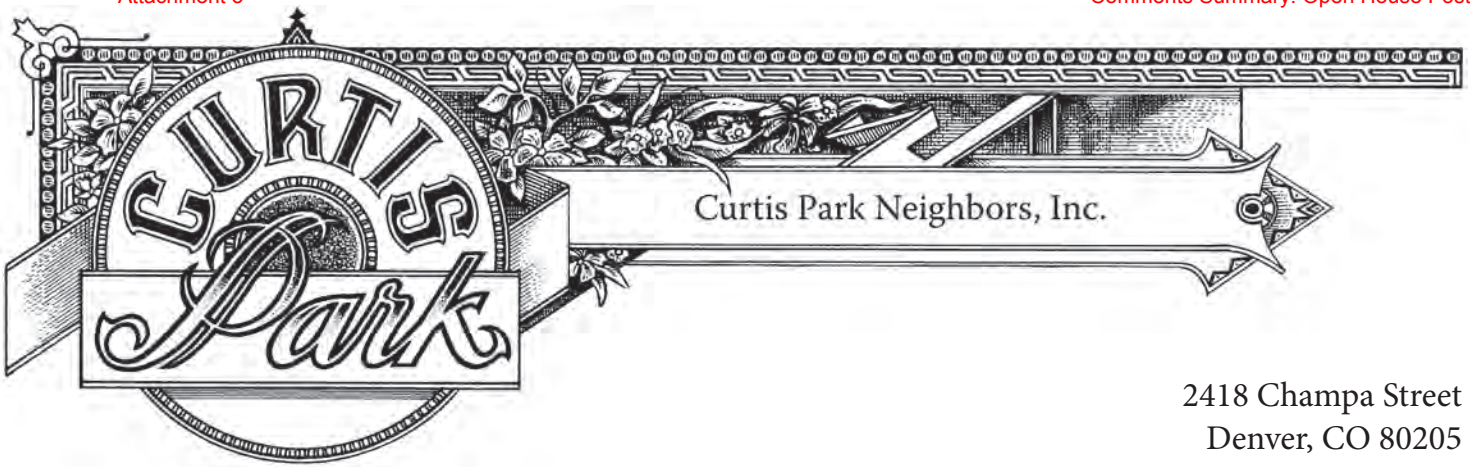
This position was adopted at the regularly-scheduled Curtis Park Neighbors Board of Directors meeting on Monday, November 16th, 2015, which was advertised door-to-door throughout the neighborhood in our *Curtis Park Times* monthly newsletter. A quorum was present, and this position was adopted with a vote of nine in favor, zero in opposition, with one abstention.

Respectfully,



Joel Noble
President, Curtis Park Neighbors
303 332 8640 / jnoble@frii.net





2418 Champa Street
Denver, CO 80205

April 20, 2016

Denver City Council and Denver Plan
201 West Colfax Ave, Second Floor, Denver, CO 80202

Curtis Park Neighbors Supports Zoning Text Amendments, Zoning Map, and Design Standards and Guidelines for Arapahoe Square

Curtis Park Neighbors, the primary active Denver Registered Neighborhood Organization in the Curtis Park subarea of the Five Points statistical neighborhood and immediately adjacent to the Arapahoe Square subarea, **supports the new proposed zoning text, zone map amendments, and design standards and guidelines for Arapahoe Square.** We appreciate the significant commitment of staff and volunteer time necessary to translate the recommendations of the *Northeast Downtown Neighborhoods Plan* into these new regulations, and the inclusion of representatives from all area neighborhoods on the Arapahoe Square Technical Task Force.

Additionally, we appreciate the unanimous support by the Arapahoe Square Technical Task Force for Curtis Park Neighbors' December 2015 request that a portion of the D-AS zoning remain unchanged in Curtis Park for the time being, reflected in the zone map amendment, and the Task Force's unanimous support for a follow-on effort, in the near future, engaging full community discussion and leading to a plan amendment that will guide zoning in this transitional corner of Curtis Park. As was demonstrated increasingly throughout the public input to the Task Force, there is need for focused community discussion to develop a consensus vision for this area, which is itself not within Arapahoe Square.

By vote of the Curtis Park Neighbors Board of Directors,

John Hayden
President, Curtis Park Neighbors

Barge, Abe M. - CPD Planning Services

From: Craig Supplee <csupplee@hoasimple.com>
Sent: Wednesday, April 20, 2016 12:08 PM
To: Barge, Abe M. - CPD Planning Services
Subject: Arapahoe Square Zoning

To the Denver Planning Board:

Enterprise Hill supports the proposed Arapahoe Square rezoning proposal and its accompanying Design Standards and Guidelines. I was a member of the Technical Advisory Committee that, along with the Community Planning and Development staff helped to craft both the ordinance and the design standards and guidelines.

Over 14 months, the committee and staff debated a number of issues ranging from building types, heights and densities; to parking, incentives for concealing parking levels behind other uses, creating pedestrian-active streets and human scaled buildings.

This also included respecting the character and view of and from adjoining historic districts. This was important to the Clements Historic District which I live in and is part of the Enterprise Hill Neighborhood. If we had this a few months earlier, it would solve some current issues we have adjoining the Clements Historic District.

In addition, there has been complaints from a couple residents in One Lincoln that do not want the change of zoning from CMX-12 to AS-20 adjacent to Clements Historic District. We support that change because an 18 story building is already approved across the street and this would be good transition to the 37 story One Lincoln. These new Guidelines will protect the Historic District, again, I wish we had that now, as Linnar is taking advantage of not having to follow any kind of rules for the 1st 5 floors.

Sincerely,

Craig Supplee
President
Enterprise Hill Neighborhood
Clements Historic District

Barge, Abe M. - CPD Planning Services

From: Richard Farley <dick@rf-urbandesign.com>
Sent: Sunday, April 17, 2016 4:50 PM
To: Barge, Abe M. - CPD Planning Services
Subject: Arapahoe Square letter of support

To the Denver Planning Board:

I strongly support the proposed Arapahoe Square rezoning proposal and its accompanying Design Standards and Guidelines. I was a member of the Technical Advisory Committee that, along with the Community Planning and Development staff helped to craft both the ordinance and the design standards and guidelines. Over 14 months, the committee and staff debated a number of issues ranging from building types, heights and densities; to parking, incentives for concealing parking levels behind other uses, creating pedestrian-active streets and human scaled buildings, and respecting the character and scale of adjoining historic districts. It is an excellent example how the form-based code can be molded to fit the desired characteristics of a neighborhood.

Sincerely,

Richard Farley FAIA

Barge, Abe M. - CPD Planning Services

Subject: FW: Arapahoe Square

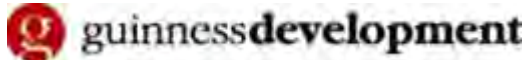
From: Patrick Guinness [mailto:patrick@guinnessdev.com]
Sent: Tuesday, April 19, 2016 1:54 PM
To: Barge, Abe M. - CPD Planning Services <Abe.Barge@denvergov.org>
Subject: FW: Arapahoe Square

Abe –

When I accepted the invitation to become a member of the Arapahoe Square Zoning Task Force I didn't know what to expect of the process, except that it was a commitment of my time to the monthly meetings and "homework." The process was enlightening to me because it opened my eyes to the behind-the-scenes work done at Community Planning and Development and made me realize how readily interested citizens can get involved and have a say in the direction of this great City. The Task Force was made up of a diverse group of people including homeowners, property owners, architects, developers, and interested citizens who all had one thing in common – a strong interest in seeing Arapahoe Square evolve into a great new urban neighborhood. The different perspectives of the Task Force members contributed to creating a new zone code for the area that meets both the intent of the NE Downtown Denver Plan as well as the negotiated vision of the Task Force members.

Regards,

Patrick Guinness



Cell Phone:
720-231-1361

Mailing Address:
8729 E. 23rd Avenue
Denver, CO 80238

Barge, Abe M. - CPD Planning Services

From: Keith Andrews <kcandrews@mindspring.com>
Sent: Sunday, January 24, 2016 1:45 PM
To: Barge, Abe M. - CPD Planning Services
Subject: Arapahoe Square Zoning and Design Standards & Guidelines question

Hi Abe,

We have not conversed before but I have had an extensive history in city planning issues, particularly back when my wife and I lived in Atlanta. There I served on NPU-B (Neighborhood Planning Unit representing Buckhead, Atlanta), which was a advisory committee to the City Council on zoning and planning issues. I worked quite a bit with Fernando Costa, Atlanta's Planning Director at the time (now Fort Worth Assistant City Manager), in balancing transportation, neighborhood, and developer interests.

In December, my wife and I purchased a unit in One Lincoln Park. As a result, I have become aware of nearby development issues and have recently become aware of the Arapahoe Square Group.

In particular, I wonder if you could give me an explanation as to page 52 of the Arapahoe Document which proposes changing current 12 story zoning to allow for 20 story point towers and 20-story zoning to allow for 30-story point towers (see below). This places 30 story zoning directly adjacent to 5-story zoning — certainly not representative of good transitional planning — at least from my experience.

Living at One Lincoln Park, a thirty-story plus building, I could hardly object to nearby zoning of thirty stories. However, I have always had a much more general interest in the successful quality development of cities. Part of our reason for purchasing at One Lincoln Park was because of the lower scale thriving nearby residential neighborhoods, and we really want them to succeed! I don't know if Denver has a height-plane ordinance but in our time, we and others persuaded the City Council to adopt one — which was very helpful in preventing the "wholesale shading of neighborhoods."

We also understand that Amy Harmon has some well thought out transitional proposals for the areas around St. Andrews' church. It is our understanding that these plans do NOT align with the higher density rezoning proposals of the Araphaoe group. Advising the City to change the zoning inappropriately could allow a lesser quality-concerned developer to out-bid her in connection with parcels she would need.

Anyway, we are perplexed as to why these changes would be proposed without logical traditional zoning transitions.

Thanks!

Keith Andrews
2001 Lincoln St.
Unit 1422
Denver, CO 80202
970-367-4306

Plan: Max Building Heights



- 2.5 Stories
- 3 Stories
- 5 Stories
- 8 Stories
- 12* Stories
- 20* Stories

*20 story point towers in 12-story area and 30 story point towers in 20-story area

Barge, Abe M. - CPD Planning Services

From: Jay Seller <jay@think360arts.org>
Sent: Sunday, January 24, 2016 10:00 AM
To: Barge, Abe M. - CPD Planning Services
Subject: 20th Street realignment

Abe,

I am a resident at One Lincoln Park, 2001 Lincoln Street, and I am on our buildings neighborhood committee. (Lucky me.) I am looking for some direction or answers surrounding three issues, if you could help me out, or aim me in the correct direction, much appreciated.

- 1) We have been told, which could be a rumor, that 20th street between Lincoln and Broadway, will be seeing a green space/strip added to it in the future, and that this strip will get rid of the alley access through the Central parking lot – 20th street to 19th street? Any truth to this.
- 2) The realignment of 20th street to a two way street. We are aware of the Amy Harmon project proposed on Glenarm, just north of our building, but was curious where the realignment stands, and if and when progress will take place?
- 3) Arapahoe Square. Unfortunately the real estate company that is selling units in the building (2001 Lincoln Street) has been telling everyone they will have unobstructed views West and North of the building, due to current height restrictions. I am aware of the plan to re-zone the area to 30 story buildings, allowing for the expansion of the downtown district. I have shared the information, and the detailed work the city has done to move this re-zoning forward. Can you give me an inside idea of the probability of this moving forward? And if any proposed projects are waiting in the wings to build to this new height restriction? I totally understand if you cannot comment on this at this time.

Thank you for your time.

Jay

Jay Seller, PhD

Executive Director

Think 360 Arts for Learning

135 Park Avenue West, Denver, CO 80205

P (720) 904-8890 x104, F (720) 904-8894, M (303) 359-8289

think360arts.org, jay@think360arts.org



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Barge, Abe M. - CPD Planning Services

From: Keith Andrews <kcandrews@mindspring.com>
Sent: Tuesday, February 02, 2016 1:56 PM
To: Barge, Abe M. - CPD Planning Services
Cc: Joel Noble
Subject: Arapahoe Square Final meeting before public comment period

Hi Abe,

A bit late (time flies as does the snow lately!) but I wanted to say that I enjoyed meeting you, Joel Noble, and Craig Supplee and observing the Arapahoe Square Task Force as an “interested citizen” on January 27th. I now have a much better understanding of the process underway and was extremely impressed with the planning department’s focus on “human scale” impacts to encourage a sense of neighborhood and community, yet at the same time, encourage Arapahoe Square’s needed higher density development. Your and the entire task force’s professionalism and dedication reminded me of why Deb & I decided to invest in both of our downtown and uptown Denver properties — a belief in Denver’s future development guided by wisely by competent professionals such as yourself. It will be exciting to see the progress of Arapahoe Square’s development over the next few years. Having been involved in my past with PBS projects (when I owned a recording studio in Atlanta), I think it could be quite a “good shot in the arm,” learning that PBS intends to move its studios into Arapahoe Square.

As you know I do have some concerns relating to the zoning changes which would be proposed by the task force for the northeast corner of 20th and Welton. I am hopeful my suggestions might be considered by the task force before the draft plan is finalized (at the next and final meeting prior to the public comment period). Not being a direct member of any neighborhood or organization on the task force, I don’t know whether the committee would even consider “outside” ideas prior to the public comment period. Nevertheless, I intend to submit these ideas formally to you within the next several days for your and hopefully the group’s consideration.

(If I had been aware that the Arapahoe Square group was proposing zoning changes past Welton Street towards Glenarm Place, I would have wanted to speak up on this long before now. We just purchased our uptown property in December of 2015 and even my very experienced real estate agents were not aware of the proposed zoning changes.)

Anyway, for what it’s worth, I did want to give you and Joel a “heads up” that I would be sending my formal ideas in writing within the next few days.

Thanks for all your work for all of us Denver-ites!

Keith

Proposal to Modify Arapahoe Square Mapping And Text Amendment Draft for *Welton, 20th & 21st Streets and Glenarm Place* block (3/2/16)

Page 1 of 6

Background:

The 2011 Northeast Downtown Neighborhoods Plan envisioned Arapahoe Square as a “densely populated, vibrant, mixed-use neighborhood,” while specifically noting the importance of several Landmark Historic Districts including Clements and Welton Street. “Arapahoe Square’s urban design **needs to create an identifiable character and successfully transition** between areas that range from high intensity commercial and mixed-use districts **to lower intensity and historic single-family neighborhoods.**” Specific reference is made to “Welton and Clements – The eastern edge of Arapahoe Square includes Welton Street, and the transition to the Clements Historic District on Glenarm.”

For the internal aspects of the neighborhoods of Enterprise Hill and Clements, “it is recommended that the existing DO-2 design overlay remain in place. “Proposed building heights in this area range from 2.5 to 8 stories.” Therefore, it is clear that the intent is to preserve the character of these neighborhoods, small as they are.

Siting – In historic areas, including San Rafael, Clements, and some portions of Enterprise Hill, the siting of new residential structures should be consistent with the existing, historic development patterns found within the neighborhood including consistent front yard setbacks, lot coverage comparable to historic patterns, and locating garages and accessory dwelling units at the rear of the lot. In non-historic areas, reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation, and access to the street. Minimize the visual impacts of parking areas on streets and adjoining property. (page 88)

Throughout the 2011 Plan, emphasis on good transitional planning is obvious and paramount.

In 2016, just across 20th Street and northeast of the high density downtown commercial core, the relatively quiet Glenarm Place remains as the entry to the Clements Historic District, a welcome walkable single family neighborhood very close to Denver’s high density downtown.

The only significant existing structure currently on the block bounded by 20th, 21st, Welton Streets and Glenarm Place is the St. Andrews’ Episcopal Church, located at 2015 Glenarm Place. St. Andrew's Episcopal Church, originally known as Trinity Memorial Church is a Gothic style church built in 1907. It was listed on the National Register of Historic Places in 1975. (In context, note that along Glenarm Place, within a block’s distance, start the procession of the highly valued Clements Historic District homes.

Probably because of the breadth and “broad-brush” nature of the 2011 Northeast Neighborhoods Plan, the Plan failed to resolve the major conflict between its emphasis on quality transitional development and the existing character of the block bounded by 20th Street, Welton Street, and Glenarm Place. Ironically, the 2011 Plan, on page 89, designates the 1/2 block directly behind the St. Andrews Church as appropriate for “20/30* Stories” (effectively for 30 stories because of the proposed “point tower” exception), **potentially allowing for a 30-story structure directly behind a two-story historic church and the southwest gateway to the historic Clements single-family neighborhood.** This is a clear failure to provide a logical, quality transition, otherwise given such high priority in the Plan.

Proposal to Modify Arapahoe Square Mapping And Text Amendment Draft for Welton, 20th & 21st Streets and Glenarm Place block (3/2/16)

Page 2 of 6

Proposal:

The Mapping and Text Amendment Draft should be adjusted to reflect a limitation of 12 Stories (with no point tower exception) in the area currently designated to become “20/30* stories” just Northeast of 20th Street, along the Welton corridor. Note that current zoning for this area has a height limitation of 12 stories. This proposal would leave in effect current legal height limitations, supporting the desired transitions to historic districts described in the 2011 Neighborhood Plan.

From the 2011 Neighborhood Plan (and as being implemented by the current task force), below is the Concept Building Heights Map from page 89. **Under this author’s modification, the designated “20/30* Stories” area (designated in the darkest color used) would change to provide a maximum of 12 stories:**



For reference, the current zoning of the area (C-MX-12, UO-1, UO-2) is shown here:



**Proposal to Modify Arapahoe Square
Mapping And Text Amendment Draft
for *Welton, 20th & 21st Streets
and Glenarm Place* block (3/2/16)**

Page 3 of 6

Benefits to this proposal:

1. Confirmation from a planning, aesthetic, and human scale point of view that northeast of 20th Street and Welton is intended to be a transition to a historic area (as advised in the 2011 Neighborhood Plan);
2. Provides a sensible and logical height transition to the Clements Historic District and behind the historic 1907 St. Andrews' Episcopal Church, eliminating the irrational jump from 5-story zoning to 30-stories in the space of 1/2 block;
3. Retains height continuity with the proposed "12/20* story" zoning height limitation just northeast along Welton.
4. Reinforces the character and property values of the single family homes in and around the Clements Historic District;
5. Provides a viable and profitable opportunity for high quality transitional development such as that envisioned by developer Urban Market Partners (Amy Harmon) for the area while avoiding overwhelming the adjacent historic church and neighborhood with an out-of-context twenty or thirty-story structure (though obviously 30 stories would provide more developer profit potential);
6. With the light rail line traveling along Welton, the City's attractiveness will be further enhanced with logical building height transitions, particularly as more people travel to Five Points and uptown via the Welton light rail, often from Union Station and other points of departure.
7. Continuation of Denver's admirable history of achieving a carefully crafted and attractive balance of neighborhoods and quality development, thereby increasing the City's long-term desirability for residents and visitors.

Understanding that the task of the Arapahoe Square Task Force is to review and draft the legal implementation of the 2011 Plan, the Task Force has shown flexibility with regard to areas under debate, such as certain portions of Curtis Park neighborhood. Our hope is that the task force would show the same consideration for the transitions to this important historic area.

Re-evaluating the details of the 2011 Northeast Neighborhoods Plan in a 2016 context is critical. Surrounding neighborhoods in many parts of our city including "uptown," many transitional small and medium-scale residential developments are underway. This includes the proposed Lennar 18-story apartment tower at Welton and 21st Streets and the proposed Trammell Crow 13-story building on Welton Street's 2200 block. With Denver's appeal as a young, vibrant city, vacant parking lots will soon be a thing of the past simply under the influence of current supply and demand. In that context, sound planning is vital to serve as the overarching structure within which development can thrive, but should do so for the benefit of Denver's residents and the City's long-term interest.

**Proposal to Modify Arapahoe Square
Mapping And Text Amendment Draft
for Welton, 20th & 21st Streets
and Glenarm Place block (3/2/16)**

Page 4 of 6

The current planning and zoning decisions will likely define the physical topography, transitions, and aesthetics of Denver for the next fifty years or more. Zoning designations are long-term decisions which will continue to have their effect long after developments are complete and developers have moved on to other places and other cities. If zoning transitions are poor and only serve short-term private interests or desperately sought developments, the City will become far less than it could have been. It is the City's and in this case, the Arapahoe Square Task Force's job to make sure that the planning and zoning structure is as good as it can be.

Thank you for your work and for your consideration.

Sincerely,

Keith C. Andrews
Concerned Denver resident and downtown property owner (Wynkoop & Lincoln Streets)

About the author:

Keith Andrews has resided in Boulder, Steamboat Springs, and Denver, Colorado since 1998 after a long working career in Atlanta. Starting his career as a CPA with Coopers & Lybrand, he subsequently owned and managed several successful businesses including a music recording studio, software development firm, and an information technology consulting firm primarily serving BellSouth (now AT&T).

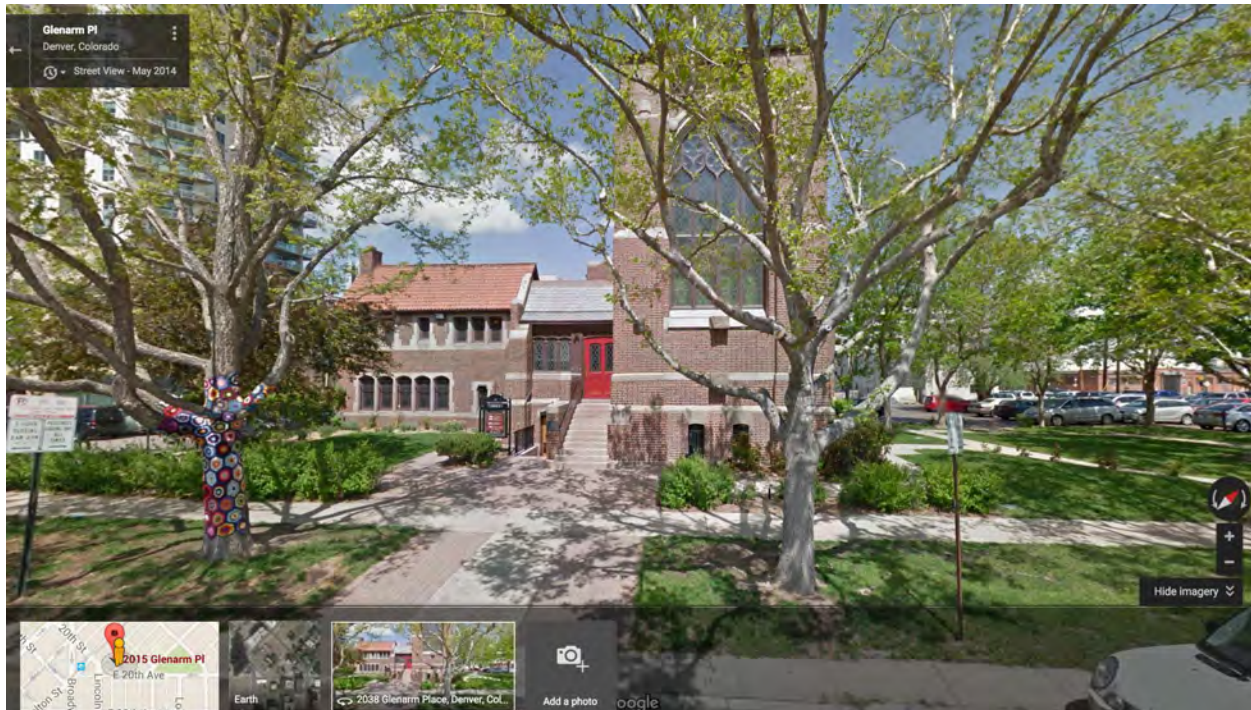
In Atlanta, from 1984 to 1998, he and wife Debra owned a home in the heart of Buckhead, in a 100-home subdivision built in the 1930's. That neighborhood, surrounded by the major Atlanta streets of Peachtree, Piedmont, & Roswell, encountered severe speculative development pressures during Atlanta's commercial real estate boom of the 1980's.

Initially this served as the impetus for his becoming involved in Atlanta neighborhood protection and preservation, which in turn required a real-time education on planning and zoning issues, lobbying members of Council, etc. Mr. Andrews served as a long-time member of NPU-B (advisory neighborhood planning unit composed of residential and business members). Working with the Atlanta City Council, Planning Department, Georgia Department of Transportation and others, Mr. Andrews was able to bring about a cul-de-sac at the end of one of the neighborhood's three streets, ensure that illegal developer house demolitions were replaced with new single family housing, and help restore the viability of the neighborhood through effective leadership. Today that neighborhood is strong, vibrant, and active with many new young families and is called the Buckhead Forest. Working with other neighborhood associations, the City Council and the Planning Department, Mr. Andrews was instrumental in Atlanta's enactment of a "height plane ordinance" which limited the height of developments adjacent to single family neighborhoods, superseding zoning designations for the benefit of established neighborhoods.

As a resident and Denver property owner, Mr. Andrews continues express his passionate concerns for quality urban development along with neighborhood preservation, reflecting on his Atlanta background in planning and zoning issues.

Proposal to Modify Arapahoe Square Mapping And Text Amendment Draft for *Welton, 20th & 21st Streets and Glenarm Place* block (3/2/16)

Page 5 of 6



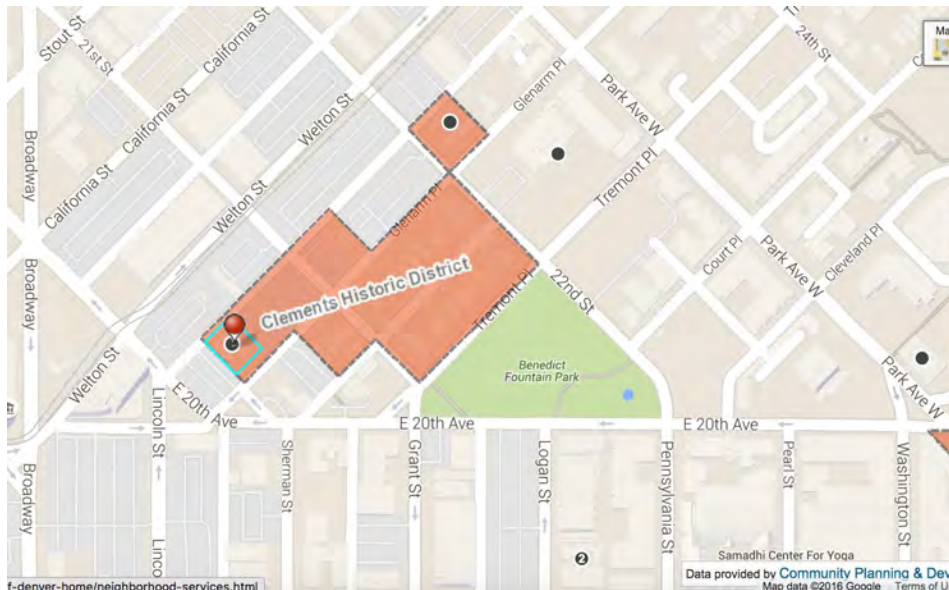
St. Andrews Episcopal Church, 2015 Glenarm Place, built 1907, placed on National Registry of Historic Places in 1975. **The Arapahoe Square Task Force Draft would allow for a thirty story tower directly behind the church.** (Note: The 32-story One Lincoln Park building across 20th Street, but at the edge of the downtown core is visible in the left portion of the picture.)



Clements Historic District single-family homes on the opposite side of Glenarm Place from St. Andrews, within a block of the church.

Proposal to Modify Arapahoe Square Mapping And Text Amendment Draft for Welton, 20th & 21st Streets and Glenarm Place block (3/2/16)

Page 6 of 6



Map outlining Clements Historic District and showing St. Andrews national historic landmark designated church on the southwest corner of the District (red dot).



Proposed Lennar 18-story, 329 apartment tower, **permissible under current D-AS zoning (200 feet height limit)**, located on half of the block bounded by Welton Street, 21st Street, Glenarm Place and 22nd Street. Just up Welton on the 2200 block, Trammell Crow Residential is planning a 13-story apartment building. **Both structures would be much lower in height than the thirty story tower behind the St. Andrews church which would be allowed if the current Arapahoe Square Draft were implemented into law.**

Barge, Abe M. - CPD Planning Services

From: Sonny Wiegand <SonnyWiegand@TulaneAlumni.net>
Sent: Sunday, March 06, 2016 10:05 AM
To: Barge, Abe M. - CPD Planning Services; Albus Brooks
Cc: Keith Andrews; Steven Walz; Laura Cunningham; Chris Stokowski; Megan Hohnholt; Steve Grisham
Subject: ARAPAHOE SQUARE ZONING & DESIGN TASK FORCE
Attachments: SonnyWiegand.vcf

I am a resident of 2001 Lincoln Street, a member of the St. Andrews Church at Glenarm and 20th Street, and a commercial property owner at Grant Street and 20th Avenue.

I strenuously object to the current proposals to increase the height restrictions on the parcel (currently a parking lot) located on the South corner of Welton and 20th Street. The increase to allowing a 30+ story building in place of the current allowance of 12 stories would be completely out of character when placed next to the historic Gothic church, not to mention in violation of the plan adopted only 5 years ago, which stresses protection of the neighboring historic districts. Allowing a tower that completely overshadows the historic neighbors would completely change the character of this area.

While it is true that I live in a tower immediately across the street from the proposed building, One Lincoln Park is a building in the downtown business district. If the argument that because this tower is so close to the proposed building is allowed to govern, then what is to stop the change to allow an additional tower next door to the new tower, and one, again, next to that?

The 2011 plan describes transitions from the downtown business areas to the historic districts. Allowing the downtown business building heights to cross Lincoln at this point in violation of the 2011 plan would be a dangerous first step to the destruction of the historic districts.

Please reject the proposed change.

Robert Wiegand II
2001 Lincoln St #2721
Denver, CO 80202
303-824-6986

--

Wise men speak because they have something to say; fools because they have to say something.

-- Plato

Barge, Abe M. - CPD Planning Services

From: Joey Gargotto <JGargotto@shamesmakovsky.com>
Sent: Thursday, March 10, 2016 4:33 PM
To: Barge, Abe M. - CPD Planning Services
Subject: Well done last night!

Hi there Abe,

Great to meet you briefly and sorry I had to leave prior to the end of the discussion. Just wanted to let you know I am super excited about these changes. I think you've done a great job with the work and you also did a nice job with the difficult work of presenting it to the public.

I will also throw in my two cents here: I think the no parking requirement is the right step to take. I know it can appear unpopular but I personally have a vision for a more urban Denver and I think parking restrictions oftentimes run contrary to that vision. I also believe that a. the need for cars over the next several decades will reduce dramatically and b. the market will find solutions to parking issues in this part of town that has so much developable ground! Lastly, I think this a strong step towards more affordable market-rate multifamily, which we all know Denver needs.

Thanks for your work,
Joey

Joey Gargotto

jgargotto@shamesmakovsky.com

NAI Shames Makovsky

1400 Glenarm Place, Suite 100

Denver, CO 80202 USA

naishamesmakovsky.com

Direct +1 720 881 7540

Cell +1 303 842 5767

Main +1 303 534 5005

Fax +1 303 534 1802

NAIShames Makovsky

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Barge, Abe M. - CPD Planning Services

From: Paul Melinkovich <pmelinko@gmail.com>
Sent: Tuesday, March 15, 2016 1:29 PM
To: Barge, Abe M. - CPD Planning Services
Cc: albusbrooks@gmail.com
Subject: Arapahoe Square Zoning and Design

I attended last weeks open house for the proposed Arapahoe Square zoning and for the most part was impressed and pleased with the thought and overall philosophy of the plan. I particularly like the concept of a pedestrian oriented neighborhood and the plan to have a design review system in place to encourage innovative and creative design. The only concern i have about the plan is the proposed height limits for the block bounded by 20th, 21st, Welton and Glenarm. With the historic St Andrews church and the nearby Clements historic district, I believe there should be a much lower height limitation to have a better transition to the church and the Clements housing area. The proposed plan of 20 plus seems too excessive and i think a lower limit is much more desirable.

Thanks for the opportunity to provide input into the process and for the excellent work to date on the project.

Paul Melinkovich MD
2001 Lincoln St. #1521
Denver CO 80202
pmelinko@gmail.com

Barge, Abe M. - CPD Planning Services

From: Sue Glassmacher <uptownsue@aol.com>
Sent: Tuesday, March 22, 2016 1:34 PM
To: Barge, Abe M. - CPD Planning Services
Subject: re: Arapahoe Sq rezoning

Hi Abe,

If this is not too late..just a couple of comments on the Arapahoe Square rezoning.

- If this is to be heavy pedestrian friendly, night lighting is key. I think the buildings should be required to light the sidewalks...lights off the buildings or even lights out the windows on the ground floor storefronts to light the sidewalk area.
- I feel the Clements Historic District should be respected. There are two parcels that are across the alley from Welton on Glenarm. The 2000 block of Welton, even numbered should not overwhelm St. Andrew Church and there is on the 2100 block, even side where Welton is across the alley from a building that is landmarked. . The 2100 block Welton is currently in the process of being developed but it is not a done deal. The AS zoning has made adjustments for BallPark and Curtis Park historic districts on the borders of Arapahoe Square, why not Clements? I do not think a 30 story tower up against a historic district is appropriate. There should be step back so that any building does not overwhelm the district as well as height restriction. There should be a transition to the Clements Historic District, just as we honor the other historic districts. Allowing a 30 story tower at 20th & Welton should not be allowed benefits a potential developer and current landowner. There will be plenty of money to be made on that land. The city does not have to maximize profit for spec landowners and developers. The parcels will still get developed as 12+. This applies to the 2100 block, even side of Welton also . I believe the current proposed development on the 2100 block will be allowed to proceed under the current zoning since the project is already in process with the city. However, if the project fails, then the 12+ zoning should be in place there also. We want to see a wrapped garage. actually we don't want to see a garage at all.

Thanks for all your work on tedious processes.

Sue Glassmacher
Curtis Park.

Barge, Abe M. - CPD Planning Services

From: Keith Andrews <kcandrews@mindspring.com>
Sent: Friday, March 25, 2016 2:50 PM
To: Barge, Abe M. - CPD Planning Services
Subject: Point Towers

Hi Abe,

This is to correct my previous email regarding the proposed point towers. I understand that they are to be placed on no more than a five-story base, not 12 or 20 story, as I suggested.

Anyway, my primary concern still relates to the unfortunate precedent being created for Denver Historic District transitions, starting with the lack of a proper transition to the Clements Historic District with the proposed zoning changes.

Thanks!

Keith

Barge, Abe M. - CPD Planning Services

From: Barge, Abe M. - CPD Planning Services
Sent: Friday, March 25, 2016 2:45 PM
To: 'Keith Andrews'
Cc: 'Richard Farley'; Eileen Feltman
Subject: RE: Denver Point Towers - Arapahoe Square Version
Attachments: AS_Public_Comment_Summary.pdf

Hi Keith,

To add to Dick Farley's response: The maximum proposed podium height for a Point Tower in Arapahoe Square is five stories (consistent with proposed upper story setback requirements). So – A Point Tower would be a slender tower sitting on top of a 1-5 story base, consistent with Point Towers in Toronto and Vancouver (we studied Toronto's Tall Building Guidelines during the project process). The proposed Arapahoe Square standards and guidelines include additional guidance regarding location, spacing and orientation of towers.

I have attached a summary of public comments to this email. The summary will be posted to www.denvergov.org/arapahoessquare/ today.

Have a good weekend!

-Abe



Abe Barge, AICP | Senior City Planner

Community Planning & Development | City and County of Denver
720.865.2924 Phone | abe.barge@denvergov.org
DenverGov.org/CPD | [@DenverCPD](https://twitter.com/DenverCPD) | [Take our Survey](#)

From: Keith Andrews [mailto:kcanrews@mindspring.com]
Sent: Friday, March 25, 2016 11:46 AM
To: Barge, Abe M. - CPD Planning Services <Abe.Barge@denvergov.org>
Subject: Denver Point Towers - Arapahoe Square Version

Hi Abe,

I've done a bit of reading up on "point towers." For what it's worth, find Denver's Arapahoe Square concept of a "point tower" on top of an already 12 or 20-story building to be bizarre, unless one is a developer using a "point tower" concept only in name and looking to maximize profit.

As one example, Toronto, more than five million in population versus Denver's almost three million, generally prefers the base building to be around three stories in height, or up to six to seven stories on wide streets to achieve human scale, sunlight, and quality streetscape, etc. The Draft Arapahoe Square Plan, as you know, advocates point towers on top of 12-story and 20-story base buildings, a radical distortion of the architectural concept, in my opinion. Of course, as you know I believe this is even more irrational allowing a twenty-story base with a thirty-story "point tower" directly adjacent to a designated Denver Historic District, such as Clements with existing five-story zoning.

Another interesting example of point tower use is Vancouver, B.C. covered by Ken Schroepel (Downtown Denver Partnership) in his DenverInfill article of June, 2010. " In Vancouver, those tower podiums are usually only two or three stories high and consist of various activities such as retail, lobby functions, offices, or community uses. Parking? It's all underground. Above-ground structured parking is not allowed." Article here: <http://denverinfill.com/blog/2010/06/lessons-from-vancouver.html>

As information, attached is the related 2013 planning document from Toronto, a city with which I am familiar, which gives a very good discussion on the intent of the point tower concept. Link: http://www1.toronto.ca/city_of_toronto/city_planning/urban_design/files/pdf/tall-buildings.pdf Their logic parallels the streetscape/human orientation advocated by the words of the Denver 2011 "Neighborhoods" Plan, but our Draft Plan fails to carry through in the corresponding mapping.

Also, can you tell me where on the City's website to locate the written public comments you received in the public comment period?

Thanks!

Have a great weekend,

Keith

Barge, Abe M. - CPD Planning Services

Subject: FW: Denver Point Towers - Arapahoe Square Version
Attachments: Tall Buildings Design Guidelines - May 2013.pdf

From: e f [mailto:feltmane@hotmail.com]

Sent: Friday, March 25, 2016 1:36 PM

To: Keith Andrews <kcandrews@mindspring.com>; Barge, Abe M. - CPD Planning Services <Abe.Barge@denvergov.org>

Subject: Re: Denver Point Towers - Arapahoe Square Version

Abe,

I agree with the points that Keith has made in this correspondence.

I would highly recommend that Denver Arapahoe Square truly honor human scale, sunlight, quality of streetscape, pedestrian experience, etc.

3 story base on parcels adjacent to and proximate to Clements and Park Ave West and within Curtis Park especially need this.

5 story base may be appropriate for very wide -streets providing they do not cast shadows on districts allowing 3 stories or less especially historic or lower height districts that contain predominately residential forms. No large massive buildings that exceed 100 or 150' in length.

8-12 story building forms may be ok west of Welton but not East of Welton. Arapahoe Street should also have much lower base structures and taller components must be separated significantly to allow for sunlight, air flow, and enhanced pedestrian/ biking experience.

None or of the zoning heights should be 20 stories in D-AC. Limited use of 12 stories west of Welton Street at 20th street adjacent downtown core business district. Let up to 5-8 stories be the standard. Let's avoid a feeding frenzy of speculative land acquisition and hit and run exploitive developers.

Let Good design and site design be the determining factor in allowing larger structures. Let developers submit a good design plan and only then consider higher building forms through z zoning change process. Make street level open space a requirement. Towers connected by much lower base structures honor human scale. Massive block long buildings that create shadowy canyons, wind tunnels, and keep pedestrians and streetscape in an almost continual shadow are NOT in Denver's or its citizen's best interest. Please don't destroy Downtown Denver's quality of life and space.

Pandora's box cannot be closed once it is opened.

Let the process for consideration for higher buildings be a part of and stated in the D-AS guidelines.

Kind Regards,
Eileen Feltman

Barge, Abe M. - CPD Planning Services

From: Sohail Aslamy <SAslamy@udr.com>
Sent: Wednesday, March 30, 2016 9:18 AM
To: Barge, Abe M. - CPD Planning Services
Subject: 2434 Champa St.

Good Morning Abe –

I currently reside at 2434 Champa St. and have been informed of your meeting tomorrow concerning the possible rezoning change. I am unfortunately unable to make the meeting at 3:15 PM due to work obligations, however, I would like to let you know that I am in absolute disagreement and wholly oppose any kind of 5 story building zoning approval on the 2300 blocks and 2400 blocks of Arapahoe, Curtis, Champa and Stout Street. I do not oppose 5 story building zoning on Park Avenue as it serves as a nice barrier to the neighborhoods.

I am surprised by the possibility of rezoning in the Curtis Park neighborhood, as I thought it was a historic neighborhood which already had construction height restrictions. Thank you.

Sincerely,

Sohail Aslamy, JD
Finance

1745 Shea Center Drive, Suite 200
Highlands Ranch, CO 80129

UDR and its affiliated companies

Office: (720) 283-6087

Cell: (303) 947-5688

saslamy@udr.com



Barge, Abe M. - CPD Planning Services

From: Ellen Barnett <ellen.gardenscapes@gmail.com>
Sent: Wednesday, March 30, 2016 8:07 AM
To: Barge, Abe M. - CPD Planning Services
Subject: zoning proposal C-MX-3

Hello!

my name is Ellen Barnett. I have owned a home home at 2432 Stout St since 1996. I would like to see the city's proposal for C-MX-3 approved, but I am strongly opposed to any kind of 5 story building on the 2300 and 2400 blocks of Curtis, Arapahoe, Champa and Stout streets. This is an historic neighborhood with architectural values that should be recognized and preserved!

Thank you for your consideration,

Ellen Barnett

Barge, Abe M. - CPD Planning Services

From: rodneydbell@comcast.net
Sent: Wednesday, March 30, 2016 1:50 PM
To: Barge, Abe M. - CPD Planning Services
Subject: Arapahoe Square homeowner supports City's proposal for C-MX-3

and wishes to see proposal for C-MX-3 approved to ensure no buildings over 3 stories.

I am adamantly opposed to any change as supported by a handful of insider special interests. I hope the voice of home owners and taxpayers like me carry weight. No 5 story buildings to be allowed or even considered. Thank you.

Rodney D Bell
2496 Champa St.
Denver, CO 80205

Barge, Abe M. - CPD Planning Services

From: p.vanessa.cabrera@gmail.com
Sent: Wednesday, March 30, 2016 10:29 PM
To: Barge, Abe M. - CPD Planning Services
Subject: C-MX-3 Proposal

To whom it may concern,

My name is Patricia V. Cabrera and I live in 2400 Champa St. Apt. 4, Denver, CO 80205. I would like the city's proposal for C-MX-3 to be approved and sent on to the City Council for adoption.

Thanks for your consideration.

Best regards,

Patricia Cabrera

Barge, Abe M. - CPD Planning Services

From: Sarah Engels <SarahE@PeopleCareHS.com>
Sent: Wednesday, March 30, 2016 12:31 PM
To: Barge, Abe M. - CPD Planning Services
Cc: Sarah Engels
Subject: 2442 Champa Street-Zoning Curtis Park

Importance: High

Good Morning Mr. Barge,

I was recently notified of a meeting tomorrow afternoon to discuss the rezoning of Curtis Park. I reside with my family at 2442 Champa Street in the Curtis Park Neighborhood. Due to the position held within my company, am unfortunately unable to make the meeting tomorrow. I would however, like it to be on public record and noted that we strongly oppose and will actively and aggressively protest any kind of 5 story building zoning approval within Curtis Park with the exception of buildings on Park Avenue as it is more commercial in nature.

I know myself and my other politically connected and professional neighbors were dismayed and outraged at the idea of rezoning a historic neighborhood. We have already had to deal with many homeless issues, parking and increased crime rates in the area and this further violation of neighborhood culture will be adamantly opposed. My home has been open to host and donate funds to elected officials over the last several years which I will be in direct contact later today along with my legal counsel to discuss my disenchantment.

If you have any questions, please feel free to contact me. Thank you for your help and conveying our thoughts on this matter to the group meeting tomorrow and any other future meetings seeking public comment.

Sincerely,
Sarah Engels

Sarah Engels
Administrator/CEO
PeopleCare Health Services
www.PeopleCareHS.com

Email: SarahE@PeopleCareHS.com

Mission:

PeopleCare Health Services is committed to giving the dignity of choice to our clients by facilitating optimal independence through collaborative advocacy, education and convenient, quality services performed with an integrity that reassures both our clients and their loved ones.

Hello Mr. Barge,

Please share this letter before/during today's (March 31, 2016) Public Technical Task Force Meeting concerning re-zoning. I am fine with it being on record.

I am writing today to *fully support* the *staff recommendation* of a 3 story *maximum height zoning within the Curtis Park* Neighborhood as reflected in the D-AS Proposed Zone Districts map **and as fully supported by the 2011 Northeast Downtown Neighborhoods Plan**. This plan (NDNP) shows C-MX-3 and U-MX-3 as being appropriate transition zones within Curtis Park and leading into the predominately 2.5 story zoning within the bulk of the neighborhood. This plan does provide for an appropriate 5 story zoning (C-MX-5) only partway into the 2300 blocks fronting Park Avenue West to provide appropriate transitions between Curtis Park and the Arapahoe Square Neighborhood on the other side of Park Avenue West.

I am a property owner and have lived on the 2500 block of Arapahoe Street for approximately 35 years. I have periodically been very active in community issues and concerns from the moment I became a resident of Curtis Park. I actively participated in the community discussions and recommendations leading to the decisions reached to develop the Northeast Downtown Neighborhood Plan. The General Curtis Park Community as well as CPN board supported committees decided on and supported Three (3) story C-MX-3 zoning for the D-AS zoned 2300 blocks of Arapahoe, Curtis, Champa, and Stout Streets as well as U-MX-3 zoning for the 2400 blocks of Curtis and Champa Streets.

I am in staunch opposition to any 5 story zoning encroaching into Curtis Park. I do support and strongly encourage the D-AS Technical Task Force, the Denver Planning Staff, Denver Planning Board, Denver City Council, etc... to fully support and implement the staff recommendation of 3 story zoning (C-MX-3 and U-MX-3 as appropriate) within Curtis Park (as shown on the NDNP at this time). I do also support allowing for the 5 story zoning (C-MX-5) along Park Avenue West (also as shown on the NDNP).

Barge, Abe M. - CPD Planning Services

From: Patrick Hidalgo <m.patrick.hidalgo@gmail.com>
Sent: Wednesday, March 30, 2016 9:50 AM
To: Barge, Abe M. - CPD Planning Services
Subject: Zoning meeting for March 31st

Abe,

My family and I reside at 2312 Curtis Street and have become aware that there is some effort to raise the current development height of 3 stories to 5 stories. We live right next to the parking lot that runs along Park Avenue and is owned by Todd Sabus. Our residence and the other 4 units in our development are all 3 stories. Allowing a 5 story building to be put into that lot would block our great view of the city and would cut out just about all of our sunlight. This would have a negative impact on the value and marketability of our units. Please put us down as opposed to 5 story development. Thank you and sorry that we are unable to attend the meeting and tell you in person.

Patrick Hidalgo
303-3330-5994

Barge, Abe M. - CPD Planning Services

From: Bryce Kliewer <klie5111@gmail.com>
Sent: Wednesday, March 30, 2016 1:15 PM
To: Barge, Abe M. - CPD Planning Services
Subject: Champa Street Zoning change

Hello Abe,

I was passed along your contact information from a neighbor of mine regarding a proposed zoning change to the 23/24th blocks along Champa St.

I currently live/own on the 24 hundred block of Champa, in an alleged 'historic district' and would like to voice my concern over this proposed change, and ensure this concern is passed along to those both proposing this, but also those that make the decision on this.

First and foremost this is a residential area, and while we welcome mixed use in the area it should come in the form of tasteful development that falls within some reasonable 'neighborhood' and 'historical district' definitions. A five story building violates the spirit of both these. The current 3 story zoning limitation for this area was a reasonable compromise and should be maintained, reinforced, or moved towards.

We should not let developers with deep pockets and deeper connections that have no real vested interest in the health, vibrancy and community of our neighborhoods get exceptions to agreed upon zoning considerations.

I'm certain these decisions are not taken lightly and appreciate taking the time to discuss this

--Bryce Kliewer

Barge, Abe M. - CPD Planning Services

From: Steve Pastor <steve.pastor@comcast.net>
Sent: Wednesday, March 30, 2016 9:17 AM
To: Barge, Abe M. - CPD Planning Services
Subject: C-MX-3 proposal

Abe,
Please do all possible for the residents of the Curtis Park area by getting the C-MX-3 proposal approved and adopted. As a 20+ year resident of the Curtis Park neighborhood, my family and I are heavily opposed to zoning for any kind of building over 4 stories being adopted on the corridor from the 2300 blocks on up to 3500 blocks on Arapahoe, California, Champa, Curtis, and Stout Streets. There have been a few 'sell outs' over the years by powerful people (I was going to list them, but you would know who they are) thinking 4 and 5 story condo-types would bring more (money, power, etc.) to them, and their supporters in the neighborhood, yet those structure are eyesores and remain blocking views and taking away from the historic Curtis Park feel and its historic designations. We need your help to protect our property values and our homes. Thank you for doing the 'right thing' and getting the C-MX-3 passed by City Council.

Regards,
Steven Pastor
2435 Stout St
Denver, CO 80205
(303) 308-0939

Barge, Abe M. - CPD Planning Services

From: Race, Ron <rrace@ball.com>
Sent: Wednesday, March 30, 2016 7:13 PM
To: Barge, Abe M. - CPD Planning Services
Subject: Curtis Park Rezoning

Mr. Barge,

My name is Ron Race and I live at 2523 Curtis Street. I am writing to strongly oppose any kind of zoning that allows a 5 story building to be built east of park avenue within the Curtis Park area. A five story building does not fit the existing area and would be extremely impactful to the existing houses that surround the neighborhood. This area is already over saturated parking-wise and any building over 3 stories would be inappropriate for this area. I ask that the City's proposal for C-MX-3 be approved and sent to City Council for adoption.

I would appreciate your support in this matter.

Sincerely,
Ron Race

Sent from my iPhone

This message and any enclosures are intended only for the addressee. Please notify the sender by email if you are not the intended recipient. If you are not the intended recipient, you may not use, copy, disclose, or distribute this message or its contents or enclosures to any other person and any such actions may be unlawful. Ball reserves the right to monitor and review all messages and enclosures sent to or from this email address.

Barge, Abe M. - CPD Planning Services

From: Jennifer Holt <attyjih@ultra2k.com>
Sent: Wednesday, March 30, 2016 6:30 AM
To: Barge, Abe M. - CPD Planning Services
Cc: kstruble1@aol.com
Subject: Arapahoe Square/Curtis Park re-zoning

Dear Mr. Barge:

I am a condo owner in the Brownstones at Stout Street and previously owned a home at 2542 Stout, having lived in the neighborhood for over 30 years. The neighborhood has improved substantially since I have lived here and I approve the City's proposal for C-MX-3 zoning but I strongly oppose any approval for 5 stories in the 2300 or 2400 blocks of Arapahoe, Curtis, Champa or Stout Streets unless those 5 story buildings are immediately adjacent to Park Avenue. I cannot personally attend the 3/31/16 meeting but wish to make my views known.

S/Jennifer I. Reffalt

814 2th Street, Unit 1
Denver, CO 80205

Barge, Abe M. - CPD Planning Services

From: Jude Santistevan <judesantistevan@yahoo.com>
Sent: Wednesday, March 30, 2016 11:17 PM
To: Barge, Abe M. - CPD Planning Services
Subject: C-MX-3 Proposal

I'm a third generation resident of 2515 Curtis Street in Denver, CO 80205. My grandmother purchased the property in 1932. I've grown up in this house, raised my children here, plan to live here until I die, and hopefully one of the fourth generation will do the same. I am not opposed to 3 story buildings being built on the South side of Park Avenue; however, I am strongly opposed to the construction of any five story buildings which I believe will contribute to the gentrification that is already affecting this neighborhood. The primary goal should not be to make as much money for the investor as possible by building higher and fitting as many people as possible into a small area, but to maintain the look and feel of the neighborhood for its current residents. Of 'course I am concerned about the negative effects these building with have on my property values but the truth of the matter is this is my home. This is where I spend my free time, where I relax, and where I enjoy my family. Higher buildings mean more traffic, more parking issues, and more people crammed into our neighborhood. My view, which has already been impeded, will continue to grow smaller and smaller; and my home environment is becoming less and less comfortable.

Anthony Jude Santistevan
303-875-4114

Barge, Abe M. - CPD Planning Services

From: Jennifer Santistevan <jenns2515@gmail.com>
Sent: Wednesday, March 30, 2016 10:42 PM
To: Barge, Abe M. - CPD Planning Services
Subject: Rezoning for Arapahoe Square (C-MX-3)

My name is Jennifer Santistevan. I live at 2515 Curtis Street and have lived here since my marriage in 1996. Over the last few years I have seen the area change significantly. Some changes have been better for the neighborhood, others have not. Recently I have been made aware of the cities plans to rezone "Arapahoe Square".

While I do not support changing the zoning to allow 3 story buildings on the North side of Park Avenue, I am writing to express my strong opposition for any 5 story buildings. With the growth we have already experienced, parking is almost unmanageable and the traffic (especially along 23rd) is congested and dangerous. These large buildings dwarf the homes and businesses next to them and decrease at the very least the value of the homes, not to mention our view of downtown and the beautiful Rocky Mountains. If passed, this will set a precedence that will allow more tall buildings to be built in the neighborhood, expanding the downtown area and affecting the quality of life of my family and other residence of the Curtis Park Neighborhood.

Feel free to contact me at 303-731-9085.

Barge, Abe M. - CPD Planning Services

From: KATHY STRUBLE <kstruble1@aol.com>
Sent: Wednesday, March 30, 2016 7:47 AM
To: Barge, Abe M. - CPD Planning Services
Subject: Cmx 3 zoning & umx 3 zoning curtis park

Hello Mr. Barge

Unfortunately I don't think I can make the task force meeting this Thursday, but hope you will make my wishes known.

I strongly support the city's current recommendation of cmx 3 and umx 3 zoning for the area north of park Avenue in Curtis Park. It fits perfectly with all past visions planned and approved by the city for the area.

I strongly oppose any change that would take the area to 5 stories or higher.

Thank you for listening.

Kathy Struble
2343 Stout Street
Denver, CO

Sent from my Samsung Galaxy Note® II

Barge, Abe M. - CPD Planning Services

From: b w <brewagner@hotmail.com>
Sent: Wednesday, March 30, 2016 7:52 PM
To: Barge, Abe M. - CPD Planning Services
Subject: Arapahoe Square Area - Zoning Concern

Mr. Barge -

Hello. I reside at 2428 Champa Street in Denver (80205). It has been brought to my attention that there are plans to rezone portions of the block right across the street from me -- the Golden Bell Press parking lot -- into an area that would permit five-story structures. I implore you not to allow this to occur. It would totally kill the vibe of my neighborhood. Five stories is excessive -- especially in an historic district with plenty of houses on the Register.

I moved to the Curtis Park Neighborhood from a loft in lower downtown precisely because of the non-commercial, residential (yet still urban) feel. During the past year, four of my neighbors cashed in and departed. I would like to remain. So please do not make efforts to gentrify the space with excessively tall buildings. There's no need to follow the New York "supertall" approach that's destroying Central Park. And for what it's worth, I worked at and helped inaugurate the Blair-Caldwell African American Research Library nearly thirteen years ago. I've seen the place grow and change. The booming growth that makes sense on a Light Rail corridor does not translate to Stout, Champa, and Curtis.

I apologize for not being able to make my remarks in person tomorrow afternoon at the 31 March 2016 meeting at 2130 Stout Street Health Center. Thank you for your time,

- Brent Wagner

Hello Mr. Barge,

Please share this letter before/during today's (March 31, 2016) Public Technical Task Force Meeting concerning re-zoning. I am fine with it being on record.

I am writing today to *fully support* the *staff recommendation* of a *3 story maximum height zoning within the Curtis Park* Neighborhood as reflected in the D-AS Proposed Zone Districts map **and as fully supported by the 2011 Northeast Downtown Neighborhoods Plan**. This plan (NDNP) shows C-MX-3 and U-MX-3 as being appropriate transition zones within Curtis Park and leading into the predominately 2.5 story zoning within the bulk of the neighborhood. This plan does provide for an appropriate 5 story zoning (C-MX-5) only partway into the 2300 blocks fronting Park Avenue West to provide appropriate transitions between Curtis Park and the Arapahoe Square Neighborhood on the other side of Park Avenue West.

I am a property owner and have lived on the 2500 block of Arapahoe Street for approximately 35 years. I have periodically been very active in community issues and concerns from the moment I became a resident of Curtis Park. I actively participated in the community discussions and recommendations leading to the decisions reached to develop the Northeast Downtown Neighborhood Plan. The General Curtis Park Community as well as CPN board supported committees decided on and supported Three (3) story C-MX-3 zoning for the D-AS zoned 2300 blocks of Arapahoe, Curtis, Champa, and Stout Streets as well as U-MX-3 zoning for the 2400 blocks of Curtis and Champa Streets.

I am in staunch opposition to any 5 story zoning encroaching into Curtis Park. I do support and strongly encourage the D-AS Technical Task Force, the Denver Planning Staff, Denver Planning Board, Denver City Council, etc... to fully support and implement the staff recommendation of 3 story zoning (C-MX-3 and U-MX-3 as appropriate) within Curtis Park (as shown on the NDNP at this time). I do also support allowing for the 5 story zoning (C-MX-5) along Park Avenue West (also as shown on the NDNP).

The Northeast Downtown Neighborhoods Plan involved a yearlong process in which a large numbers of citizens and community residents in Curtis Park participated in fully and actively. The decisions on what would be accepted, appropriate, and recommended heights for future development within the Curtis Park boundaries that also fall within the D-AS zoning were thoroughly explored.

The decision to limit heights to 3 stories within Curtis Park while allowing a strip of land fronting Park Avenue West to accommodate 5 stories came after intensive, diverse, and well attended amount of community conversations as well as committee discussions. These opportunities for community discussion were well advertised and well attended, open and public.

Currently, there is at least one property owner that would like to retain their right to build to current zoning entitlements. And there are some influential citizens who are advocating on their behalf. Please be aware *there has been absolutely no attempt to inform the general population within the Curtis Park Neighborhood that this is going on*. Despite repeated requests to do so and over numerous months, this topic and position -to go against the previously agreed upon Curtis Park Community recommendations as correctly reflected in the NDNP- has never been allowed to be presented at our very well attended and advertised General Meetings or even special meetings. There has been ample opportunity to do so.

D-AS Task Force, Denver Planning Board, City Council, etc... please proceed to include all the Curtis Park parcels in the zoning changes along with all other D-AS parcels under consideration at this time. As well, please follow the NDNP recommendation of C-MX-3 and U-MX-3 in deciding the zoning for these properties.

These parcels should not be pulled out of the D-AS process to allow the property owner(s) more time begin a neighborhood dialogue. The

owner(s) and their advocates had plenty of time and multiple opportunities to initiate and support actual public outreach within the Curtis Park Community. It is unfortunate that they strategically decided not to do so.

If, at a future date the land holder(s) want to pursue different zoning, they are encouraged initiate true public outreach with the General population of Curtis Park Community in *addition* to conversations with one or more CPN board members. At such a time, I would encourage them to submit site development concepts and plans to the whole Curtis Park General Community for discussion and feedback while also utilizing the appropriate and advertised public process for zoning considerations.

Kind Regards,
Eileen Feltman

Barge, Abe M. - CPD Planning Services

From: Bartholomew, Lance <LBartholomew@CraigHospital.org>
Sent: Thursday, March 31, 2016 10:56 AM
To: Barge, Abe M. - CPD Planning Services
Subject: C-MX-3 proposal

My name is Lance Bartholomew and I live at 828 25th St., Denver, 80205. I would like City's proposal for C-MX-3 to be approved and sent on to City Council for adoption. I oppose any kind of 5 story building being adopted on 2300 and 2400 blocks of Arapahoe, Curtis, Champa and Stout street, except along Park Avenue.

I work during the hours of the meeting today, hence the email.

Lance Bartholomew

Lance Bartholomew
Craig Hospital
Psych/Speech Dept.
Administrative Assistant
303-789-8429
lbartholomew@craighospital.org

“The soft bonds of love are indifferent to life and death. They hold through time so that yesterday's love is part of today's and the confidence in tomorrow's love is also part of today's. And when one dies, the memory lives in the other, and is warm and breathing. And when both die — I almost believe, rationalist though I am — that somewhere it remains, indestructible and eternal, enriching all of the universe by the mere fact that once it existed,” — Isaac Asimov, It's Been a Good Life.

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Barge, Abe M. - CPD Planning Services

From: George Justison <gjustison@gmail.com>
Sent: Thursday, March 31, 2016 5:55 AM
To: Barge, Abe M. - CPD Planning Services
Subject: C-MX-3

I am a resident and homeowner in Curtis Park for over nine years. It is a unique and vibrant part of Denver. We are threatened by the uncontrolled growth in the area.

Please approve the city's proposal for C-MX-3 and send it to the City Council for adoption. I am opposed to ANY kind of 5 story building being adopted on the 2300 and 2400 blocks of Arapahoe, Curtis, Champa and Stout Streets.

George Justison
828 25th Street
Denver, CO 80205

Barge, Abe M. - CPD Planning Services

From: Katie Kennedy <katherine_kennedy@hotmail.com>
Sent: Thursday, March 31, 2016 9:37 AM
To: Barge, Abe M. - CPD Planning Services
Subject: City's Proposal for Arapahoe Square

Dear Abe,

I would like the City's proposal for C-MX-3 to be approved and I oppose any kind of 5 story building plan being adopted on the 2300 and 2400 blocks of Arapahoe, Curtis, Champa, and Stout Street.

Thank you,

Katie Kennedy
2318 Curtis Street
Denver, CO 80205

Barge, Abe M. - CPD Planning Services

From: sotor236@comcast.net
Sent: Thursday, March 31, 2016 8:02 AM
To: Barge, Abe M. - CPD Planning Services
Subject: Building over five stories

Sir I reside at 2542 Arapahoe Street I've been in the house for 53 years I've seen my neighborhood changed greatly some for The Good some for the bad I have not been able to attend your meeting because of my work schedule I wish I could have so that I can voice my opinion on some of the decisions you guys make this decision on allowing five storeys buildings I'm a truly against what are we trying to build here in Denver Manhattan I heard there was an agreement for three stories and three stories only I really do not want to see 5 stories in my neighborhood I fear that Denver Housing or Denver development or whoever is doing it will build a five-story complex in front of my house now so please do not allow 5-story building in my neighborhood keep it to 3 as it should be and please if you can keep me informed of these meetings via email or some way I wish I could attend but my work schedule just want to love it thank you for your time Rudolph M.Soto of 2542 Arapahoe Street

Sent from XFINITY Connect Mobile App

From: Mark Lang [mailto:mlang@langandassociates.us]
Sent: Friday, April 1, 2016 10:56 AM
To: 'abe.barge@denvergov.org' <abe.barge@denvergov.org>
Subject: Arapahoe Square - Two Proposed Apartment 'Blocks'

Mr. Abe Barge
Senior City Planner
City and County of Denver

Hello Abe,

I enjoyed meeting you earlier this year at two Downtown Denver Partnership committee meetings at which you spoke. I also saw your presentation at the March 9th Arapahoe Square Community Open House. Unfortunately, I was unable to attend yesterday's meeting. I hope it went well!

While most of us want to see Denver's continuing growth to be thoughtfully planned, there are two proposed projects in my neighborhood that are of great concern to those of us aware of them – for their sheer massiveness. Their oppressive scale, if built, will surely have an adverse effect on the lovely Clements Historic District and adjacent northern Uptown/Benedict Fountain Park.

One of those is the Alexan Arapahoe Square, slated to occupy the entire block of Welton Street between 22nd Street and Park Avenue West. The other, and cause for even greater heartburn, is the proposed behemoth next door along Welton, between 21st and 22nd streets, simply called the 21st & Welton Apartments. I'm sure you've heard about these projects, but I've taken the liberty to attach images of both below.

I know you're very busy, Abe, but if you have time for coffee during which we could speak for a few minutes about these two proposals, I would be grateful for your time. And should you like to take a quick walk around the two sites in question, that would really be great! I'll leave it all up to you.

Thank you for your hard work at making Denver a better city!

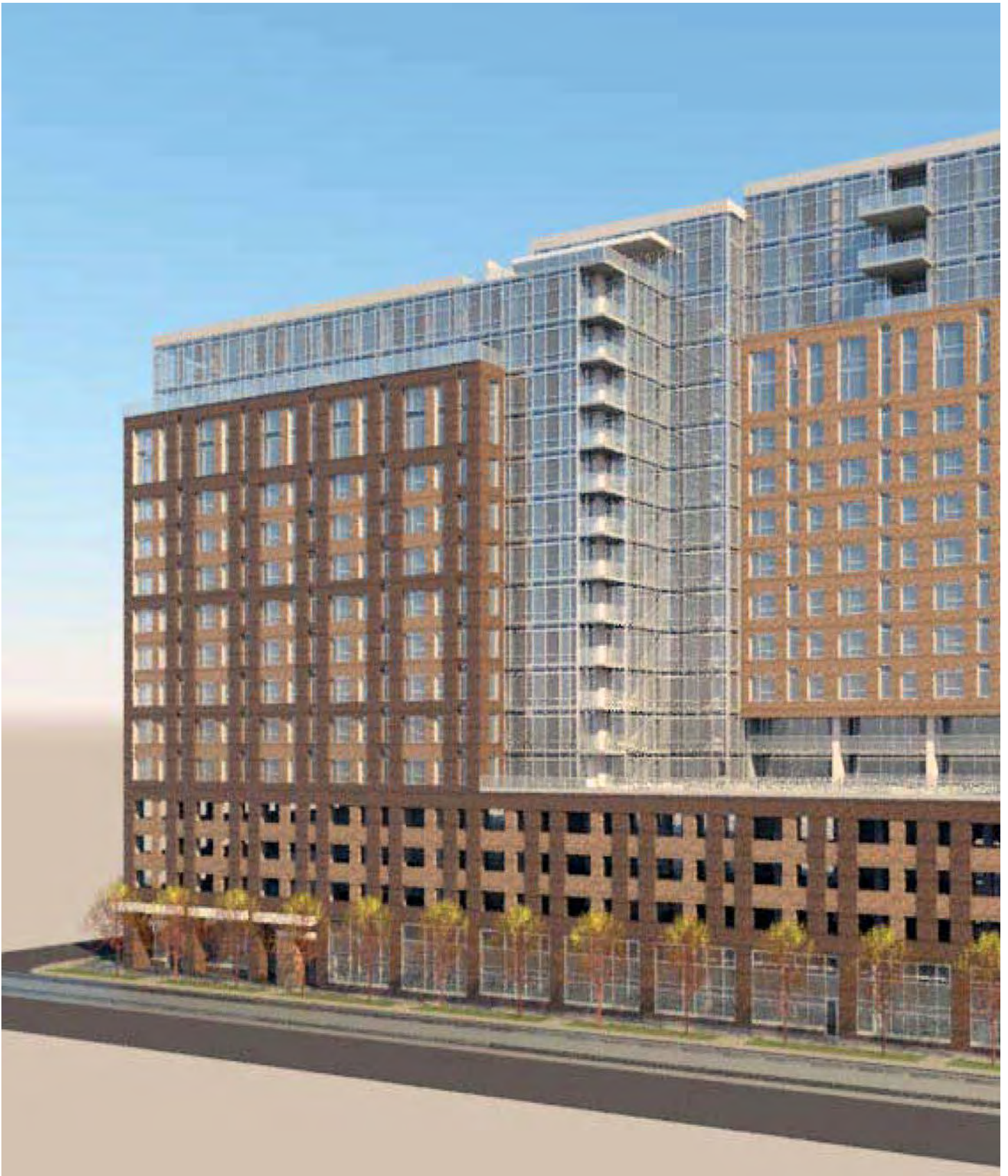
Best regards,

Mark

Mark H. Lang
Urban Enthusiast
LANG & ASSOCIATES, LLC
Planning – Project Management – Stakeholder Relations
1975 Grant Street, Suite 808
Denver, Colorado 80203
O: 303.955.8926
C: 202.577.3969



Alexan Arapahoe Square



21st & Welton Apartments



21st & Welton Apartments

Barge, Abe M. - CPD Planning Services

Subject: FW: Arapahoe Square zoning & design guidelines

Mr. Weimer,

Thank you for your message. We will include it with future staff reports to the City Council and Planning Board.

Just to note - The current maximum height allowance in Arapahoe Square is 200', which is approximately 16-17 stories, and there is a maximum floor area ratio standard. Maximum height limits in the proposed zoning will vary depending on whether the property is near the downtown core (southwest of the middle of the block between 21st and 22nd) or closer to Curtis Park (northeast of the middle of the block between 21st and 22nd) and which height incentives are used. Near the downtown core, maximum heights will be 150'-375' depending on incentives used. Closer to Curtis Park, maximum heights will be 110'-250', depending on incentives used. There will be no maximum floor area ratio standard. So – For many projects, the proposed zoning will allow taller heights than the existing zoning. Also – Buildings adjacent to a historic district will be required to integrate high-quality design into visible facades (through design review), but there will be no requirement to fully wrap parking structures with another use.

Please let us know if you have additional questions or comments.

Regards,

-Abe



Abe Barge, AICP | Senior City Planner
Community Planning & Development | City and County of Denver
720.865.2924 Phone | abe.barge@denvergov.org
DenverGov.org/CPD | [@DenverCPD](https://twitter.com/DenverCPD) | [Take our Survey](#)

From: rexwy@comcast.net [<mailto:rexwy@comcast.net>]

Sent: Tuesday, April 05, 2016 12:31 PM

To: Tippetts, Heidi L. - CPD Planning Services <Heidi.Tippetts@denvergov.org>

Subject: Arapahoe Square zoning & design guidelines

To whom this may concern,

Subject: Arapahoe Square zoning & design guidelines

I am a property owner in the area and I would like to be on the record stating that I am strongly opposed to the proposed changes to the current Arapahoe Square zoning. I do not support the decrease in the height allowance from 20 stories down to 10 stories. This change would have a significantly negative impact on the value of the properties currently zoned Arapahoe Square as well as limit the type of development.

Also, I am opposed to the proposed requirement to fully wrap any building touching a declared historic district. This requirement places an unreasonable financial and design challenge on property owners. The city desires to have a mixed use community and these new requirements will hinder development of mixed use buildings as well as stop the natural growth of the cities urban core, both of which are opposite of the goals of creating a high energy, mixed use, urban neighborhood.

Rex Weimer
8480 E. Orchard Road #1100
Greenwood Village, CO. 80111
303-779-7979 Office
303-324-2004 Cell

Barge, Abe M. - CPD Planning Services

From: Mark Lang <mlang@langandassociates.us>
Sent: Friday, April 08, 2016 12:52 PM
To: Barge, Abe M. - CPD Planning Services
Subject: Resend: Arapahoe Square - Two Proposed Apartment 'Blocks'

Hi Abe,

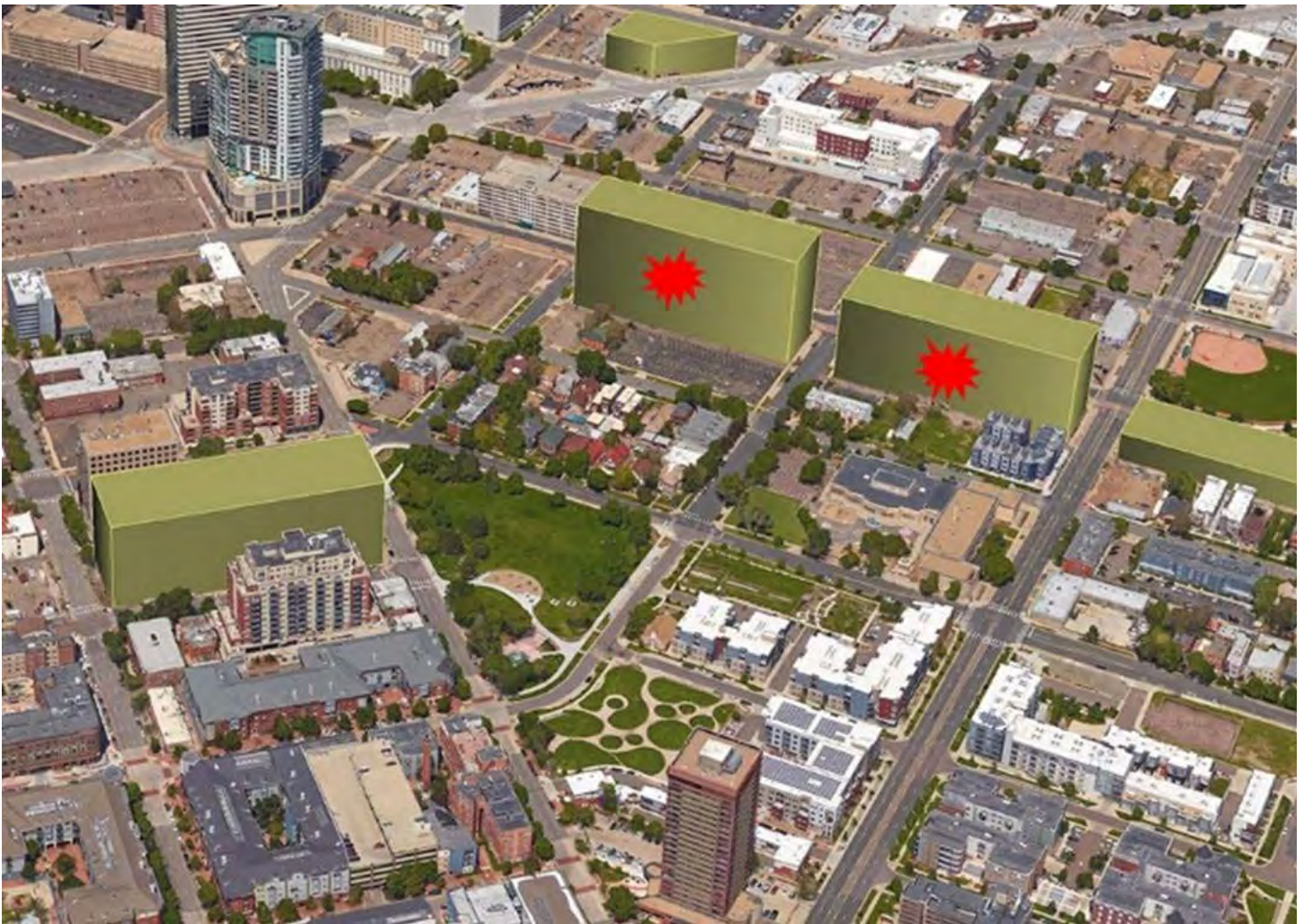
I just wanted to make sure you'd received my email last week, and so I am resending it (below).

Ken Schroeppel's 3D massings of the two masses in question are timely (below), having just been released on his informative DenverInfill.com website.

I look forward to hearing from you when you have a moment.

Thanks.

Mark Lang



Barge, Abe M. - CPD Planning Services

From: Peggy Race <ronandpsue@aol.com>
Sent: Wednesday, April 20, 2016 12:48 AM
To: Barge, Abe M. - CPD Planning Services
Subject: Curtis Park

Dear Mr. Barge,

I am writing as a concerned neighbor regarding the zoning of the opening block to Curtis Park. I am asking that you support the Northwest Neighborhoods Plan that supports 3 stories in Curtis Park. The concern is a possible 5 stories at the 2400 block of Champa. Directly across the street from this site are single family homes. A five story building will not blend in whatsoever with the rest of this area. The Northwest Neighborhoods Plan worked for a year studying what would be best for this area and I agree with their recommendation for three stories.

Thank you,

Peggy Race
2523 Curtis St.

Executive Summary

ARAPAHOE SQUARE ZONING + DESIGN STANDARDS & GUIDELINES

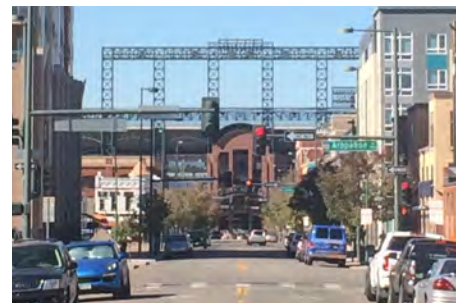
This document summarizes a proposal for new zoning and updated design standards/guidelines to apply in the Arapahoe Square neighborhood. It provides a high-level review of the components of the proposed Downtown Arapahoe Square (D-AS) zone districts, as well as key concepts from the proposed updates to the design standards and guidelines (DSG) for Arapahoe Square.

The proposals described in this document reflect agreements reached by the Arapahoe Square Zoning Technical Task Force, an all-volunteer group of diverse stakeholders including residents, property owners, architects and design professionals who met over a 14 month period.

Following an introduction to the proposed zoning and design review system, the executive summary is organized around the desired future conditions in Arapahoe Square that the new zoning and DSG seek to promote. The full text of the proposed zoning and DSG is available on the web at www.DenverGov.org/ArapahoeSquare



The Arapahoe Square neighborhood is bounded by Park Avenue, 20th Street, the alley between Lawrence and Larimer and the alley between Welton and Glenarm.



FOR MORE INFORMATION

Contact: Abe Barge, Senior City Planner
abe.barge@denvergov.org

www.DenverGov.org/ArapahoeSquare

See page 13 for information on next steps.

EXECUTIVE SUMMARY: ARAPAHOE SQUARE ZONING + DESIGN STANDARDS & GUIDELINES

Introduction to the Zoning & Design Review System

Arapahoe Square is one of several special neighborhoods in Denver where both base zoning requirements and a parallel design review process, using design standards and guidelines (DSG), help shape compatible, high-quality development. The proposed system will make significant improvements to the existing zoning and design review in Arapahoe Square.

Proposed Zone Districts

Two new form-based zone districts are proposed to replace the existing Downtown Arapahoe Square (D-AS) zone district:

- **Downtown Arapahoe Square 12+ (D-AS-12+)** is proposed for the northeastern part of Arapahoe Square closest to low-scale neighborhoods. It limits most building heights to 8 or 12 stories with a maximum height of about 20 stories as a tall, slender tower (see page 4 for more information on building forms).
- **Downtown Arapahoe Square 20+ (D-AS-20+)** is proposed for the southwestern part of Arapahoe Square closest to the Downtown Core. It limits most building heights to 12 or 20 stories with a maximum height of about 30 stories as a tall, slender tower (see page 4 for more information on building forms).

The D-AS-12+ and D-AS-20+ districts will implement the height and land use objectives of the *Northeast Downtown Neighborhoods Plan* by allowing for a vibrant mix of uses in buildings that transition in scale from the Downtown Core to neighborhoods at the northeastern edge of Arapahoe Square (see “Building Heights that Transition from Downtown” on page 6 for more information).

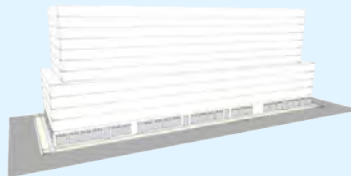


THE 2010 FORM BASED ZONING CODE

Denver's 2010 Zoning Code Update overhauled the city's outdated zoning code by providing form-based requirements for context-sensitive development. The update revised zoning throughout most of the city, but did not include significant revisions to the format or requirements of the Downtown zone districts.

If adopted, the proposed D-AS-12+ and D-AS-20+ zone districts described at left will be the first Downtown zone districts that use the updated 2010 form-based zoning format.

WHAT IS ZONING?



Zoning includes the basic regulations that shape property development. Zoning regulations are prescriptive and generally quantitative (based on a minimum or maximum numerical dimension). All development projects must meet applicable zoning regulations, which generally include:

- » Allowed building locations
- » Maximum height
- » Minimum or maximum setbacks
- » Specific design requirements
- » Parking requirements
- » Permitted uses

WHAT IS DESIGN REVIEW?



Design review complements zoning with a parallel process to ensure high-quality design. Design review is conducted by staff or a separate board using flexible design standards and guidelines (DSG) that provide performance-oriented guidance for context-specific review of development projects. Typical design standards and guidelines topics include:

- » Context-sensitive site design
- » Building mass & scale
- » Facade character and materials
- » Streetscape/landscaping

Introduction to the Zoning & Design Review System

Proposed Design Review System

The proposed design review system replaces City staff-led design review with a new Arapahoe Square Design Advisory Board composed of design professionals, property owners and residents. The board will be appointed by the Mayor and use extensively updated design standards and guidelines (DSG) to guide their review of new development in Arapahoe Square. The proposed process will work in tandem with the zoning approval process to streamline development review.

Flexibility for Creative Design

The proposed zoning and design review system provides extensive flexibility to promote creative design in Arapahoe Square. Flexible tools include:

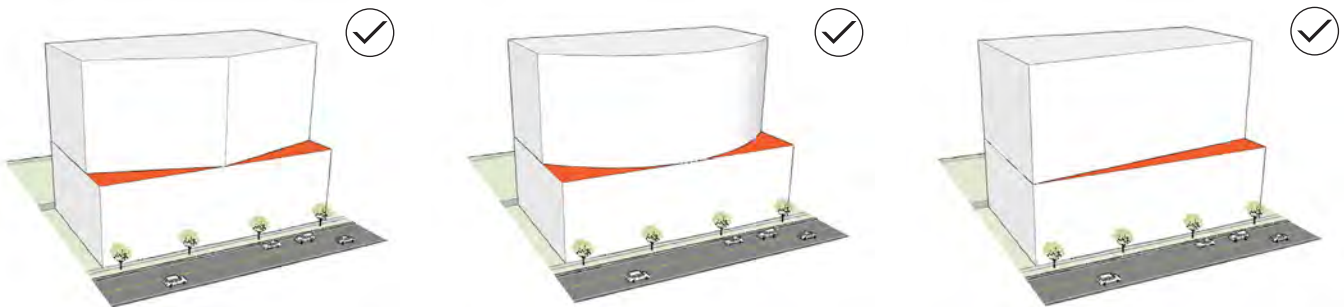
- **A variety of building forms** in the proposed zoning allow flexibility for a range of designs while also incentivizing higher design quality. See “A Vibrant Neighborhood with a Mix of Building Forms” on page 4 for more information.
- **Alternatives** in the proposed zoning allow a variety of approaches for meeting build-to, transparency and upper story setback requirements.
- **Percentage-based tools** in the proposed zoning allow flexibility for creatively-design building frontages, facades, upper story setbacks and other features.
- **Intent Statements** in the proposed design standards and guidelines may be used to approve innovative or creative designs that do not meet specific standards or guidelines.
- **Suggested strategies** in the proposed design standards and guidelines list specific approaches that are appropriate to meet the intent of a standard or guideline, but also allow for other innovates or creative approaches.



THE NORTHEAST DOWNTOWN NEIGHBORHOODS PLAN

The 2011 Northeast Downtown Neighborhoods Plan provides the policy background for the new Arapahoe Square zoning and DSG. In addition to recommending the form-based zoning study that led to the proposed zoning and DSG, the Plan outlines specific objectives that are embedded in the proposals described in this document, including:

- » *Maximum building heights*
- » *A five story datum line (upper story setback)*
- » *Point Tower building form*



Alternatives and percentage-based zoning tools allow creative upper story setback designs that meet the intent of the five story “datum line” recommended in the Northeast Downtown Neighborhoods Plan.

EXECUTIVE SUMMARY: ARAPAHOE SQUARE ZONING + DESIGN STANDARDS & GUIDELINES

A Vibrant Neighborhood with a Mix of Building Forms

Building Forms

To promote a vibrant, mixed-use district with a range of building forms, the draft zoning proposes three basic building forms. These building forms will accommodate the density envisioned for Arapahoe Square in the *Northeast Downtown Neighborhoods Plan*, while also incentivizing buildings that minimize the visibility of structured parking and limit the mass of the tallest building elements.

GENERAL

This building form allows for a wide range of building types with a maximum height of 8 stories in the D-AS-12+ zone district and 12 stories in the D-AS-20+ zone district. Although this form has the lowest maximum height, it allows for the greatest flexibility since there are no requirements regarding parking design or limits on the size of upper story floors.

GENERAL WITH HEIGHT INCENTIVE

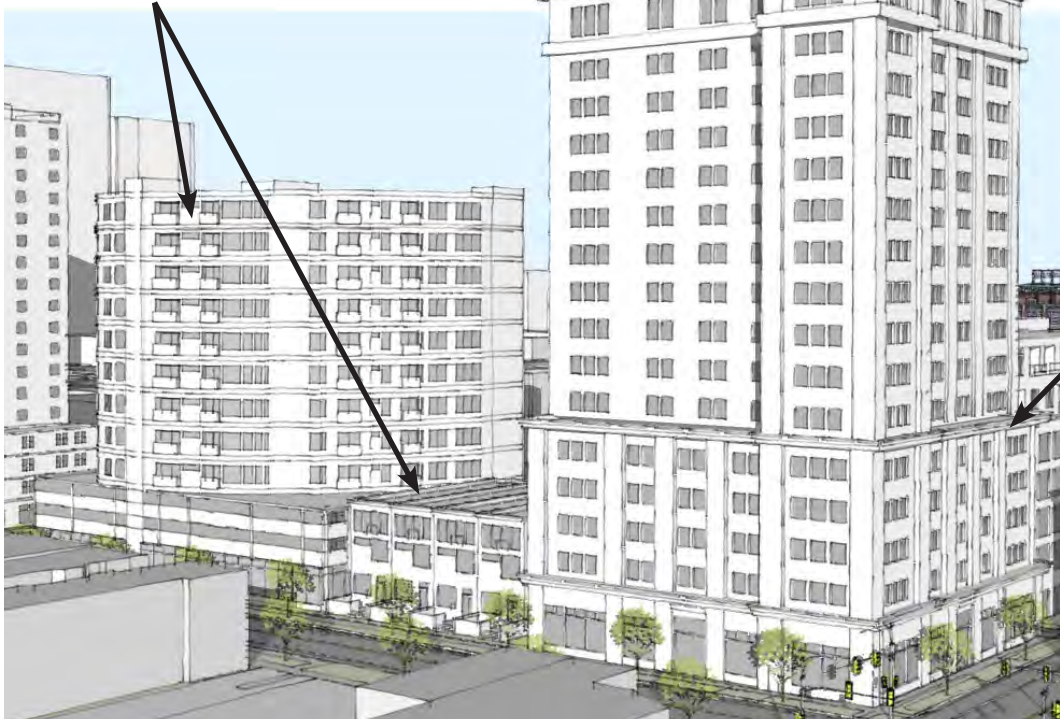
The General with Height Incentive building form is identical to the General building form, with one difference: taller heights are allowed in exchange for minimizing the visibility of above-grade parking. If at least 70% of street-facing parking is wrapped with an active use (uses other than parking, including residential and office), or if no above-grade parking is provided at all, the General with Height Incentive form may be used. It allows for buildings as tall as 150 feet in the D-AS-12+ zone district and 250 feet in the D-AS-20+ zone district. The maximum heights are in feet only, with no restriction on the total number of stories.

ABOVE-GRADE STRUCTURED PARKING

An important goal of the zoning and DSG for Arapahoe Square is to minimize the visibility of structured parking. Tools to accomplish this objective include:

- » Two building forms that incentivize wrapped parking and below-grade parking
- » Restrictions on parking at the street level (see "Street Level Uses" on page 7)
- » Design standards to ensure quality design that integrates with the building's architecture where above grade parking is visible (see "Structured Parking" on page 11)

General Building Form: allows for maximum heights of 8 or 12 stories. No restriction on above-grade parking. Accommodates a wide variety of building forms, including row homes.



General with Height Incentive Building Form: allows taller maximum heights of approximately 12* or 20* stories. In exchange, no more than 30% of the lot width may have visible structured parking (at least 70% of all structured parking facing the street must be wrapped with another use). Buildings that provide no above-grade structured parking may also use the height incentive.

*Approximate maximum stories. The height limit for the General with Height Incentive building form is expressed in feet only, which may allow for additional stories.

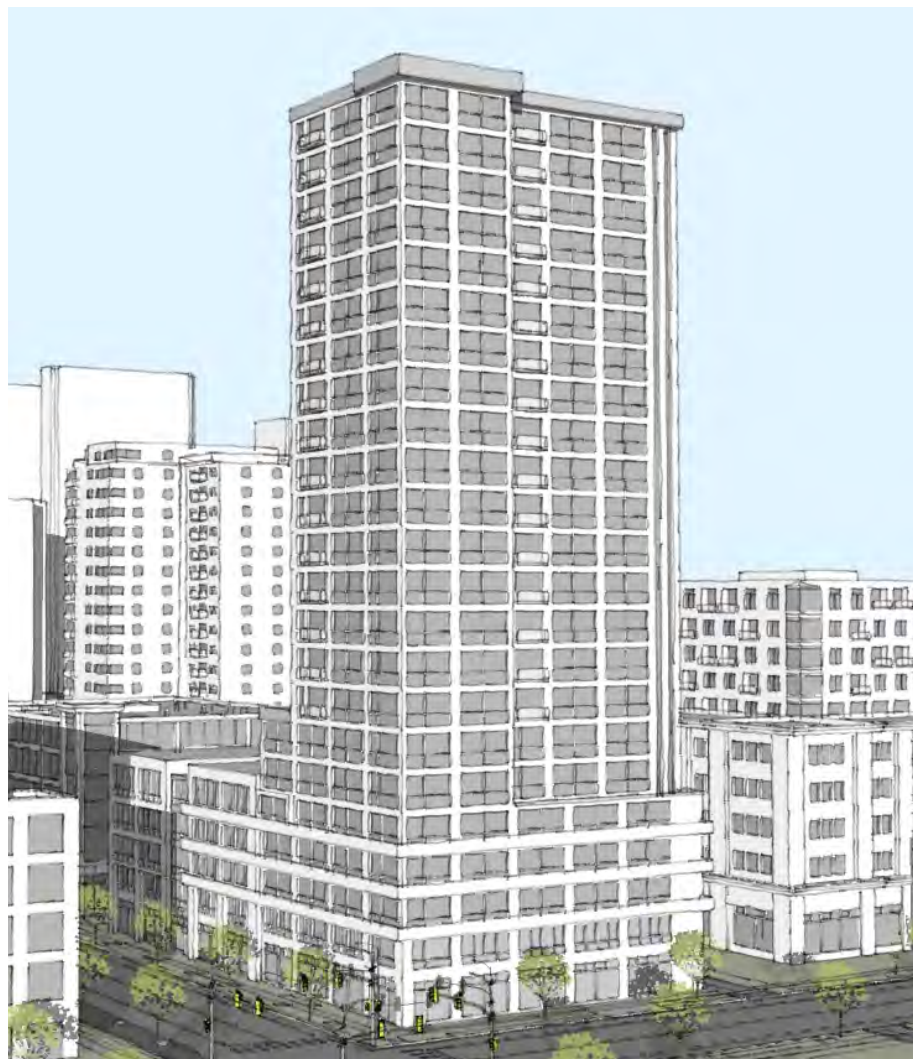
EXECUTIVE SUMMARY: ARAPAHOE SQUARE ZONING + DESIGN STANDARDS & GUIDELINES

A Vibrant Neighborhood with a Mix of Building Forms

POINT TOWER

This building form is recommended for Arapahoe Square in the *Northeast Downtown Neighborhoods Plan*. It allows for significant height in slender tower forms that reduce visual mass and preserve sky exposure from the pedestrian realm. Point Towers may reach as tall as 250 feet in the D-AS-12+ zone district and 375 feet in the D-AS-20+ zone district, with no restriction on the total number of stories. The Point Tower form requires a maximum floor plate of 10,000 square feet above 5 stories/70 feet. This ensures a narrow tower form above the base of the building.

As with the General with Height Incentive building form, requirements to minimize above-grade parking apply to Point Towers. Buildings must wrap at least 70% of exposed parking structures, or provide no above grade parking.



Point Tower Building Form: buildings may be as tall as 250-375 feet under this building form. Above the 5th story/70 feet, the floor plate is limited to a maximum of 10,000 square feet. This slender, tall form accommodates the density envisioned for Arapahoe Square while minimizing overall building mass.



An example of a point tower in Portland, Oregon.

EXECUTIVE SUMMARY: ARAPAHOE SQUARE ZONING + DESIGN STANDARDS & GUIDELINES

Building Heights that Transition from Downtown

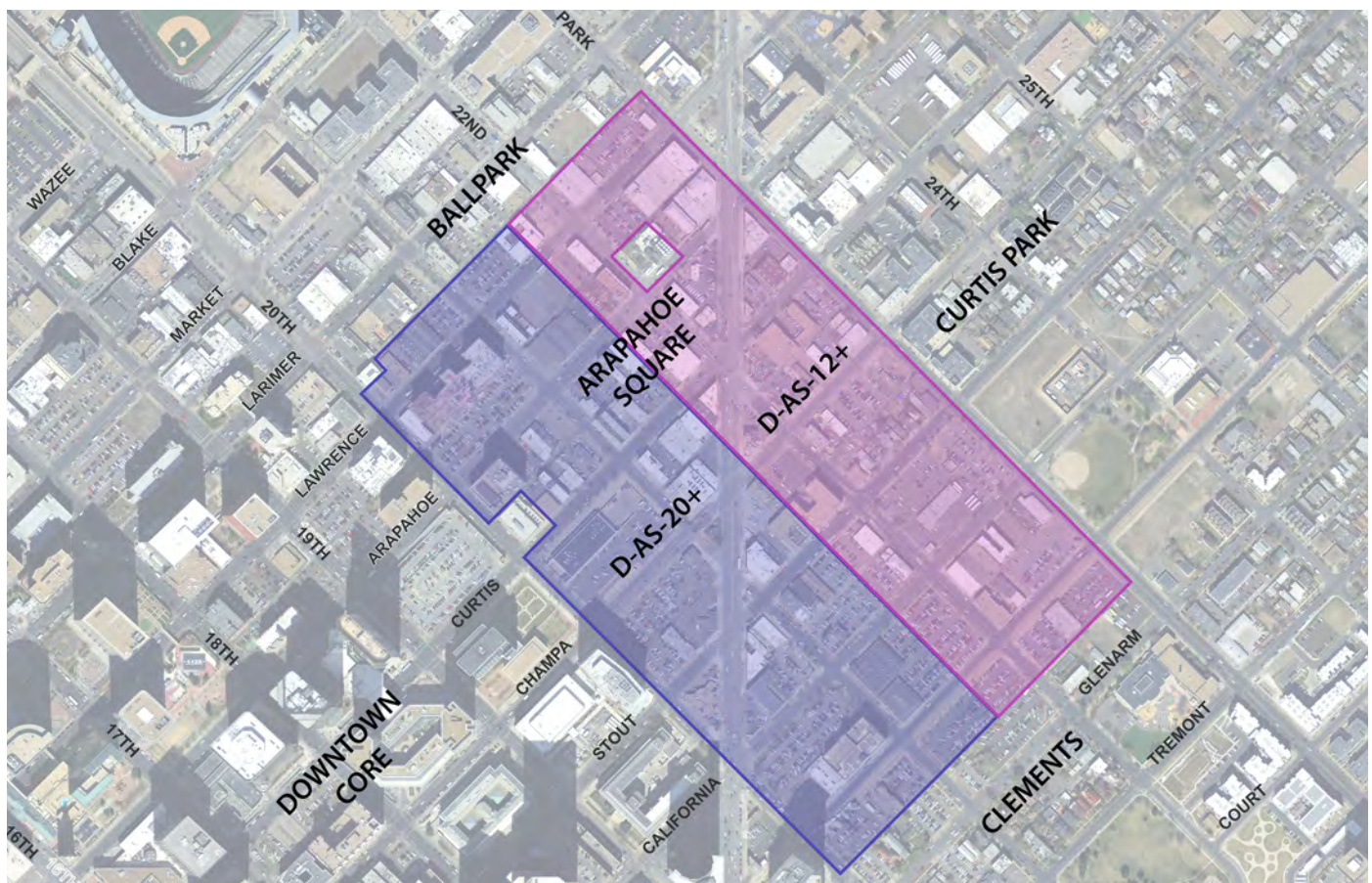
A major goal of the new zoning and design standards and guidelines is to accomplish a more appropriate height transition between the Downtown Core and neighborhoods adjacent to Arapahoe Square.

Zone District Mapping

The mapping of the two proposed zone districts summarized on page 2 creates a height transition between the Downtown core and the low-density residential neighborhood on the northern edge of Arapahoe Square. This height transition is recommended in the *Northeast Downtown Neighborhoods Plan*. As illustrated on the map below, the major height transition occurs mid-block between 21st and 22nd Streets, with lower heights allowed to the northwest, as seen in the image below.

Transitions to Historic Districts

Arapahoe Square is surrounded by three historic districts -- Ballpark to the northwest, Clements to the southeast, and Curtis Park to the northeast, across from Park Avenue. All three districts are lower in scale than Arapahoe Square. Transitions along the historic edges are very important, especially adjacent to Clements and Curtis Park, which are lower-density residential neighborhoods. The proposed design standards and guidelines promote sensitive transitions to these areas with standards and guidelines for high-quality facades on all sides of the building and increased use of masonry. See more about transitions to historic districts under "Historic Assets" on page 13.



Zone district mapping: building heights step down moving from the Downtown Core toward Curtis Park, with the primary height transition occurring between 21st and 22nd Streets.

EXECUTIVE SUMMARY: ARAPAHOE SQUARE ZONING + DESIGN STANDARDS & GUIDELINES

A Pedestrian-Oriented Neighborhood

A key goal for the future of Arapahoe Square is to create a vibrant, pedestrian-friendly district. The proposed zoning and design standards/guidelines promote pedestrian-oriented design in a variety of ways.

Street Level Design

BUILDING PLACEMENT

Building placement close to the sidewalk creates an interesting edge for pedestrians and prevents surface parking from fronting the public realm. Consistent with other mixed use districts in Denver, the proposed zoning includes a “build-to” requirement for buildings to be within 0-10 feet of the front property line for at least 70% of the frontage. As described in “Context Sensitive Design” on page 13, buildings may be located further from the sidewalk edge on some streets to create room for enhanced setbacks and open space.

STREET LEVEL TRANSPARENCY

Transparency requirements ensure a significant number of glass windows and doors at the street level so that pedestrians can easily see into buildings and enjoy viewing active uses inside the building as they pass by.

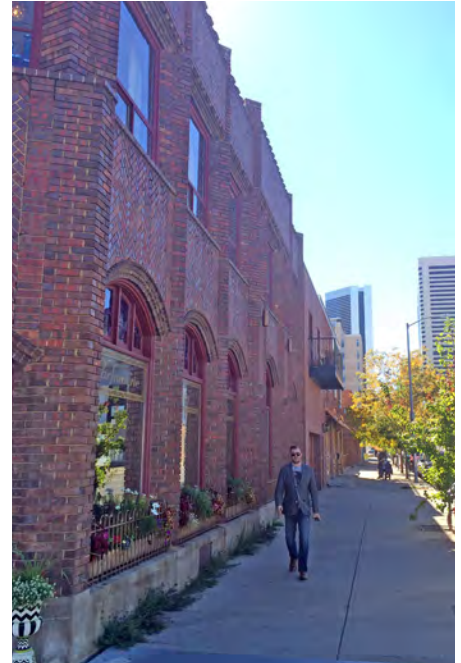
FACADE DESIGN AT THE STREET LEVEL

The proposed design standards and guidelines promote a variety of tools to encourage pedestrian-friendly street level design, such as:

- Human scale articulation, including bay windows and recessed entries
- Pedestrian-oriented features such as awnings and canopies
- Building entrances that are connected to the sidewalk, clearly visible to the pedestrian, and oriented to the sidewalk or open spaces

Street Level Uses

Uses that detract from a vibrant pedestrian experience, such as parking garages and mini-storage, are not allowed for the majority of the building’s street level frontage. For smaller lots, there is flexibility to place these uses at the street level if certain design requirements are met, including tall floor-to-floor heights so that the street level could be converted to a more active, pedestrian-friendly use in the future.



The proposed zoning requires buildings to be placed close to the sidewalk to help promote a vibrant, pedestrian-friendly district.

EXECUTIVE SUMMARY: ARAPAHOE SQUARE ZONING + DESIGN STANDARDS & GUIDELINES

A Pedestrian-Oriented Neighborhood

Open Space/Enhanced Setbacks

Privately-owned open space, where thoughtfully designed and easily accessible to the public, contributes to a vibrant pedestrian experience. To encourage street-facing open spaces and enhanced setbacks (areas where the building is set back to accommodate amenities such as cafes), the proposed zoning allows for exceptions to the build-to requirement. This enables developments to set the building back further from the sidewalk and create pedestrian-friendly features such as courtyards, plazas, and outdoor cafe seating. The design standards and guidelines require high-quality design of these spaces and encourage them to be activated by uses in the building so that they are safe, attractive places for pedestrians to linger.

Streetscape

The streetscape is the area between the building and the street. It includes the sidewalk, plantings and trees, as well as other amenities such as pedestrian seating. High-quality streetscaping is an important component of a pedestrian-friendly street. The proposed design standards and guidelines include guidelines that encourage new development to provide a variety of quality streetscape elements, including:

- Appropriately spaced street trees to provide shade and buffer pedestrians from the street
- Distinctive paving patterns to help designate the pedestrian zone
- Street furniture and lighting that are designed to create safe, pedestrian-friendly streetscapes



The zoning and DSG promote pedestrian-friendly features such as courtyards, plazas, and outdoor cafe seating.



Where buildings are not built at or near the sidewalk edge, the zoning and design guidelines promote enhanced setback areas (upper left) and open spaces (above right) that are activated with pedestrian-friendly uses and design elements.

EXECUTIVE SUMMARY: ARAPAHOE SQUARE ZONING + DESIGN STANDARDS & GUIDELINES

A Pedestrian-Oriented Neighborhood

Signs

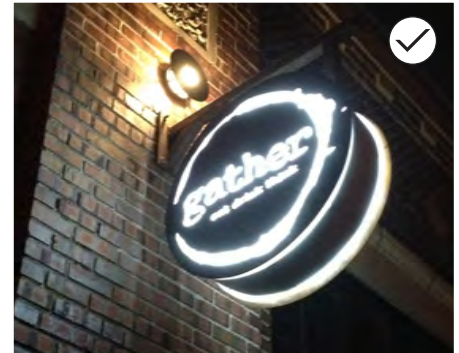
Signage can have a significant impact on the pedestrian experience. The proposed design standards and guidelines promote high-quality, durable signs that are scaled and oriented to the pedestrian. They also encourage signs that are appropriately integrated into the architecture of the building, thereby contributing to positive, human scale design.

On-Site Parking Requirements

Because Arapahoe Square is envisioned to be an urban, pedestrian-focused district with significant multi-modal transportation options, the proposed zoning does not require new development to provide a minimum number of off-street parking spaces for vehicles. This is the same approach to regulating on-site parking in most of the Downtown area. While private development is likely to provide significant on-site parking based on market demand, a flexible approach to parking requirements encourages creative parking solutions such as central parking structures and developments that provide on-site spaces for car share vehicles.

Pedestrian-Friendly Uses

To advance the vision for a truly urban neighborhood that is focused on the pedestrian, the proposed zoning will not allow uses that detract from the quality of the pedestrian realm. For example, new stand-alone parking lots and drive-through uses will not be allowed. There are also significant limitations on the auto-services that are allowed, including tire repair shops and auto sales, such as requiring them to be fully enclosed and limiting their presence along the street.



The proposed design standards and guidelines require high-quality, durable signs that are scaled and oriented to the pedestrian.

EXECUTIVE SUMMARY: ARAPAHOE SQUARE ZONING + DESIGN STANDARDS & GUIDELINES

Quality, Human Scale Design that Promotes a Sense of Place

The *Northeast Downtown Neighborhoods Plan* calls for enhancing urban design within Arapahoe Square. The proposed new regulations, especially the design standards and guidelines, advance a new design vision for the neighborhood. The focus is on human scale architecture and creative, innovative design that creates a unique sense of place.

Massing and Articulation

Design techniques that break down the mass of large buildings are an important tool to promote quality, human scale design. The proposed design standards and guidelines require developments with street frontages over 125 feet to incorporate elements such as changes in material and variations in the plane of the facade. These techniques help to break the facade into smaller, human scale components. They also promote variety and visual interest for the pedestrian. As with all design standards and guidelines, flexibility may be granted for creative designs that are consistent with overall intent statements.

Upper Story Setbacks

The *Northeast Downtown Neighborhoods Plan* calls for balancing the height and density recommended for Arapahoe Square with pedestrian-friendly design. In particular, the plan recommends an upper story building setback (or "Datum"), which will help to minimize the impact of taller buildings on the pedestrian realm. The proposed zoning implements this recommendation by requiring an upper story setback along most streets. The setback, which must be a minimum of 10 feet in depth, may occur anywhere from two to five stories in height. To allow for design flexibility and creativity, up to 35% of the building's frontage on each street is not required to be set back.

Recognizing the unique character of key streets in Arapahoe Square, the upper story setback requirement varies on important corridors such as 20th Street, Park Avenue West, 21st Street, and Broadway. See more under "Key Streets" on page 12.

Transparency

As mentioned in "Street Level Design" on page 7, the proposed zoning requires a minimum percentage of glass windows and doors along the street level. The design standards and guidelines also promote transparency above the street level. This promotes visually interesting facades and the placement of active uses along the street.



HUMAN SCALE BUILDING DESIGN

A sense of Human Scale is achieved when one can reasonably interpret the size of a building by comparing features of its design to comparable elements in one's experience. Examples of human-scale building design include:

- » *Incorporating massing and articulation techniques that visually divide the building into smaller modules*
- » *Spacing and dimensioning windows and other openings to reflect those on nearby buildings.*
- » *Using masonry or other materials with a familiar dimension*

EXECUTIVE SUMMARY: ARAPAHOE SQUARE ZONING + DESIGN STANDARDS & GUIDELINES

Quality, Human Scale Design that Promotes a Sense of Place

Materials

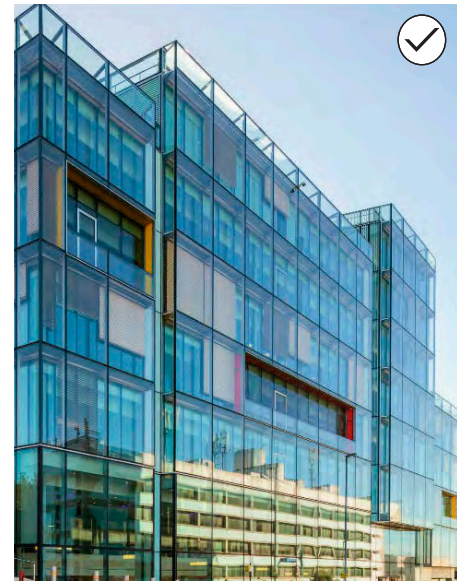
The proposed design standards and guidelines promote high-quality, visually interesting facades by requiring durable materials, as well as variety in materials, for all street-facing facades. A wide range of materials are allowed, and innovative, creative materials are encouraged. The importance of quality materials for visible alley-facing facades is also addressed.

Structured Parking

A major goal of the proposed regulations is to minimize the presence of structured parking, which is not an active, pedestrian-friendly use, along the street. As mentioned in "Building Forms" on page 4, the proposed zoning incentivizes building forms that wrap above grade parking, or provide all parking below grade.

Where parking is exposed to the street, the proposed design standards and guidelines promote quality design and cohesive integration of the structured parking into the rest of the building's design. This includes techniques such as:

- Using materials and articulation patterns that are similar to other, non-parking portions of the building
- Creating patterns of openings in the parking structure that reflect the minimum transparency for non-parking facades
- Aligning openings in the parking garage with windows in the upper stories of the building
- Encouraging fully enclosed, ventilated garages



The proposed design standards and guidelines promote high-quality, visually interesting facades by requiring durable materials, as well as variety in materials, for all street-facing facades

EXECUTIVE SUMMARY: ARAPAHOE SQUARE ZONING + DESIGN STANDARDS & GUIDELINES

Context Sensitive Design

Arapahoe Square is a diverse neighborhood with a variety of contexts and character. The proposed regulations promote context sensitive design that responds to the unique characteristics of a specific site or street.

Key Streets

The proposed regulations recognize the importance of several corridors, each with their own unique character, throughout Arapahoe Square. Below is a summary of these key streets and examples of how the regulations respond to their special characteristics.

21ST STREET

This important corridor is planned to be the community gathering space for Arapahoe Square. A recent urban design plan for 21st Street reinforces the vision of the street as a high-quality public space with focus on pedestrian and bicycle travel. The proposed regulations further this vision by allowing buildings to be set back further from the sidewalk to make room for open space, requiring 100% of the street frontage to have an upper story setback above the fifth floor (with flexibility for alternative setback designs) and encouraging the identification of key gateway corners with signature building elements.

20TH STREET AND BROADWAY

20th Street is the border between Arapahoe Square and the Central Business District. It is envisioned to have a more urban character common to the Downtown Core. Broadway is a wide arterial that cuts diagonally through Arapahoe Square. North of 20th, Broadway is envisioned as a Grand Boulevard in the city's adopted plans with a high-quality streetscape and pedestrian realm. The proposed regulations encourage a strong, urban edge along these streets and also emphasize the quality of street level designs

ARAPAHOE AND CURTIS STREETS

Both of these streets provide an important pedestrian connection between the Central Business District, Arapahoe Square, and Curtis Park. Arapahoe Street is also an important bike corridor with a protected bike lane. The proposed regulations for these streets include features such as a wider build-to range (to encourage enhanced setbacks and open space) and streetscape features that promote pedestrian activity.



EXECUTIVE SUMMARY: ARAPAHOE SQUARE ZONING + DESIGN STANDARDS & GUIDELINES

Context Sensitive Design

PARK AVENUE

This street, at the northeastern edge of Arapahoe Square, is a key transition between Downtown and the Curtis Park neighborhood. Similar to Broadway, this corridor is identified as a Grand Boulevard in the city's adopted plans, with a strong emphasis on the pedestrian experience. The proposed regulations encourage development of the corridor as a successful transition to Curtis Park by requiring 100% of the street frontage to meet the upper story setback requirement -- with flexibility for alternative setback designs -- and encouraging building design that responds to the character of Curtis Park through tools such as increased use of masonry.

WELTON STREET

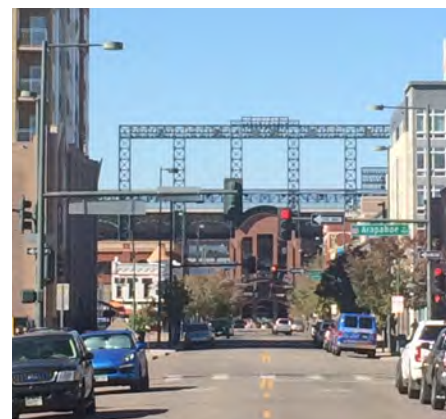
Welton Street is an important transit corridor with light rail service that connects Arapahoe Square to downtown and the Five Points Historic Cultural District. It also forms a transition between Arapahoe Square and the Clements Historic District to the southeast. Tools to acknowledge the unique character of Welton include a wide build-to range along the light rail side of the street (in order to accommodate enhanced sidewalk space for pedestrians) and streetscape techniques that help to buffer pedestrians from the light rail, which is located very close to the sidewalk.

Historic Assets

Context sensitive design includes respecting and responding to the historic resources in and around Arapahoe Square. New buildings located adjacent to one of the three historic districts that abut Arapahoe Square -- Ballpark, Clements, and Curtis Park -- will need to follow additional design standards that recognize the importance of the historic district, including:

- Designing facades that face a historic district across an alley (applies to projects on Lawrence, and Welton streets) to incorporate transparency and materials consistent with standards for street-facing facades
- Increasing the amount of masonry on all visible upper story facades
- Utilizing design techniques such as wrapping or screening structured parking adjacent to a contributing structures in an historic district

In addition, the proposed design standards and guidelines encourage the mass and scale of new development to respond to the character of any adjacent historic structure, defined as a Denver Landmark or contributing structure in an historic district.



NEXT STEPS

City staff will seek comments on the February 17 public review draft of the zoning and design standards/guidelines through March 21. Opportunities for comment include:

- » *Public Open House on March 9*
- » *Scheduled Office Hours for one-on-one discussion*

The Arapahoe Square Technical Task Force will consider public comments and provide direction at a meeting in late March. The adoption process is anticipated to begin with a public Planning Board hearing in late April.

Details and locations for upcoming meetings are available at www.DenverGov.org/ArapahoeSquare

*Contact: Abe Barge, Senior City Planner
abe.barge@denvergov.org*