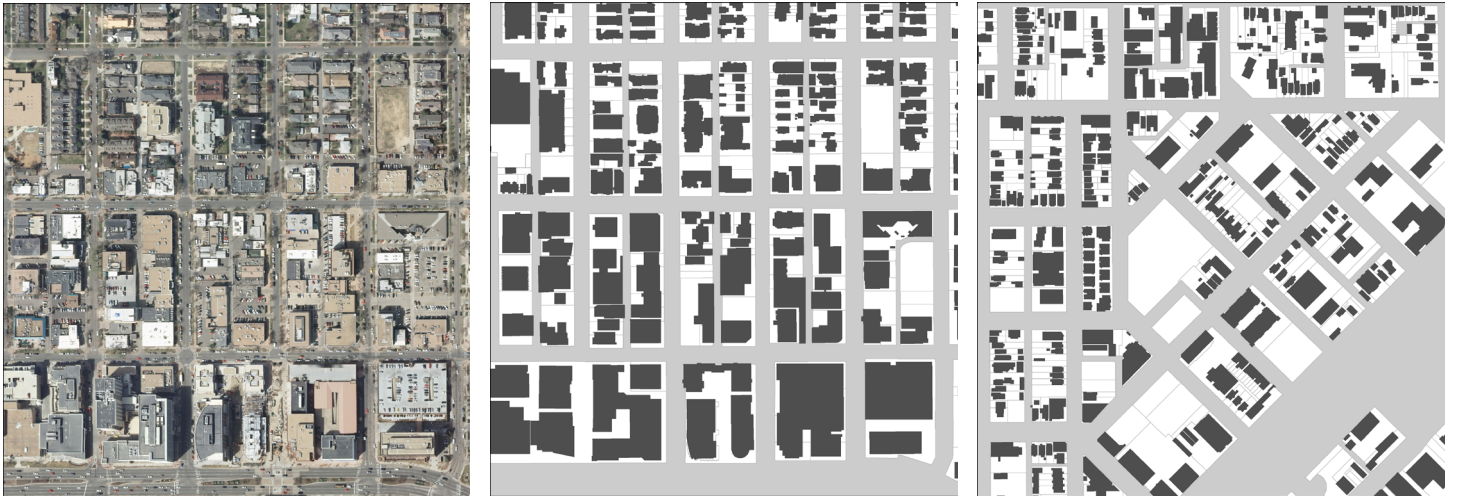


PUD-G #40



17671-17675 East 64th Avenue
Official Map Amendment:
#2026-REZONE-0000015
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CHAPTER 1. ESTABLISHMENT AND INTENT

SECTION 1.1 PUD-G #40 AND SUBAREAS ESTABLISHED

1.1.1 PUD-G 40 Established

The provisions of this PUD-G #40 apply to the land depicted on the Official Zoning Map with the label PUD-G #40, and more generally described as approximately 113 acres of land within the DIA statistical neighborhood of the City and County of Denver, State of Colorado, as further described in Section 1.1.2, Subareas Established, below.

1.1.2 Subareas Established

The following subareas are hereby established within PUD-G 40 for the purpose of applying the zoning standards contained herein. All subareas established are shown generally on Figure 1-1 below, and described legally as follows:

A. Subarea A Legal Description

Beginning at a point of intersection with the North-South Centerline of the South One-Half of Section 4, Township 3 South, Range 66 West, 6th P.M. and the north Right-of-Way line of E. 64th Ave. (R.O.W. Varies), whence the South One-Quarter Corner of said Section 4 bears S. 00°47'39" W., a distance of 30.00 feet, said point also being the POINT OF BEGINNING;

Thence along said north Right-of-Way line, N. 89°47'25" W., a distance of 628.76 feet to the east line of a parcel of land recorded at Reception Number 1992054138, City and County of Denver Records;

Thence along said east line, N. 00°19'11" E., a distance of 2,159.11 feet;

Thence continuing along said east line, N. 20°51'33" E., a distance of 485.76 feet to the north line of the Southwest One-Quarter of said Section 4;

Thence along said north line, S. 89°53'19" E., a distance of 479.98 feet to the Center One-Quarter Corner of said Section 4;

Thence along said North-South Centerline of Section 4, S. 00°47'39" W., a distance of 636.45 feet to the south line of Tract A, Denver International Business Center Filing No. 5 recorded at Reception Number 2015112451, City of County of Denver Records;

Thence along said south line the following Eight Courses (8);

1. Along the arc of a tangent curve to the left, a radius of 135.00 feet, a central angle of 95°46'05", a distance of 225.65 feet, (a chord bearing S. 47°05'12" E., a distance of 200.28 feet);
2. N. 85°01'46" E., a distance of 94.06 feet;
3. N. 81°28'27" E., a distance of 150.71 feet;
4. N. 77°22'15" E., a distance of 256.32 feet;
5. Along the arc of a tangent curve to the right, a radius of 548.00 feet, a central angle of 29°11'47", a distance of 279.25 feet, (a chord bearing S. 88°01'52" E., a distance of 276.23 feet);

6. S. 73°25'58" E., a distance of 247.02 feet;
7. Along the arc of a tangent curve to the right, a radius of 365.00 feet, a central angle of 37°08'36", a distance of 236.62 feet, (a chord bearing S. 54°51'40" E., a distance of 232.50 feet);
8. S. 36°17'22" E., a distance of 105.69 feet to the north line of Tract A, Denver International Business Center Filing No. 7 recorded at Reception Number 2018012488, City of County of Denver Records;

Thence along the north, west, and south lines of said Tract A the following Five Courses (5);

1. N. 89°33'36" W., a distance of 51.69 feet;
2. S. 00°27'23" W., a distance of 311.47 feet;
3. S. 89°49'52" E., a distance of 229.18 feet;
4. S. 48°39'43" E., a distance of 36.75 feet;
5. S. 89°47'26" E., a distance of 306.65 feet to the westerly Right-of-Way line of Yampa St. (R.O.W. Varies);

Thence along said westerly Right-of-Way line the following Seven Courses (7);

1. S. 00°12'34" W., a distance of 27.50 feet;
2. S. 89°47'26" E., a distance of 6.00 feet;
3. S. 77°17'26" E., a distance of 15.39 feet;
4. S. 00°44'14" W., a distance of 601.12 feet;
5. S. 77°18'01" W., a distance of 15.60 feet;
6. N. 89°48'44" W., a distance of 6.54 feet;
7. S. 00°11'16" W., a distance of 34.00 feet;

Thence departing said westerly Right-of-Way line, N. 89°48'44" W., a distance of 603.37 feet;

Thence S. 00°11'16" W., a distance of 629.50 feet to said north Right-of-Way line of E. 64th Ave. (R.O.W. Varies);

Thence along said north Right-of-Way line, N. 89°47'31" W., a distance of 1,327.63 feet to the POINT OF BEGINNING.

City and County of Denver, State of Colorado.

The above-described contains 4,563,571 sq. ft. (104.765 acres), more or less.

B. Subarea B Legal Description

Beginning at a point on the north Right-of-Way line of E. 64th Ave. (R.O.W. Varies), whence the South One-Quarter Corner of Section 4 bears S. 88°54'50 W, a distance of 1,328.27 feet, said point also being the POINT OF BEGINNING;

Thence N. 00°11'16" E., a distance of 629.50 feet;

Thence S. 89°48'44" E., a distance of 603.37 feet to the westerly Right-of-Way line of Yampa St. (R.O.W. Varies);

Thence along said westerly Right-of-Way line the following Six Courses (6);

1. S. 00°11'16" W, a distance of 34.00 feet;
2. S. 89°48'44" E., a distance of 6.01 feet;
3. S. 77°26'03" E., a distance of 15.37 feet;
4. S. 00°44'14" W, a distance of 556.45 feet;
5. N. 89°47'26" W, a distance of 34.41 feet;
6. S. 00°12'34" W, a distance of 36.00 feet to said north Right-of-Way line of E. 64th Ave. (R.O.W. Varies);

Thence along said north Right-of-Way line, N. 89°47'31" W, a distance of 584.63 feet to the POINT OF BEGINNING.

City and County of Denver, State of Colorado.

The above-described contains 389,467 sq. ft. (8.941 acres), more or less.



Figure 1-1. Subareas established within PUD-G #40

SECTION 1.2 PUD-G #40 GENERAL PURPOSE

The general purpose of PUD-G #40 is to:

- 1.2.1 Facilitate the development of the site within the Campus Context which allows for flexible placement of buildings and other site elements and open space amenities that express stakeholder visions, while also providing more prescriptive requirements than the conventional Campus – Education Institution (CMP-EI) Zone District found in the Denver Zoning Code to ensure the development is compatible with and contributes to the vibrancy of the surrounding neighborhood.

SECTION 1.3 PUD-G 40 SPECIFIC INTENT

The specific intent of PUD-G #40 is to:

- 1.3.1 Facilitate the creation of significant public benefits not allowed or guaranteed by a traditional zone district, specifically:
 - A. Diversification of land use within site
 - B. Innovation in development with corporate campus approach
 - C. Allows for differentiation from a traditional business agglomeration
- 1.3.2 To establish specific building form standards that accommodate the unique site and location and are compatible with the Neighborhood Context.

CHAPTER 2. NEIGHBORHOOD CONTEXT DESCRIPTION

All development within this PUD-G #40 shall conform to the Denver Zoning Code, Division 9.2, Campus Context Description, as amended from time to time.

CHAPTER 3. DISTRICTS

Development in this PUD-G #40 shall conform to the Denver Zoning Code, Section 9.2.4, Campus-Education/ Institution, as specifically applicable to the CMP-EI Zone District, as amended from time to time, except as modified in this PUD-G #40.

CHAPTER 4. DESIGN STANDARDS

Development in this PUD-G #40 shall comply with the Denver Zoning Code, Section 9.2.4.2, Design Standards, and 9.2.4.3, District Specific Standards, as specifically applicable to the CMP-EI Zone District, as amended from time to time, with the following modifications and exceptions:

SECTION 4.1 DESIGN STANDARDS FOR SUBAREA A

Development in Subarea A of this PUD-G #40 shall comply with the Primary Building form standards in Section 9.2.4.3.C of the Denver Zoning Code, with the following modification:

4.1.1 Height

Development in Subarea A of this PUD-G #40 shall have a maximum height of 110 feet.

SECTION 4.2 DESIGN STANDARDS FOR SUBAREA B

Section 9.2.4.3.C of the Denver Zoning Code, District Specific Standards for CMP-EI, shall not apply. Instead, all development in Subarea B of this PUD-G #40 shall comply with the following building form standards in Table 4.1:

TABLE 4.1 SUBAREA B OF PUD-G #40 BUILDING FORM STANDARDS

HEIGHT		
Feet (max)		110'
SITING	Option A	Option B
RESTRICTION	na	Allowed only if Street Level GFA is equal or greater than 20,000 sf
REQUIRED BUILD-TO		
Primary Street (min build-to % within min/max range)	50% 0'/80'	50% 0'/150'
SETBACKS		
Primary Street (min)	0'	0'
PARKING		
Surface Parking between building and Primary Street/Side Street	Allowed/Allowed	Allowed/Allowed
Surface Parking Screening	See Division 10.5, Landscaping, Fences, Walls and Screening	Garden Wall required within 0'/15' for 100% of the zone lot's Primary and Side Street frontages, excluding access points and portions of building within 0'/15'; according to Section 10.5.4.4, Perimeter Surface Parking Lot Landscaping Standards
Vehicle Access	Access determined as part of Site Development Plan Review	
DESIGN ELEMENTS		
Transparency, Primary Street (min)		40%*
Transparency, Side Street (min)		25%*

*Applies only to street-facing portions of building Facade located within 80' of the Primary and or/Side Street

CHAPTER 5. USES

SECTION 5.1 USES

Primary, accessory and temporary uses allowed in this PUD-G #40 shall be those same uses allowed in the CMP-EI Zone District, as stated in the Denver Zoning Code, Section 9.2.8, Uses, as amended from time to time, with the following additions:

KEY: * = Need Not be Enclosed P = Permitted Use without Limitations L = Permitted Use with Limitations NP = Not Permitted Use ZP = Zoning Permit Review

USE CATEGORY	SPECIFIC USE TYPE	PUD-G #40	APPLICABLE USE LIMITATIONS
COMMERCIAL SALES, SERVICES AND REPAIR PRIMARY USE CLASSIFICATION			
Lodging Accomodations	Lodging Accomodations, All Others •Bicycle Parking: 1/ 7,500 s.f. GFA (60/40)	P	
COMMERCIAL SALES, SERVICES AND REPAIR PRIMARY USE CLASSIFICATION			
Retail Sales, Service & Repair (Not Including Vehicle or Equipment Sales, Service, & Repair)	Food Sales or Market* •Bicycle Parking: 1/7,500 s.f. GFA (20/80)	P	
	Retail Sales, Service & Repair, Outdoor* •Bicycle Parking: 1/7,500 s.f. GFA (20/80)	L-ZP	§11.4.16.1
	Retail Sales, Service & Repair, All Others •Bicycle Parking: 1/7,500 s.f. GFA (20/80)	P-ZP	
Vehicle/Equipment Sales, Rentals, Service & Repair	Heavy Vehicle/Equipment Sales, Rentals & Service* •Bicycle Parking: No Requirement	L-ZP	§11.4.22
INDUSTRIAL, MANUFACTURING & WHOLESALE PRIMARY USE CLASSIFICATION			
Industrial Services	Food Preparation and Sales, Commercial •Bicycle Parking: No Requirement	L-ZP	§11.5.5
	Laboratory, Research, Development and Technological Services •Bicycle Parking: No Requirement	L-ZP	§11.5.6
	Service/Repair, Commercial •Bicycle Parking: No Requirement	L-ZP	§11.5.7.3
Transportation Facilities	Terminal, Station or Service Facility for Passenger Transit System •Bicycle Parking: No requirement	P-ZP	
Wholesale, Storage, Warehouse & Distribution	Wholesale Trade or Storage, General •Bicycle Parking: No requirement	L-ZP	§11.5.25
	Wholesale Trade or Storage, Light •Bicycle Parking: No requirement	L-ZP	§11.5.26
Agriculture	Plant Nursery •Bicycle Parking: No requirement	P-ZP	
	Husbandry, Animal •Bicycle Parking: No requirement	P-ZP	
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)	Conference Facilities Accessory to Hotel Use	P-ZP	

- A. Single unit and two unit dwellings are not permitted in the DIA Influence Area Overlay Zone District.
- B. Multi-unit dwellings, live/work dwellings, all uses categorized as congregate living and residential care uses in the Denver Zoning Code, hospitals, bed and breakfasts, and all educational uses that include residential accommodations are not permitted in the DIA Influence Area Overlay Zone District north of 64th Avenue.
- C. Surface parking of vehicles is not permitted as a primary use of land in the DIA Influence Area Overlay Zone District. Garage parking is permitted.

CHAPTER 6. ADDITIONAL STANDARDS

SECTION 6.1 ARTICLE 1 OF THE DENVER ZONING CODE

6.1.1 Applicability

Development in this PUD-G #40 shall conform to Article 1, General Provisions of the Denver Zoning Code, as amended from time to time.

SECTION 6.2 ARTICLE 9 OF THE DENVER ZONING CODE

6.2.1 Applicability

- A. Development in this PUD-G #40 shall comply with Article 9, Special Districts of the Denver Zoning Code, as amended from time to time.
- B. Development in this PUD-G #40 is within the geographic boundary of the DIA Influence Overlay Zone District and shall comply with Denver Zoning Code Section 9.5.3, DIA Influence Area Overlay Zone (AIO-)

SECTION 6.3 ARTICLE 10 OF THE DENVER ZONING CODE

6.3.1 Applicability

Development in this PUD-G #40 shall comply with the Denver Zoning Code, Article 10, General Design Standards, as specifically applicable to the CMP-EI Zone District, as amended from time to time, except as modified by this section 6.3:

6.3.2 Signs

Development in this PUD-G #40 shall comply with Section 10.10.7, Campus Zone District Sign Standards. Additional sign types and elements shall be allowed by a comprehensive sign plan.

6.3.3 Site Enclosure, Fencing, and Utility Screening

A. Intent

Allow flexibility in maximum fence heights to support necessary site safety and security. Unique fence allowances and requirements are meant to supersede Section 10.5.5.2 of the DZC as well as the Denver Gateway Urban Design Standards and Guidelines. Unique fence requirements are intended to support strong design materials and an appropriate level of transparency into the site.

B. Regulations

1. Section 10.5.5.2, regarding maximum fence heights shall not apply in PUD-G #40 and instead the maximum fence height shall not exceed 12 feet with the exception of light poles, banner supports, and decorative canopies.
2. Fence, wall, and screening materials shall be composed of masonry, natural stone, and/or steel.
3. Fences shall be less than or equal to 40% opaque for any portion erected along the eastern and southern frontages. "Opaque" or "opacity" shall be measured as the amount of solid fence or wall materials area divided by the total surface area of the subject fence or wall section, expressed as a percentage.

SECTION 6.4 ARTICLE 11 OF THE DENVER ZONING CODE

6.4.1 Applicability

Development in this PUD-G #40 shall comply with the Denver Zoning Code, Article 11, Use Limitations and Definitions, as specifically applicable to the CMP-EI Zone District, as amended from time to time, except as amended in this PUD.

SECTION 6.5 ARTICLE 12 OF THE DENVER ZONING CODE

6.5.1 Applicability

Development in this PUD-G #40 shall comply with the Denver Zoning Code, Article 12, Procedures and Enforcement, as amended from time to time.

SECTION 6.6 ARTICLE 13 OF THE DENVER ZONING CODE

6.6.1 Applicability

Development in this PUD-G #40 shall comply with the Denver Zoning Code, Article 13, Rules of Measurement and Definitions, as amended from time to time.

CHAPTER 7. RULES OF INTERPRETATION

Subject to Chapter 8 of this PUD-G #40, whenever a section of the Denver Zoning Code is referred to in this PUD-G 40, that reference shall extend and apply to the section referred to as subsequently amended, recodified, or renumbered; provided, however, if a section of the Denver Zoning Code, as subsequently amended, recodified, or renumbered conflicts with a provision of this PUD-G #40, this PUD-G #40 shall control.

CHAPTER 8. VESTED RIGHTS

This PUD-G #40 shall be established in accordance with Denver Zoning Code sections 9.6.1.2.C and 9.6.1.5, and vested property rights shall be created 90 days after the effective date of the ordinance approving this PUD-G #40. The property rights vested through approval of this PUD-G #40 shall remain vested for a period of 3 years and shall include the right to commence and complete development of and the right to use the site in accordance with the intent, standards, and uses set forth in the Denver Zoning Code, as amended from time to time, except as modified by this PUD-G #40.