



Denver Zoning Code Text Amendment #3

Downtown Area Plan Amendment – Regulatory Implementation

Land Use, Transportation, and Infrastructure Committee – November 6, 2018

Regulatory Implementation Components

Entire CPV-Auraria District

TEXT AMENDMENT

Establishes new D-CPV zone districts with quantitative design and use standards, design advisory board, and base/incentive height system for affordable housing

Municipal Code Amendment

Amends affordable housing requirements in Chapter 27 for D-CPV

Design Standards and Guidelines

Establishes qualitative design standards and review process

Project by Project

MAP AMENDMENT (REZONING)

Applies new D-CPV zone districts to River Mile property

Infrastructure Master Plan

Defines framework for roads, utilities, parks/open space, and river enhancements

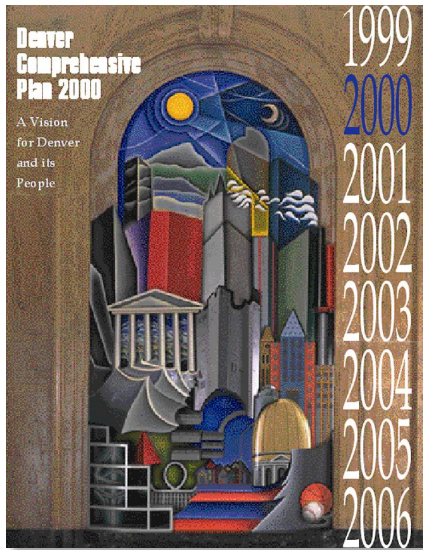
Development Agreement

Creates contractual obligations related to development and the IMP

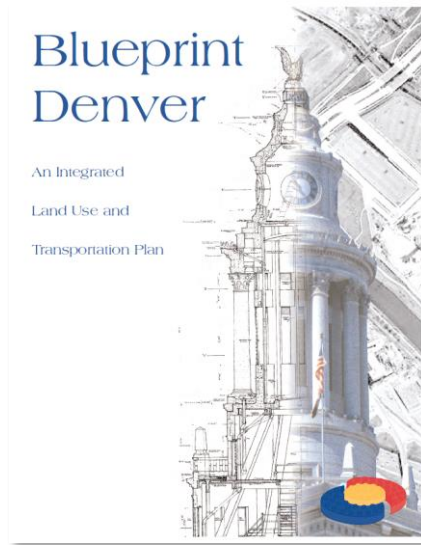
Sponsors and Purpose of DZC Text Amendment #3

- **City Councilmembers Albus Brooks (District 9) and Rafael Espinoza (District 1)** are co-sponsoring the Text Amendment.
- **Establish new Downtown zone districts for CPV-Auraria** to implement the objectives of the Downtown Area Plan Amendment (2018) and other relevant plans.
- Text Amendment only creates the new districts in the DZC, but does not legislatively apply them to existing properties. **Individual property owners will need to request a rezoning to the new districts.**

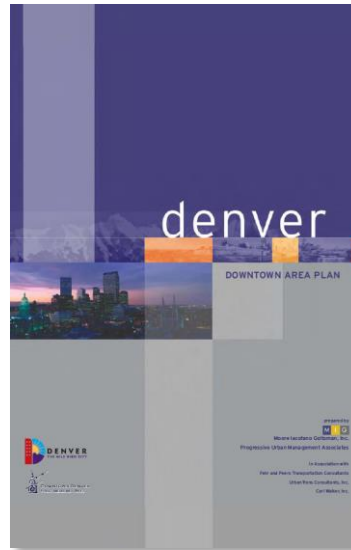
Implementing Nearly 20 Years of Policy Guidance



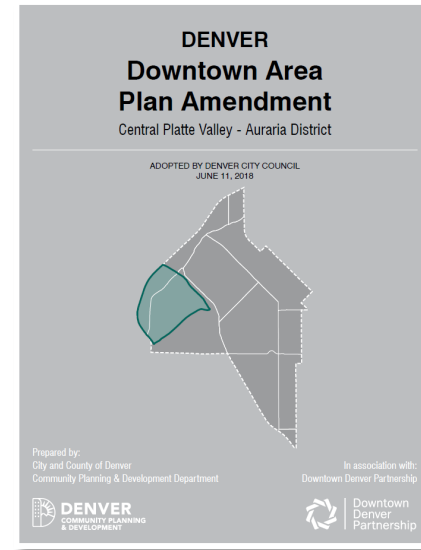
... example of both urban environmental protection and sustainable economic development ...



... centerpiece of the city and region with the highest intensity of uses in Colorado ...



... opportunities to densify these areas are beginning to emerge ...



... creates diverse places and activities through a variety of building densities and intensities within a mixture of building forms that reinforce a comfortable, human-scale pedestrian experience ...



... the most intense and greatest heights are found downtown with very high lot coverage and active uses ...

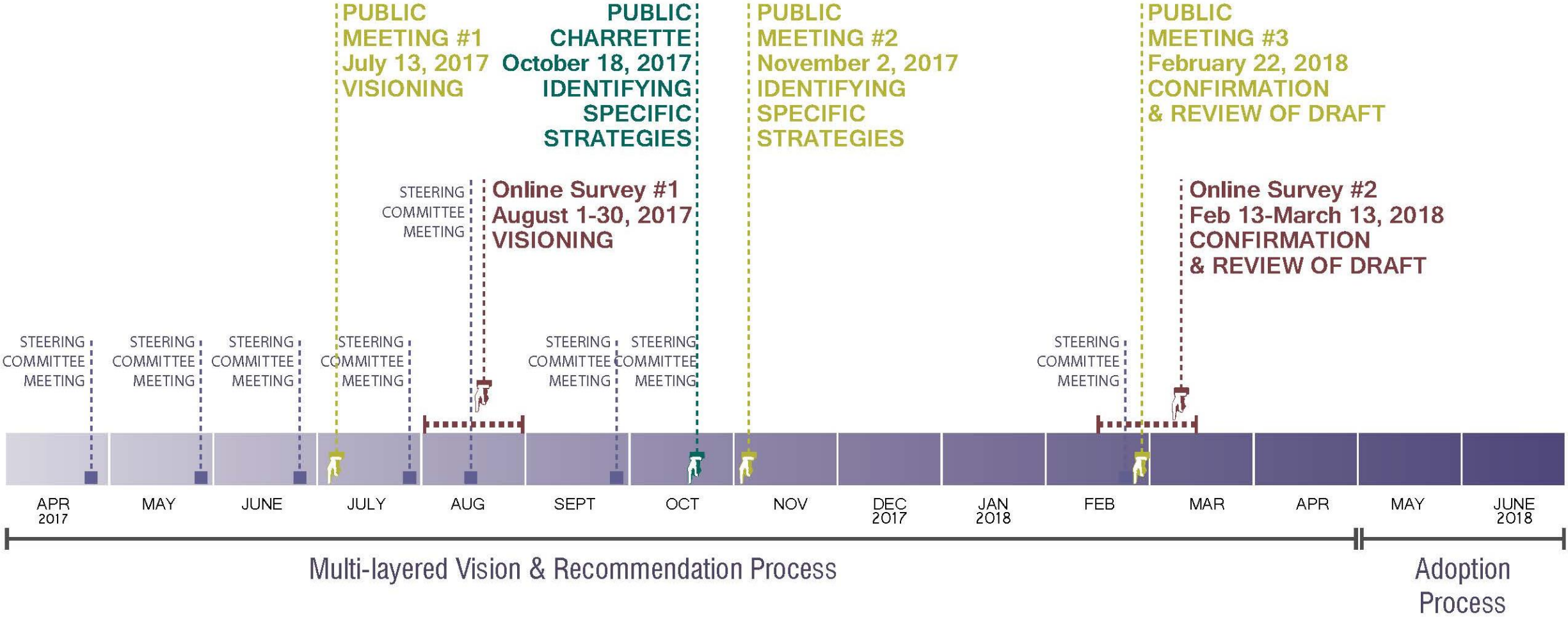
2000

2002

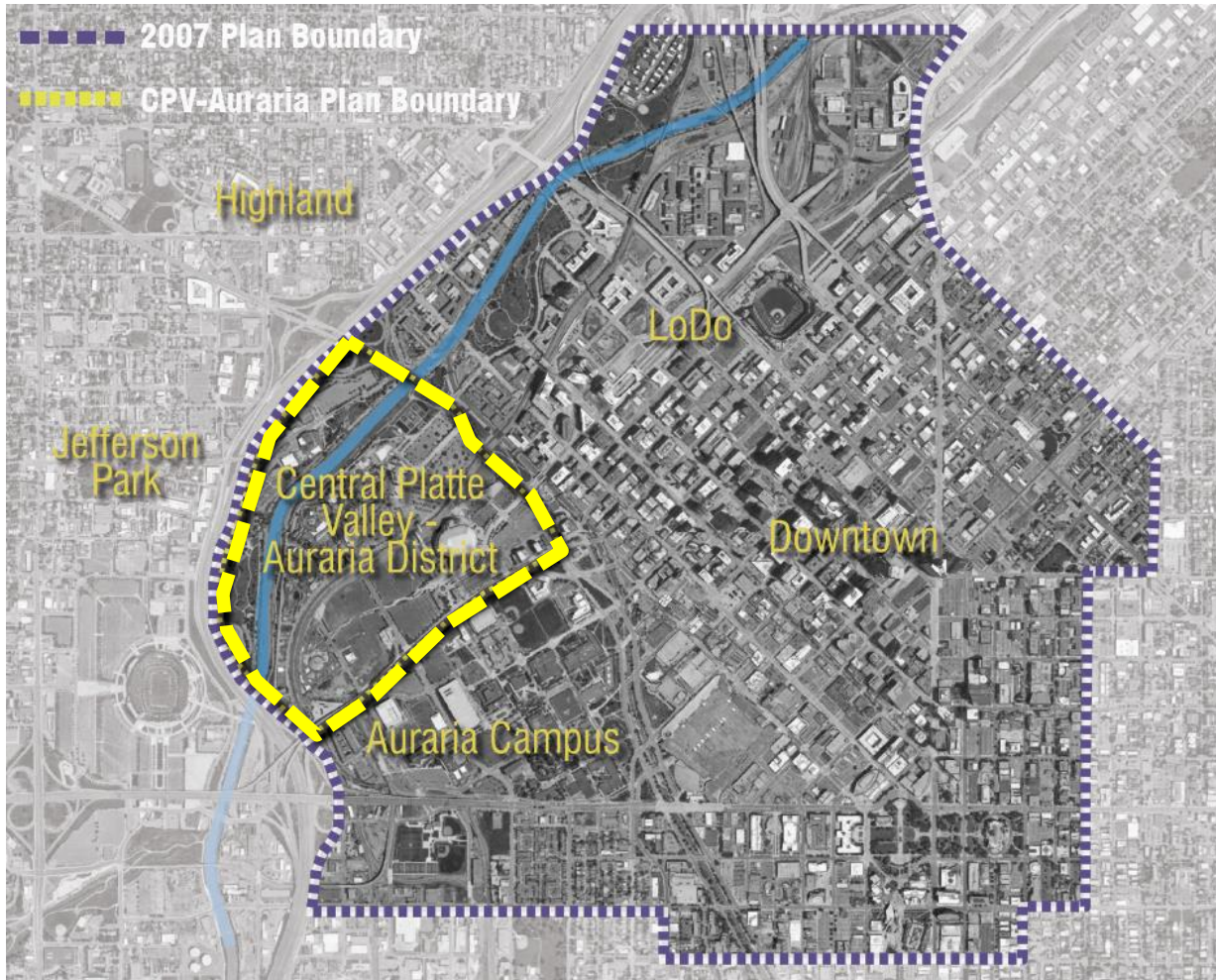
2007

2018

Downtown Area Plan Amendment Public Process



Downtown Area Plan Amendment – Implementation



Adopt zoning tools and design standards and guidelines that:

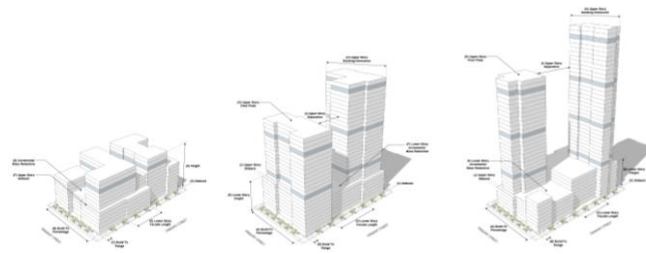
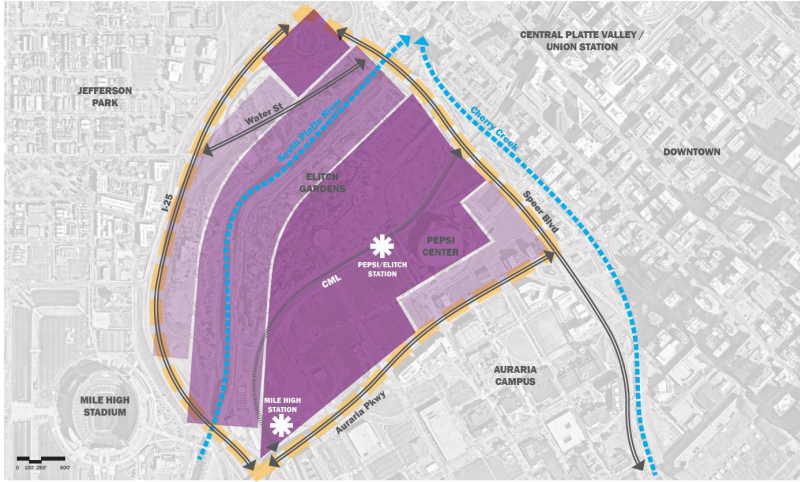
- *Encourage a mixed-use neighborhood with active streets*
- *Incentivize higher intensity transit-oriented development near rail stations*
- *Promote a variety of building heights*
- *Support diverse architecture and streetscapes*
- *Provide incentives for equitable communities and community benefits*
- *Establish a design review process and advisory board*

Text Amendment and DSG Public Process

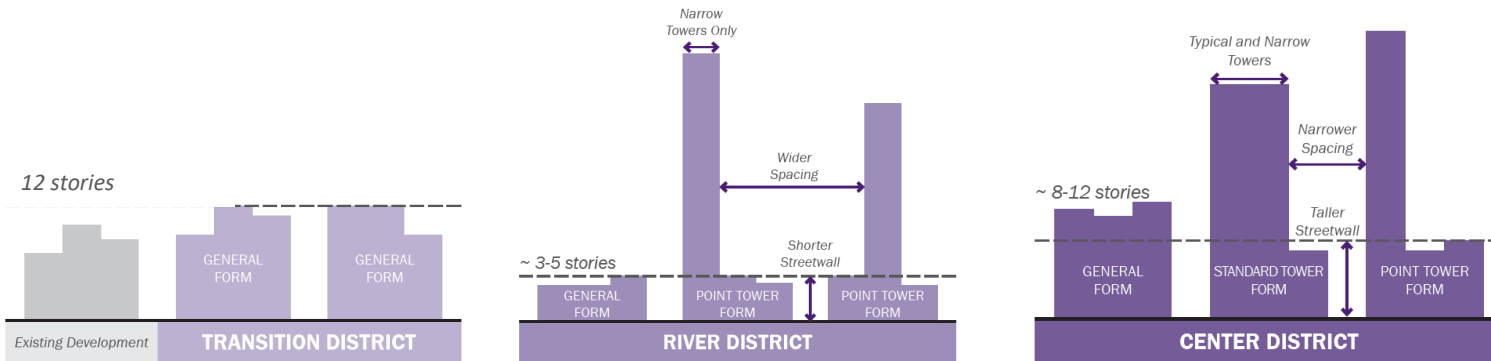
July 11	Planning Board Info Item #1 – Zoning Tools and Concepts
July 31	Community Open House #1 – Zoning Tools and Concepts
August 15	Planning Board Info Item #2 – Public Feedback and Refined Tools
September 7	Public Review Draft of Text Amendment Released
September 17	Informational Notice
October 1	Planning Board Notice
October 3	Planning Board Info Item #3 – Draft Zoning Overview and DSG Structure
October 4	Community Open House #2 – Draft Zoning and DSG Structure
October 17	Planning Board Public Hearing <ul style="list-style-type: none">• <u>Recommended approval</u> by a vote of 9 in favor and 1 opposed
November 6	Land Use, Transportation, and Infrastructure Committee
December 17	City Council Public Hearing (tentative)
<i>November 14</i>	<i>Planning Board Info Item #4 – Draft DSG and Public Review Draft Release</i>
<i>December 19</i>	<i>Planning Board Public Hearing – Final DSG</i>

Public Comments – 7 emailed comments, 5 speakers at Public Hearing (4 in support, 1 in support with considerations), 1 RNO letter submitted in support

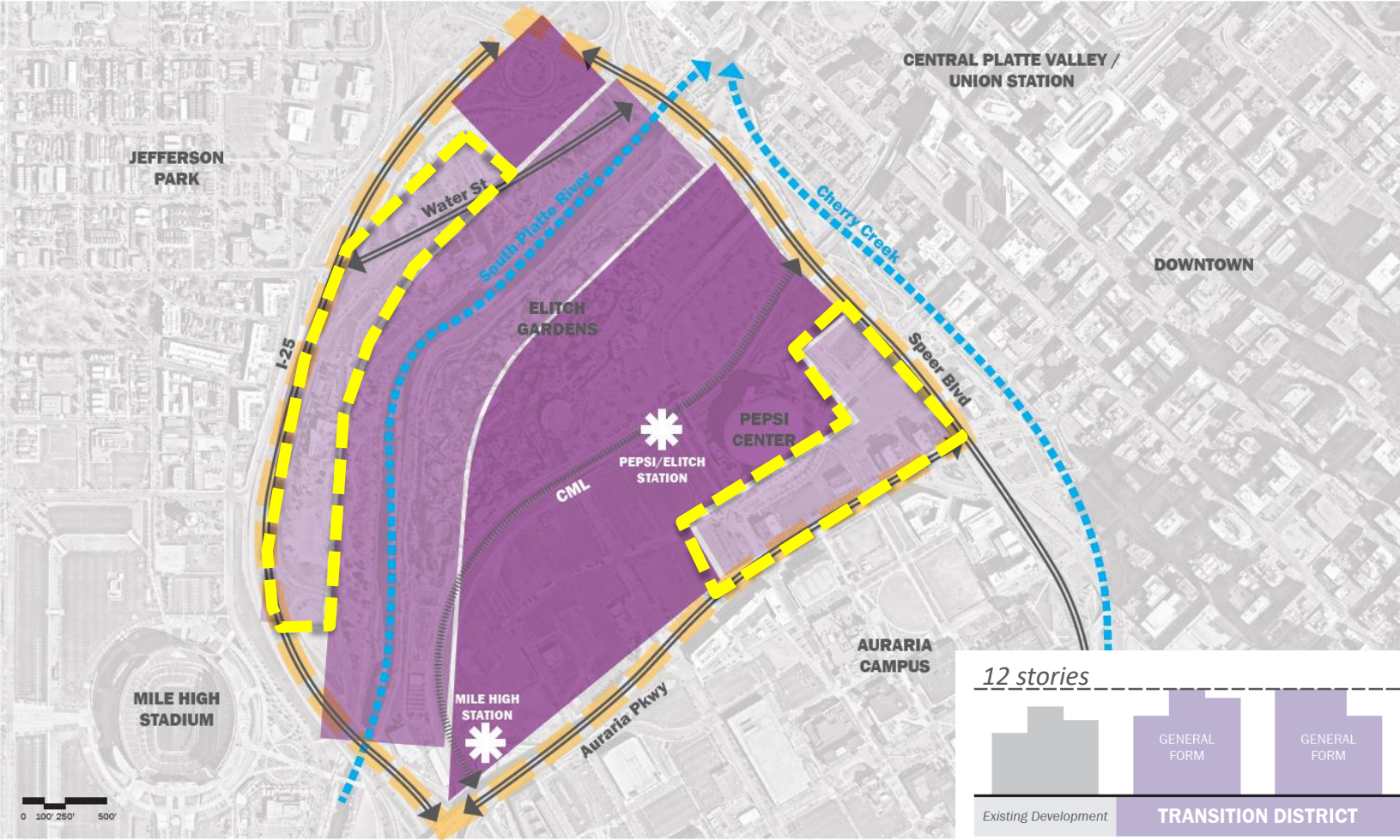
DZC Text Amendment #3 Summary



- Three new zone districts in the Downtown context (D-CPV-):
 - Transition (D-CPV-T)
 - River (D-CPV-R)
 - Center (D-CPV-C)
- Three building forms:
 - General (height limit)
 - Standard Tower (FAR limit)
 - Point Tower (no height/FAR limit)
- Incentive system for higher affordable housing requirements above 5 stories
- Design review via Downtown Design Advisory Board



Downtown – Central Platte Valley-Auraria – Transition



D-CPV-T

Located within approximately 1 block of established neighborhoods and buildings adjacent to and within Central Platte Valley – Auraria.

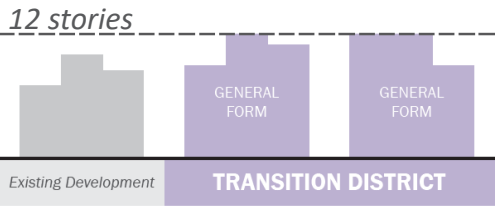
- Lower overall intensity – addressed via height limit
- Appropriate transition to neighborhoods & buildings

Building Forms

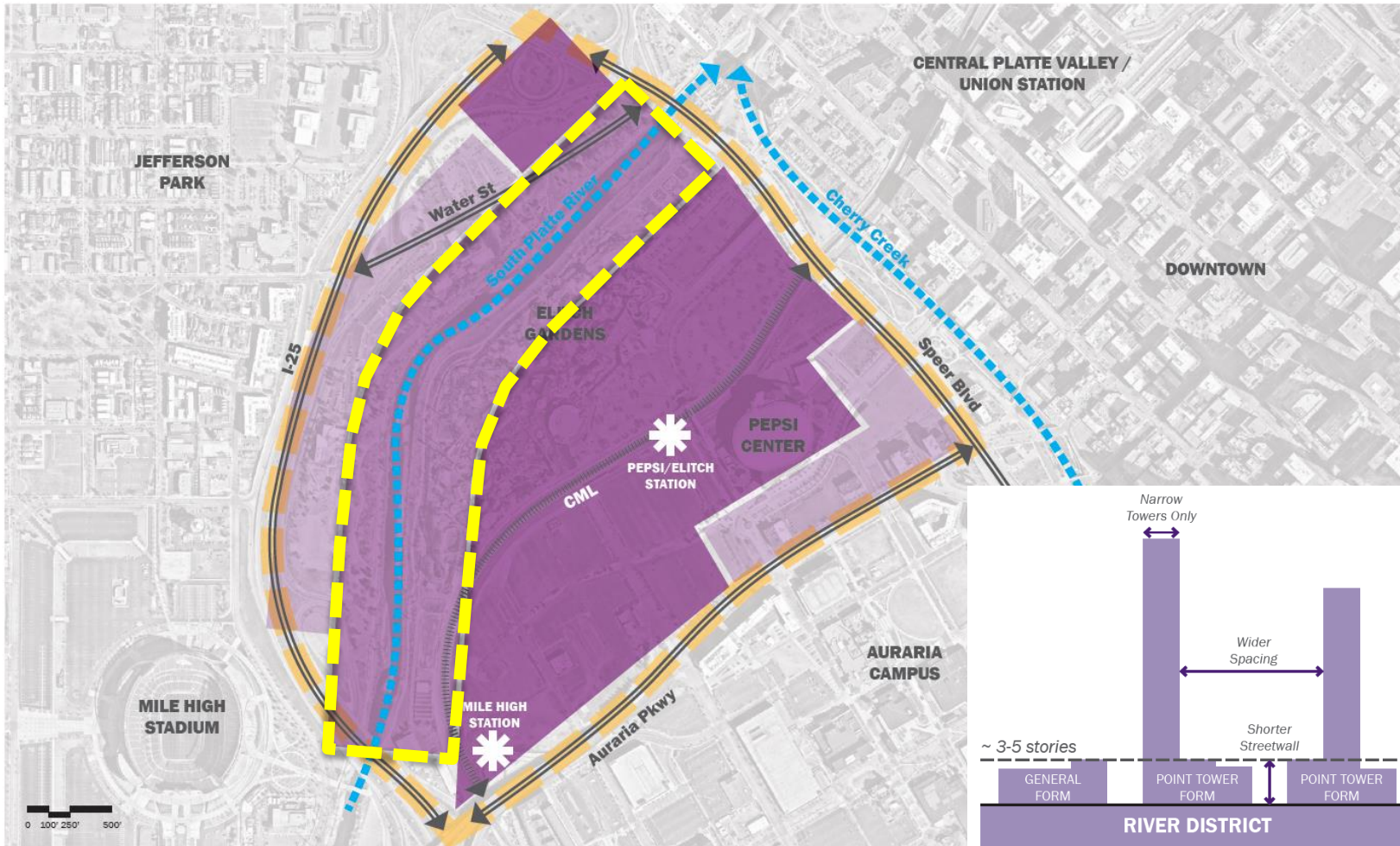
- General

Intensity Standards

- 12-story height limit



Downtown – Central Platte Valley-Auraria – River



D-CPV-R

Located within approximately 1 to 1.5 blocks along both sides of the South Platte River.

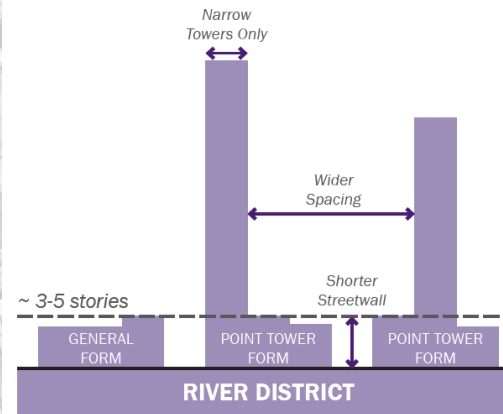
- Lower overall intensity – addressed via massing limits
- Permeability and engagement of the South Platte River

Building Forms

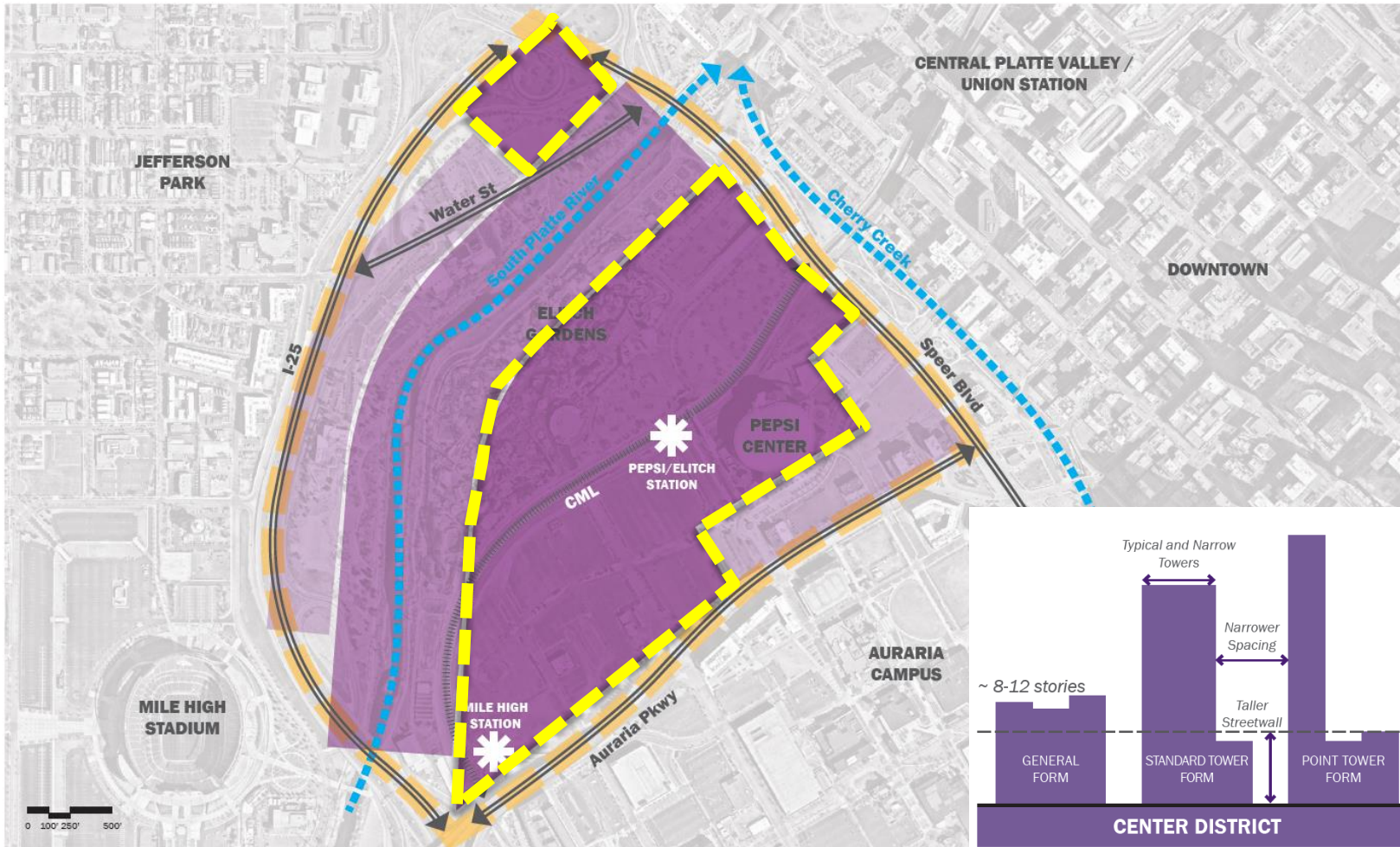
- General
- Point Tower

Intensity Standards

- 5-story height limit (General), no height limit (Point Tower)
- 5-story streetwall (Point Tower)
- Tower size and spacing



Downtown – Central Platte Valley-Auraria – Center



D-CPV-C

Located within approximately 2 to 3 blocks of existing transit facilities, the CML, Pepsi Center, and at the intersection of I-25 and Speer Blvd.

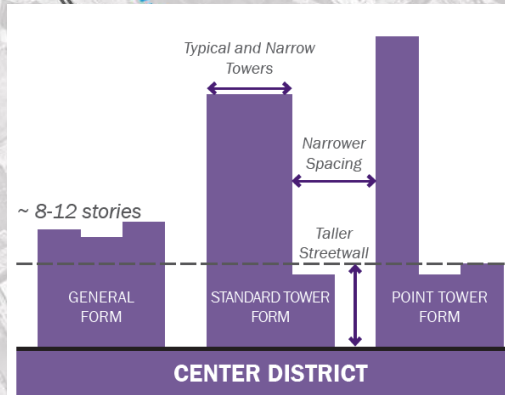
- Highest overall intensity near transit stations
- Flexibility of building forms to allow larger format uses

Building Forms

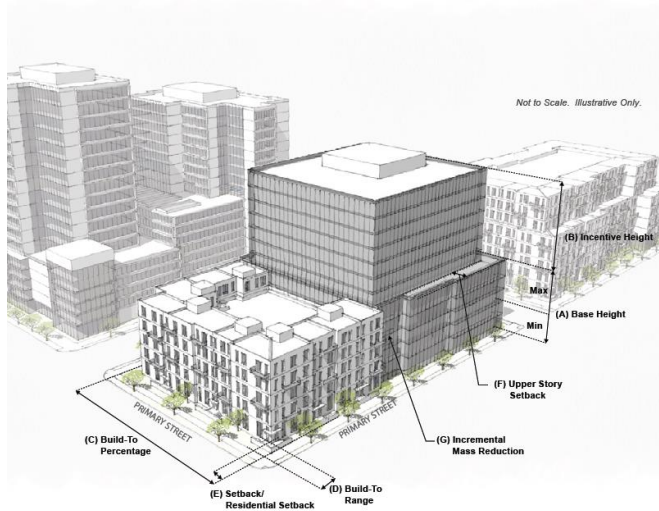
- General
- Standard Tower
- Point Tower

Intensity Standards

- 12-story height limit (General), no height limit (S/P Tower)
- FAR and Use limit (S Tower)
- 8-story streetwall (S/P Tower)
- Tower size and spacing

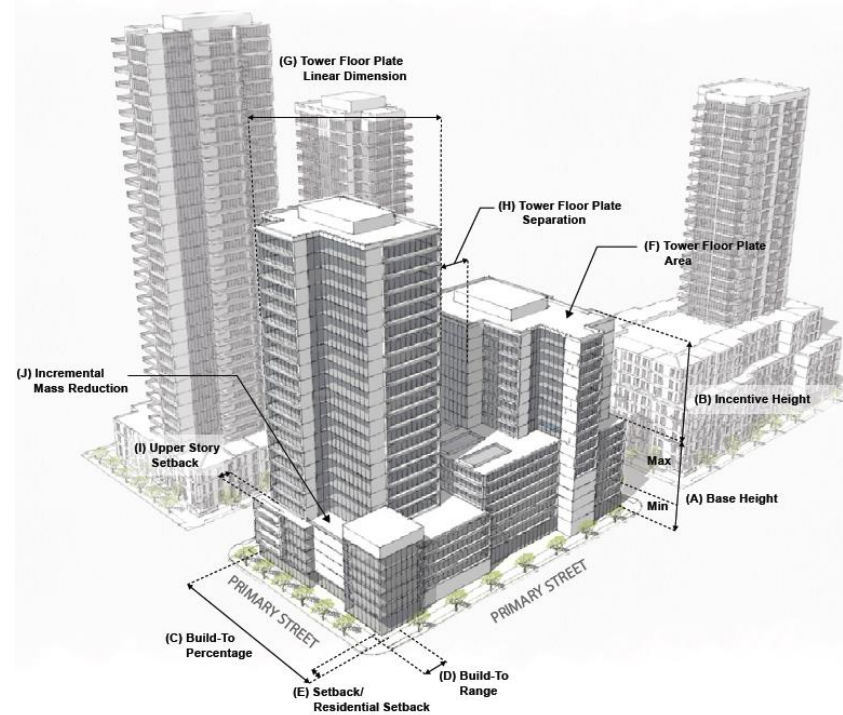


Available Building Forms



GENERAL

Transition = 12-story
 River = 5-story
 Center = 12-story



STANDARD TOWER

Center = 8-story streetwall, 20.0 FAR limit
 More flexible tower standards
 Residential Use in Tower < 50%

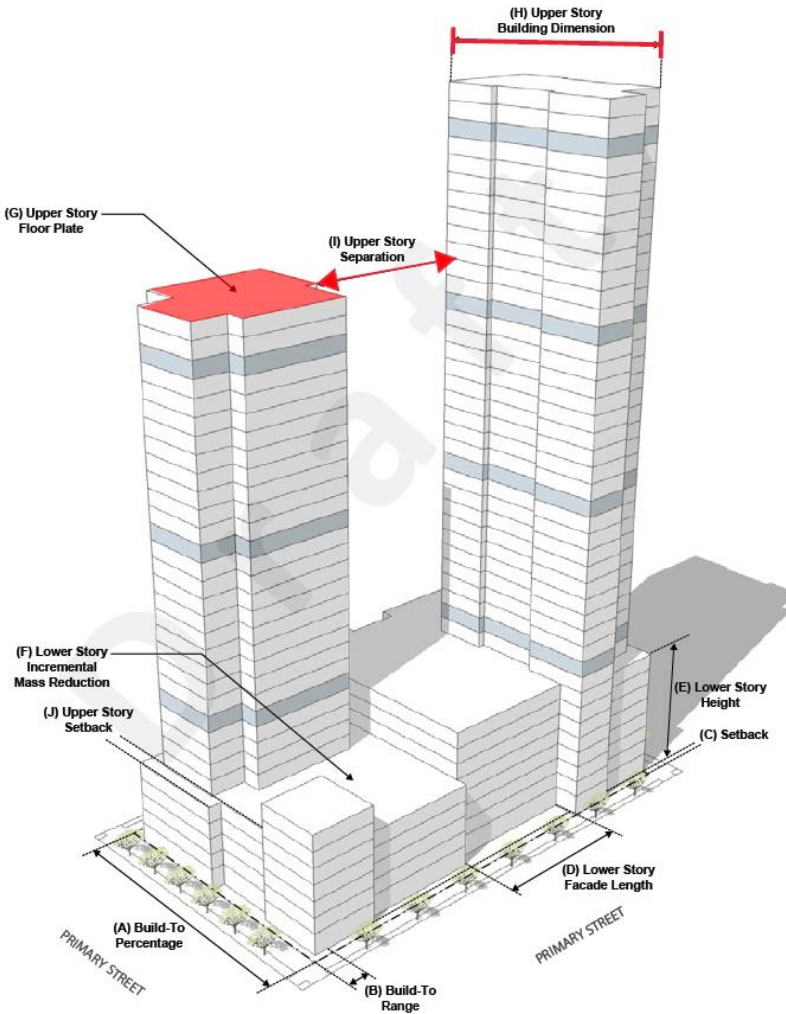


POINT TOWER

River = 5-story streetwall, no FAR/height limit
 Center = 8-story streetwall, no FAR/height limit
 Less flexible tower standards

Tower Standards

- Taller buildings have stronger dimensional standards
- Protect access to sun, sky, and views, limit impacts of shadows, and help maintain more human scale along the street



DRAFT Standards	Standard Tower	Point Tower
Zone Districts	Center (D-CPV-C)	River (D-CPV-R) Center (D-CPV-C)
Tower Floor Plate Area (max)	25,000 sf	11,000 sf
Tower Linear Dimension (max)	250'*	165'*
Tower Separation (min)	80' (floor plate < 22,000 sf) 100' (floor plate > 22,000 sf)*	D-CPV-R = 120'*
Use Restrictions	< 50% Residential in Tower	D-CPV-C = 80' na

* Design Review Alternative allows limited flexibility on these standards under specific circumstances.

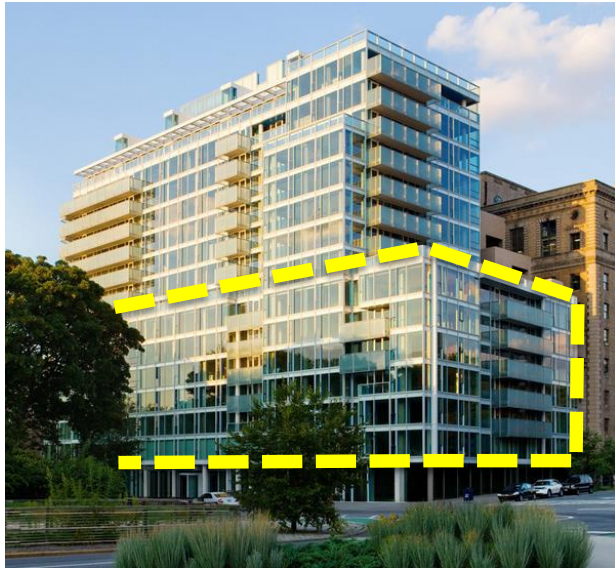
Design Standards that Apply to all Zone Districts



- Create richness and scale in architectural massing and details
 - Mass reduction (applies to all stories)
 - Street-level and upper story setbacks
 - Increased residential setbacks w/ entry features
 - Open space requirements on larger lots
- Activate the street with a mix of residential and commercial uses
 - Build-To requirements
 - Street-level Active Use
 - Non-Residential Use standards on Key Streets
- All streets designated as Primary (including South Platte River frontage)



Design Standards that Apply to all Zone Districts



- Limit the impacts of parking structures and vehicular access on an active street environment
 - Limits to visible parking (70% must be wrapped with Active Uses)
 - Parking Maximum (no minimum requirement)
 - Parking areas included in total Gross Floor Area calculations for Standard Tower (encourages below grade parking as much as is feasible)

Permitted Uses and Parking Maximums

USE CATEGORY	SPECIFIC USE TYPE	MAXIMUM VEHICLE PARKING: # SPACES PER UNIT OF MEASUREMENT
RESIDENTIAL PRIMARY USE CLASSIFICATION		
<u>Household Living</u>	<u>Dwelling, Single Unit</u>	No Maximum
	<u>Dwelling, Two Unit</u>	No Maximum
	<u>All other specific use types within the Household Living Use Category</u>	0.7/Unit for each unit with 0-1 bedrooms 1.0/Unit for each unit with 2 bedrooms 1.3/Unit for each unit with 3+ bedrooms
<u>Group Living</u>	<u>Residence for Older Adults</u>	0.7/Unit for each unit with 0-1 bedrooms 1.0/Unit for each unit with 2 bedrooms 1.3/Unit for each unit with 3+ bedrooms
	<u>Rooming and Boarding House</u>	1.25/1,000 sf GFA
	<u>Shelter for the Homeless</u>	1.25/1,000 sf GFA
	<u>All other specific use types within the Group Living Use Category</u>	0.7/Unit
CIVIC, PUBLIC & INSTITUTIONAL PRIMARY USE CLASSIFICATION		
	<u>All specific use types within the Civic, Public & Institutional Primary Use Classification</u>	1.25/1,000 sf GFA
COMMERCIAL SALES, SERVICE & REPAIR PRIMARY USE CLASSIFICATION		
<u>Arts, Recreation & Entertainment</u>	<u>Arts, Recreation and Entertainment Services, Indoor</u>	1.25/1,000 sf GFA
	<u>Arts, Recreation and Entertainment Services, Outdoor</u>	6.0/1,000 sf GFA
	<u>Sports and/or Entertainment Arena or Stadium</u>	6.0/1,000 sf GFA
<u>Parking of Vehicles</u>	<u>Parking, Garage</u>	No Maximum*
<u>Eating & Drinking Establishments</u>	<u>All Types</u>	2.0/1,000 sf GFA
<u>Lodging Accommodations</u>	<u>Bed and Breakfast Lodging</u>	0.5/guest room or unit
	<u>Lodging Accommodations, All Others</u>	0.5/guest room or unit
	<u>All other specific use types within the Commercial Sales, Service, & Repair Primary Use Classification</u>	1.25/1,000 sf GFA
INDUSTRIAL, MANUFACTURING & WHOLESALE PRIMARY USE CLASSIFICATION		
<u>Transportation Facilities</u>	<u>Terminal, Station or Service Facility for Passenger Transit System</u>	No Maximum*
	<u>All other specific use types within the Industrial, Manufacturing & Wholesale Primary Use Classification</u>	1.25/1,000 sf GFA
AGRICULTURE PRIMARY USE CLASSIFICATION		
	<u>All specific use types within the Agriculture Primary Use Classification</u>	1.25/1,000 sf GFA
*See Section 10.4.5.4 for Shared Vehicle Parking Requirements		

- Permitted Uses follow Arapahoe Square
- Addition of Hospital and Arena/Stadium in D-CPV-C
- Parking Maximums based on # of Bedrooms for most Residential and GFA for Commercial uses
- Bicycle Parking Minimum requirements were increased significantly (approx. 2x)

Value Sharing to Promote Affordable Housing Objectives

- The CPV-Auraria Plan Amendment sets specific policy to promote a diverse community
 - Provide a variety of market rate and affordable housing
 - Leverage increased development potential to require on-site affordable housing
 - Affordable at low and moderate income levels
 - A variety of unit types and sizes (including family-size units)
 - For-sale and for-rent units
- The proposed zoning includes an incentive system to leverage increased development potential
 - 5 story 'base height' not subject to special requirements
 - Affordable housing incentive system applies above 5 stories



Value Sharing to Promote Affordable Housing Objectives

DZC Text Amendment

- Establish new D-CPV zone districts with 5-story base height
- Allow 7 to unlimited stories of incentive height for projects that meet new DRMC requirements for incentive height in D-CPV Districts

DRMC Amendment

Chapter 27 - HOUSING^[1] Article VI: INCENTIVES FOR AFFORDABLE HOUSING

- Residential mixed-use projects
 - Require affordable units (no fee option)
 - 1x citywide build-alt on all stories
 - 6x citywide build-alt on incentive stories
- Commercial mixed-use projects
 - Citywide linkage fee applies
 - + 6x fee on incentive height
 - Or units / community benefits agreement
- All large/phased projects
 - Option to execute affordable housing plan

Example: 5 Story Base Height, 12 Story Total Height (residential)

Benefits of Using Incentive

- On-site affordable housing rather than payment of fees implements plan objectives
- Net gain of 13 affordable units over development at 5 story base height
- Net gain of 10 affordable units over development at 12 stories without special incentive requirements

Build to the Base Height

Citywide Linkage Fee:
\$116,250

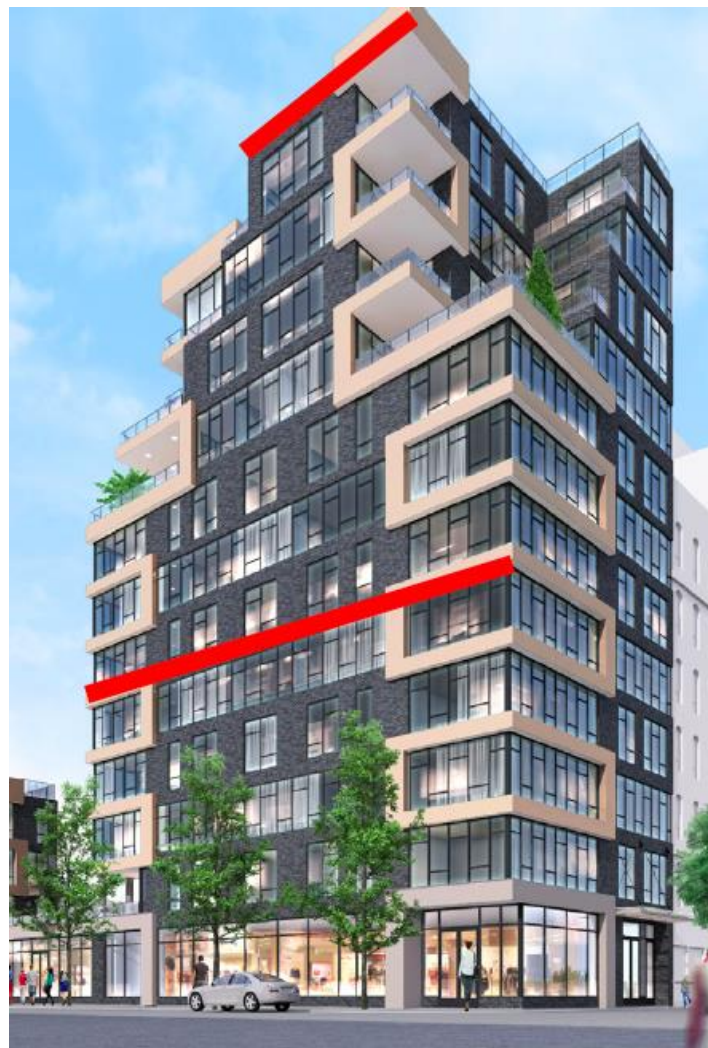
OR

Citywide Build
Alternative Units: 1 unit



75,000 GSF total

Use Incentive Height



75,000 GSF in base, 105,000 GSF in incentive

Affordable Units Required

Incentive Build Alternative
Units: 11 units

+

Citywide Build Alternative
Units: 3 units

=

Total Build Alternative
Units: 14 units

Example: 5 Story Base Height, 38 Story Total Height (mixed use hotel/residential)

Without Incentive Height System

Citywide Linkage
Fee: \$1,479,000

OR

Citywide Build
Alternative Units:
17 units



500,000 GSF Residential
400,000 GSF Hotel
900,000 GSF total

With Incentive Height System



416,667 GSF Residential Above Base
333,333 GSF Hotel Above Base
750,000 GSF Total Above Base

Affordable Units Required

Incentive Build Alternative
Units: 88 units

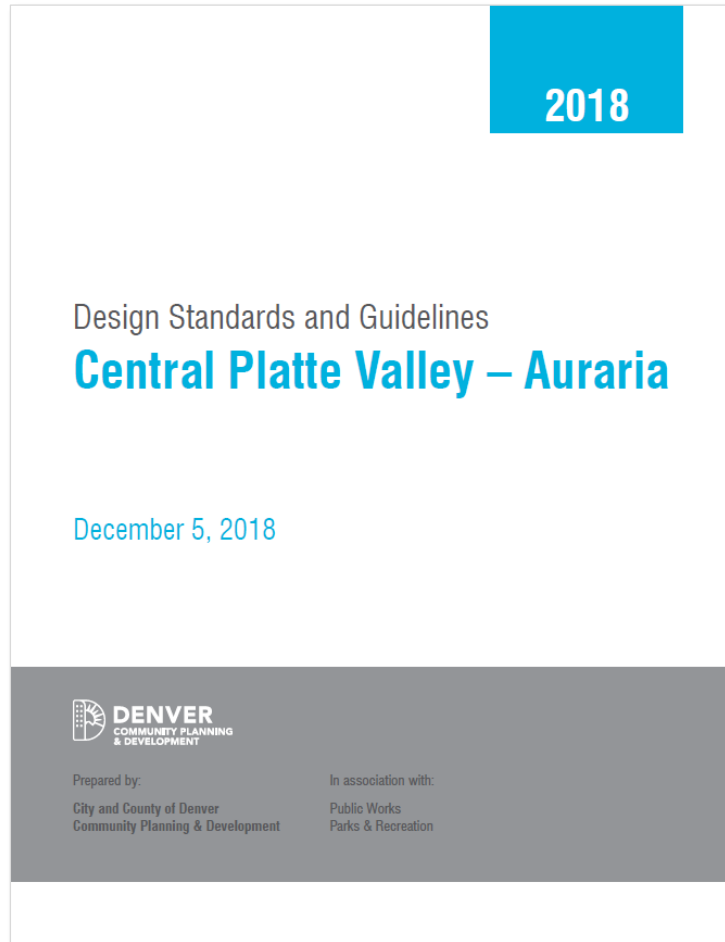
+

Citywide Build
Alternative Units:
17 units

=

Total Build Alternative Units:
105 units
(21% of approx. 500 total
units dedicated as affordable)

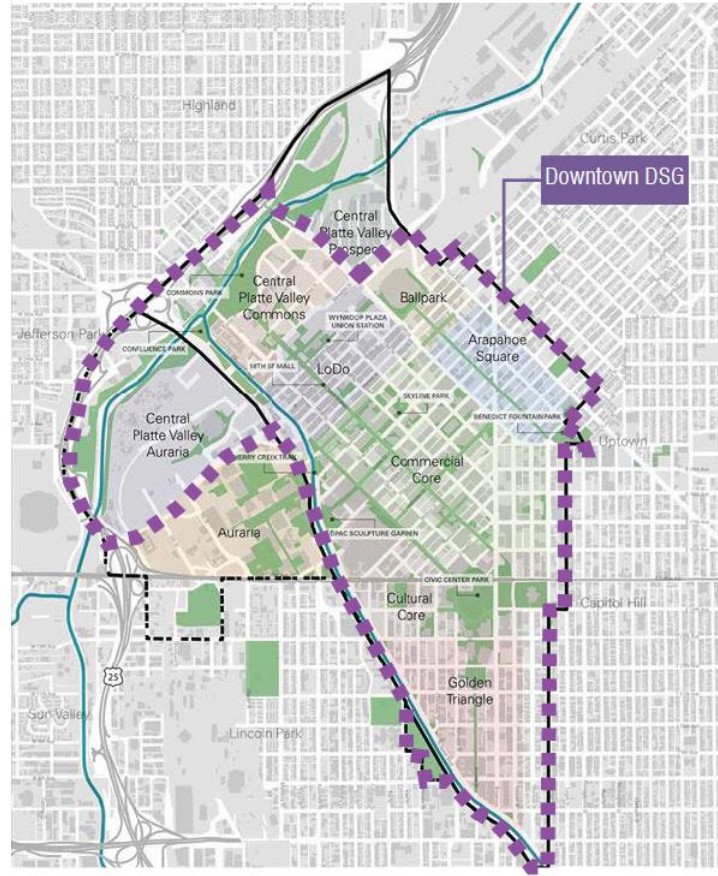
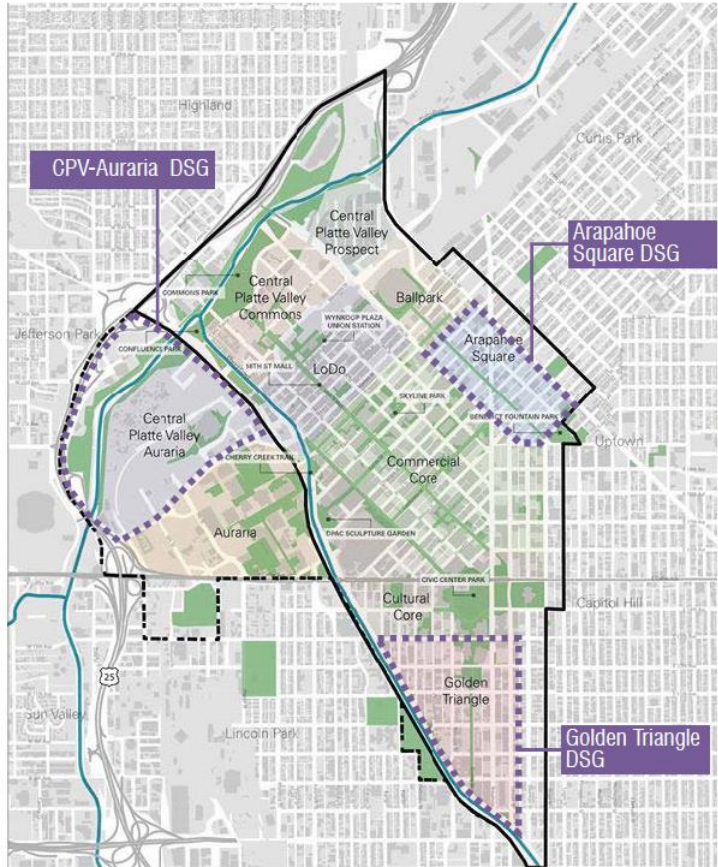
CPV-Auraria Design Standards and Guidelines



- Currently in progress on a coordinated schedule with Text Amendment
- Based on Arapahoe Square DSG (2016) with revisions/additions from other cities



CPV-Auraria Design Standards and Guidelines

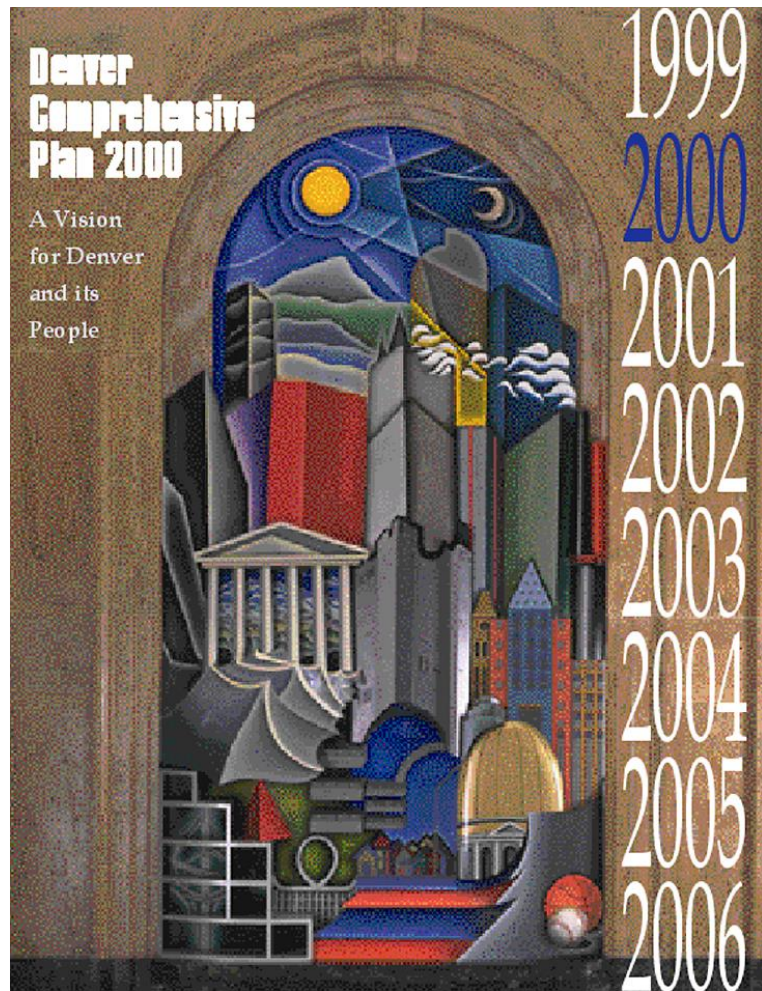


- Newly formed Downtown Design Advisory Board will review projects in Arapahoe Square and CPV-Auraria
- Initial step in making design review in Downtown more comprehensive and predictable for the community, staff, and developers/designers

DZC Review Criteria for Text Amendments (12.4.11)

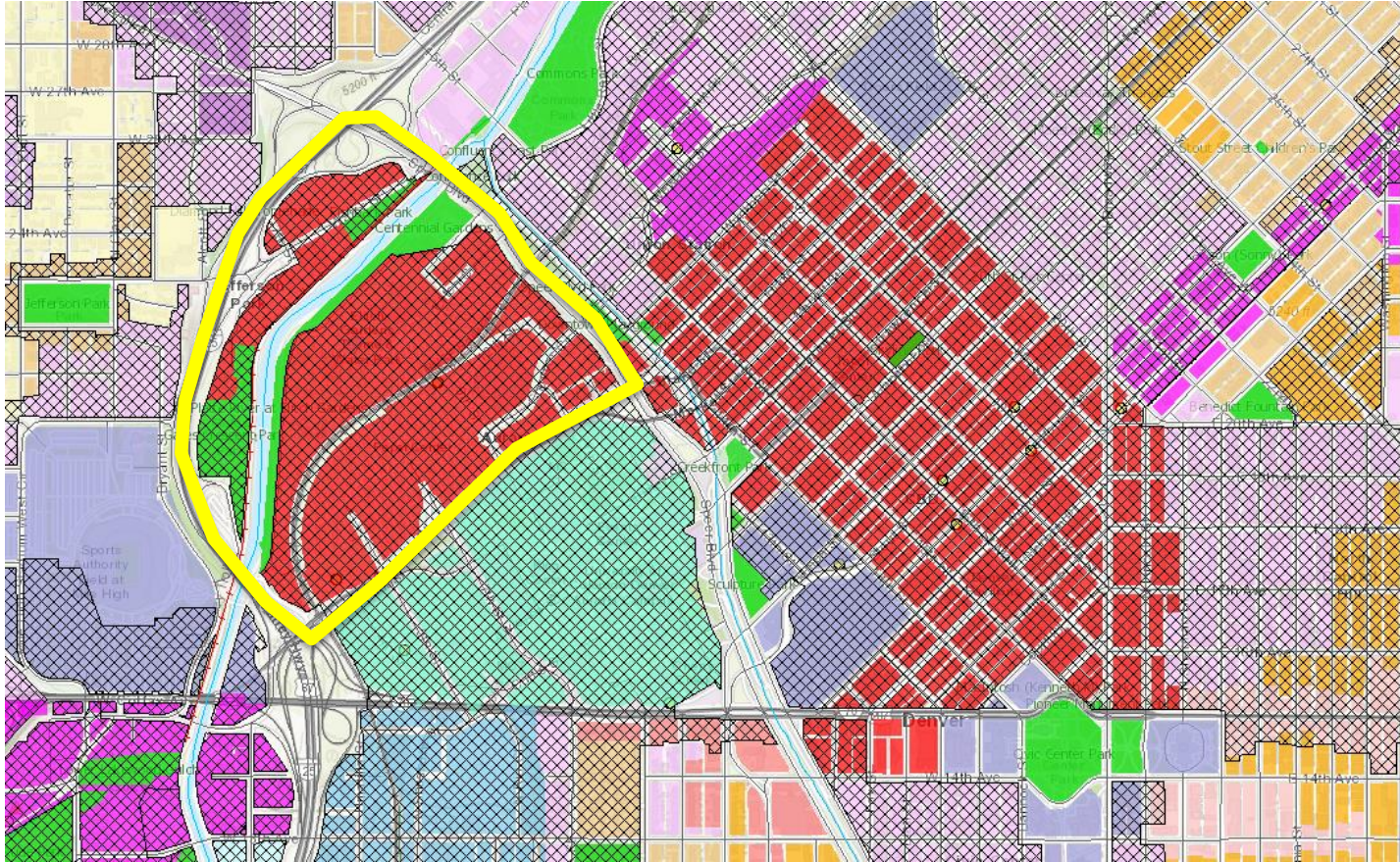
1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare

Denver Comprehensive Plan 2000



- *“Platte Valley is again becoming a dynamic example of both urban environmental protection and sustainable economic development.”*
- *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. (p 60)*
- *Mobility Strategy 3-B: Promote transit-oriented development (TOD) as an urban design framework for urban centers and development areas. (p 77)*

Blueprint Denver (2002)

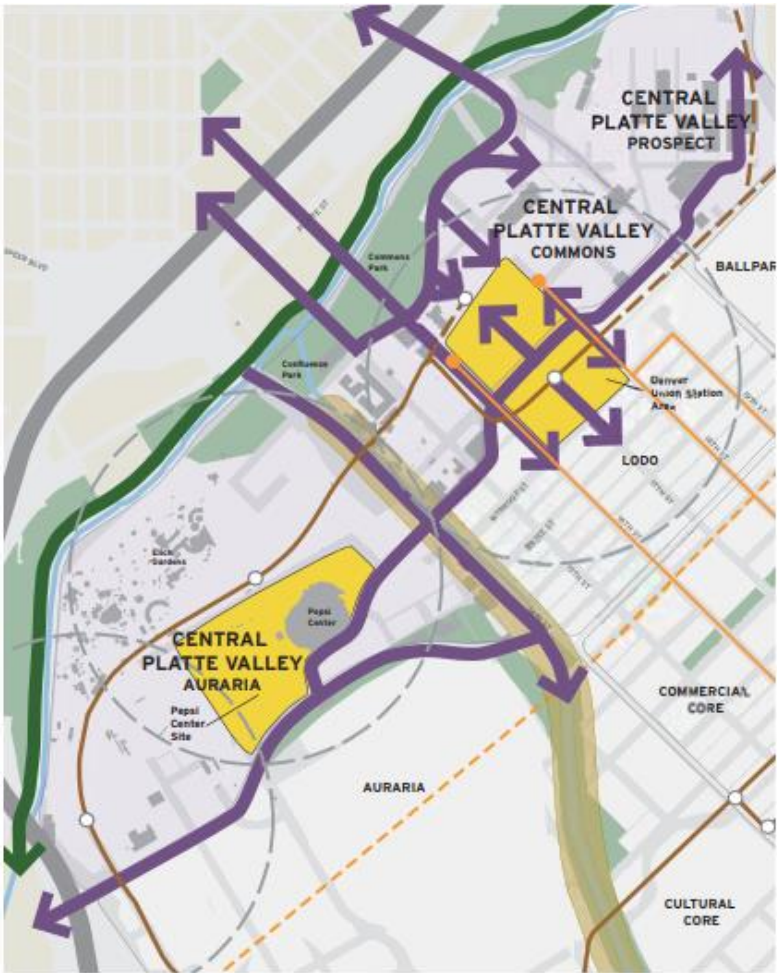


- **Downtown Concept Land Use**
“... is the centerpiece of the city and region with the highest intensity of uses in Colorado ... Downtown is not only a significant source of employment, ... but also a unique neighborhood offering a special variety of housing for people who prefer to live in the midst of its activity and amenities”

“downtown has special design standards that address architectural form and site design ... developments in these areas are among the most highly regulated in the City” (p 39)

- **Area of Change**
Create new or modified zone districts where there is not an existing zone district that allows the appropriate uses, densities, and design standards in Areas of Change (p 130)

Downtown Area Plan (2007)



Central Platte Valley (CPV) Strategy

Legend

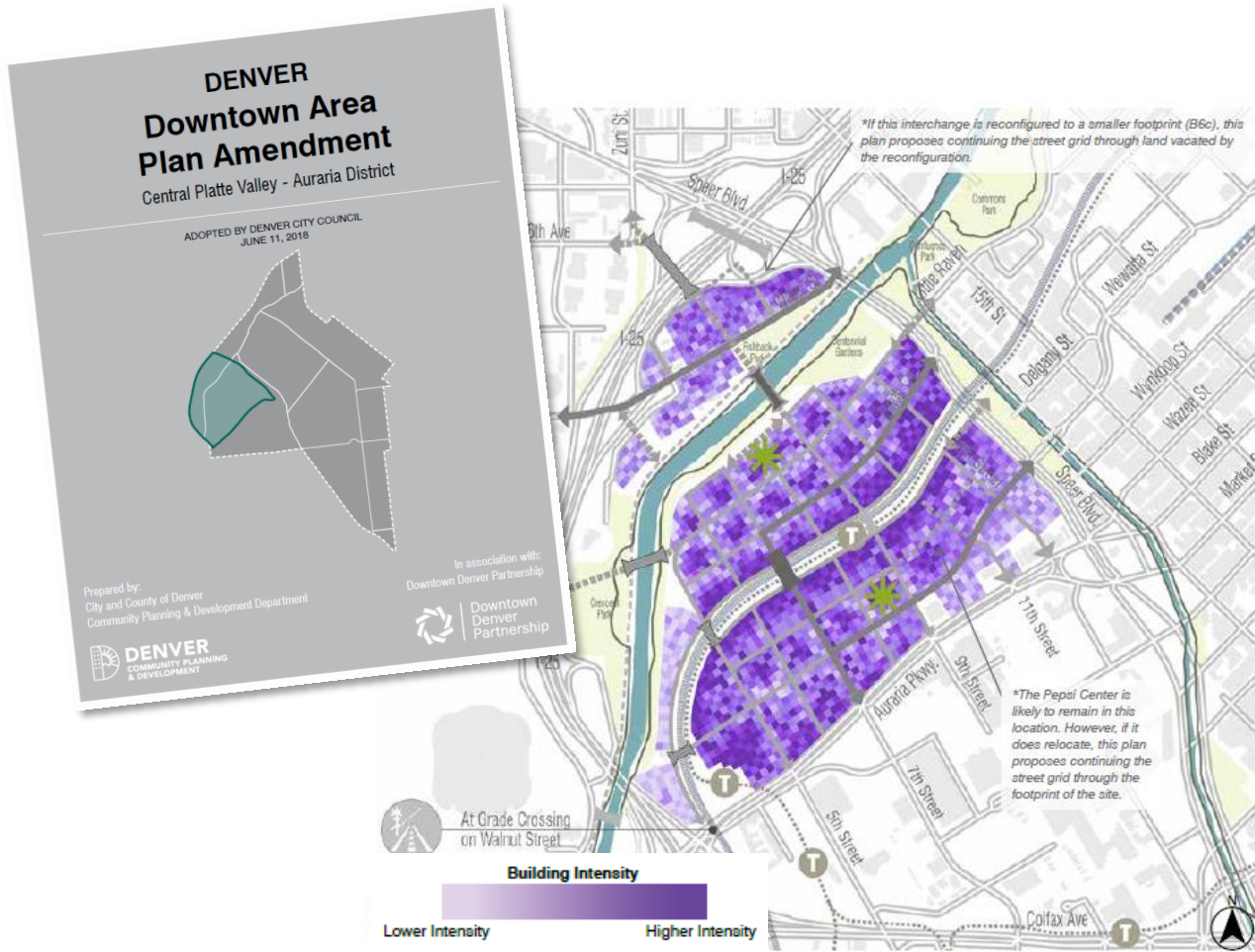
- LRT Stop
- LRT Line
- Proposed FasTracks Rail Line
- Intra-Downtown Transit
- Opportunity Site
- Grand Boulevard
- Special District
- Priority Pedestrian Connection
- 1/4-mile Radius Around Key Node/Transit Hub
- Neighborhood-Serving Retail

KEY RECOMMENDATIONS

- Attract family-oriented development.
- Provide additional amenities such as schools and daycare centers.
- Improve pedestrian and bicycle access to open spaces along the South Platte River and Cherry Creek.
- Create high quality multimodal connections between the light rail station and Denver Union Station on 16th, 17th, 18th and Wewatta streets. 17th Street Promenade will be the spine of the transit district and provide a high quality connection across the district.

CPV-Auraria – “Future opportunities to densify these areas are beginning to emerge as transit use increases and parking demand decreases.” (p 52)

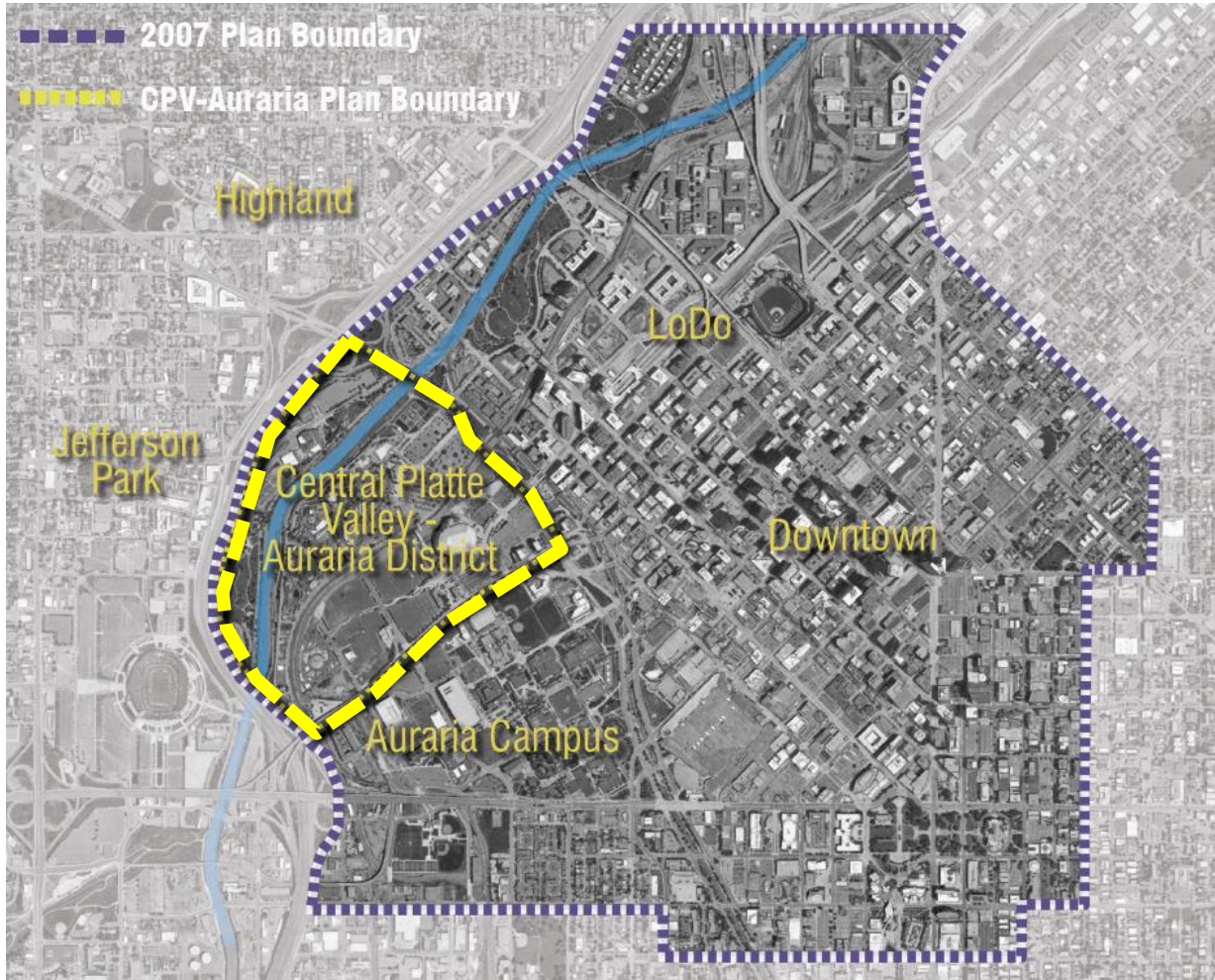
Downtown Area Plan Amendment (2018)



"This significant land resource allows the city to continue to evolve and prosper with new businesses, jobs, and residents in its core."

- *Supersedes the Downtown Area Plan and other previous plan direction where recommendations between the plans are conflicting.*
- *"calibrate allowed building height and intensity by context" with highest intensity near the light rail stations and along the CML and 7th Street, and the lowest intensity along the riverfront, Water Street, and near existing buildings (D4c, p 66)*
- *"leverage increases in allowed building intensity to promote community benefits" (D4d, p 66)*
- *Promote high quality design through updated zoning and design standards and guidelines (D5a, p 68)*
- *Adopt zoning tools and design standards and guidelines to implement plan objectives (p 90)*

Downtown Area Plan Amendment (2018)



- ✓ *Encourage a mixed-use neighborhood with active streets*
- ✓ *Incentivize higher intensity transit-oriented development near rail stations*
- ✓ *Promote a variety of building heights*
- ✓ *Support diverse architecture and streetscapes*
- ✓ *Provide incentives for equitable communities and community benefits*
- ✓ *Establish a design review process and advisory board*

Review Criteria Summary and Recommendation

1. Consistency with Adopted Plans

- CPD finds the Text Amendment is consistent with Comprehensive Plan 2000, Blueprint Denver, Downtown Area Plan, and Downtown Area Plan Amendment

2. Uniformity of District Regulations

- Text Amendment will result in uniform application of building form, use, and design regulations of D-CPV zone districts

3. Further Public Health, Safety and Welfare

- Text Amendment implements adopted plans and enables a walkable urban neighborhood in close proximity to existing and planned services and open space/recreation facilities

Staff Recommendation

CPD recommends that LUTI move DZC Text Amendment #3 forward for consideration by the full City Council, based on finding all review criteria have been met.

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare

CPD & OED recommend that LUTI move the related DRMC amendment to provide affordable housing requirements for incentive height in the D-CPV zone districts forward for consideration by the full City Council.