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TO: Denver Planning Board
FROM: Brandon Shaver, Senior City Planner
DATE: January 11, 2023
RE: Official Zoning Map Amendment Application #2019I-00184
2030 & 2032 Blake Street
Rezoning from PUD 329 to PUD-G 27

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2019I-00184.

Request for Rezoning

Address: 2030 & 2032 Blake Street
Neighborhood/Council District: Five Points / Council District 9
RNOs: Inter-Neighborhood Cooperation (INC), Ballpark Collective, Downtown Denver Business Improvement District, The Heart of Five Points, Lower Downtown Neighborhood Association, LoDo District, Inc., United Community Action Network (UCAN), United Northeast Denver Residents
Area of Property: 26,801 square feet or 0.61 acres
Current Zoning: PUD 329
Proposed Zoning: PUD-G 27
Property Owner(s): Denver Metropolitan Major League Baseball Stadium District/Public Service Company of Colorado
Owner Representative: Greg Feasel

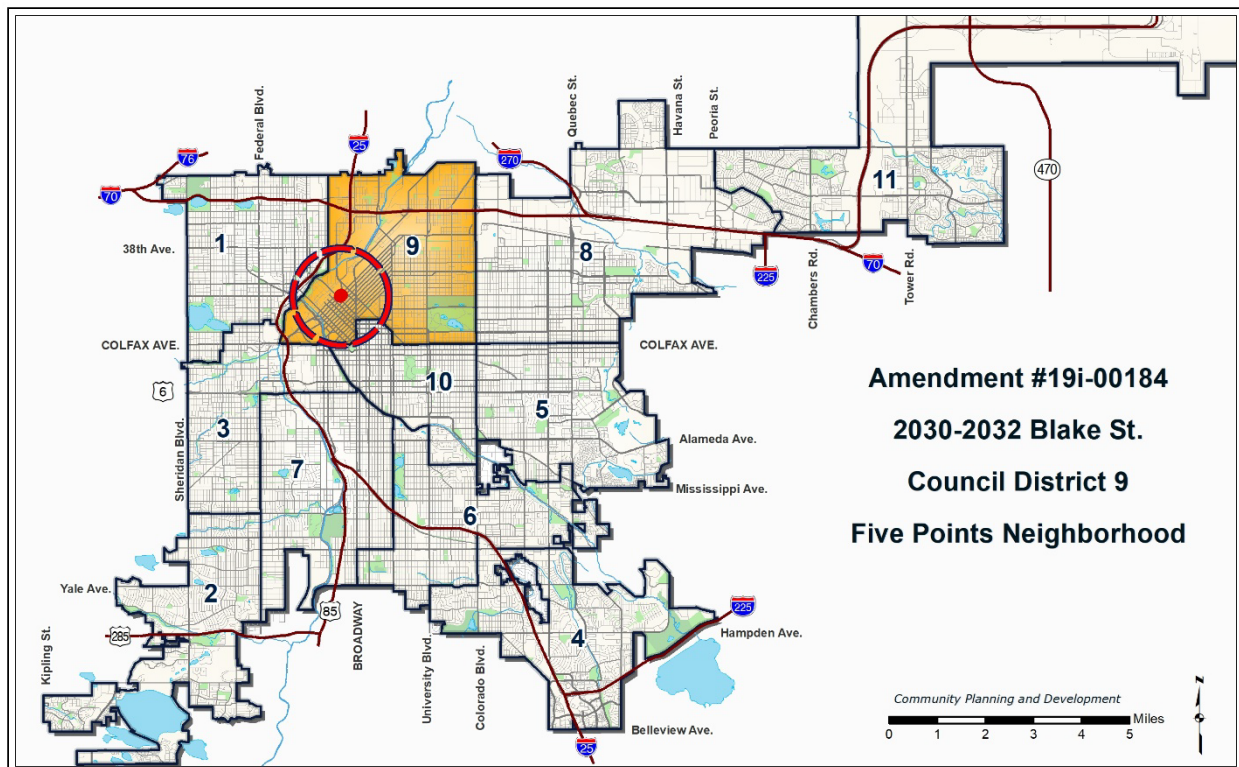
Summary of Rezoning Request

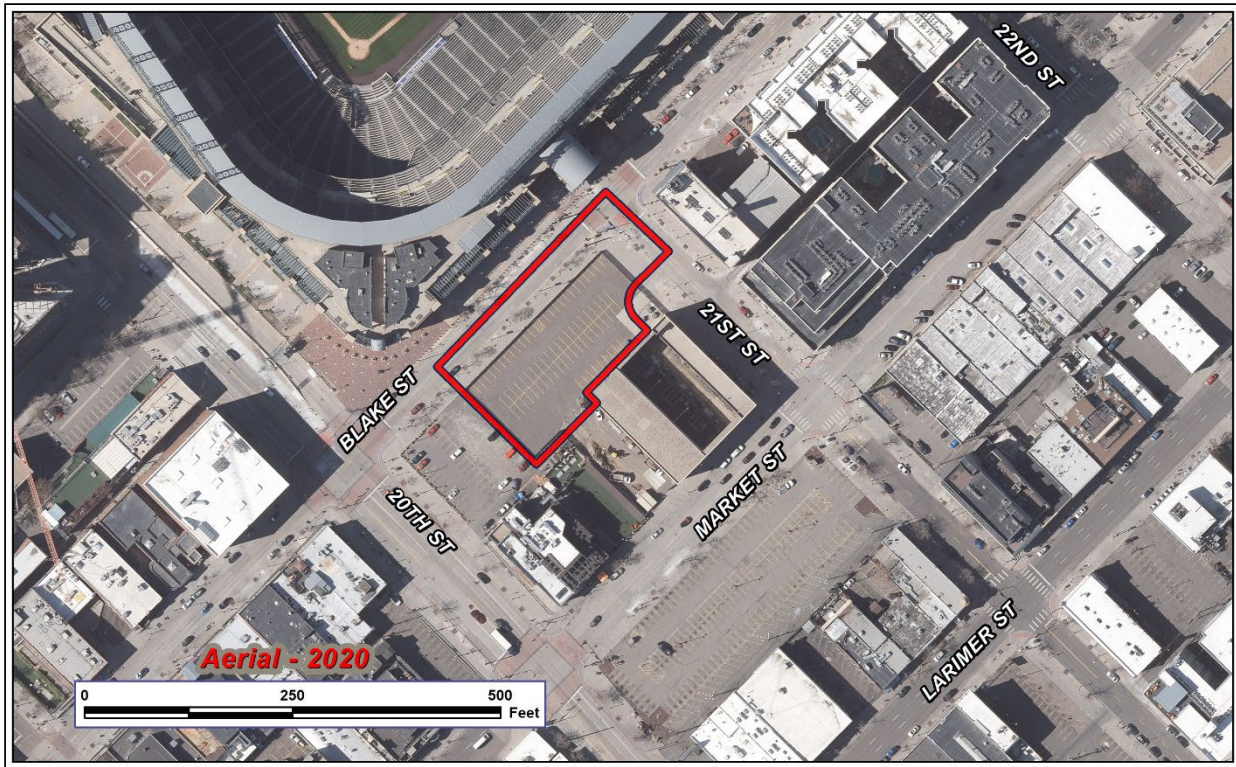
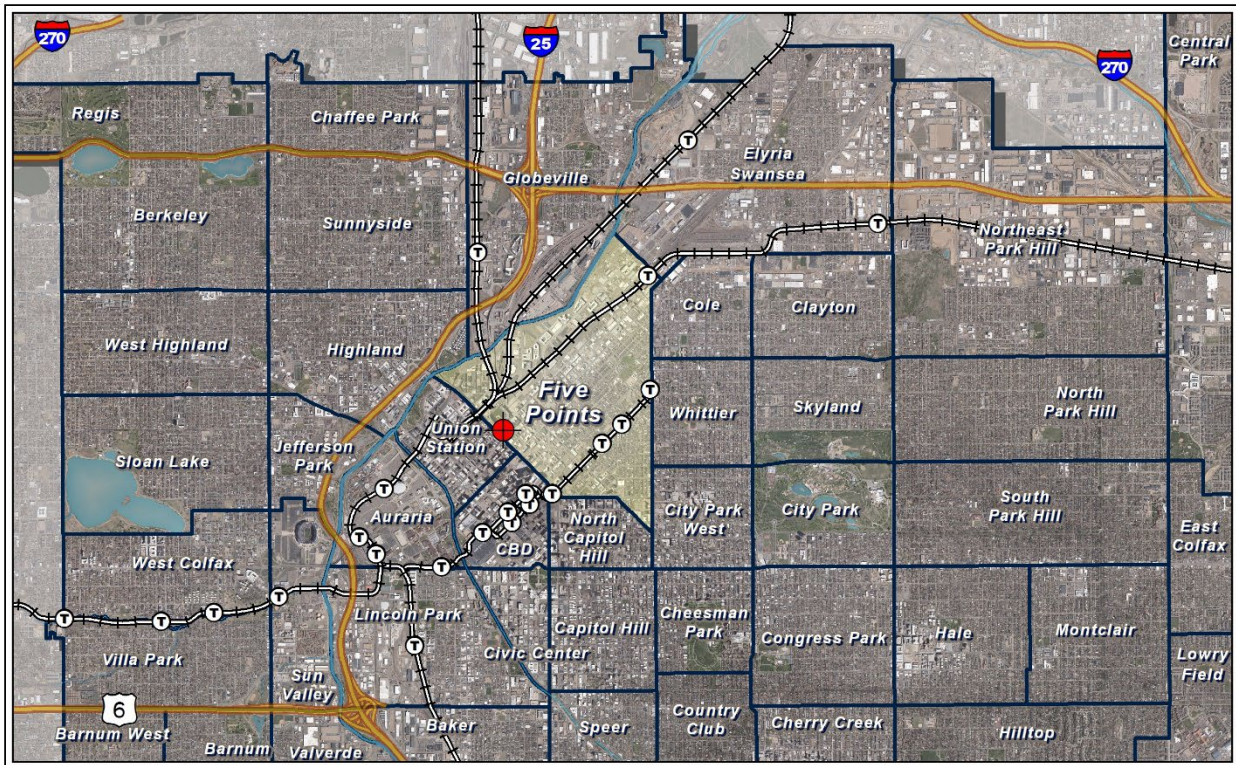
- The subject property is in the Five Points statistical neighborhood at the southeast corner of 21st and Blake streets.
- The property, mostly owned by Denver Metropolitan Major League Baseball Stadium District, is currently vacant, occasionally used for game day and special event parking and ancillary uses associated with the future Xcel Energy electrical substation located directly southeast of the subject site.
- The property was purchased from Public Service Company of Colorado in 2016 with a 20-year no-build restriction and an easement to allow access to the future electric substation site.
- The current zoning, PUD 329, was adopted in 1993 and covers the majority of the block between 20th and 21st streets and Market and Blake streets. It allows the construction and operation of an electric substation, off-street parking and mixed-use commercial and residential development. Commercial and residential developments are intended to provide active uses at street level and are limited to 5 stories and 55 feet in height, with a maximum Floor Area Ratio (FAR) of 2.5 and a maximum residential density of 112 dwelling units per acre. The PUD contains additional

requirements related to setbacks, off-street parking and loading, landscaping and buffering, general design guidelines and standards for new development as well as requirements that ensure Xcel access to the future substation during periods of maintenance and construction activity.

- The applicant is requesting a Planned Unit Development (PUD) based on the C-MX-5 zone district, with variations that address the site's location within the Downtown neighborhood context; its adjacency to Coors Field, Lower Downtown and the Ballpark Historic District; to encourage pedestrian-activated public spaces; to integrate with and enhance the festival street concept along 21st Street and respect Xcel Energy's requirements for no vertical development. The applicant intends to improve the site as a pedestrian-friendly and publicly accessible event space, while also allowing use for off-street parking on Coors Field game days.
- PUD-G 27 allows an Event Space with Alternate Parking and Loading primary use, with site-specific limitations, an Off-Street Parking Area to operate for a maximum of 150 days per year and requires publicly accessible open space, a minimum of 12 Public Events (a minimum of 6 free of charge) per year, enhanced design standards for the Event Space and contains reporting requirements to obtain associated zoning use permits.

1. Existing Context



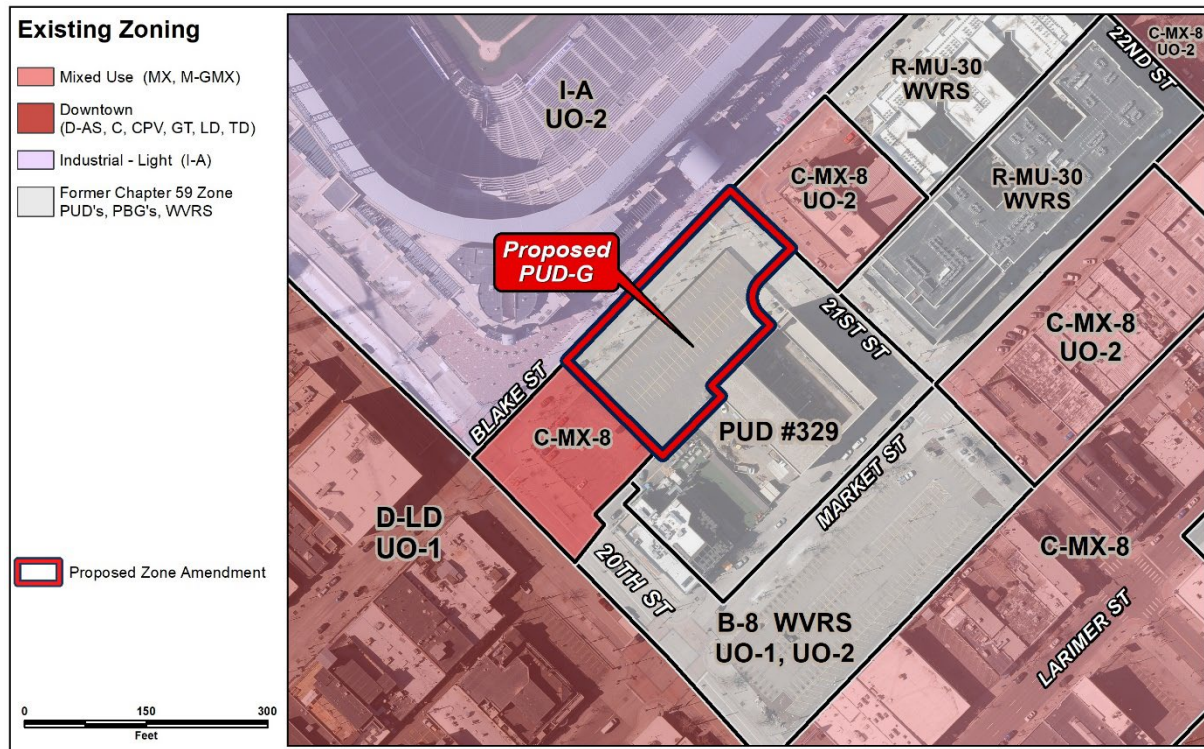


The subject property is located within the Five Points neighborhood and occupies most of the western half of the block bounded by 20th Street, Market Street, 21st Street and Blake Street. The surrounding area includes a mix of uses, including Coors Field, multi-unit residential, office, retail, hotel, parking and transportation uses. Multiple RTD bus routes serve Blake, 20th and surrounding streets, with connections to regional rail and bus transit via Union Station, a few blocks to the southwest.

The following table summarizes the existing context proximate to the subject site:

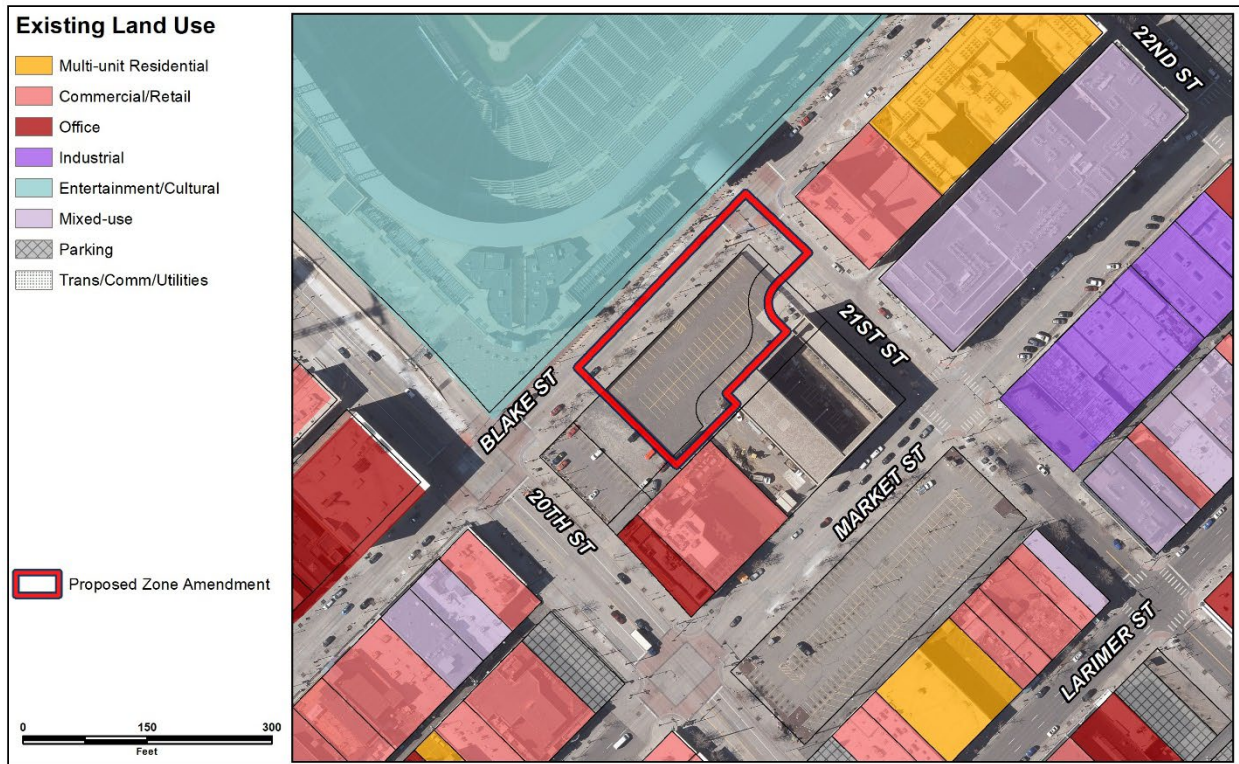
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	PUD 329	Vacant	No buildings on site	Rectilinear block pattern follows the diagonal Downtown grid. Alleys run north-south and are present on most blocks. Block sizes and shapes are consistent and rectangular.
Northeast	C-MX-8, UO-2	Commercial/Retail, Multi-unit Residential	5 to 7-story masonry buildings	
Southeast	PUD 329	Commercial/Retail, Office and Transportation/Communication/Utilities	Restaurant, office and electric substation structures, ranging from 1 to 4 stories	
Southwest	C-MX-8	Surface Parking	No buildings on site	
Northwest	I-A, UO-2	Entertainment/Cultural (baseball stadium)	Approximately 5 stories in height	

2. Existing Zoning



The existing zoning on the subject property, approved in 1993, is PUD 329. This custom zone district is highly prescriptive and tailored to the construction and operation of the future electric substation as well as new mixed-use commercial and residential development. Given the site's unique conditions, the PUD allows limited B-8 land uses dependent on location within the building (either at or below street level, above or below street level or above, below and/or at street level). Similarly, it contains stipulations to the land use list and does not allow temporary permits or special use permits for parking related to events in the ballpark. Lastly, PUD 329 includes general design standards and guidelines, prescribes maximum height of structures in stories, feet and FAR, setbacks, off-street parking and loading, number of street trees and the maximum height of fences and walls. A complete list of requirements can be found in PUD 329, attached to this staff report.

3. Existing Land Use Map



4. Existing Building Form and Scale



Site - Aerial view, looking northwest (Source: Google Maps)



Site – from Blake Street (Source: Google Maps)



Site – from 21st Street (Source: Google Maps)



Northwest – from Blake Street (Source: Google Maps)



Southeast – from 20th Street (Source: Google Maps)



Southwest – from Blake Street (Source: Google Maps)



Northeast – from Market Street (Source: Google Maps)

Summary of PUD Request

The applicant requests to rezone to PUD-G 27 per Denver Zoning Code Section 9.6.1. Section 9.6.1 states that the purpose of a PUD district is to provide an alternative to conventional land use regulations, combining use, density, site plan and building form considerations into a single process, and submitting procedural protections for the more prescriptive requirements in the Code. The PUD district is intended to respond to unique and extraordinary circumstances, where more flexible zoning than what is achievable through a standard zone district is desirable and multiple variances, waivers and conditions can be avoided.

The intent of the proposed PUD is to allow site improvements that contribute to the vibrancy of Downtown and the surrounding neighborhoods, while acknowledging the site's unique conditions. The PUD establishes primary use and specific building form standards that accommodate the uniqueness of the site, location and building constraints, encourages pedestrian-activated public spaces, allows alternate vehicle parking that is subservient to the primary event space use and ensures design elements are compatible with future improvements related to 21st Street and the 5280 Trail. Key elements of PUD-G 27 include:

- *Additional use*
In addition to uses allowed in C-MX-5, the PUD allows one additional primary use, Event Space with Alternate Parking and Loading, with site-specific use limitations including requirements for publicly accessible open space, evidence of the number of days planned and used for off-street parking and public events and a parking operations plan.
- *Off-Street Parking Area*
The PUD allows the site to operate as a parking area (per a required parking operations plan) for a maximum of 150 days per year, not open to the general public and limited to Game Days located at Coors Field.
- *Public Events requirement*
The PUD requires a minimum of 12 public events to be held per year. At least 6 of the public events shall be free of charge.
- *Event Space design standards*
The PUD requires site improvements including a minimum Event Space area, minimum number of trees, minimum percentage of shade coverage from architectural elements or tree canopy, minimum percentage of high-quality surface paving materials and coating, high-quality fence and wall materials, minimum transparency and open percentages for fencing, spacing of masonry columns in relation to Coors Field, minimum seating requirements and high quality, durable and weatherproof furniture.
- *Future substation activity*
The PUD requires access from 21st Street to the adjacent utility uses (via moveable screens) and the future substation during periods of construction and maintenance activity.

Summary of City Agency Referral Comments

As part of the DZC review process, the rezoning application is referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

Assessor: Approved – No response

Asset Management: Approved – No comments

Denver Public Schools: Approved – No response

Department of Public Health and Environment: Approved – No comments

Denver Parks and Recreation: Approved – No comments

Department of Transportation and Infrastructure – R.O.W. - City Surveyor: Approved – No comments

Development Services - Transportation: Approved – No response

Development Services – Wastewater: Approved – No comments

Development Services – Project Coordination: Approved – No response

Development Services – Fire Prevention: Approved – No comments

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	10/26/21
PUD text revised and referred to Xcel Energy for comments:	3/23/22
Xcel comments incorporated and final application submitted:	12/29/22
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	1/3/23
Planning Board Public Hearing:	1/18/23
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting (tentative):	1/17/23

Land Use, Transportation and Infrastructure Committee of the City Council meeting (tentative):	1/31/23
Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations (tentative):	2/20/23
City Council Public Hearing (tentative):	3/13/23

Public Outreach and Input

- **Registered Neighborhood Organizations (RNOs)**
 As of the date of this report, staff has received two written comments from RNOs pertaining to this application.
 - One letter in support of the application was submitted by the LoDo District RNO. The letter is attached to this staff report.
 - One letter in support of the application was submitted by the Ballpark Collective RNO. The letter is attached to this staff report.
- **Other Public Comment**
 As of the date of this report, staff has not received written public comment pertaining to this application.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7, 12.4.10.8 and 12.4.10.9 as follows:

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements
6. Additional Review Criteria for Rezoning to PUD District
 - a. The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of this Code;
 - b. The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in Division 9.6;
 - c. The development proposed on the subject property is not feasible under any other zone districts, and would require an unreasonable number of variances or waivers and conditions;
 - d. The PUD District and the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property; and
 - e. The PUD District and the PUD District Plan establish permitted building forms that are compatible with the adjacent building forms, or which are made compatible through appropriate transitions at the boundaries of the PUD District Plan (e.g., through

decreases in building height; through significant distance or separation by rights-of-way, landscaping or similar features; or through innovative building design.

1. Consistency with Adopted Plans

The following adopted plans currently apply to this property:

- *Denver Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Northeast Downtown Neighborhoods Plan (2011)*
- *Downtown Area Plan (2007)*

Denver Comprehensive Plan 2040

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, which are organized by vision element.

The proposed rezoning would allow for improved access to amenities within an established neighborhood by allowing a publicly accessible private open space with programmed special events consistent with the following strategy in the Equitable, Affordable and Inclusive vision element:

- Equitable, Affordable and Inclusive Goal 1, Strategy C – *Improve equitable access to resources that improve quality of life, including cultural and natural amenities, health care, education, parks, recreation, nutritious food and the arts (p. 28).*

The proposed rezoning would enable enhanced place-making opportunities at an intensity consistent with the desire for urban, walkable, mixed-use neighborhoods around transit and cultural amenities, and is therefore consistent with the following strategy in the Strong and Authentic Neighborhoods vision element:

- Strong and Authentic Neighborhoods Goal 2, Strategy D – *Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture and quality of life (p. 34).*
- Strong and Authentic Neighborhoods Goal 5, Strategy B – *Design public spaces to facilitate social connections and enhance cultural identity (p. 35).*

Similarly, the land use pattern detailed in the previous paragraph is also consistent with the following strategies in the Environmentally Resilient vision element:

- Environmentally Resilient Goal 8, Strategy A - *Promote infill development where infrastructure and services are already in place (p. 54).*
- Environmentally Resilient Goal 8, Strategy B - *Encourage mixed-use communities where residents can live, work and play in their own neighborhoods (p. 54).*

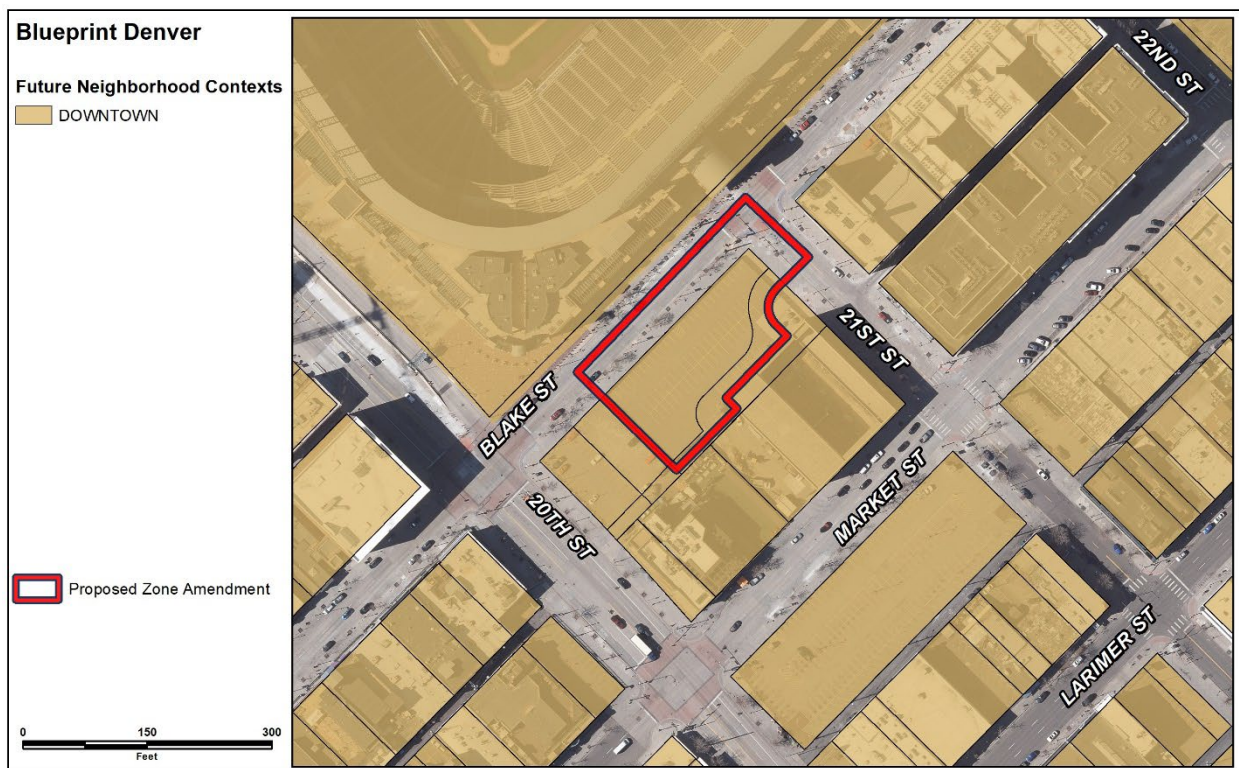
The requested map amendment will capitalize on the subject property's location next to Coors Field, an infill location where infrastructure is already in place. The requested PUD zone district will increase the vibrancy of Lower Downtown and enhance the user experience around Coors Field, allowing residents

and visitors to access a highly designed, active, pedestrian-oriented plaza. Therefore, the rezoning is consistent with *Denver Comprehensive Plan 2040* recommendations.

Blueprint Denver (2019)

Blueprint Denver was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city's land use and transportation decisions. *Blueprint Denver* identifies the subject property as part of a High Residential Area within the Downtown Neighborhood Context and provides guidance from the future growth strategy for the city.

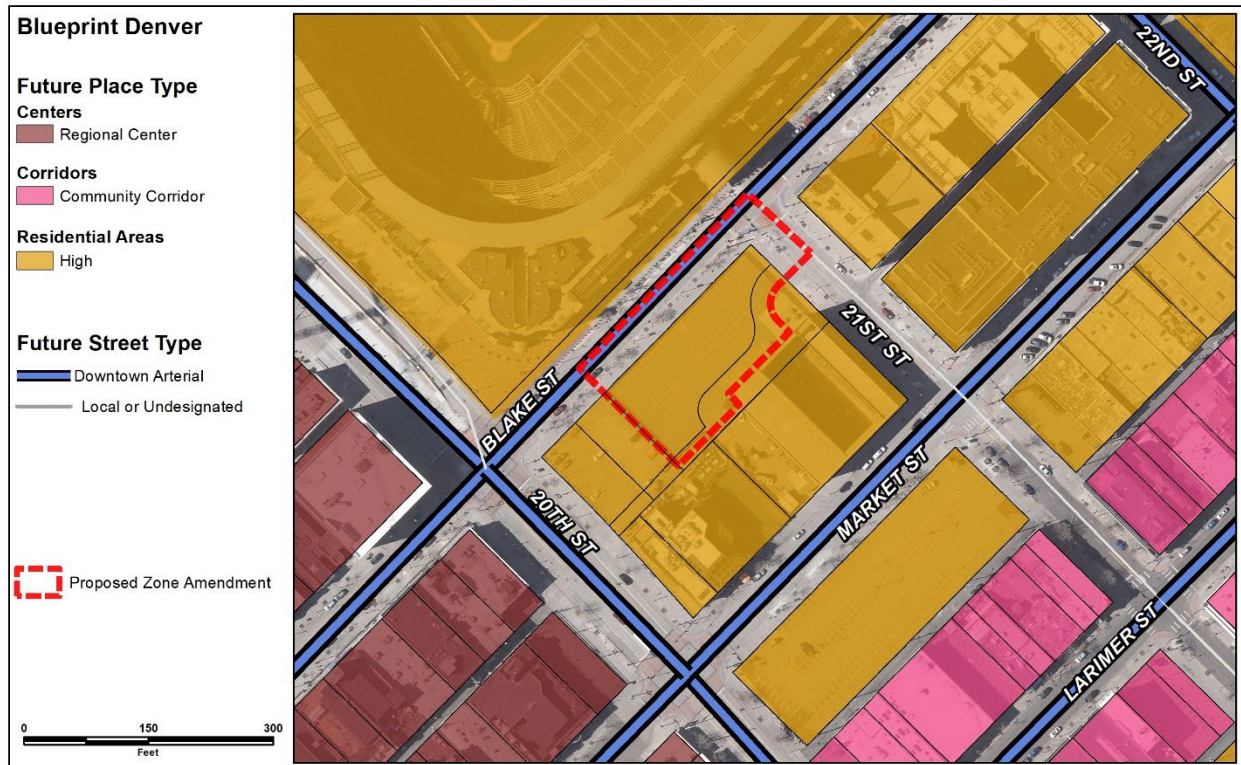
Blueprint Denver Future Neighborhood Context



In *Blueprint Denver*, future neighborhood contexts are used to help understand differences in land use and built form and mobility options at a higher scale, between neighborhoods. The subject property is within the Downtown Neighborhood Context. "This context is the densest and most active. It contains the highest intensity residential and includes the largest employment center in Denver" (p. 265). The proposed PUD is based on the C-MX-5 zone district which is part of the Urban Center context and is "intended to promote safe, active, and pedestrian-scaled diverse areas using building forms that clearly activate the public street edge" and "the Mixed-Use districts are focused on creating mixed, diverse neighborhoods" zone districts in the Denver Zoning Code's Downtown Neighborhood Context have generally been applied to location-specific areas of Downtown, such as the Theater District and Arapahoe Square. Urban Center zone districts, including C-MX-5, are prevalent in areas in the

Downtown context, including those north of 20th Street and west of Lawrence Street, and are appropriate in this neighborhood context. Additionally, *Blueprint Denver* states: “The mapping of neighborhood context is at the citywide scale, so the boundaries of the contexts may be interpreted with limited flexibility if the request furthers the goals of Blueprint Denver and is consistent with the overall intent of the neighborhood contexts map” (p. 66). As the subject property is adjacent to downtown Denver with good access to transit, the requested PUD based on the C-MX-5 zone district is appropriate and consistent with the intent of the neighborhood contexts map in the plan.

Blueprint Denver Future Places



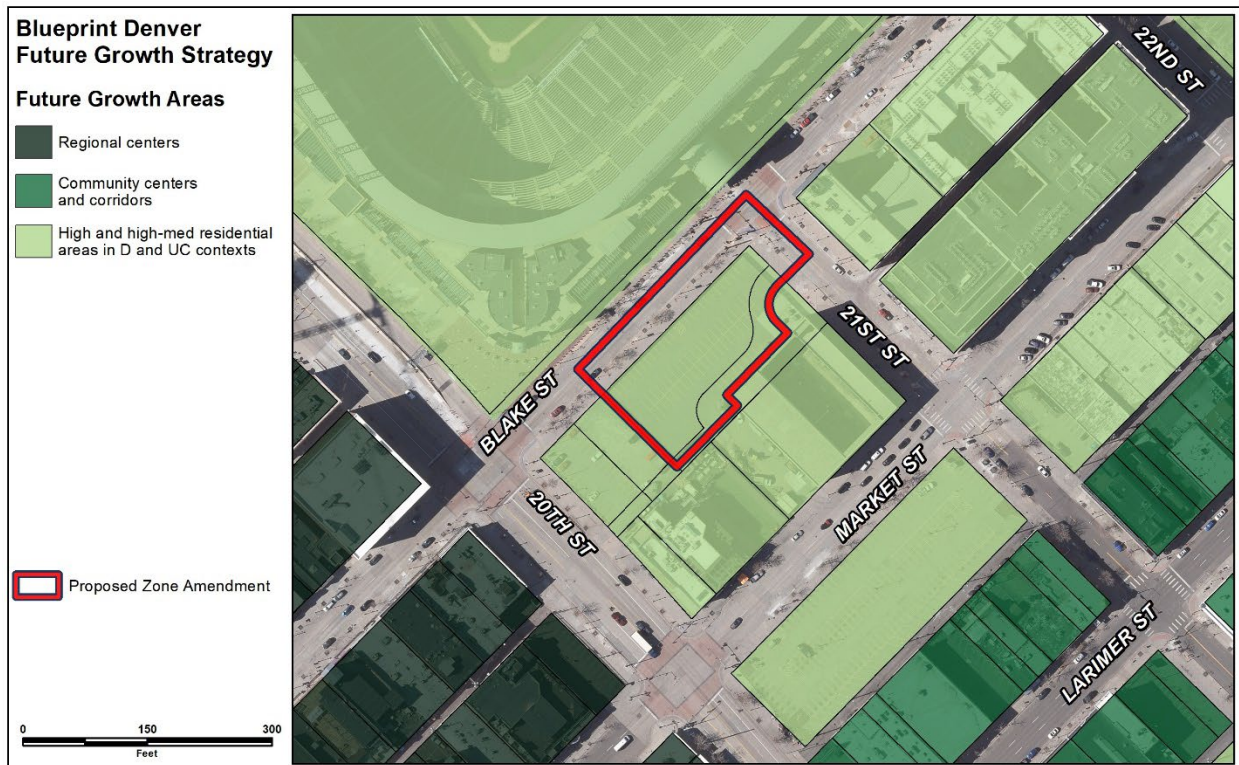
The Future Places map shows the subject property as part of a “High Residential Area”. *Blueprint Denver* describes these areas as having a high mix of uses throughout with good access to parks and other open spaces. Additionally, they are described as areas where “plazas are common and trees and other plantings should be included on-site where space allows” (p. 260).

The proposed rezoning to PUD-G 27 is appropriate and consistent with the “High Residential Area” plan direction and will create an inviting and active plaza space with distinct streetscape elements that complement Coors Field and strengthen the pedestrian realm more than the current zoning allows. The allowance for game day parking acknowledges the site’s unique location adjacent to Coors Field, while still requiring high standards of pedestrian design and ensuring active, public event space at other times of the year.

Street Types

Blueprint Denver classifies Blake Street as a Downtown Arterial and 21st Street as a Local or Undesignated street. Downtown Arterials are “surrounded by the most intense land uses including hotels, street level retail and office, residential and mixed-use towers with a high focus on pedestrian and bike connectivity” (p. 158). Meanwhile, “local streets provide the lowest degree of through travel but the highest degree of property access” (p. 160). The proposed PUD zone district allows an Event Space with Alternate Parking and Loading primary use as well as a broad range of residential and commercial land uses with a shallow front setback. Therefore, the district is consistent with the downtown arterial and local street types at this location.

Growth Strategy



Blueprint Denver's growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject property is part of a High Residential Place within the High and High-Medium Residential Future Growth Area. Throughout the city, the High and High-Medium Residential Future Growth Area is anticipated to see 5% of new job growth and 15% of new housing growth by 2040 (p. 51). The proposed map amendment to PUD-G 27 could allow for new housing and job growth in this area, after the no-build restriction is lifted, consistent with the growth strategy map.

Additional Applicable Strategies

Blueprint Land Use and Built Form General Policy 3, Strategy A, recommends rezoning properties “from the Former Chapter 59 zoning code so that the entire city is covered by the DZC, including continuing to incentivize owners to come out of the old code” (p. 73). This proposed rezoning is consistent with this policy, as it would rezone a property out of the Former Chapter 59 code and into a PUD based on the Denver Zoning Code.

Custom Zoning

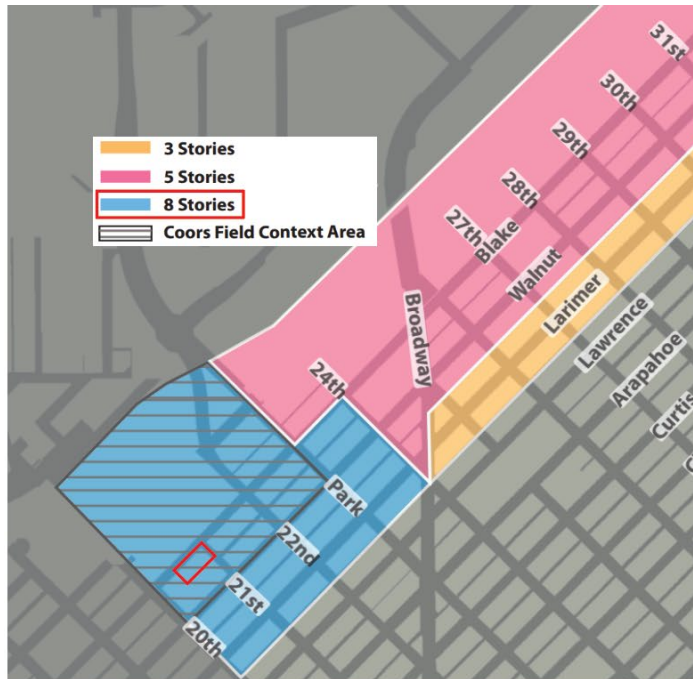
Blueprint Denver provides the following direction on how to limit the use of custom zoning including PUDs: “Limit the use of site-specific, customized zoning tools—such as Planned Unit Developments (PUDs) and waivers/conditions—to unique and extraordinary circumstances. The zoning code offers a wide variety of zone districts that cover the diverse contexts and places of Denver. Custom zoning tools are most effective when a standard zone district does not exist to implement the adopted plans for an area” (p. 73). More detail on the challenges of custom zoning is provided on page 73 of the plan. Due to the specific challenges and unique location of the property, with the 20 year no-build restriction, access easement, future 5280 Trail and adjacency to the Lower Downtown and Ballpark historic districts, there is no standard zone district that can address this site’s unique and extraordinary circumstances. Therefore, the use of a PUD is consistent with the recommendations of *Blueprint Denver*.

Northeast Downtown Neighborhoods Plan (2011)

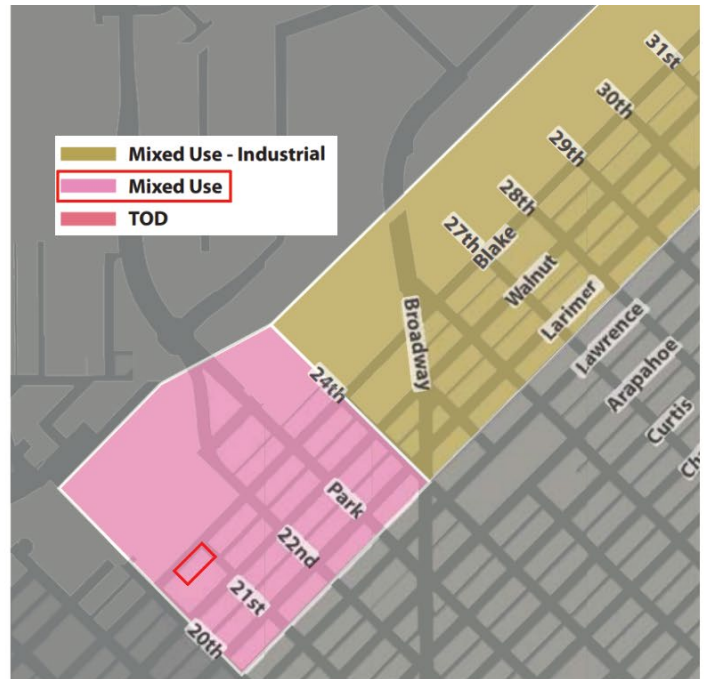
The *Northeast Downtown Area Plan* was adopted in 2011 and applies to the subject property. The plan designates a future land use of “Mixed Use” and establishes a maximum structure height of 8 stories for the general area (p. 19). Mixed use areas place more importance on pedestrian access with residential and non-residential uses within walking distance of one another. The plan further refines height guidance at this location by identifying it as part of the Coors Field Context Area, where: “Within this area it is recommended that building heights not be allowed to exceed the height of the Coors Field stands.” The requested PUD-G 27 zone district, based on C-MX-5, is consistent with this guidance as the allowed height is below those maximums recommended in the plan.

The plan also offers strategies and recommendations for development in this area, including:

- Give prominence to the pedestrian realm as a defining element of neighborhood character
- Special attention should be given to the public realm along Blake Street
- Scale and character of new developments should respect the stadium’s prominence and work collectively to promote a cohesive urban experience



Concept Building Heights Map



Concept Land Use Map

The PUD-G 27 zone district will help achieve these goals by requiring high-quality materials to be used on the site, aligning masonry columns relative to the columns at Coors Field and requiring a minimum number of public events to ensure the area remains vibrant even in the absence of game days. A PUD based on C-MX-5 is also consistent with this plan guidance should the no build restriction be lifted in the future.

Downtown Area Plan (2007)

The *Downtown Area Plan*, adopted in 2007, identifies several strategies and objectives to serve as a “tool to help community leaders, decision makers, and citizens build upon Downtown’s assets and guide future development” (page 1). The long-term vision seeks to “achieve a vibrant, economically healthy, growing and vital downtown through a sustained effort in each of these elements: Prosperous, Walkable, Diverse, Distinctive and Green” (page 12). The plan also highlights the “round-the-clock” entertainment-focused redevelopment potential of the Ballpark sub-area of Five Points near Coors Field and recommends distinctive ground floor retail and other active uses along the street edge and pedestrian improvements to nearby streets like 21st (p. 54). The proposed PUD-G 27 zone district enables an additional street-level active use and creates a vibrant and welcoming pedestrian realm, consistent with the *Downtown Area Plan* recommendations.

2. Uniformity of District Regulations and Restrictions

The proposed map amendment will result in the uniform application of zone district building form, use and design regulations across the site. The PUD is based on the C-MX-5 zone district, with customization to address the unique location and constraints of the site.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare through implementation of the city's adopted land use plans. Additionally, it furthers public health, safety and general welfare by establishing site design requirements that enhance walkability and activate a key corner along the future 5280 Trail while minimizing adverse impacts to the surrounding neighborhoods.

4. Justifying Circumstances

The application identifies several changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, "Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such a change may include: b. A City adopted plan." PUD 329 was adopted in 1993 and since that time the City has adopted *Comprehensive Plan 2040*, *Blueprint Denver*, *Northeast Downtown Neighborhoods Plan*, and the *Downtown Area Plan*, all of which the proposed rezoning is consistent with as outline above. The applicant additionally cited subsection c. "That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning." The subject site is currently under the Former Chapter 59 zoning, but the proposed rezoning will bring the site into a PUD based on a zone district in the Denver Zoning Code.

5. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

The requested zone district, PUD-G 27, is based on the C-MX-5 zone district which is within the Urban Center Neighborhood Context and generally consists of multi-unit residential and mixed-use commercial strips and commercial centers. Commercial uses are primarily located along main and mixed-use arterial streets. (DZC 7.1.1). As discussed above, and given the surrounding context, the application of a zone district from Urban Center Neighborhood Context is appropriate for this site.

PUD-G 27 is consistent with the Urban Center Neighborhood context because it uses the C-MX-5 zone district as a base, providing for a pedestrian-activated building form and minimizing the visual impacts of parking areas. The tailoring in the PUD ensures that development will be consistent with the surrounding neighborhood context, adjacent historic districts and appropriately transition from the D-LD district across 20th Street. For analysis on consistency of this rezoning with the PUD zone district purpose and intent statements, see below.

6. Additional Review Criteria for Rezoning to a PUD District (12.4.10.9)

a. *The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of this Code*

- Denver Zoning Code Section 9.6.1.1 states that the general purpose of a PUD District is to provide an alternative to conventional land use regulations, combining use, density, site plan and building form considerations into a single process, and substituting procedural protections. A PUD is intended to respond to unique and extraordinary circumstances, where more flexible zoning than what is achievable through a standard zone district is desirable and multiple variances, waivers, and conditions can be avoided.

PUD-G 27 is consistent with the intent and purpose of PUD districts because the subject site has special locational and physical characteristics with significant development constraints. The subject site is across Blake Street from Coors Field and serves as a transition point between Lower Downtown and the Ballpark Historic District. The site is within the Downtown context in *Blueprint Denver* and within the boundary of the *Downtown Area Plan*. However, there is not an appropriate Downtown zone district to apply to this site. DZC Section 12.4.10.3 prohibits rezoning to a Downtown zone district when the site is not adjacent to the same zone district. The site is located near, but not adjacent to the D-LD zone district to the south and east and it is not within the Lower Downtown Historic District and, therefore, this is not an appropriate zone district for the site. Based on this context and the DZC requirements, C-MX-5 would be the closest fit in terms of an appropriate zone district for the site.

However, the C-MX-5 zone district would not address some of the unique conditions of the site, including:

- The site's direct adjacency to Xcel Energy's future electric substation
- The site's current vacant use, 20-year no-build restriction and easement for access to the future electric substation, which limits new vertical development on the vacant site
- The site's opportunity to provide publicly accessible event space and activate a key corner of the 5280 Trail
- The site's immediate context of the Lower Downtown and Ballpark historic districts and Coors Field

To address the unique circumstances, the proposed PUD district uses the C-MX-5 zone district as a base zone district while allowing an additional primary use. Thereby, the PUD utilizes Urban Center regulations to activate the space while recognizing the no-build constraints by allowing limited additional uses.

- DZC Section 9.6.1.1.C states that a PUD District is not intended as either a vehicle to develop a site inconsistent with the applicable neighborhood context and character, or solely as a vehicle to enhance a proposed development's economic feasibility.

PUD-G 27 is consistent with the Urban Center neighborhood context and character as noted above. The PUD is intended as a mechanism to ensure that development is consistent with adopted plans, not as a vehicle to enhance a proposed development's economic feasibility.

- According to DZC Section 9.6.1.1.D., in return for the flexibility in site design a PUD District should provide significant public benefit not achievable through application of a standard zone district, including but not limited to diversification in the use of land; innovation in development; more efficient use of land and energy; exemplary pedestrian connections, amenities, and considerations; and development patterns compatible in character and design with nearby areas and with the goals and objectives of the Comprehensive Plan.

The PUD District adds an allowable use, Event Space with Alternative Parking, which is otherwise not permitted in C-MX-5. The off-street parking that is allowed through this use is limited to a maximum 150 days per year. In return for this flexibility, the PUD provides significant public benefit not achievable through application of a standard zone district, including:

- Provision of publicly accessible, private open space which requires the site to be open to the public during consistent hours more than 200 days per year.
- A minimum of 12 organized and staffed public events to activate 21st and Blake streets throughout the year, with a minimum of 6 public events free of charge.
- Pedestrian-friendly site improvements that help create an inviting and comfortable gathering space. The PUD requires a minimum of 9 trees to be planted on-site, a minimum of 20% of shade coverage across the site, high-quality, non-black paving materials, high-quality fencing materials and spacing similar to those at the stadium, minimum transparency and open requirements and durable, weatherproof, movable furniture within the site for use by the general public.
- Increased minimum bicycle parking requirements, consistent with adopted plan guidance to promote transit-supportive development, encourage alternative travel modes, and discourage vehicle trips.

b. *The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in Division 9.6*

The PUD District complies with all standards and criteria stated in Division 9.6.

c. *The development proposed on the subject property is not feasible under any other zone districts, and would require an unreasonable number of variances or waivers and conditions*

The PUD District is necessary because there is no standard zone district available that applies public plaza and event space-appropriate standards, while allowing limited off-street parking, to this unique location or addresses the site's unique development constraints. An unreasonable number of variances or waivers and conditions would be required to achieve the tailored approach in the PUD.

d. *The PUD District and the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property*

The PUD District establishes permitted uses in accordance with the C-MX-5 zone district, with one additional primary use containing site-specific limitations proposed. The C-MX-5 zone district allows a mix of office, residential, and retail uses, consistent with the Urban Center context of the surrounding neighborhood.

e. *The PUD District and the PUD District Plan establish permitted building forms that are compatible with adjacent existing building forms, or which are made compatible through appropriate transitions at the boundaries of the PUD District Plan (e.g., through decreases in building height; through significant distance or separation by rights-of-way, landscaping or similar features; or through innovative building design.)*

The PUD provides tailored use and design standards to activate the site throughout the year, enhance the 5280 Trail concept and allow for subservient parking to occur on a limited number of days per year while respecting Xcel Energy's no-build requirement and access easement. Further, the PUD allows only the Shopfront building form if vertical development is feasible in the future. This form contains stringent build-to and transparency requirements to ensure pedestrian-oriented design and active street-level uses along the sidewalk. The PUD therefore establishes permitted building forms that are compatible with adjacent existing building forms through appropriate transitions and additional design standards.

Attachments

1. Rezoning application
2. PUD 329
3. PUD-G 27
4. RNO comments