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# **Downtown Area Plan Amendment Regulatory Implementation**

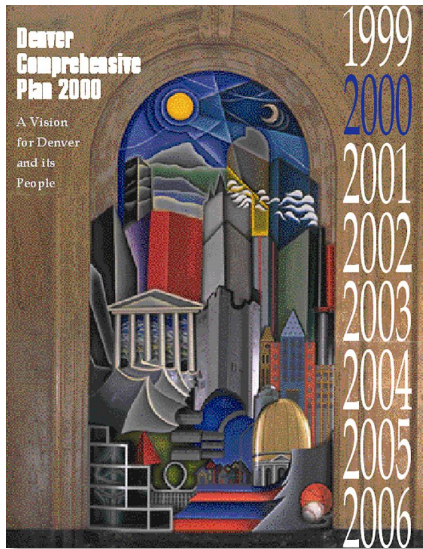
**Denver Zoning Code Text Amendment #3 (CB 18-1222)**

**Related Denver Revised Municipal Code Amendment (CB 18-1407)**

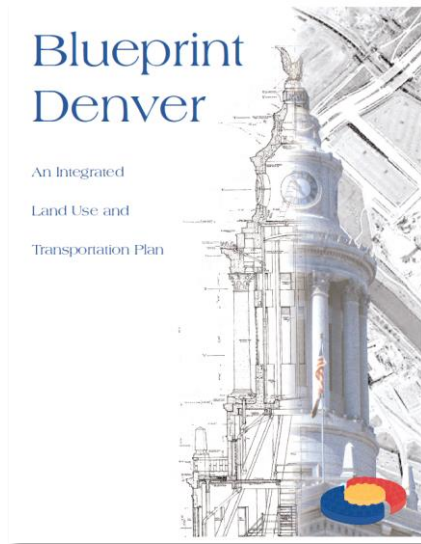
**+ Info on Design Standards & Guidelines (DSG) to be adopted as Rules and Regs**

*City Council Hearing – December 17, 2018*

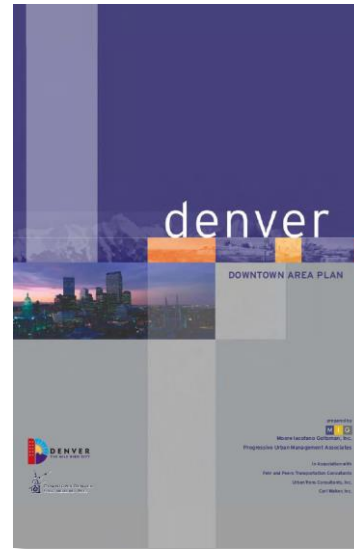
# Implementing Nearly 20 Years of Policy Guidance



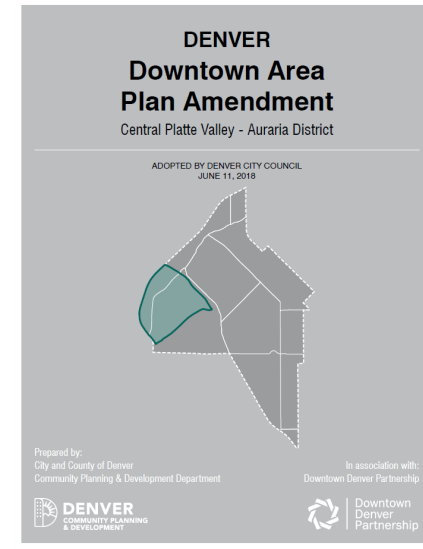
*... example of both urban environmental protection and sustainable economic development ...*



*... 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 ...*

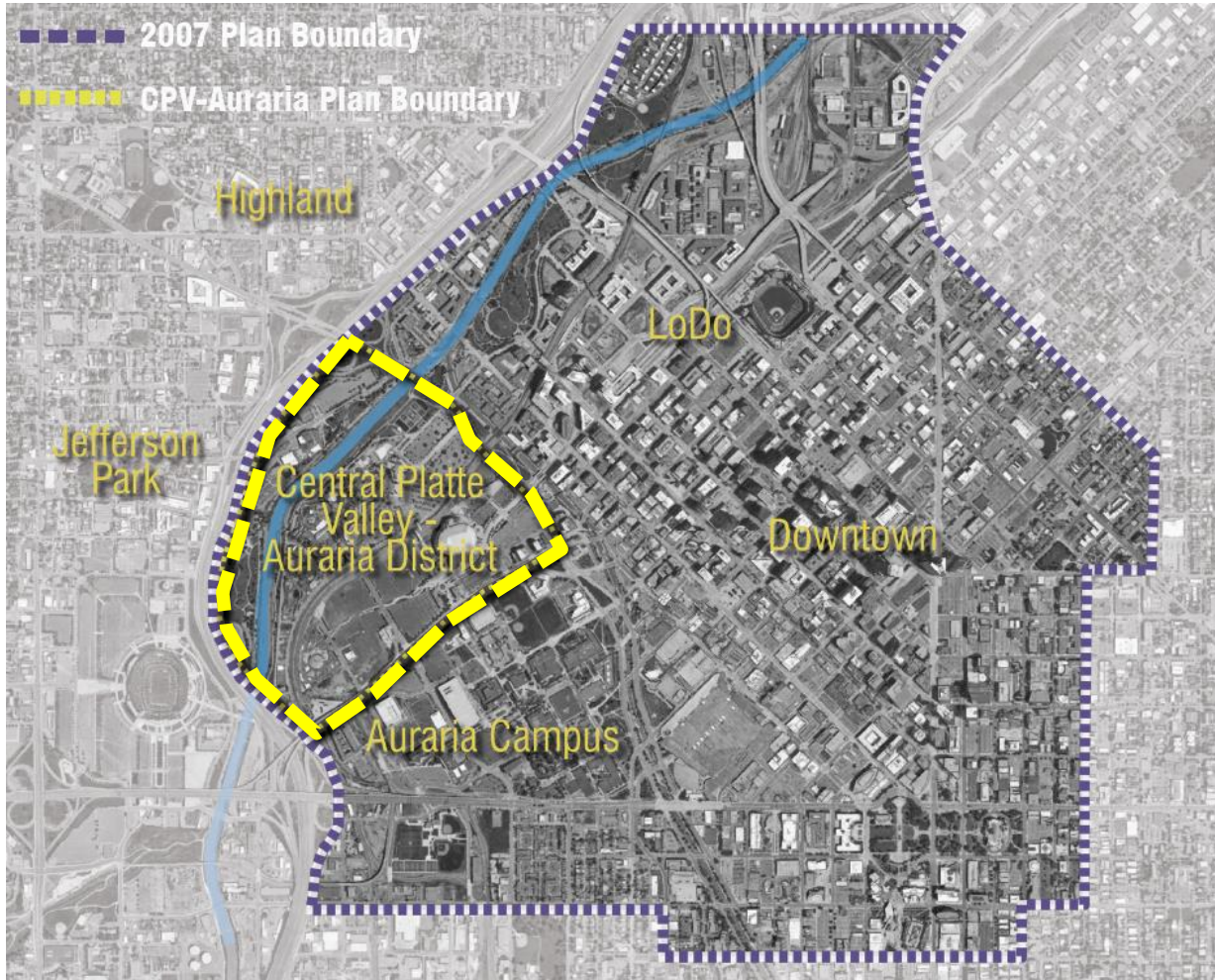
2000

2002

2007

2018

# Downtown Area Plan Amendment (2018)



- Plan Area bound by I-25, Speer Boulevard, and Auraria Parkway
- Builds upon the 2007 Downtown Area Plan and provides specific recommendations to support a Prosperous, Distinctive, Walkable, Diverse, and Green City.

*Central Platte Valley-Auraria will become more integrated with adjacent downtown and residential areas while maturing into its own dense, diverse, and distinctive urban neighborhood that connects the city to the river and brings enhanced amenities to existing and future residents.*



# Downtown Area Plan Amendment – Implementation



Adopt regulatory tools that:

- *Calibrate intensity to be higher near rail stations and lower near the river and existing buildings/neighborhoods*
- *Promote a variety of building heights and densities throughout the area*
- *Support diverse and desired architectural form and streetscapes*
- *Encourage a vibrant mixed-use neighborhood with active streets*
- *Promote a diverse community with incentives for affordable housing*
- *Establish a design review process and advisory board*

# Regulatory Implementation Framework

## Entire CPV-Auraria District

## Project by Project

### TEXT AMENDMENT (18-1222)

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

### MAP AMENDMENT/REZONING

Applies new D-CPV zone districts to individual properties (18-1225 for River Mile in progress)

### Municipal Code Amendment (18-1407)

Amends affordable housing requirements in Chapter 27 for D-CPV

### Design Standards and Guidelines

Establishes qualitative design standards and review process

### 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 (18-1287 for River Mile in progress)

# Sponsors and Purpose of DZC Text Amendment #3 (18-1222)

- **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.
- Zoning Text Amendment only creates the new districts in the DZC, but does not legislatively apply them to existing properties. **Individual property owners need to request a rezoning to the new districts.**
- Relates to OED/CPD-sponsored **DRMC amendment with affordable housing provisions for use of incentive height (18-1407)**

# Public Process for Regulatory Implementation

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
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"><li>• <b><u>Recommended approval</u></b> by a vote of 9 in favor and 1 opposed</li></ul>
November 6	Land Use, Transportation, and Infrastructure Committee
November 27	Land Use, Transportation, and Infrastructure Committee (revised DRMC amendment)
November 26	City Council Notice
December 17	City Council Public Hearing
<i>February 6</i>	<i>Planning Board Info Item #4 – Draft DSG</i>
<i>March 6 (tentative)</i>	<i>Planning Board Public Hearing – Final DSG</i>

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



# Plan Amendment Objectives (Zoning and Design)





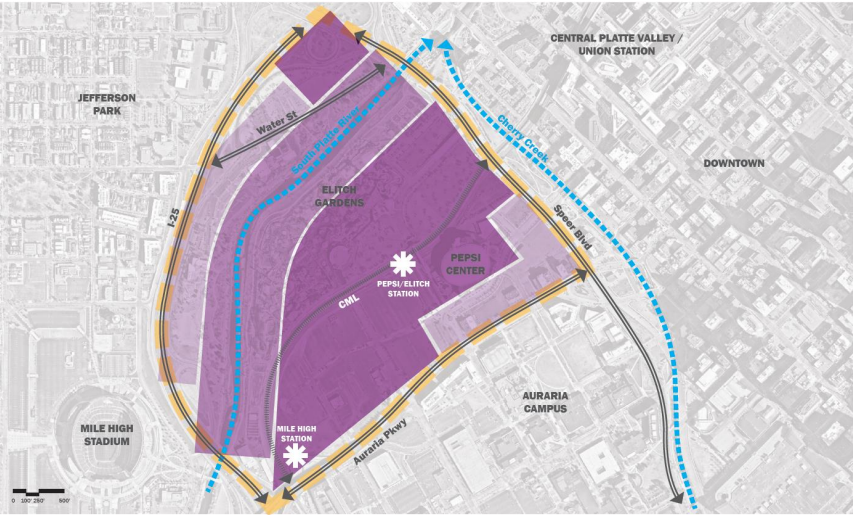
# Plan Amendment Objectives (Zoning and Design)



**CALIBRATE  
DEVELOPMENT INTENSITY**

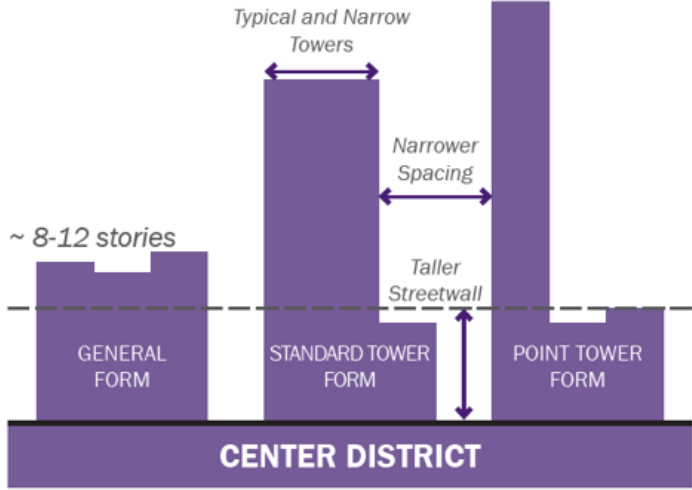
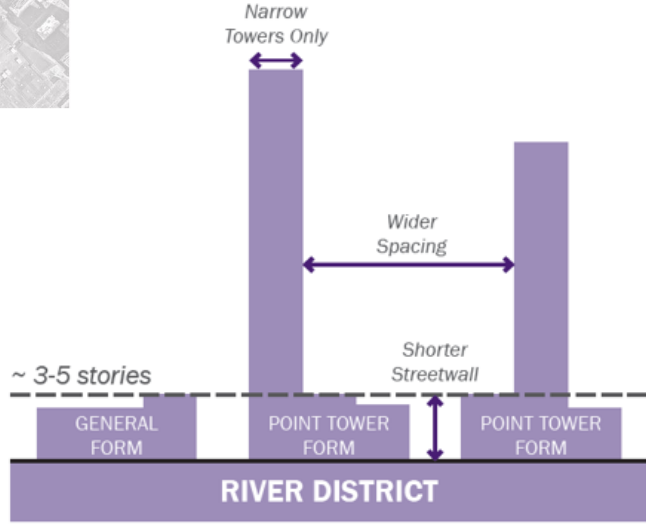
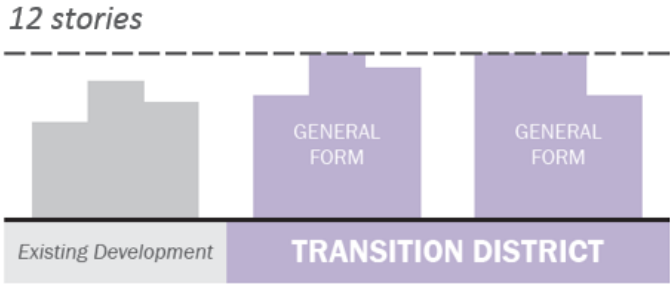


# Proposed New Zone Districts (D-CPV)



Three new zone districts in the Downtown context (D-CPV-):

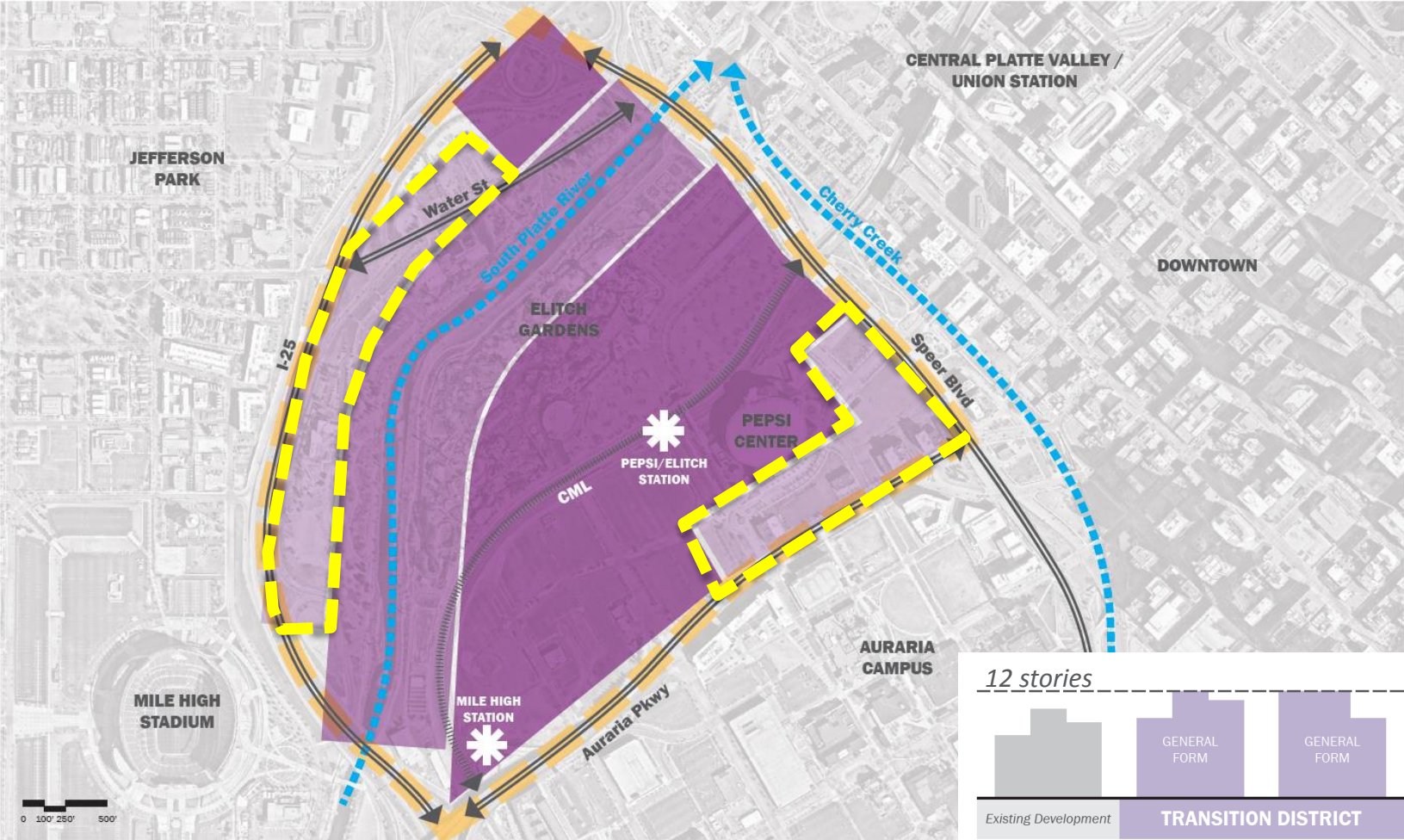
- **Transition (D-CPV-T)**
- **River (D-CPV-R)**
- **Center (D-CPV-C)**



Overall Lower Intensity

Overall Higher Intensity

# 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.

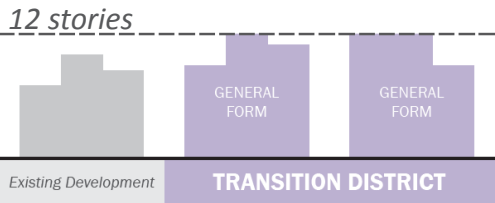
- Lower overall intensity – addressed via height limit
- Appropriate transition to neighborhoods & buildings

### Building Forms

- General

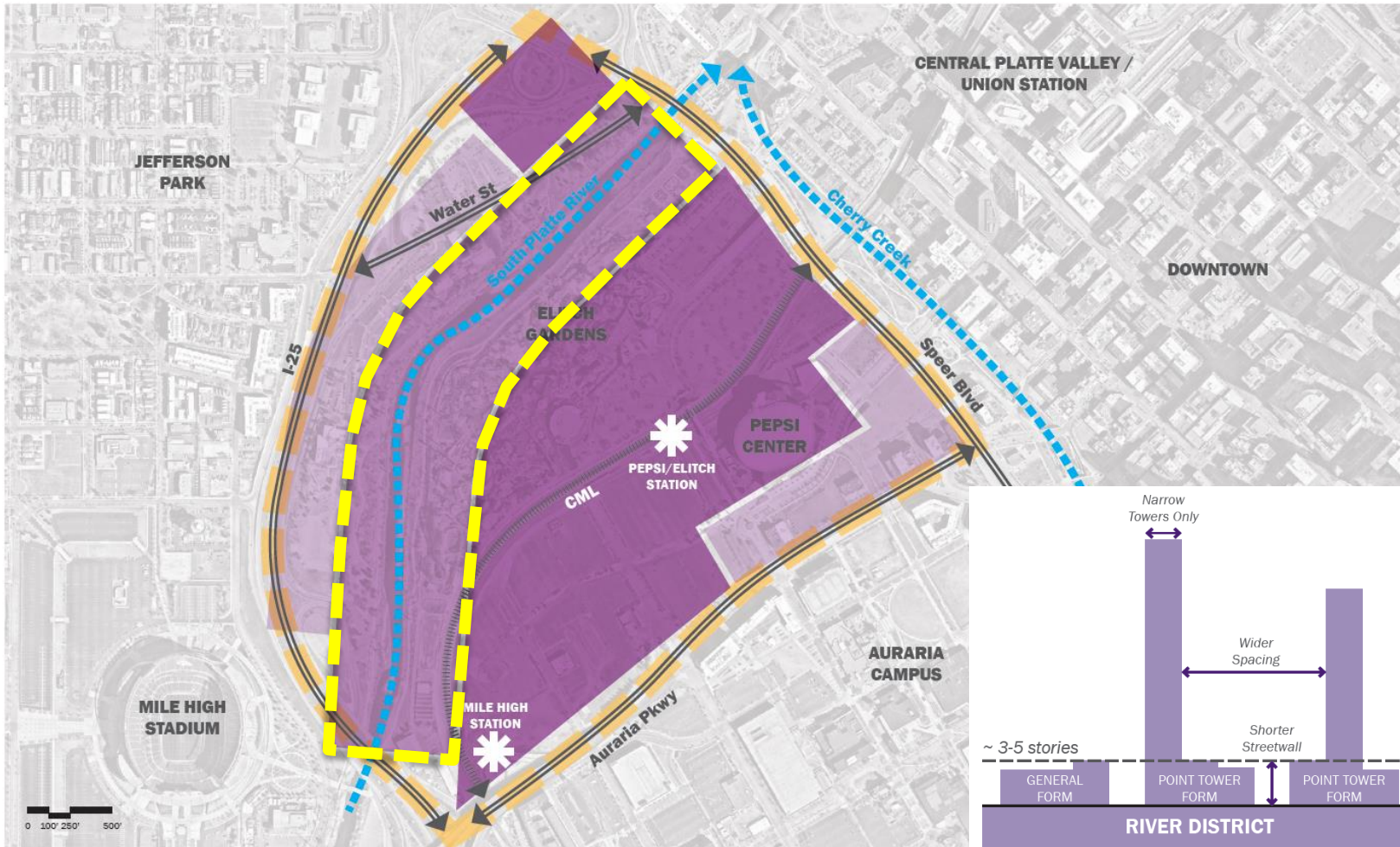
### Intensity Standards

- 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.

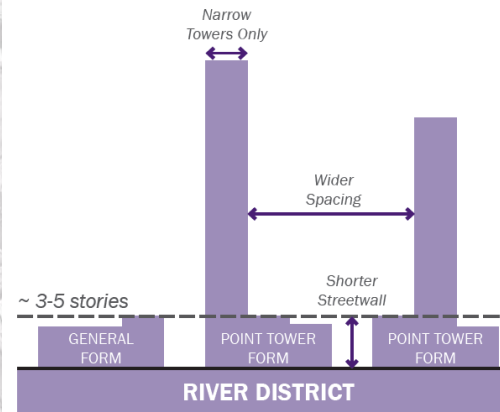
- Lower overall intensity – addressed via massing limits
- Permeability and engagement of the South Platte River

### Building Forms

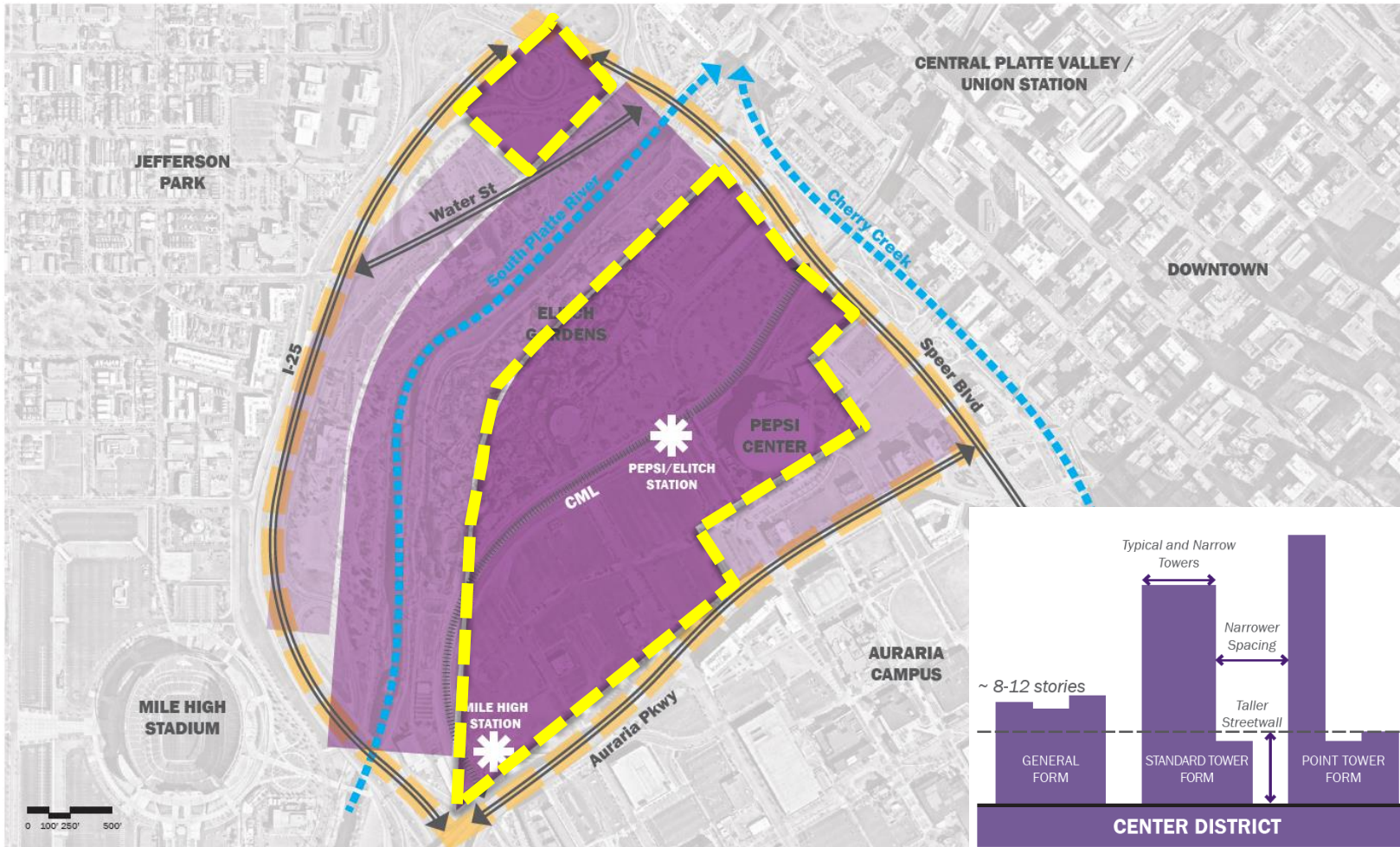
- General
- Point Tower

### 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.

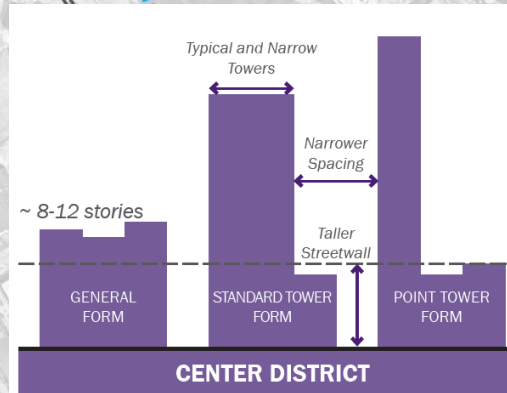
- Highest overall intensity near transit stations
- Flexibility of building forms to allow larger format uses

### 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





# Plan Amendment Objectives (Zoning and Design)



Calibrate  
Development Intensity

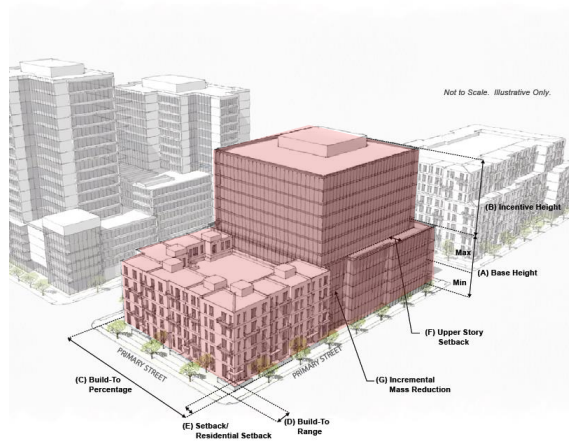


**PROMOTE A VARIETY OF  
CONTEXT-SENSITIVE BUILDINGS**





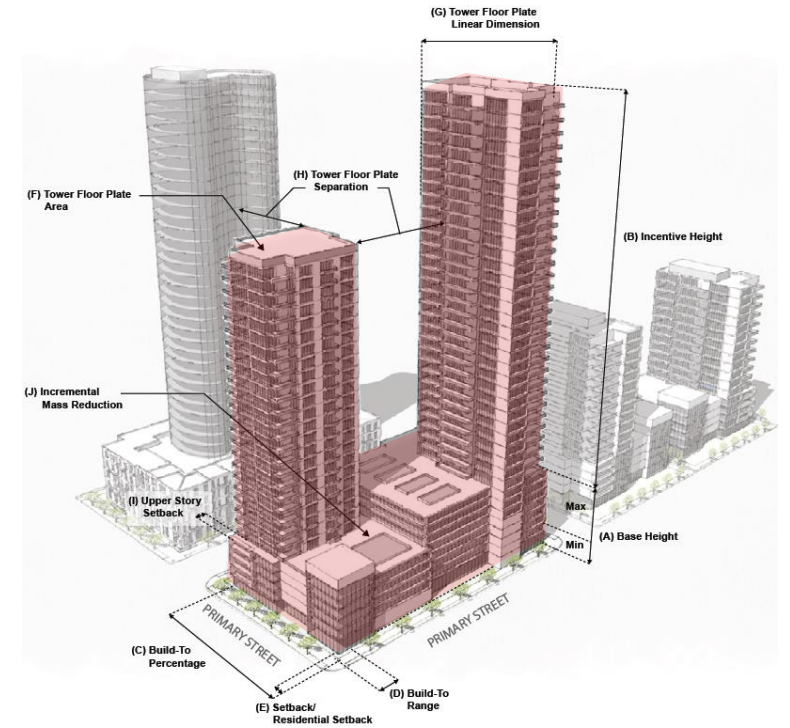
# Available Building Forms



**GENERAL**



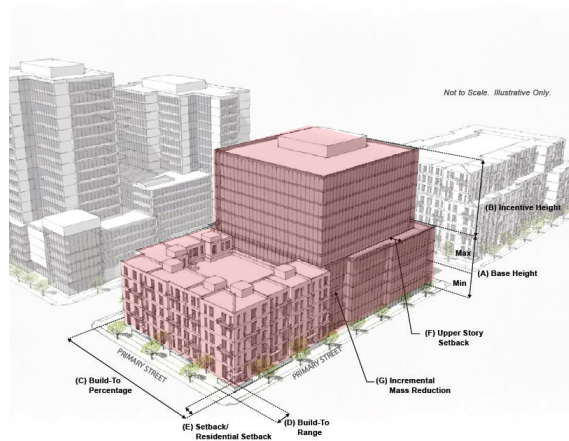
**STANDARD TOWER**



**POINT TOWER**



# Available Building Forms



## GENERAL

TRANSITION = 12-story  
 RIVER = 5-story  
 CENTER = 12-story



## STANDARD TOWER

CENTER = 8-story streetwall, 20.0 FAR limit  
 Residential Use in Tower < 50%  
 Lower tower requirements




## POINT TOWER

RIVER = 5-story streetwall, no FAR/height limit  
 CENTER = 8-story streetwall, no FAR/height limit  
 Greater tower requirements



# Building Forms Tailored to Each Zone District

<b>BUILDING FORM</b>	<b>TRANSITION</b> 	<b>RIVER</b> 	<b>CENTER</b> 
<p>General</p> 	 <p><b>12-story</b></p>	 <p><b>5-story</b></p>	 <p><b>12-story</b></p>
<p>Standard Tower</p> 			 <p><b>8-story streetwall</b></p>
<p>Point Tower</p> 		 <p><b>5-story streetwall</b></p>	 <p><b>8-story streetwall</b></p>



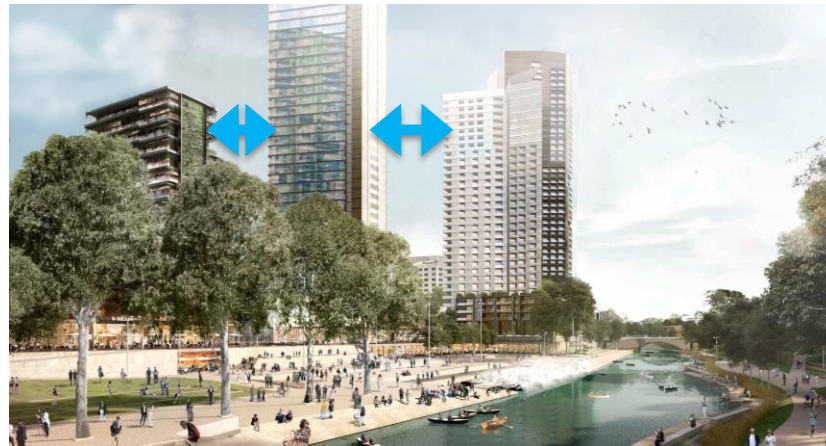
# Plan Amendment Objectives (Zoning and Design)



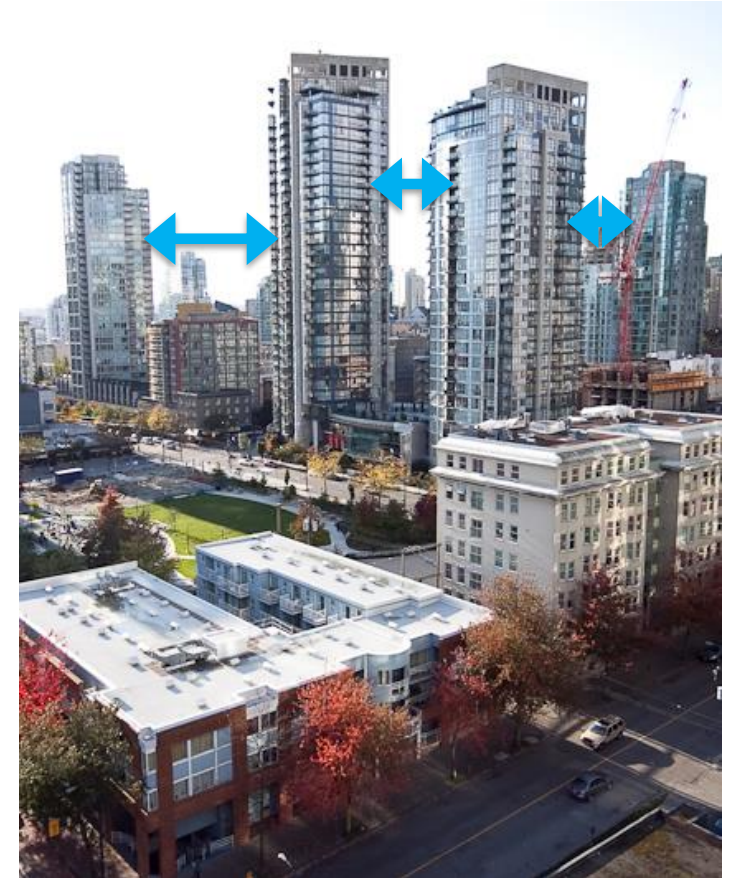
Calibrate  
Development Intensity



Promote a Variety of  
Context-sensitive Buildings

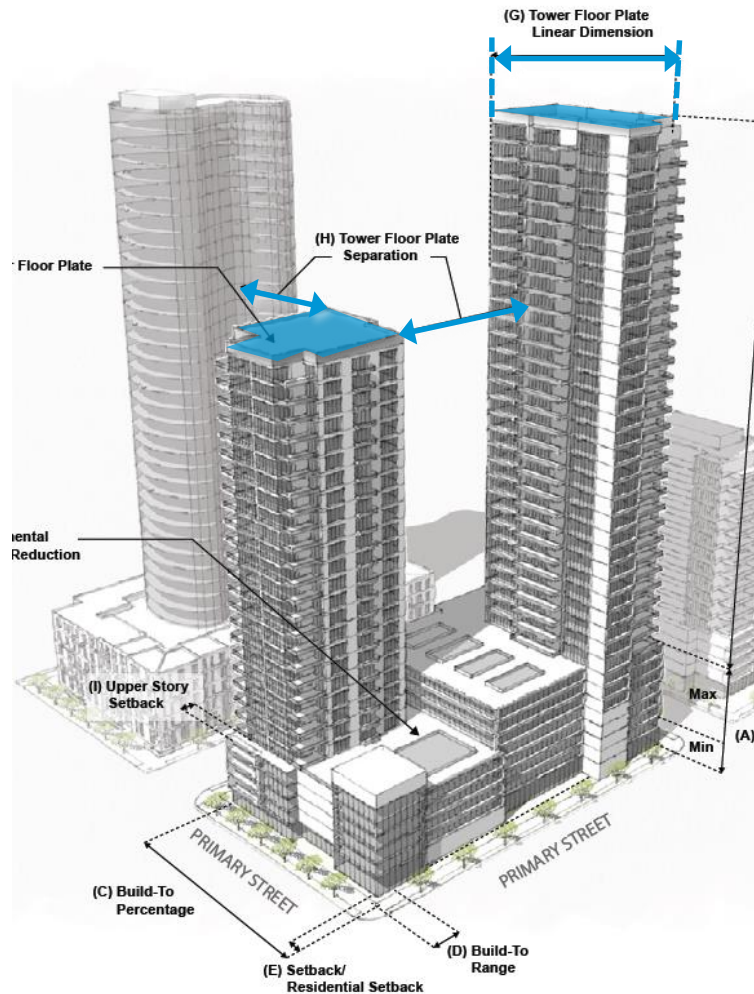


**SUPPORT DESIRED  
ARCHITECTURAL FORM**





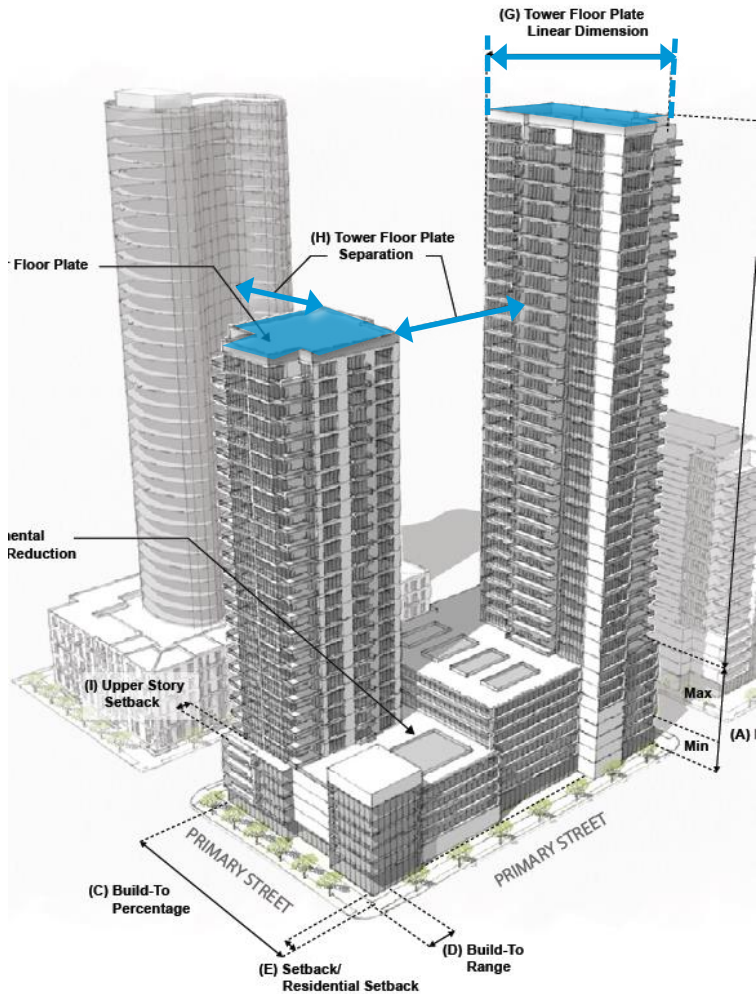
# Upper Story Design Requirements



- Shape taller buildings to protect access to sun, sky, and views, limit impacts of shadows, and help maintain more human-scale along the street
- Taller buildings have stronger dimensional standards
- **Tower Floor Plate Area**
- **Tower Floor Plate Linear Dimension**
- **Tower Floor Plate Separation**



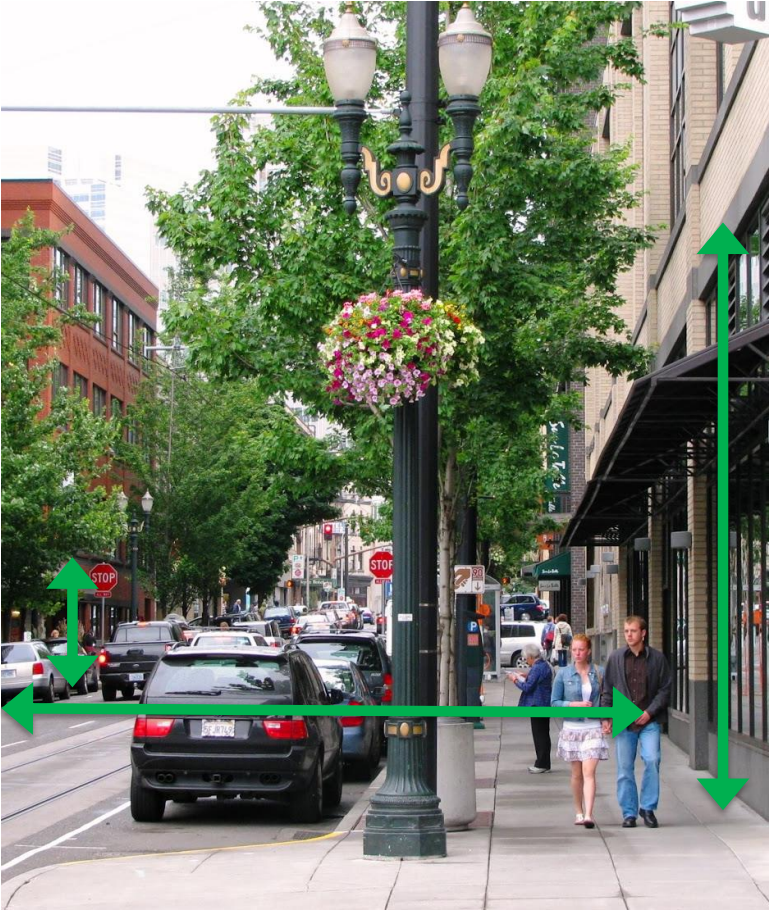
# Upper Story Design Requirements



Tower Requirements	Standard Tower	Point Tower
Zone Districts	Center (D-CPV-C)	River (D-CPV-R) Center (D-CPV-C)
Height Applicability	D-CPV-C = above 8 stories	D-CPV-R = above 5 stories D-CPV-C = above 8 stories
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	na
* Design Review Alternative allows limited flexibility on these standards under specific circumstances.		



# Plan Amendment Objectives (Zoning and Design)



Calibrate Development Intensity



Promote a Variety of Context-sensitive Buildings



Support Desired Architectural Form



**ENCOURAGE ACTIVE & ENGAGING STREETS**

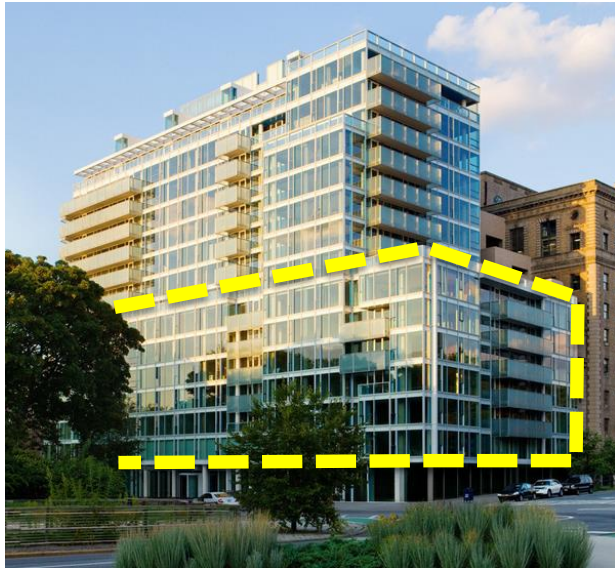


# Street Level and Lower Story Standards



- Apply to all D-CPV districts and forms
- Create richness and human scale in architectural massing and details
  - Mass reduction
  - Street-level and upper story setbacks
  - Enhanced setbacks for street-level residential use
  - Open space requirements on larger lots
- Activate the street with a mix of residential and commercial uses
  - Build-To and Transparency requirements
  - Street-level Active Use
  - Non-Residential Use standards on Key Streets
- All streets designated as Primary (including South Platte River frontage)

# Street Level and Lower Story Standards



- Limit the impacts of parking structures and vehicles on an active street environment
  - Limit visible parking (70% of building frontage must be wrapped with Active Uses)
  - Parking Maximum (no minimum parking 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
<b>RESIDENTIAL PRIMARY USE CLASSIFICATION</b>		
<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
<b>CIVIC, PUBLIC &amp; INSTITUTIONAL PRIMARY USE CLASSIFICATION</b>		
	<u>All specific use types within the Civic, Public &amp; Institutional Primary Use Classification</u>	1.25/1,000 sf GFA
<b>COMMERCIAL SALES, SERVICE &amp; REPAIR PRIMARY USE CLASSIFICATION</b>		
<u>Arts, Recreation &amp; 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 &amp; 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, &amp; Repair Primary Use Classification</u>	1.25/1,000 sf GFA
<b>INDUSTRIAL, MANUFACTURING &amp; WHOLESALE PRIMARY USE CLASSIFICATION</b>		
<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 &amp; Wholesale Primary Use Classification</u>	1.25/1,000 sf GFA
<b>AGRICULTURE PRIMARY USE CLASSIFICATION</b>		
	<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 Downtown Area Plan Amendment sets specific policy to 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

(18-1222)

- 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 (18-1407)

Chapter 27 - HOUSING<sup>[1]</sup>

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
  - 1x citywide linkage fee on all stories
  - + 6x citywide linkage fee on incentive height
  - Or build units / community benefits agreement
- All large/phased projects
  - Execute an affordable housing plan to meet incentive requirements and provide a range of affordability

# Example: 5-Story Building (residential)

## Elsewhere in City



75,000 GSF total

**Citywide (stories 1-5)**

Linkage Fee Option:  
\$116,250

OR

Build Alternative Units:  
1 unit

=

**Total: 1 unit**  
(1.3% of approx.  
75 total units)

=

## D-CPV Districts



75,000 GSF total

**Citywide (stories 1-5)**

Linkage Fee Option:  
\$116,250

OR

Build Alternative Units:  
1 unit

=

**Total: 1 unit**  
(1.3% of approx.  
75 total units)

- Because base height is set at 5-stories in D-CPV districts, requirements for a 5-story building would not vary between a D-CPV district and elsewhere in the city



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

## Elsewhere in City



180,000 GSF total

**Citywide (stories 1-12)**

Linkage Fee Option:  
\$116,250

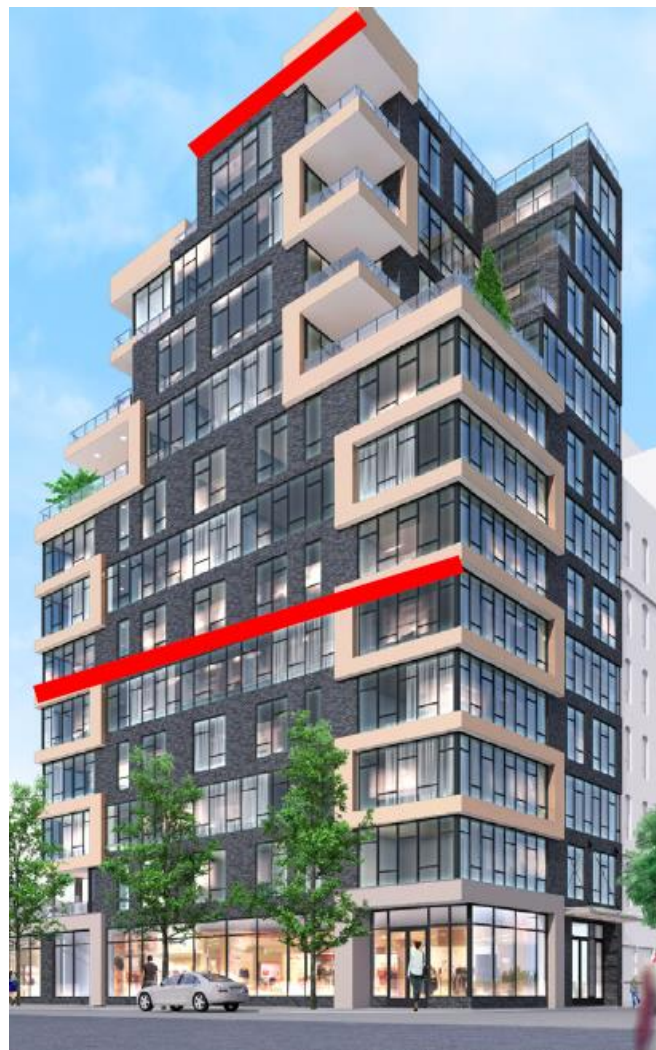
OR

Build Alternative Units:  
3 units

=

**Total: 3 units**  
(1.7% of approx.  
180 total units)

## D-CPV Districts



180,000 GSF total, 105,000 GSF in Incentive

Affordable Units  
Required

**Incentive (stories 6-12)**  
Build Alternative Units:  
11 units

+

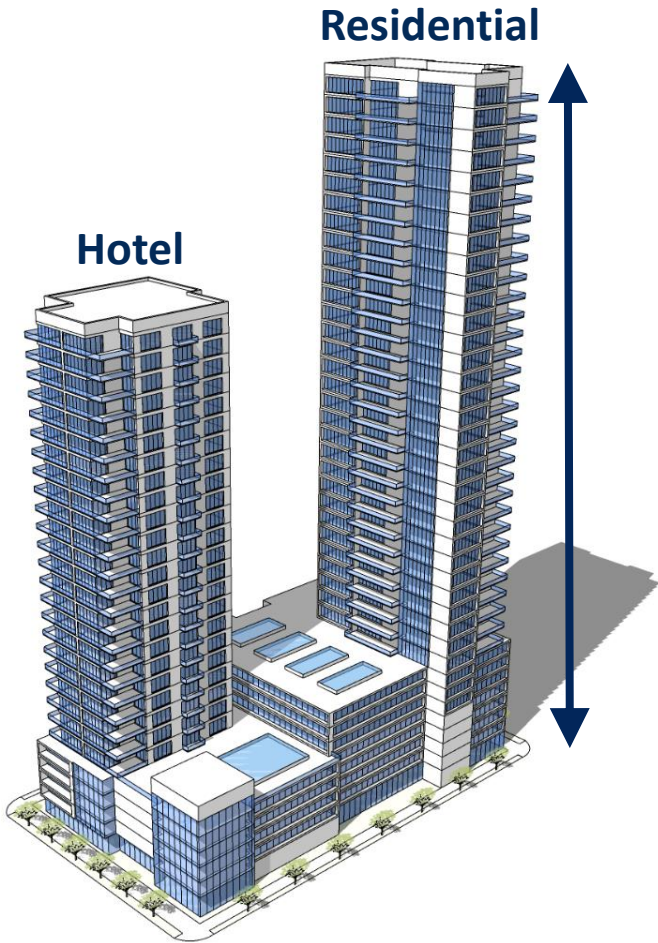
**Citywide (stories 1-12)**  
Build Alternative Units:  
3 units

=

**Total: 14 units**  
(7.8% of approx.  
180 total units)

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

## Elsewhere in City



**Citywide (stories 1-38)**  
Linkage Fee Option:  
\$1,236,000

OR

Build Alternative Units:  
15 units

=

**Total: 15 units**  
(3.8% of approx.  
400 total units)

400,000 GSF Residential  
350,000 GSF Hotel  
750,000 GSF Total

## D-CPV Districts



Affordable Units  
Required

**Incentive (stories 6-38)**  
Build Alternative Units:  
73 units

+

**Citywide (stories 1-38)**  
Build Alternative Units:  
15 units

=

**Total: 88 units**  
(22.0% of approx.  
400 total units)

400,000 GSF Residential    333,333 GSF Res in Incentive  
350,000 GSF Hotel        291,667 GSF Hotel in Incentive  
750,000 GSF Total        625,000 GSF Total in Incentive



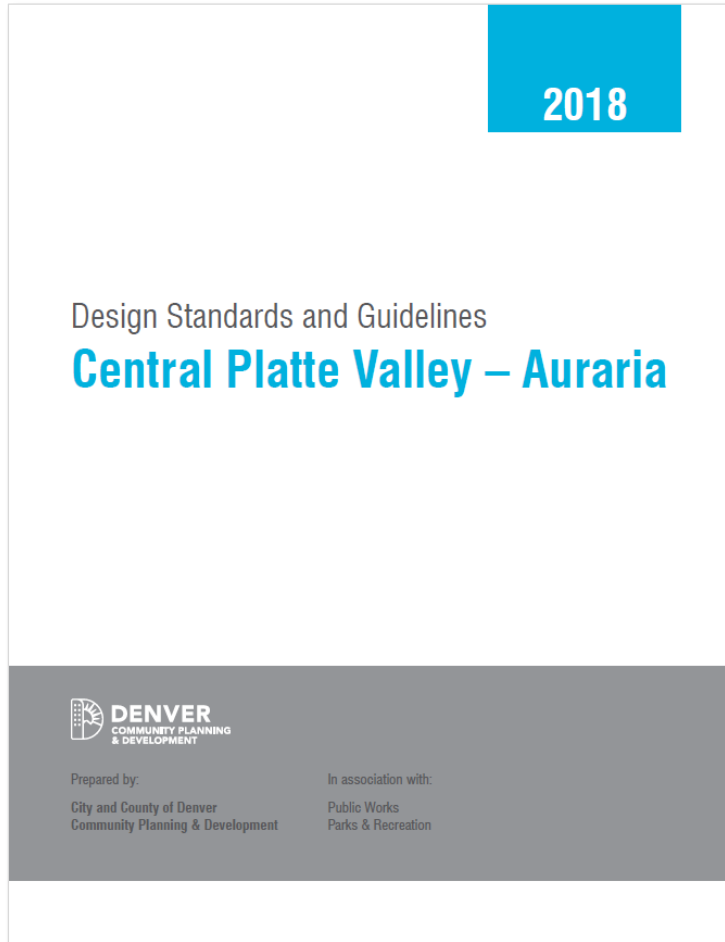
# Affordable Housing Plans for Large/Phased Projects

- Definition of a Large/Phased Project  
A development that will:
  - Be built on five or more acres;
  - Include more than 500 residential units;
  - Occur in more than one phase; or
  - Use one or more City-approved financing tools, such as TIF, or a Met District
- Criteria for an affordable housing plan:
  - Provides a quantity of units comparable-to/exceeding what the formula-based system would have provided
  - Addresses the range of affordability levels, unit sizes and unit tenures consistent with the five year housing plan
  - Provides a duration of affordability that is not less than current City policy



***Note that regular evaluation of the incentive system will be necessary (both the basic formulas and process for an affordable housing plan)***

# CPV-Auraria Design Standards and Guidelines



- Proposed for adoption as rules and regulations
- Currently in progress on a coordinated schedule with Text Amendment (adoption Q1 2019)
- Primarily based on Arapahoe Square DSG (2016) with revisions/additions from other cities
- A newly formed Downtown Design Advisory Board (effective April 1) would review projects in Arapahoe Square and CPV-Auraria

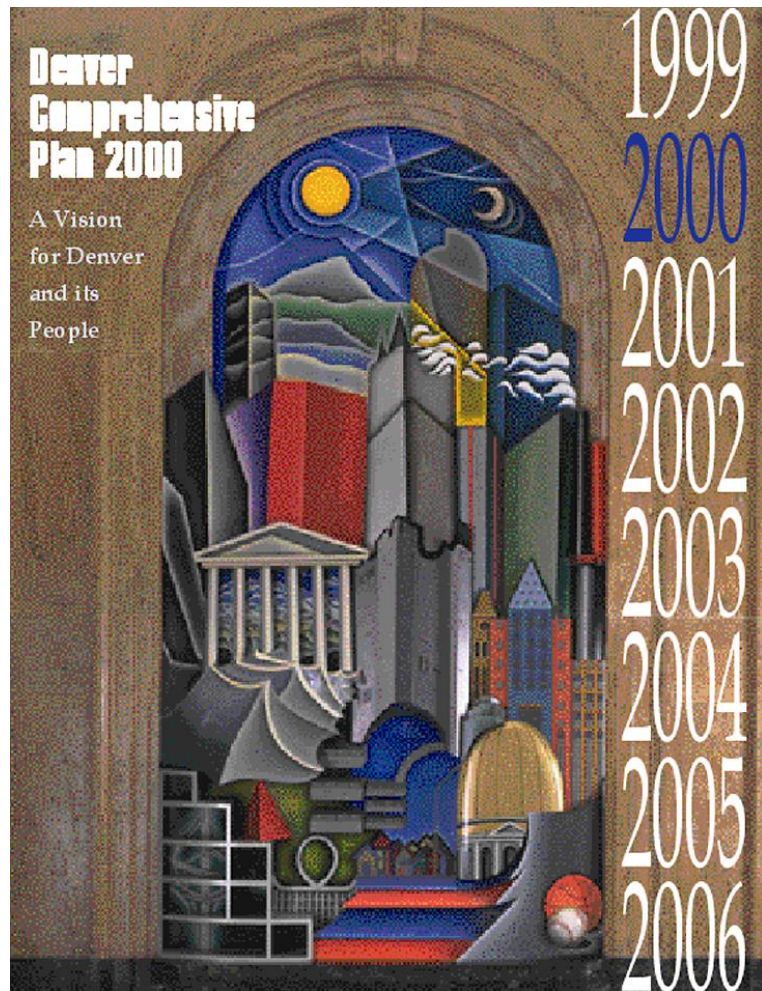




# DZC Review Criteria for Text Amendments (12.4.11)

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

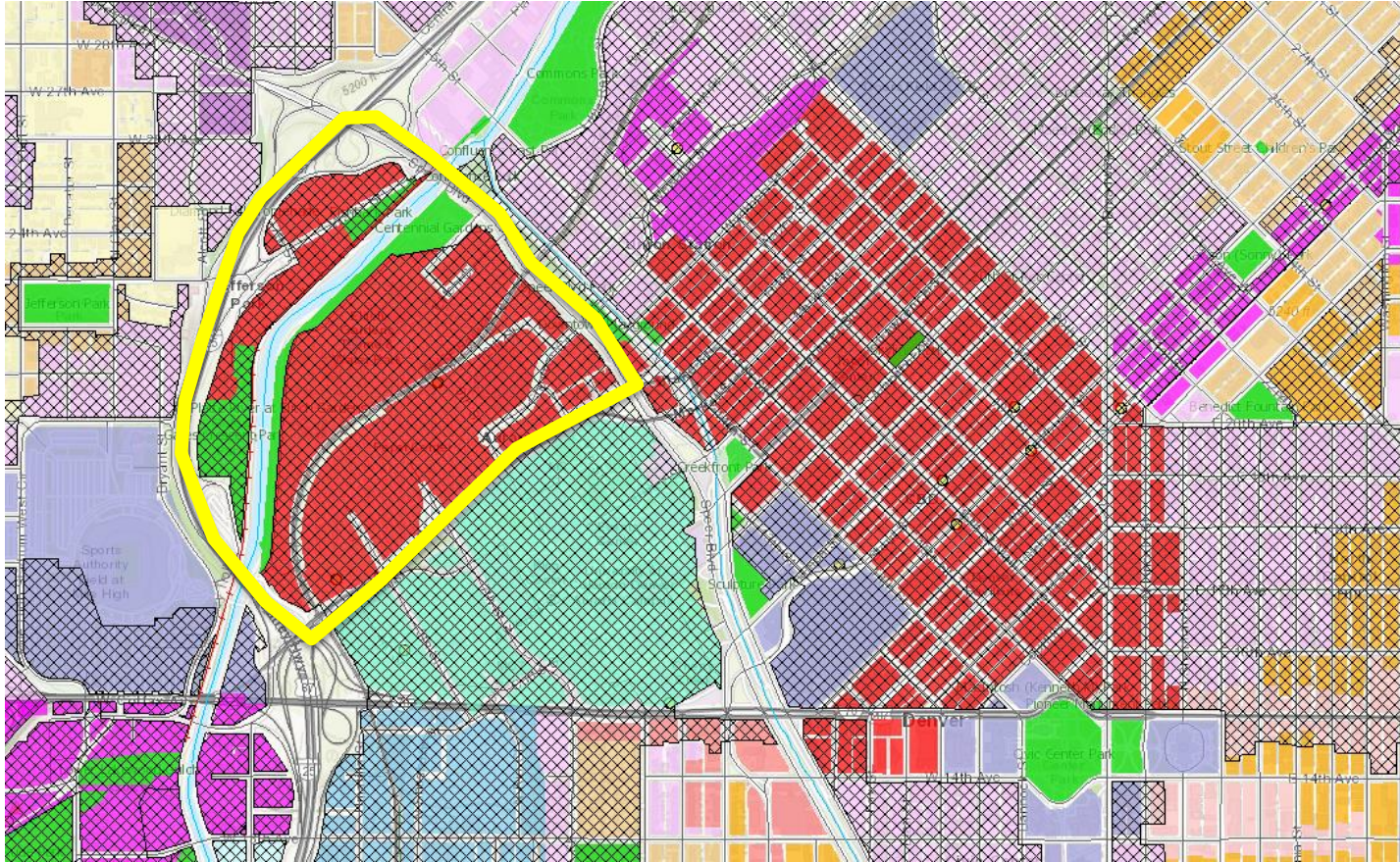
# Denver Comprehensive Plan 2000



- *“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)



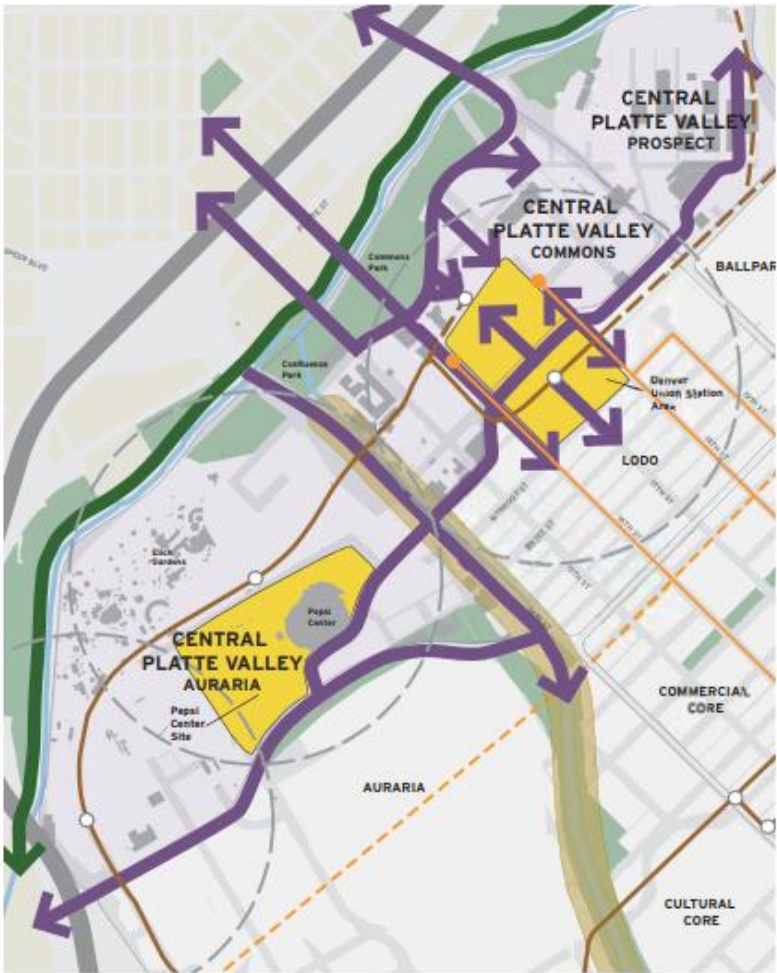
- **Downtown Concept Land Use**  
*“... is the centerpiece of the city and region with the highest intensity of uses in Colorado ... Downtown is not only a significant source of employment, ... but also a unique neighborhood offering a special variety of housing for people who prefer to live in the midst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

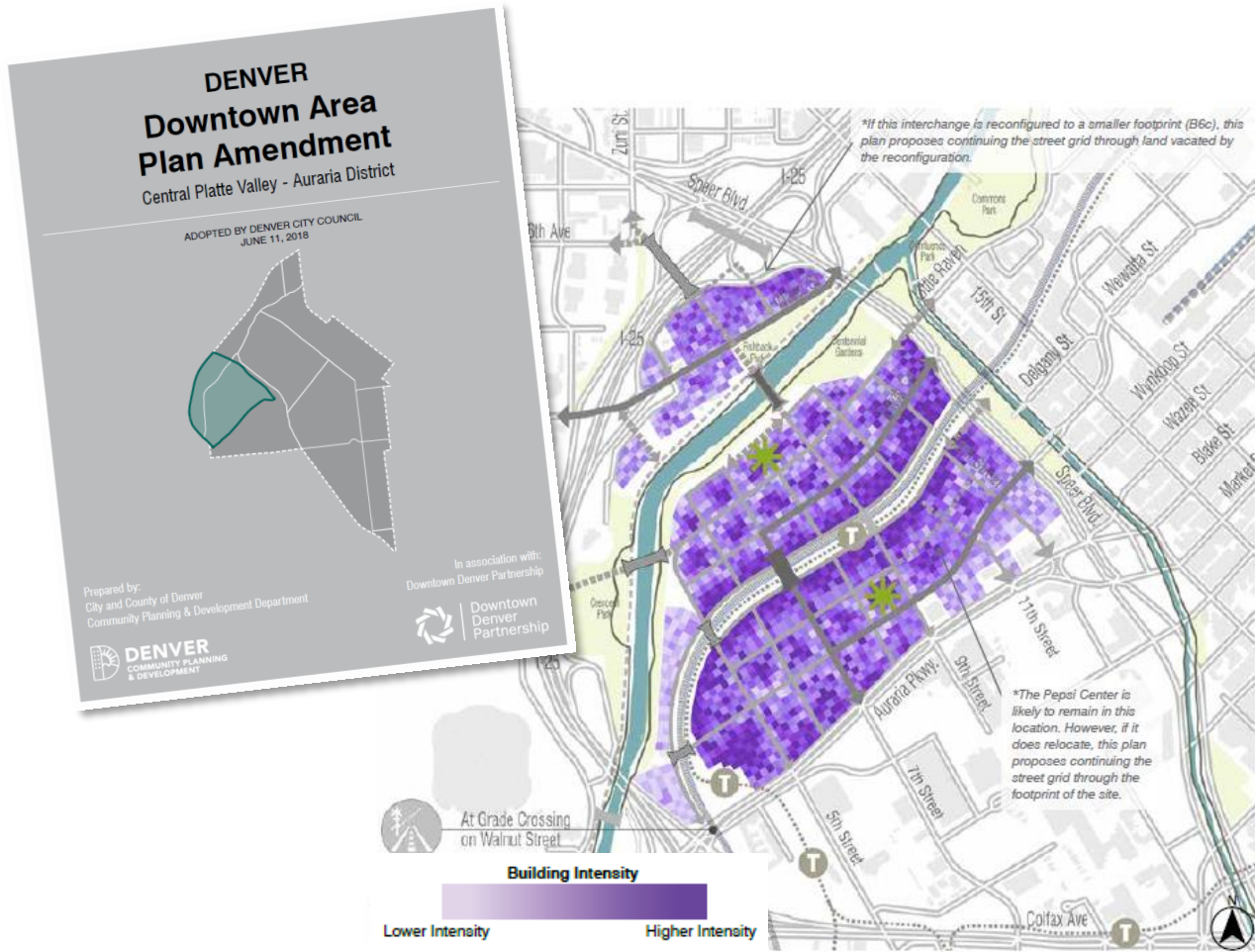
**KEY RECOMMENDATIONS**

- 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)*



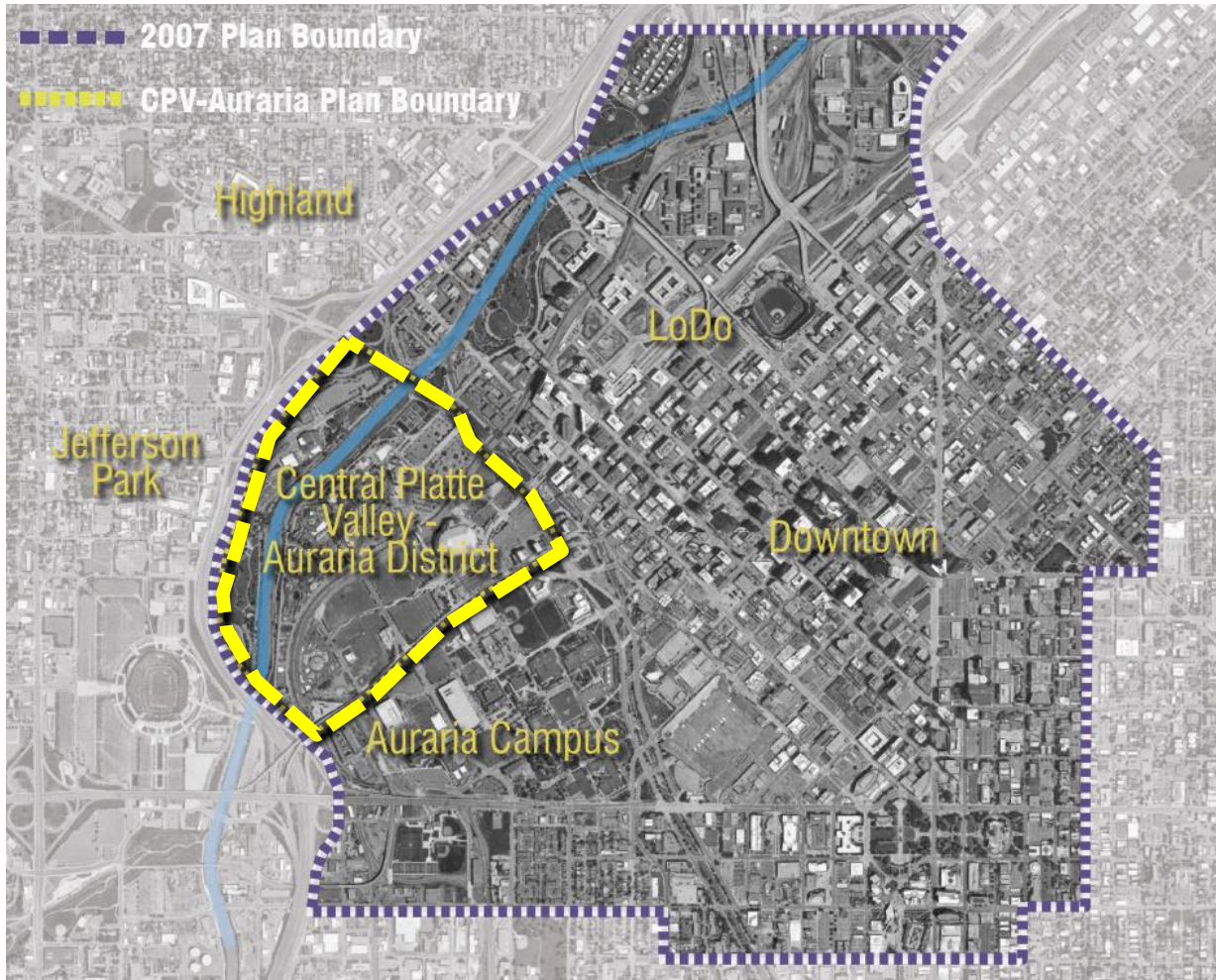
# Downtown Area Plan Amendment (2018)



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

- *Adopt zoning tools and design standards and guidelines to implement plan objectives (p 90)*
- *“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)*

# Downtown Area Plan Amendment (2018)



- ✓ *Calibrate intensity to be higher near rail stations and lower near the river and existing buildings/neighborhoods*
- ✓ *Promote a variety of building heights and densities throughout the area*
- ✓ *Support diverse and desired architectural form and streetscapes*
- ✓ *Encourage a vibrant mixed-use neighborhood with active streets*
- ✓ *Promote a diverse community with incentives for affordable housing*
- ✓ *Establish a design review process and advisory board*



# Review Criteria Summary and Recommendation for DZC Text Amendment (18-1222)

## 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 City Council approve DZC Text Amendment #3 (CB 18-1222) 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 City Council approve the related DRMC amendment to establish affordable housing requirements for incentive height in the D-CPV zone districts (CB 18-1407).**