

# 1000 Chopper Circle and associated properties

- Rezoning from C-MX-5; C-MX-8; and C-MU-30 with waivers and conditions, UO-1 to D-CPV-T and D-CPV-C
- Related Ball Arena Development Agreement
- Related Amended Arena Trust Agreement
- Related Amendment to River Mile Development Agreement for Vesting

Date: 09.11.2024

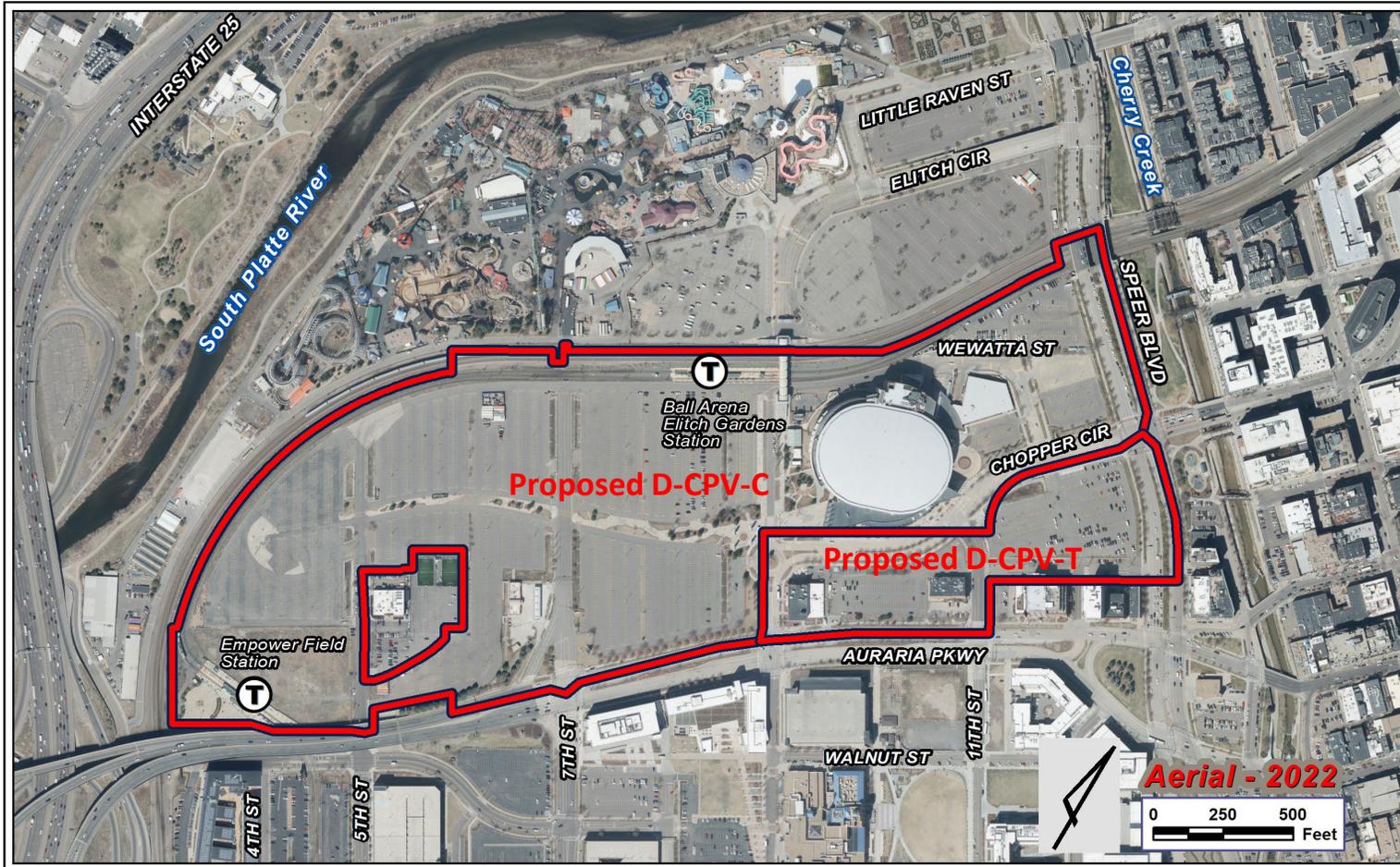
Presenter: Tony Lechuga (CPD), Jill Jennings Golich (CPD),  
Laia Mitchell (HOST)

# Agenda

- Request
- Location and Context
- Proposed Zoning
- Development Agreement
- Amended Arena Trust Agreement
- River Mile Development Agreement Amendment
- Process
- Review Criteria



# Request



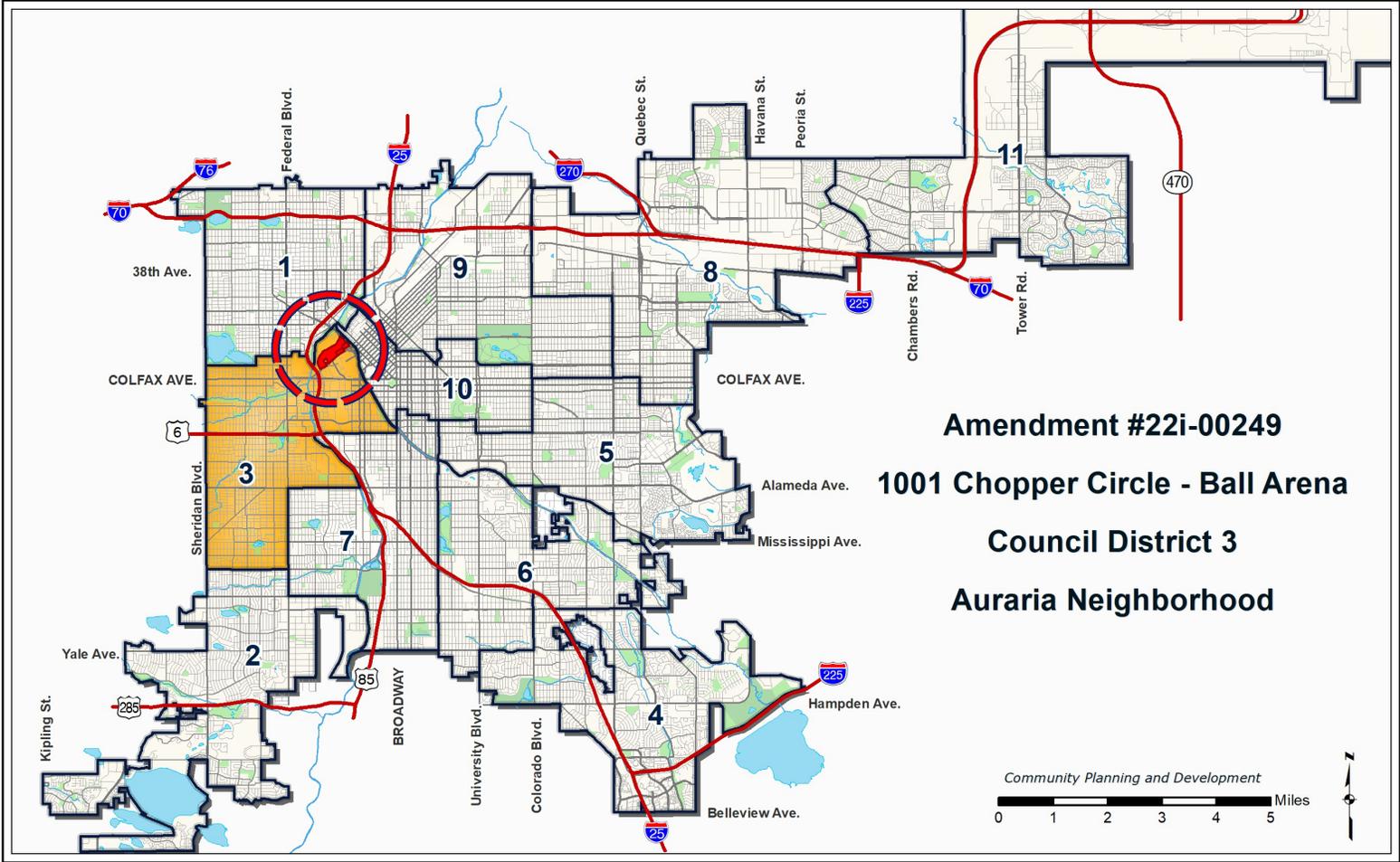
1. Rezone to D-CPV-T and D-CPV-C
2. Development Agreement
3. Amended Arena Trust Agreement
4. River Mile Development Agreement Amendment
5. Metropolitan Districts

# Agenda

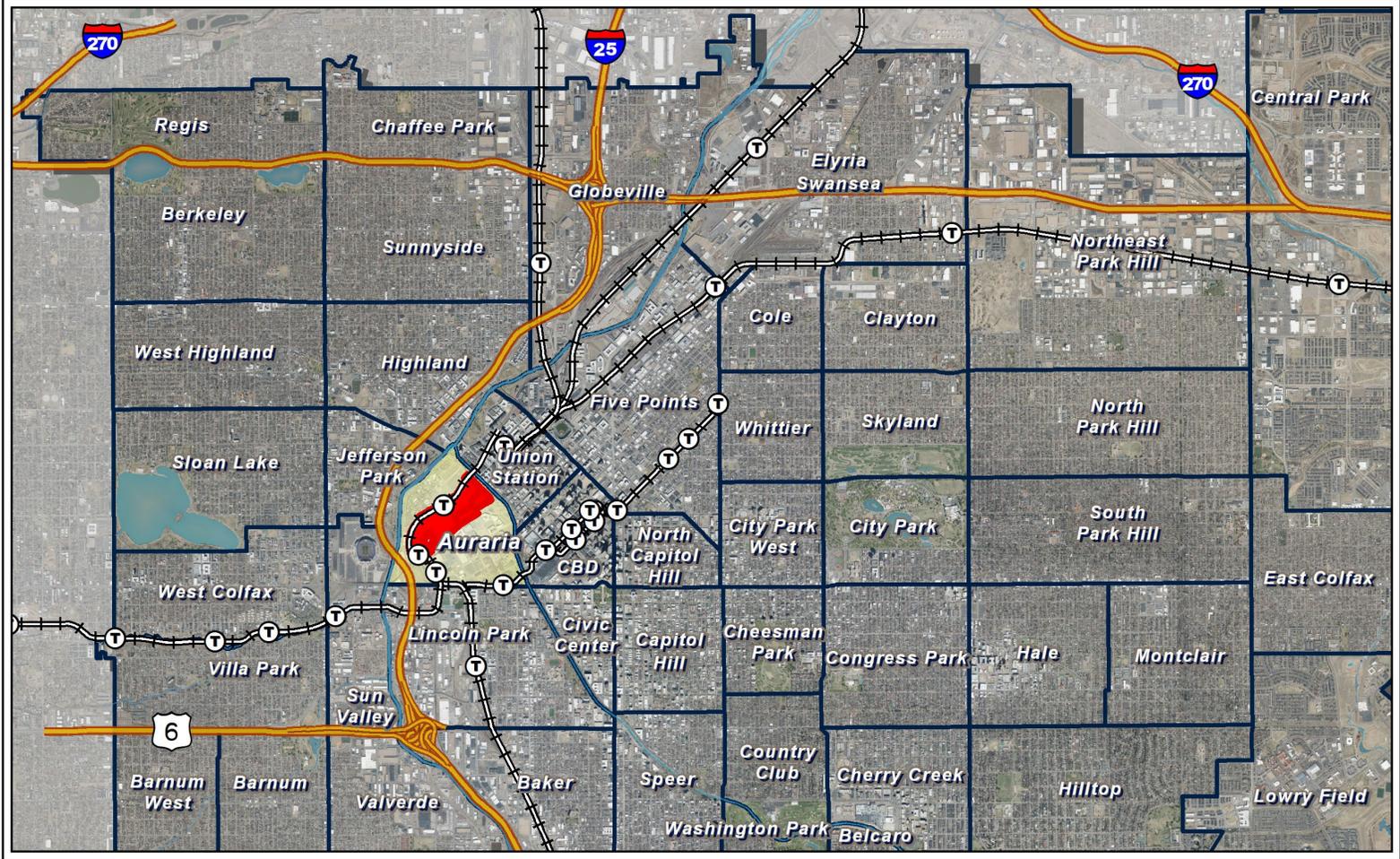
- Request
- Location and Context
- Proposed Zoning
- Development Agreement
- Amended Arena Trust Agreement
- River Mile Development Agreement Amendment
- Process
- Review Criteria



# Council District 3 – Councilmember Torres



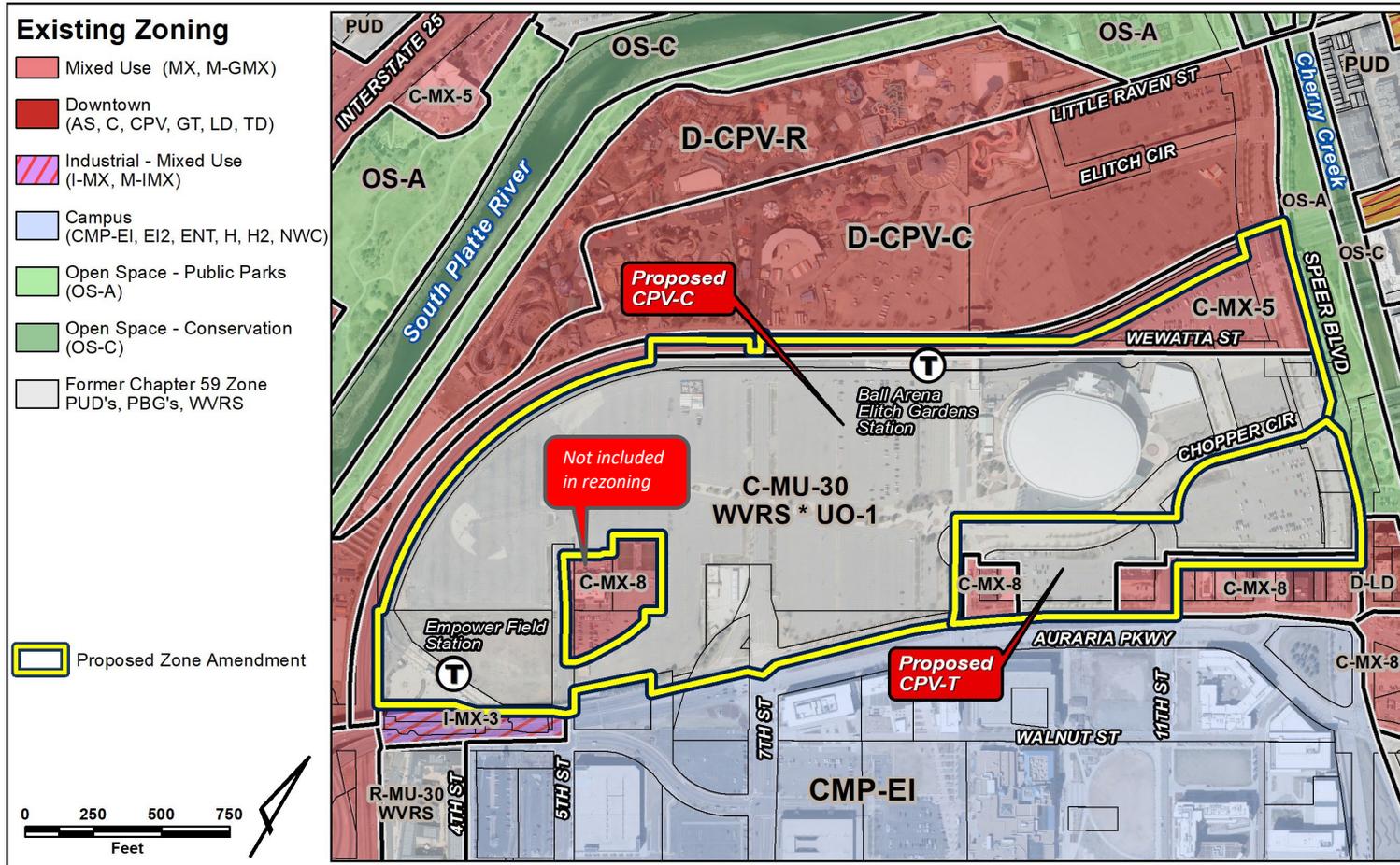
# Statistical Neighborhood – Auraria



# Existing Context – Building Form/Scale



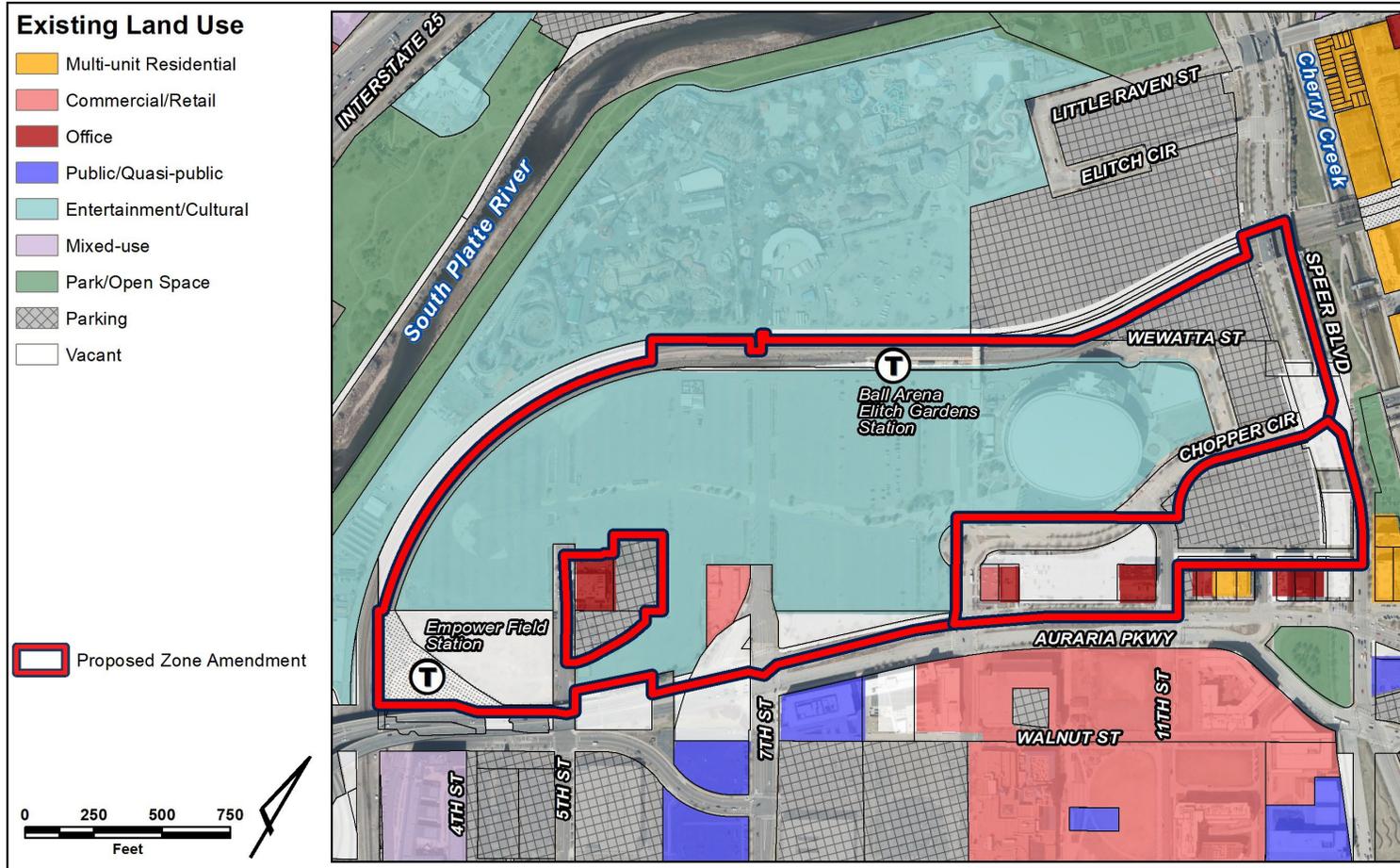
# Existing Zoning – C-MX-5; C-MX-8; C-MU-30 waivers and conditions, UO-1



Proximity to:

- D-CPV-C
- D-CPV-R
- O-SA
- C-MX-8
- D-LD
- CMP-EI
- I-MX-3

# Existing Context – Land Use

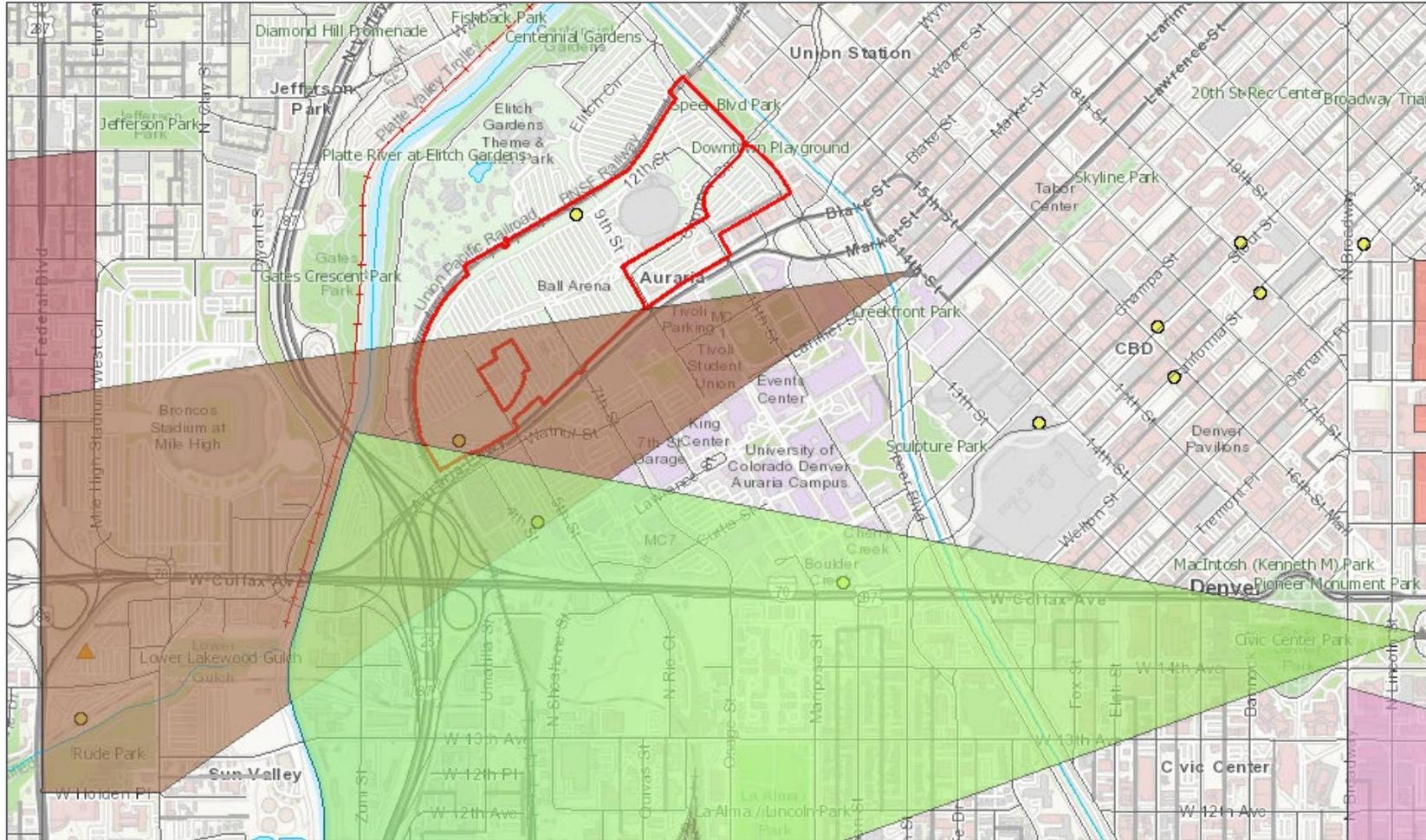


- Entertainment/Cultural
- Commercial/Retail
- Office
- Vacant
- Parking

Adjacent to:

- Office
- Multi-unit Residential
- Commercial/Retail
- Open Space

# View Planes



Maximum Building Heights  
Under each View Plane:

- Old City Hall between 70-95 feet
- State Capitol about 220 feet

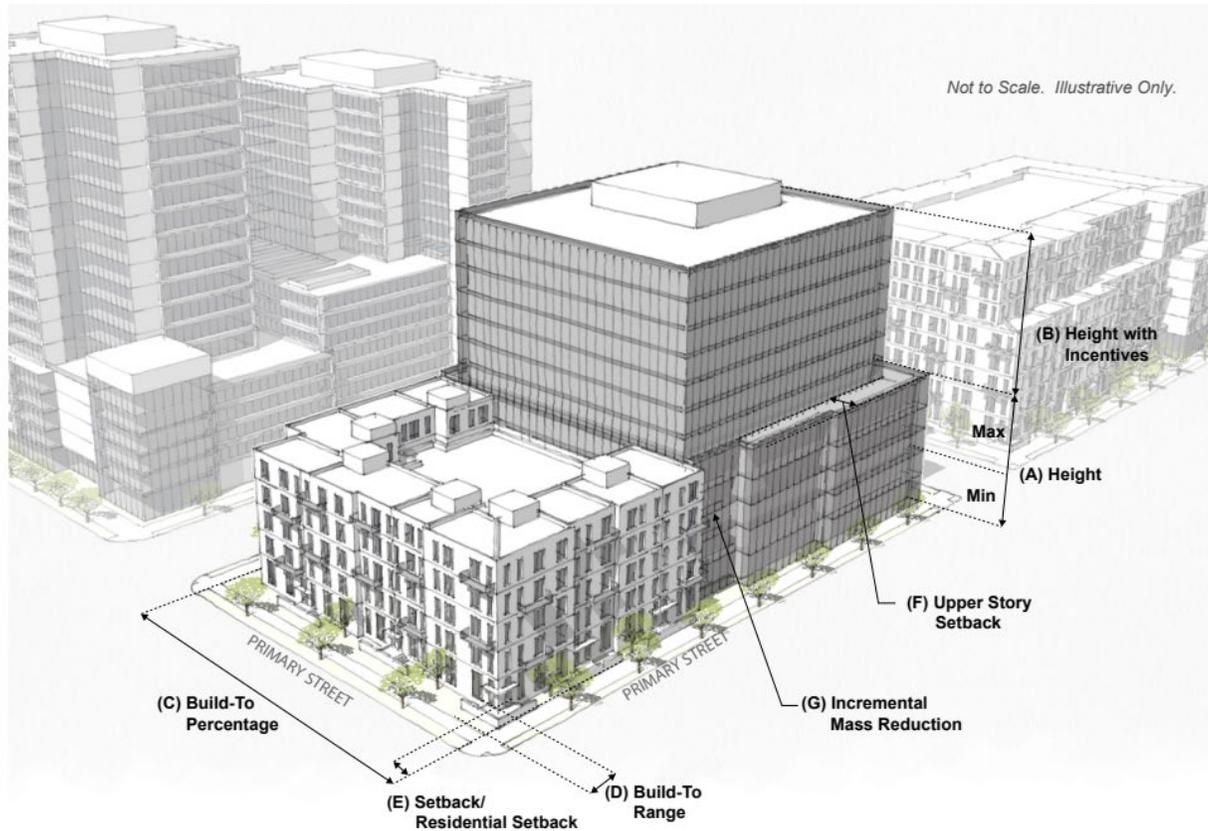
# Agenda

- Request
- Location and Context
- Proposed Zoning
- Development Agreement
- Amended Arena Trust Agreement
- River Mile Development Agreement Amendment
- Process
- Review Criteria



# Proposed Zoning

Downtown Central Platte Valley – Auraria Transition and Center: General



Illustrative image taken from the Denver Zoning Code

- 5 stories (12 with incentives)
- 70 feet (150 feet with incentives)
- Build-to between 2 and 15 feet
- Upper story setbacks and incremental mass reduction

# Proposed Zoning

## Downtown Central Platte Valley – Auraria Center: Standard Tower



Illustrative image taken from the Denver Zoning Code

- 5 stories or 70 feet (no maximum with incentives)
- 20.0 Floor Area Ratio
- Build-to between 2 and 15 feet
- Upper story setbacks and incremental mass reduction
- Tower floor plate separation

# Proposed Zoning

## Downtown Central Platte Valley – Auraria Center: Point Tower



Illustrative image taken from the Denver Zoning Code

- 5 stories or 70 feet (no maximum with incentives)
- Build-to between 2 and 15 feet
- Upper story setbacks and incremental mass reduction
- Tower floor plate separation
- Tower floor plate area and linear dimension

# Agenda

- Request
- Location and Context
- Proposed Zoning
- Development Agreement
- Amended Arena Trust Agreement
- River Mile Development Agreement Amendment
- Process
- Review Criteria



# Development Agreement

## 1. Affordable Housing - High Impact Development Compliance Plan

- a) Requires 18% of all units as affordable (rental and for-sale)
- b) Rental AMI:
  - Average 70% AMI, with a cap at 80% (or 100% in fully affordable structures)
  - A minimum of 50 Permanent Supportive Housing units at 30% AMI
- c) For Sale AMI:
  - Average 90% AMI, with a cap at 120%
- d) Bedroom mix
  - 20% of IRUs in Park and Transit Districts must be at least 2 bedrooms
  - 15% of IRUs in Park and Transit Districts must be at least 3 bedrooms

# Development Agreement

## 1. Affordable Housing - High Impact Development Compliance Plan

### e. Integration of IRUs

e. Allows 2 fully affordable structures, which must be among the first 3 buildings constructed in Central Park and Transit Neighborhoods

e. Aggregate mill levy maximum of 20 mills

f. Allows 5 fully market-rate structures

g. Within integrated residential developments, 10% of residential GFA may be designated as "Penthouse Units," which do not need to include IRUs

f. Allows retention of up to \$10M (20%) of assessed linkage fee in an escrow fund, to support IRUs in the Park and Transit districts. City will retain remaining 80% (approx. \$39M) of linkage fee to use throughout the City to support affordable housing.

# Development Agreement

## TRANSIT DISTRICT

**414 Affordable units**

- 20% two bedroom units = 82 units
- 15% three bedroom units = 62 units

1,886 Market

**2,300 Total Units**

## CENTRAL PARK

**540 Affordable units**

- 20% two bedroom units = 108 units
- 15% three bedroom units = 81 units

2,460 Market

**3,000 Total Units**

## BALL ARENA

**126 Affordable units**

574 Market

**700 Total Units**

## TOTAL

**1,080 Affordable (18%)**

4,920 Market

**6,000 Total Units**



# Development Agreement

## 2. Open Space

- Required 12% of land as publicly accessible parks and open space
- Required construction and conveyance to City of approximately 3.0-acre public park. Future Park Use Agreement anticipated that would allow KSE, non-exclusively, to hold events in the park subject to DPR approval
- Required tenant finish of a Denver Recreation Center to be built as part of the River Mile project

## 3. Transportation

- Required completion of transportation improvements identified in a mobility study
- Required comprehensive Transportation Demand Management (TDM) plan and ongoing site plan TDM

# Development Agreement

## 4. Economic Development & Opportunity

- Required Neighborhood Compliance Plan
  - Career Construction Program
  - Identify location for childcare facility
  - Achieve goal of 20% of new permanent jobs being available to low- and moderate-income census tracts
  - Small business incubator

## 5. Fire Safety

- Required participation to support Denver Fire station enhancements needed to serve the site in the future

# Development Agreement

## 6. Environmental

- Required compliance with Executive Order 100

## 7. Vesting

- KSE requests vesting of certain zoning provisions to match the timeframe for the amended Arena Trust Agreement. This vesting is specific to certain zoning provisions including building forms, heights and uses.
- Additional items requested for vesting: the open space requirements contained in the development agreement and the High Impact Development Compliance Plan

# Agenda

- Request
- Location and Context
- Proposed Zoning
- Development Agreement
- Amended Arena Trust Agreement
- River Mile Development Agreement Amendment
- Process
- Review Criteria



# Arena Trust Agreement

- Concurrent with the rezoning City Council will consider approval of an Amended Arena Trust Agreement.

# Agenda

- Request
- Location and Context
- Proposed Zoning
- Development Agreement
- Amended Arena Trust Agreement
- River Mile Development Agreement Amendment
- Process
- Review Criteria



# River Mile Development Agreement Amendment

- In exchange for the extended commitment for requiring the NHL and NBA teams to perform at Ball Arena until June 30, 2050, the city has agreed to extend the period of vesting term contained in the original development agreement subject to City Council approval
- The current agreement's vesting period expires in 2038 – this amendment extends that period to June 30, 2050
- Items that are vested include certain zoning items (similar to those in the Ball Arena agreement) and the open space requirements

# Agenda

- Request
- Location and Context
- Proposed Zoning
- Development Agreement
- Amended Arena Trust Agreement
- River Mile Development Agreement Amendment
- Process
- Review Criteria



# Large Development Review

Factors of determination:

- Gross Land Area
  - Infrastructure Improvements
  - Rezoning
- 
- LDR Pre-Application meeting: **04/05/22**
  - LDR Community Information Meeting: **09/29/22**
  - Signed Large Development Framework: **06/19/23**
  - An Infrastructure Master Plan is in progress.

# Public Comments

- RNOs
  - 1 letter of support from LoDo District Inc. noting connectivity, design guidelines, transition district, transformative impact
- 5 letters of support
  - Affordable housing
  - Transformative development
  - Economic impact
- 7 letters of conditional support

# Planning Board

- Planning Board held a hearing on this item on 7/17
- The board voted unanimously to recommend approval
- Key points raised in board deliberation included:
  1. Zone Districts meet plan guidance
  2. Successful development agreement and community benefits agreement bolster plan guidance

# Timeline

- Informational Notice: **03/29/24**
- Planning Board Notice: **07/02/24**
- Planning Board Public Hearing: **07/17/24**
- SPR Committee: **08/14/24**
- SPR Committee: **09/11/24**
- City Council Public Hearing: **10/21/24**

# Agenda

- Request
- Location and Context
- Proposed Zoning
- Development Agreement
- Amended Arena Trust Agreement
- River Mile Development Agreement Amendment
- Process
- Review Criteria



# Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

# Denver Zoning Code Review Criteria

## 1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Downtown Area Plan (2007)*
- *Downtown Area Plan Amendment (2018)*

## 2. Uniformity of District Regulations

## 3. Further Public Health, Safety and Welfare

## 4. Justifying Circumstances

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

# Comprehensive Plan 2040

## Equitable, Affordable, and Inclusive

- Goal 1, Strategy A: Increase development of housing units close to transit and mixed-use developments.
- 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 arts.
- Goal 2, Strategy A: Create a greater mix of housing options in every neighborhood for all individuals and families.
- Goal 2, Strategy D: Increase the development of senior-friendly and family-friendly housing, including units with multiple bedrooms in multifamily developments.



# Comprehensive Plan 2040

## Authentic Neighborhoods

- Goal 1, Strategy B: Ensure neighborhoods offer a mix of housing types and services for a diverse population.
- Goal 1, Strategy C: Ensure neighborhoods are safe, accessible, and well-connected for all modes.
- Goal 1, Strategy D: Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities.
- Goal 2, Strategy C: Create people-oriented places that embrace community character with thoughtful transitions, aspirational design, and an engaging realm.



# Comprehensive Plan 2040

## Connected, Safe, and Accessible Places

- Goal 8, Strategy A: Improve multimodal connections within and between mixed-use centers, including downtown, DIA, and major urban centers.
- Goal 8, Strategy B: Promote transit-oriented development and encourage high density development, including affordable housing, near transit to support ridership.



# Denver Zoning Code Review Criteria

## 1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Downtown Area Plan (2007)*
- *Downtown Area Plan Amendment (2018)*

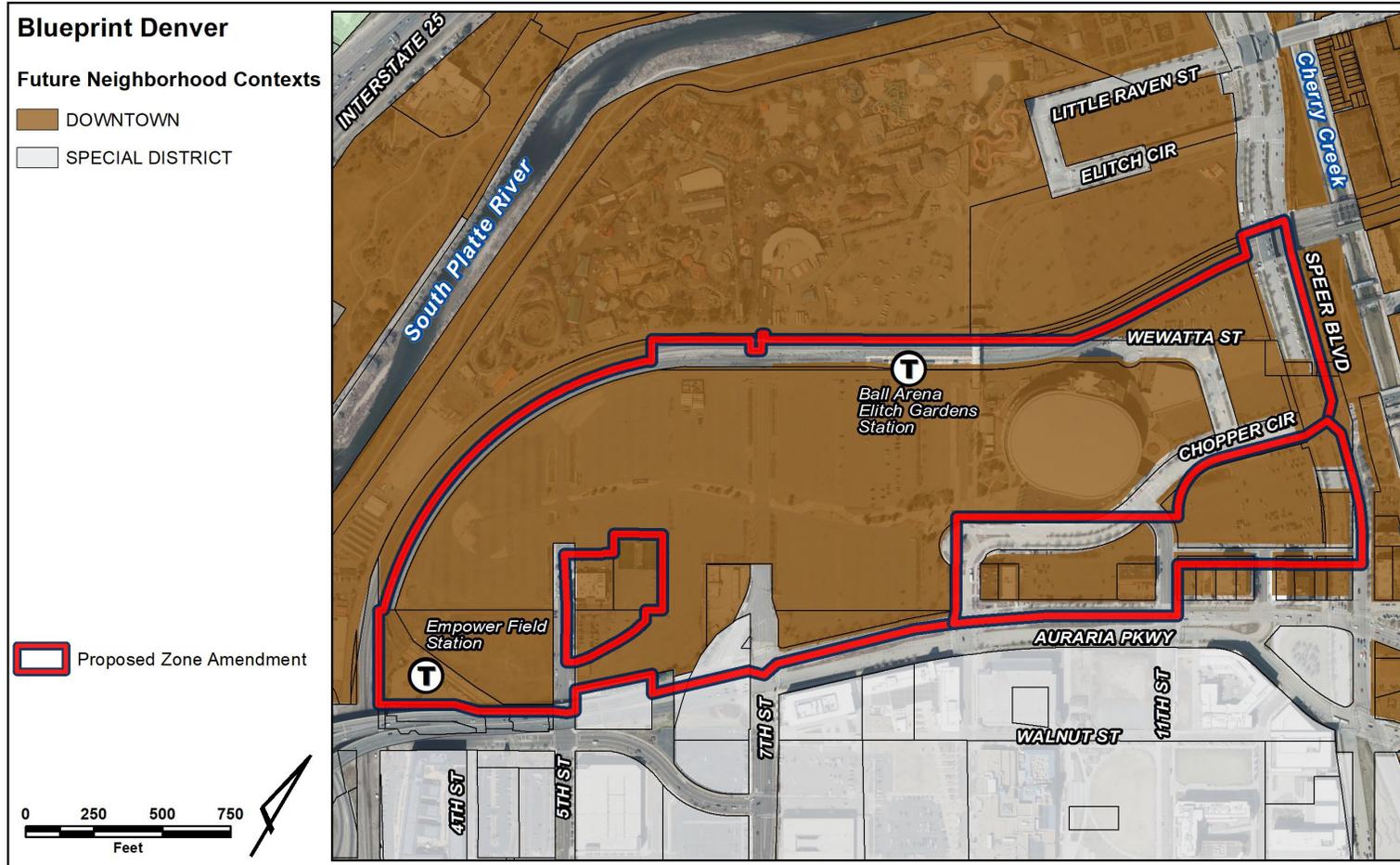
## 2. Uniformity of District Regulations

## 3. Further Public Health, Safety and Welfare

## 4. Justifying Circumstances

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

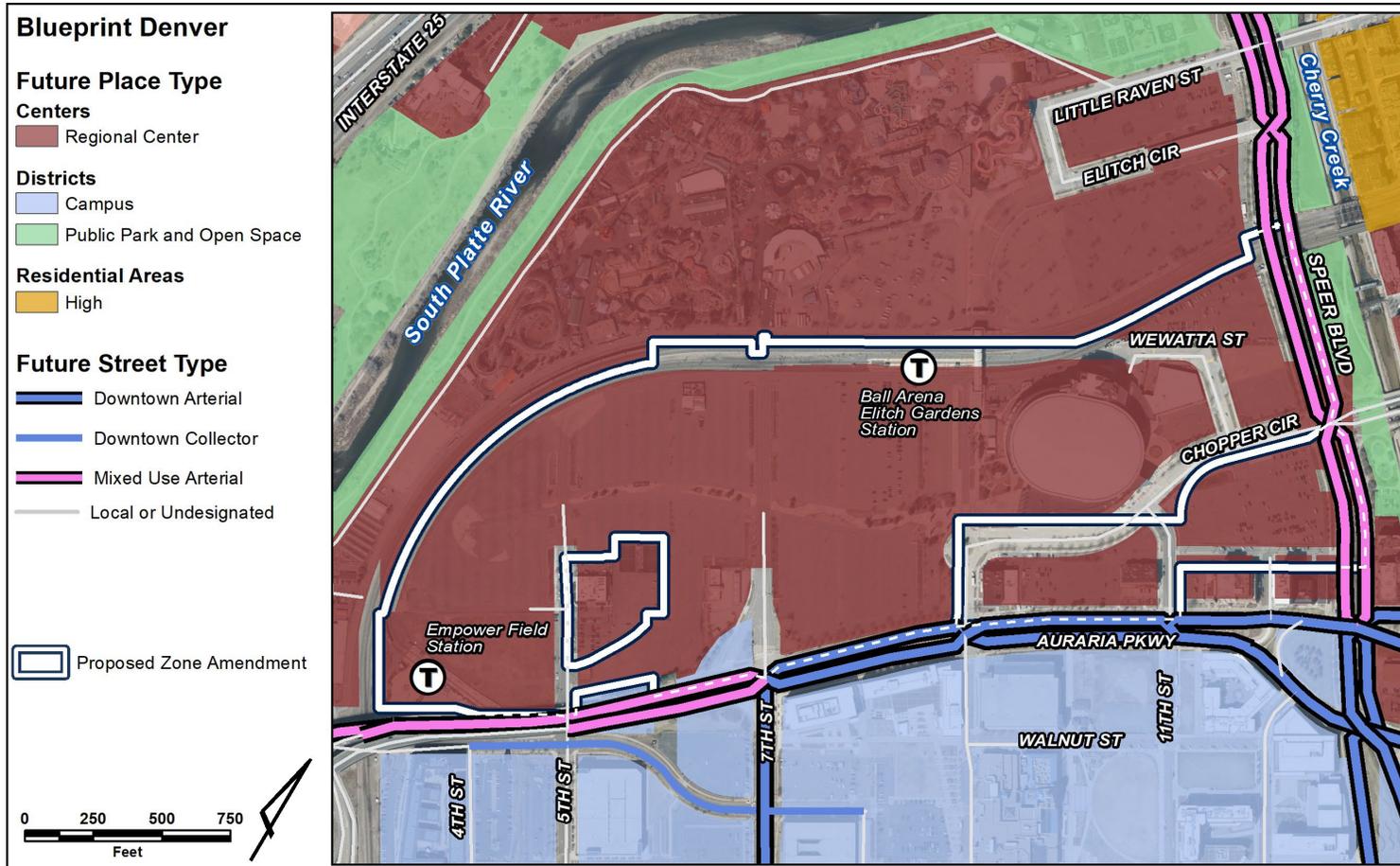
# Blueprint Denver



## Downtown

- Highest intensity residential
- Largest employment center
- Mix of uses and building forms
- Good street activation

# Blueprint Denver

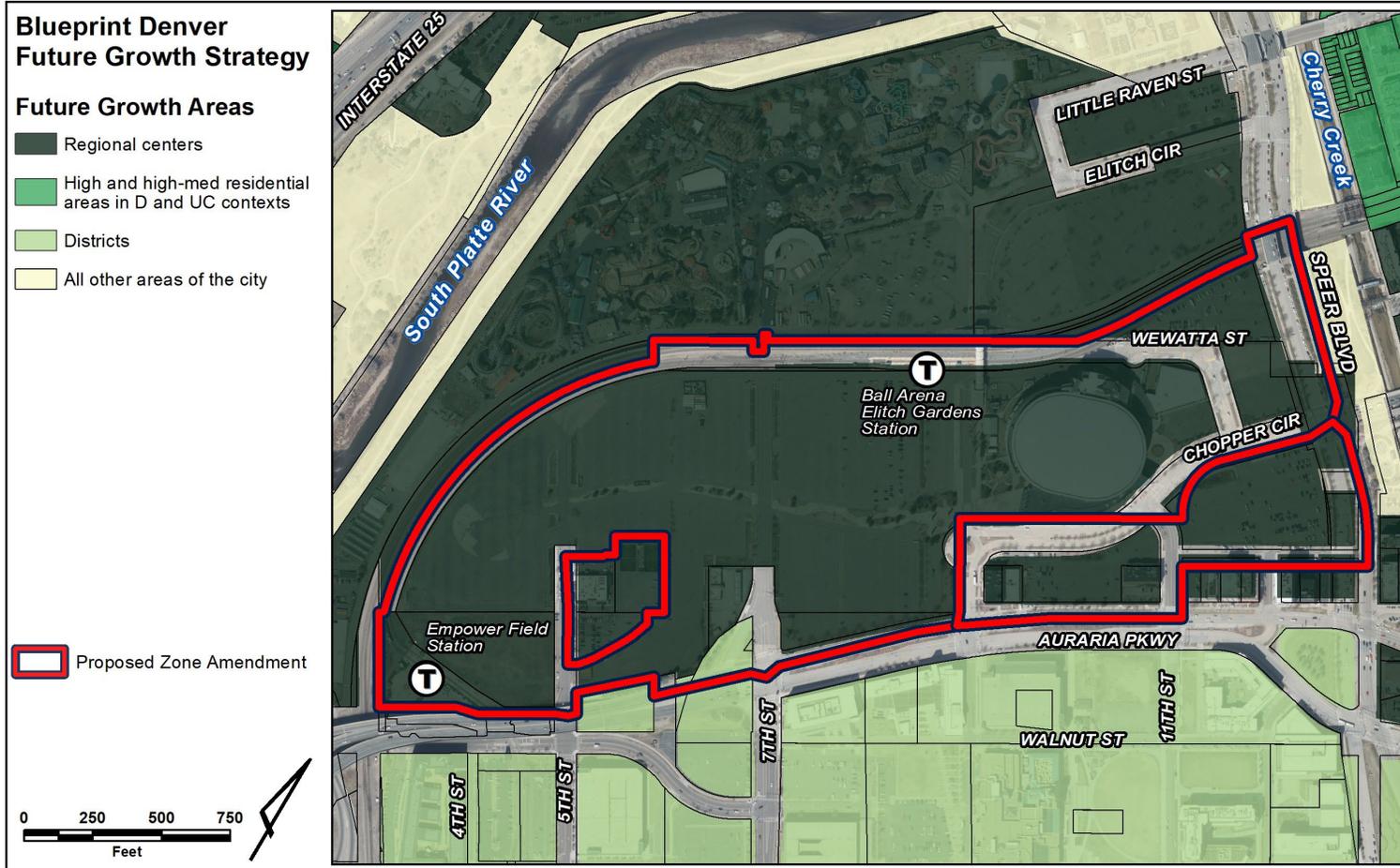


## Regional Center

- Diversity of commercial and residential uses
- 24/7 live, work, entertainment environment
- High degree of urbanism
- Strong pedestrian realm

Evaluation is based on the proposed zone district is consistent with the Future Street Classification, not to assess the traffic impacts of a specific development proposal.

# Blueprint Denver



## Regional Centers

- 50% of new employment
- 30% of new housing

# Blueprint Denver

## Strategies

- Capture new housing growth in transit-rich Regional Centers
- Capture 90% of new job growth in Regional Centers and high intensity residential
- Coordinated development on large infill sites
- Create walkable, transit-friendly communities

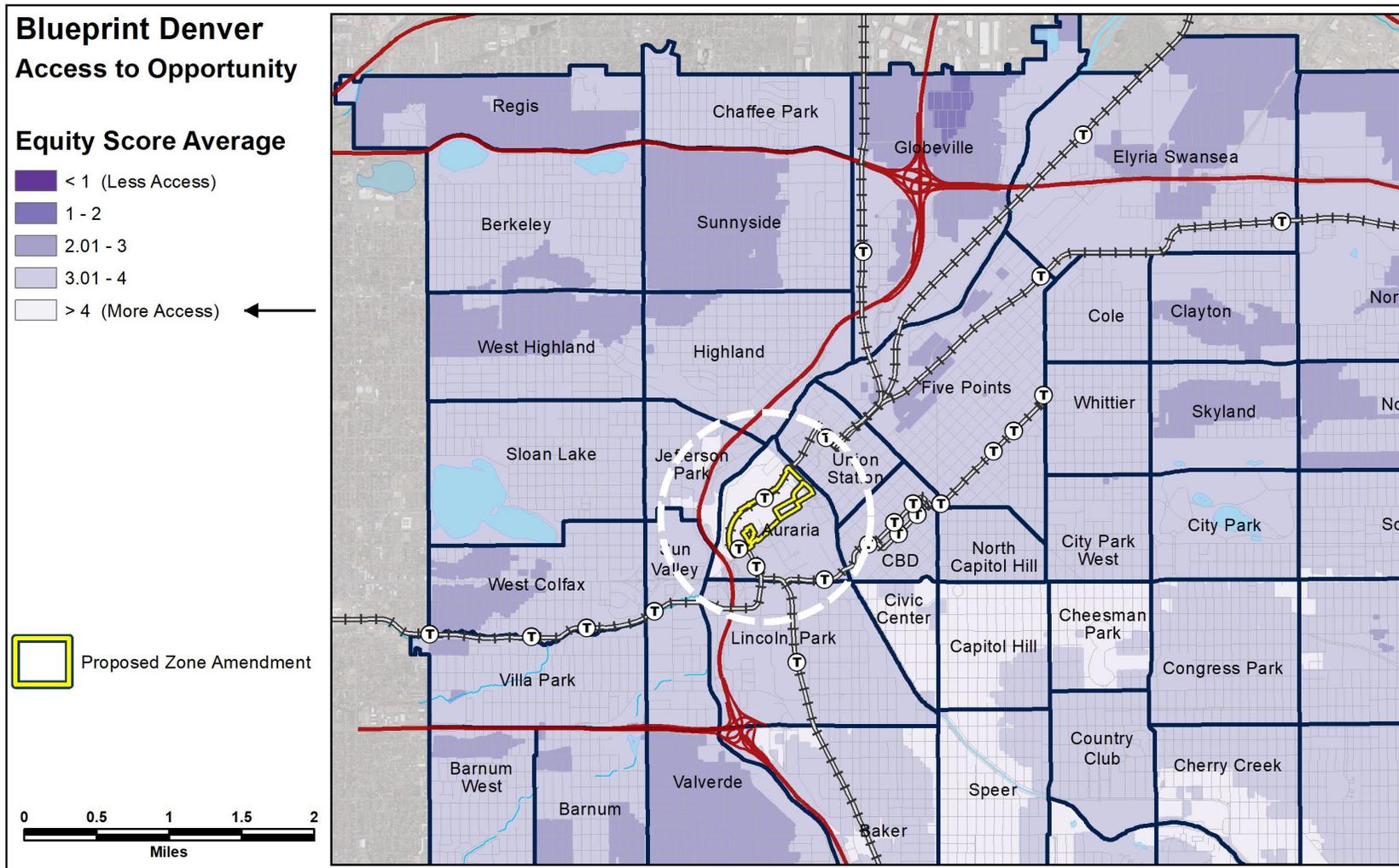
# Blueprint Denver – Equity Analysis

## Blueprint Denver Contains Three Major Equity Concepts

- Integrating these concepts into planning and implementation will help to create a more equitable Denver.



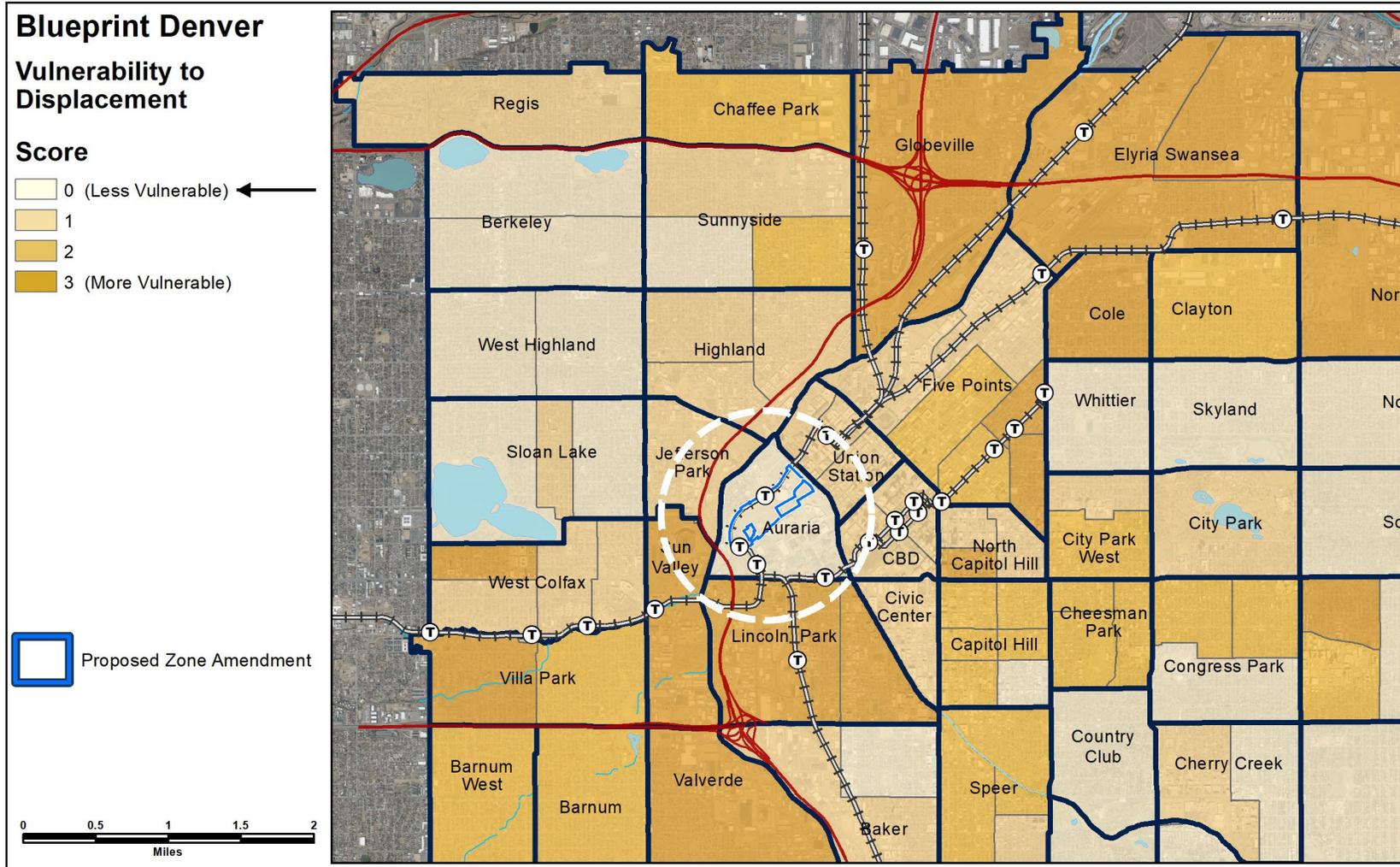
# Blueprint Denver – Equity Analysis



## Access to Opportunity

- High Access to Opportunity
- Access to transit
- Access to jobs, centers, and corridors

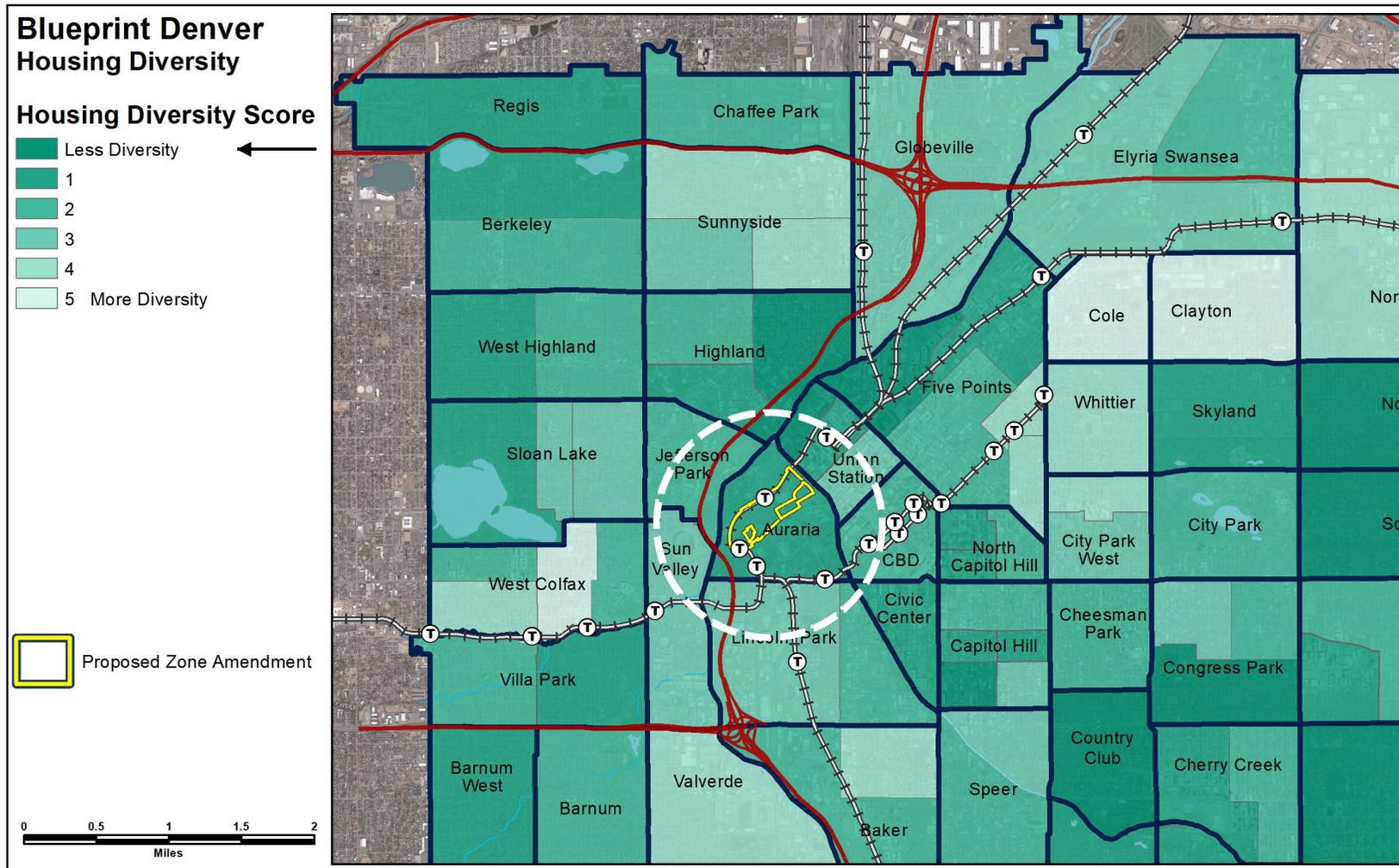
# Blueprint Denver – Equity Analysis



## Vulnerability to Involuntary Displacement

- Less vulnerable
- Due to low number of existing residents

# Blueprint Denver – Equity Analysis



## Expanding Housing Diversity

- Less diversity
- Due to low number of existing residents

# Denver Zoning Code Review Criteria

## 1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Downtown Area Plan (2007)*
- *Downtown Area Plan Amendment (2018)*

## 2. Uniformity of District Regulations

## 3. Further Public Health, Safety and Welfare

## 4. Justifying Circumstances

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

# Downtown Area Plan

## Strategies

- Require ground floor active uses throughout Downtown through changes to zoning and design guidelines
- Use distinctive ground floor retail, or other active uses, and the street environment to reinforce district identity
- In reference to the Central Platte Valley – Auraria district: Future opportunities to densify these area are beginning to emerge as transit use increases and parking demand decreases

# Denver Zoning Code Review Criteria

## 1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Downtown Area Plan (2007)*
- *Downtown Area Plan Amendment (2018)*

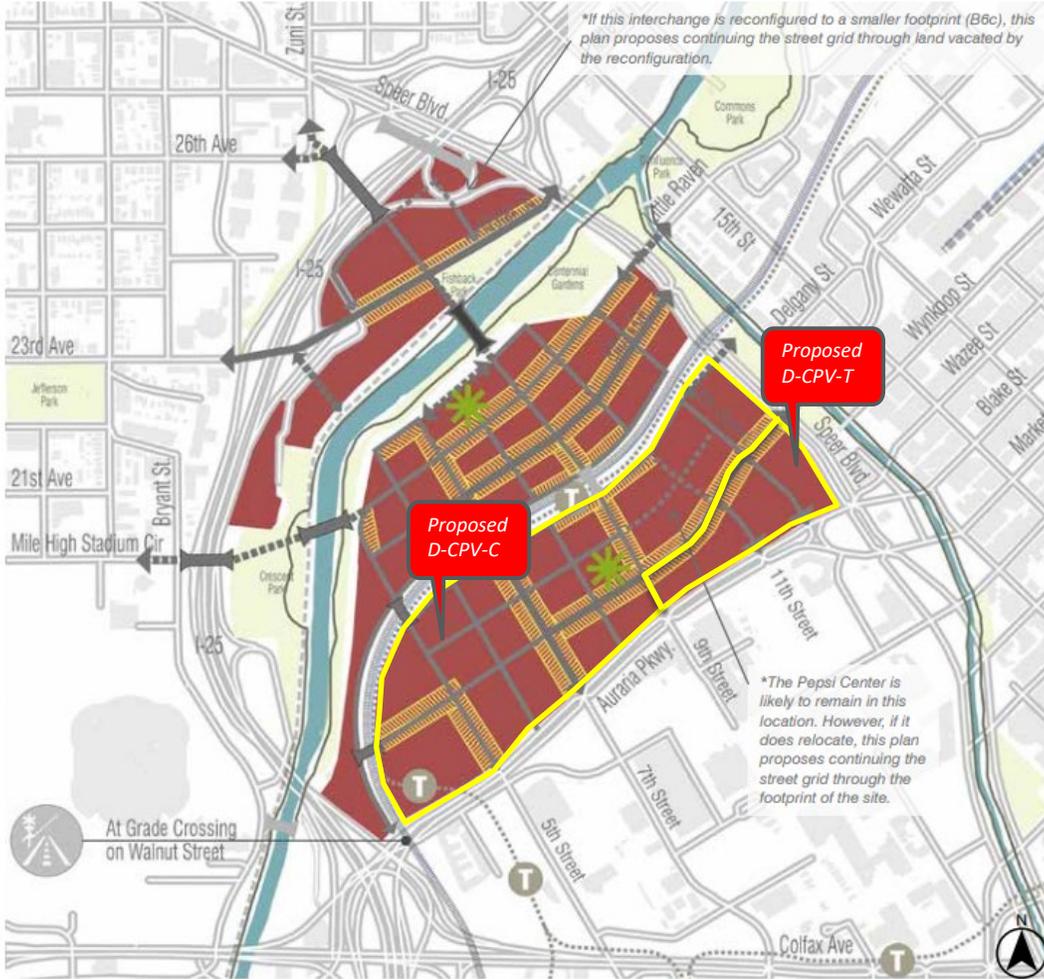
## 2. Uniformity of District Regulations

## 3. Further Public Health, Safety and Welfare

## 4. Justifying Circumstances

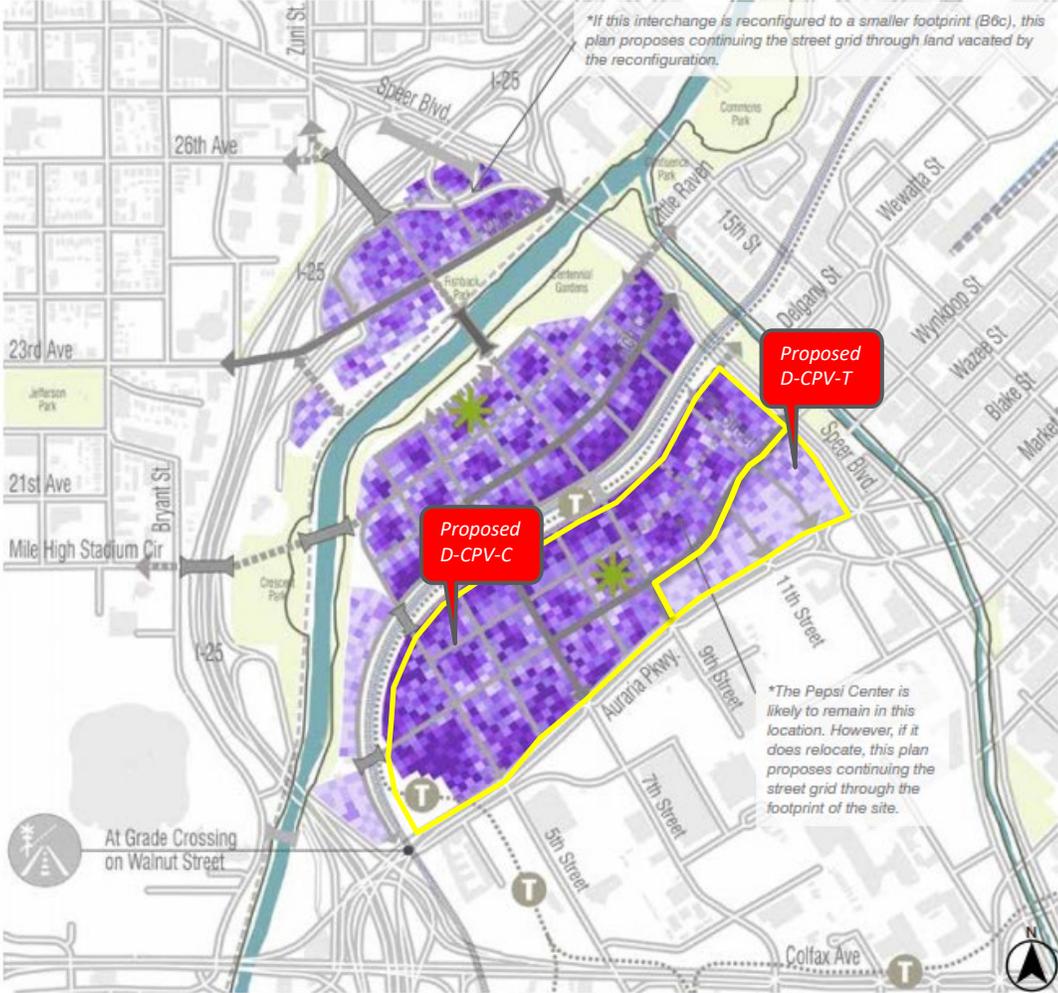
## 5. Consistency with Neighborhood Context, Zone District Purpose and Intent

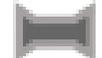
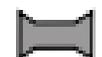
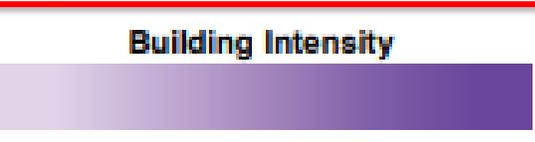
# Downtown Area Plan Amendment



-  Existing Light Rail
-  Existing CML
-  Platte Valley Trolley
-  Downtown Collector Streets
-  Local Streets
-  \*Local Streets
-  Existing Ped & Bike Bridge
-  Proposed All Mode Bridge
-  Proposed Ped & Bike or All Mode Bridge
-  Proposed Ped & Bike Bridge
-  Proposed Ped & Bike Connection
-  Proposed Park/Open Space
-  **Downtown (Mixed-Use)**
-  Potential Active Corridor

# Downtown Area Plan Amendment



-  Existing Light Rail
-  Existing CML
-  Platte Valley Trolley
-  Downtown Collector Streets
-  Local Streets
-  \*Local Streets
-  Existing Ped & Bike Bridge
-  Proposed All Mode Bridge
-  Proposed Ped & Bike or All Mode Bridge
-  Proposed Ped & Bike Bridge
-  Proposed Ped & Bike Connection
-  Proposed Park/Open Space
-  Building Intensity

# Downtown Area Plan Amendment

## Strategies

- Enable a deliberative mix of uses to create a prosperous neighborhood
- Prioritize active uses and corridors
- Promote new development that creates diverse places and activities through a variety of building densities and intensities
- Highest intensity near the rail stations
- Lowest intensity near existing buildings (such as LoDo)
- Promote high quality design through design standards and guidelines

# Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

# Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

# Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
  - Retained Former Chapter 59
  - Adopted plan guidance
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

# Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

# CPD Recommendation

CPD recommends City Council **approve** the rezoning request 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
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

# CPD Recommendation

CPD recommends City Council **approve** the related development agreement

CPD recommends City Council **approve** the related Amended Arena Trust Agreement

CPD recommends City Council **approve** the related amendment to the River Mile Development Agreement for vesting period extension

DOF recommends City Council **approve** the related establishment of Metropolitan Districts