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## Land Use, Transportation & Infrastructure Committee Summary Minutes

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**Tuesday, June 24, 2014**

**10:30 AM City & County Building, Room 391**

**Committee Members:** Robb, Chair; Montero, Vice-Chair; Brown; Lehmann; López; Shepherd

**Committee Staff:** Gretchen Williams

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**Council Members Present:** Brown, Lehmann, Montero, Robb, Shepherd, Susman

**Members Absent:** Lopez

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### Presentations

- 1 Development Review Process Overview**  
*Steve Ferris, Director, and Chris Gleissner, Supervisor, Development Review Services*

Steve Ferris, Director, and Chris Gleissner, Supervisor, of Development Services, presented on overview of the development review and site plan review processes (attached graphic).

Mr. Ferris said the base plans - Comprehensive Plan 2000, Blueprint Denver and the area plans - set the broad vision for the city and smaller areas, such as neighborhoods.

The Zoning Code was modified (adopted in 2010) to better direct the type of development and neighborhoods the City determined it wanted through the process of developing the base plans. Zoning is much more specific than plans, setting out regulatory parameters for development, such as uses, building height/stories, and placement on the lot. The zoning, while more specific than plans, is still fairly broad-based. Council approves zoning for property based on consistency with the

plans. The zoning on a property does not go into all the details involved in a construction project, but it instead sets some parameters.

The site development plan is the next step in the process, which is more fine-grained and detailed, based on the specific site. This step includes building footprint, water and sewer lines will be connection, sidewalks, and access and egress. In some cases, primarily commercial, parking, signage and lighting standards are included. As many as 21 agencies may be involved in site plan review, checking that the plan meets the requirements for their area of interest, including Fire, Water and Wastewater (drainage).

Once the site plan is approved, the final step is the building permit. This review verifies that the structure will be safe and is within the footprint approved in the site plan. During the construction process, various inspectors are on site to ensure that each stage is being built to the plan.

If Public Works determines that the proposed amount of impervious surface will create more runoff from the site than the drainage system can handle, the developer will be instructed to either change the site plan to provide more open ground or construct the infrastructure necessary to mitigate the off-site impacts.

Sidewalks are within the public right-of-way and should match the prevailing pattern in the area (no sidewalks, attached or detached), but many areas are in transition so it is hard to determine prevailing conditions. The plan should be relied on for the vision of the neighborhood.

Mr. Ferris said CPD and Public Works have been discussing updating the streetscape guidelines which set the expectation for sidewalks and tree lawns. We need to provide a pattern book for every development to follow.

Community Planning & Development is looking at technology that will help people be able to check on what is happening with developments in their area. They would be able to see the site plan, what permits have been issued, and when the inspections will take place. Neighbors right now can call 311 to check that all things are being done according to approved plans.

## **Bill Requests**

**BR14-0504 Changes the zoning from C-MX-5 (Urban Center context; Mixed Use; 5 stories max.) to C-MX-8 (Urban Center context; Mixed Use; 8 stories max.) of property at 3300 East 1st Avenue in Council District 10.**

*Theresa Lucero, Community Planning & Development*

This 2-acre site is in Cherry Creek East on most of the block bounded by 1st Ave., Ellsworth, Adams and Cook. The site extends nearly to Ellsworth along Cook and from Cook to Adams on the north side. Currently existing structures are a 6-story

office building along 1st Ave. and a 2-level parking structure to the south.

The proposed redevelopment consists of refurbishing the office building, adding first floor retail, and construction of a 7-story, 172-unit residential structure with 4 levels of underground parking on the southern portion. The site will be enhanced with wider detached sidewalks along 1st Ave., Cook and Adams.

Surrounding uses include 10 to 12 story buildings containing commercial, office and residential uses.

Community Planning & Development (CPD) determined that the proposed zoning is consistent with adopted plans, including the Comprehensive Plan 2000; Blueprint Denver, which identifies Cherry Creek as an Area of Change; and the Cherry Creek Area Plan, adopted in 2012. The latter modified the Area of Change but still identifies this immediate area as such. The Cherry Creek East subarea states in part that "the area between Steele and Madison will remain the most intensely developed portion of the neighborhood with building heights ranging from 5 to 12 stories." The proposed development conforms to the plan. The plan identifies this area as a pedestrian zone, and the proposed redevelopment will enhance pedestrian amenities and enhance.

Several letters of support have been submitted to CPD (included in the staff report packet). On June 4, after its public hearing, the Planning Board recommended approval to City Council. The City Council public hearing is currently scheduled for August 18.

Councilwomen Susman and Shepherd expressed concerns that pedestrian safety issues need to extend to the street, alleys and driveways and not be considered only in reference to the sidewalks.

A motion offered by Councilmember Brown, duly seconded by Councilmember Susman, to file the bill carried by the following vote:

AYES: Susman, Brown, Lehmann, Montero, Robb, Shepherd(6)  
NAYS: (None)  
ABSENT: Lopez(1)  
ABSTAIN: (None)

**BR14-0522 Changes the zoning from O-1 (Former Code) to U-SU-A with waivers (Urban Context, Single Unit, lot size 3,000 sf min.) of property at 6801 East First Avenue (Buckley Annex) in Council District 5.**

*Michelle Pyle, Community Planning & Development*

## **Introduction**

CB14-0522, CB14-0523 and CB14-0524 are applications encompassing portions of the area known as Buckley Annex, 70 acres bordered by Monaco (west), Quebec (east), Bayard (south), and 1st Ave. (north). The owner/applicant for all three is the Lowry Redevelopment Authority (LRA).

The proposed zoning classifications are the result of LRA seeking ways to replicate the "urban" residential development forms found at Lowry, which were developed under Former Chapter 59 districts with waivers and a Planned Building Group (PBG).

Community Planning & Development (CPD) administratively approved the Buckley Annex General Development Plan (GDP) covering the 70-acre site. Zoning map amendment applications must conform to the GDP as well as any formally adopted plans including the area contained in the application.

These are the first applications since the adoption of the Denver Zoning Code that contain waivers.

These applications, all within an Area of Change per Blueprint Denver, have pointed out a need to consider additions to the Denver Zoning Code to facilitate higher urban forms in Areas of Change when paired with plan recommendations for lower-intensity residential land uses.

Affordable housing is required per a contract between the LRA and the City rather than under the Inclusionary Housing Ordinance. The contract requires a minimum of 200 affordable for-sale units. LRA has met that requirement and is also building affordable rental units.

### **CB14-0522**

This 14.6-acre site is in the northwest part of Buckley Annex, fronting Monaco and E. 1st Ave. The proposed zoning is U-SU-A (A= minimum lot size of 3,000 sq. ft.) with waivers. See the application and staff report for details, but briefly, the waivers:

- a. increase allowed building height and lot coverage for the Urban House Form; and
- b. allow a single detached structure building form that may be taller with less setback and no bulk plane restrictions.
- c. for more than one primary structure per lot but only where the lot is oriented toward required publicly accessible open space as shown on the approved Buckley Annex General Development Plan (GDP).

CPD determined that the proposed application conforms to adopted planning documents, including Denver Comprehensive Plan 2000; Lowry Reuse Plan (1993, re-adopted 2000); and Blueprint Denver (2000) and recommends approval. The Planning Board unanimously (10-0) recommended approval to City Council after its hearing on June 4.

CPD publishes notice of proposed rezonings at various stages of the process. To date, CPD has received 24 letters in support of the application and two opposed, both of which

regarded the need for more parking.

A motion offered by Councilmember Brown, duly seconded by Councilmember Susman, to file the bill carried by the following vote:

AYES: Susman, Brown, Lehmann, Montero, Robb, Shepherd(6)  
NAYS: (None)  
ABSENT: Lopez(1)  
ABSTAIN: (None)

**BR14-0523 Changes the zoning from O-1 (Former Code) to U-SU-B with waivers (Urban Context, Single Unit, lot size 3,000 sf min.) of property at 7000-7300 proposed Archer Place located in Council District 5.**

*Michelle Pyle, Community Planning & Development*

## **Introduction**

CB14-0522, CB14-0523 and CB14-0524 are applications encompassing portions of the area known as Buckley Annex, 70 acres bordered by Monaco (west), Quebec (east), Bayard (south), and 1st Ave. (north). The owner/applicant for all three is the Lowry Redevelopment Authority (LRA).

The proposed zoning classifications are the result of LRA seeking ways to replicate the "urban" residential development forms found at Lowry, which were developed under Former Chapter 59 districts with waivers and a Planned Building Group (PBG).

Community Planning & Development administratively approved the Buckley Annex General Development Plan covering the 70-acre site. Zoning map amendment applications must conform to the GDP as well as any formally adopted plans including the area contained in the application.

These are the first applications since the adoption of the Denver Zoning Code that contain waivers.

These applications, all within an Area of Change per Blueprint Denver, have pointed out a need to consider additions to the Denver Zoning Code to facilitate higher urban forms in Areas of Change when paired with plan recommendations for lower-intensity residential land uses.

Affordable housing is required per a contract between the LRA and the City

rather than under the Inclusionary Housing Ordinance. The contract requires a minimum of 200 affordable for-sale units. LRA has met that requirement and is also building affordable rental units.

### **CB14-0523**

This 4-acre, oblong site is in the southeast part of Buckley Annex with its long side fronting on Bayaud. The proposed zoning is U-SU-B (B= minimum lot size of 4,500 sq. ft.) with waivers. See the application and staff report for details, but briefly, the waivers:

- a. increase allowed building height and lot coverage for the Urban House Form; and
- b. allow a single detached structure building form that may be taller with less setback and no bulk plane restrictions.

Community Planning & Development (CPD) determined that the proposed application conforms to adopted planning documents, including Denver Comprehensive Plan 2000; Lowry Reuse Plan (1993, re-adopted 2000); and Blueprint Denver (2000) and recommends approval. The Planning Board unanimously (9-0) recommended approval to City Council after its hearing on June 4.

CPD publishes notice of proposed rezonings at various stages of the process. To date, CPD has received 13 letters in support of this application and 54 opposed. Opposition is primarily based on the requirement for only one parking space per unit rather than two.

A motion offered by Councilmember Brown, duly seconded by Councilmember Susman, to file the bill carried by the following vote:

AYES: Susman, Brown, Lehmann, Montero, Robb, Shepherd(6)  
NAYS: (None)  
ABSENT: Lopez(1)  
ABSTAIN: (None)

**BR14-0524 Changes the zoning from O-1 (Former Code) to G-RH-3 (General Urban context, Row House) with waivers of property at 6700-7398 and 6701-7399 Lowry Boulevard and 6701-7399 Archer Place in Council District 5.**  
*Michelle Pyle, Community Planning & Development*

### **Introduction**

CB14-0522, CB14-0523 and CB14-0524 are applications encompassing portions of the area known as Buckley Annex, 70 acres bordered by Monaco (west), Quebec (east), Bayard (south), and 1st Ave. (north). The owner/applicant for all three is the Lowry Redevelopment Authority (LRA).

The proposed zoning classifications are the result of LRA seeking ways to replicate the "urban" residential development forms found at Lowry, which were developed under Former Chapter 59 districts with waivers and a Planned Building Group (PBG).

Community Planning & Development administratively approved the Buckley Annex General Development Plan covering the 70-acre site. Zoning map amendment applications must conform to the GDP as well as any formally adopted plans including the area contained in the application.

These are the first applications since the adoption of the Denver Zoning Code that contain waivers.

These applications, all within an Area of Change per Blueprint Denver, have pointed out a need to consider additions to the Denver Zoning Code to facilitate higher urban forms in Areas of Change when paired with plan recommendations for lower-intensity residential land uses.

Affordable housing is required per a contract between the LRA and the City rather than under the Inclusionary Housing Ordinance. The contract requires a minimum of 200 affordable for-sale units. LRA has met that requirement and is also building affordable rental units.

## **CB 524**

This 15.6-acre, site is in the middle of the Buckley Annex site, a little larger than the area formerly occupied by the Finance Center building, with access from Bayaud. The proposed zoning is G-RH-3 (3= maximum of 3 stories) with waivers. See the application and staff report for details, but briefly, the waivers:

- a. increase allowed building height and lot coverage for the Urban House, Duplex, Garden Court and Row House building forms; and
- b. allow a single detached structure building form that may be taller with less setback and no bulk plane restrictions.

Community Planning & Development (CPD) determined that the proposed application conforms to adopted planning documents, including Denver Comprehensive Plan 2000; Lowry Reuse Plan (1993, re-adopted 2000); and Blueprint Denver (2000) and recommends approval. The Planning Board unanimously (10-0) recommended approval to City Council after its hearing on June 4.

CPD publishes notice of proposed rezonings at various stages of the process. To date, CPD has received 13 letters in support of this application and 54 opposed. Opposition is primarily based on the requirement for only one parking space per unit rather than two.

A motion offered by Councilmember Brown, duly seconded by Councilmember Susman, to file the bill carried by the following vote:

AYES:	Susman, Brown, Lehmann, Montero, Robb, Shepherd(6)
NAYS:	(None)
ABSENT:	Lopez(1)
ABSTAIN:	(None)