



DENVER
THE MILE HIGH CITY

**Community Planning and Development
Planning Services**

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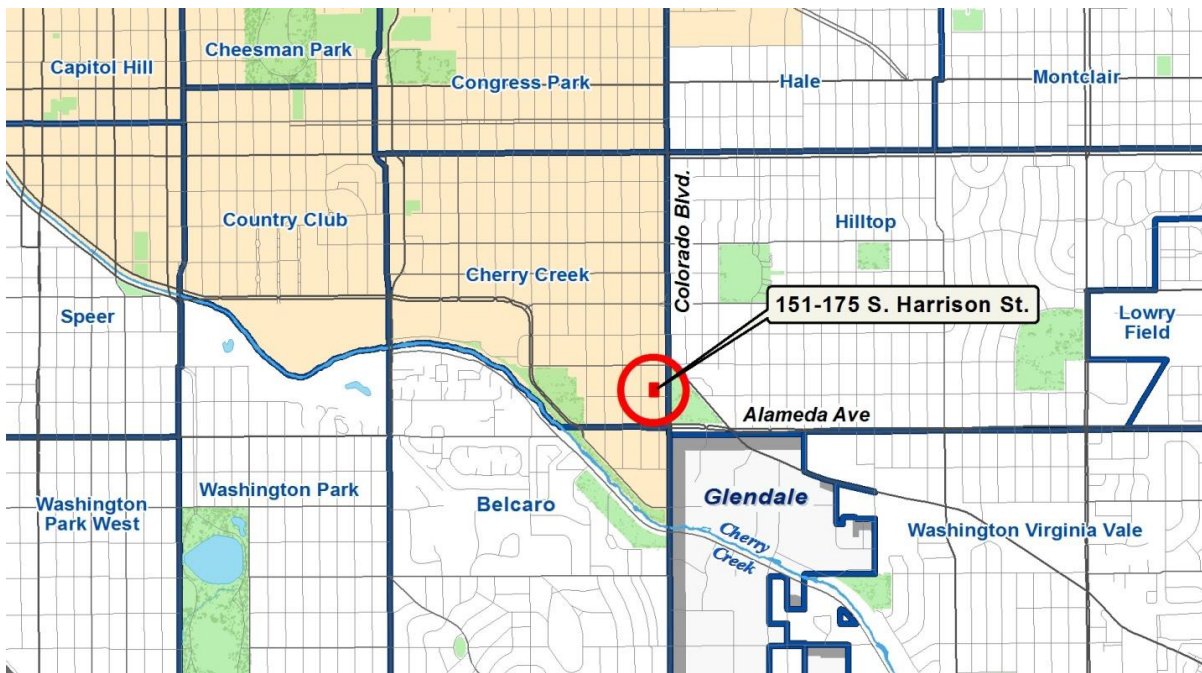
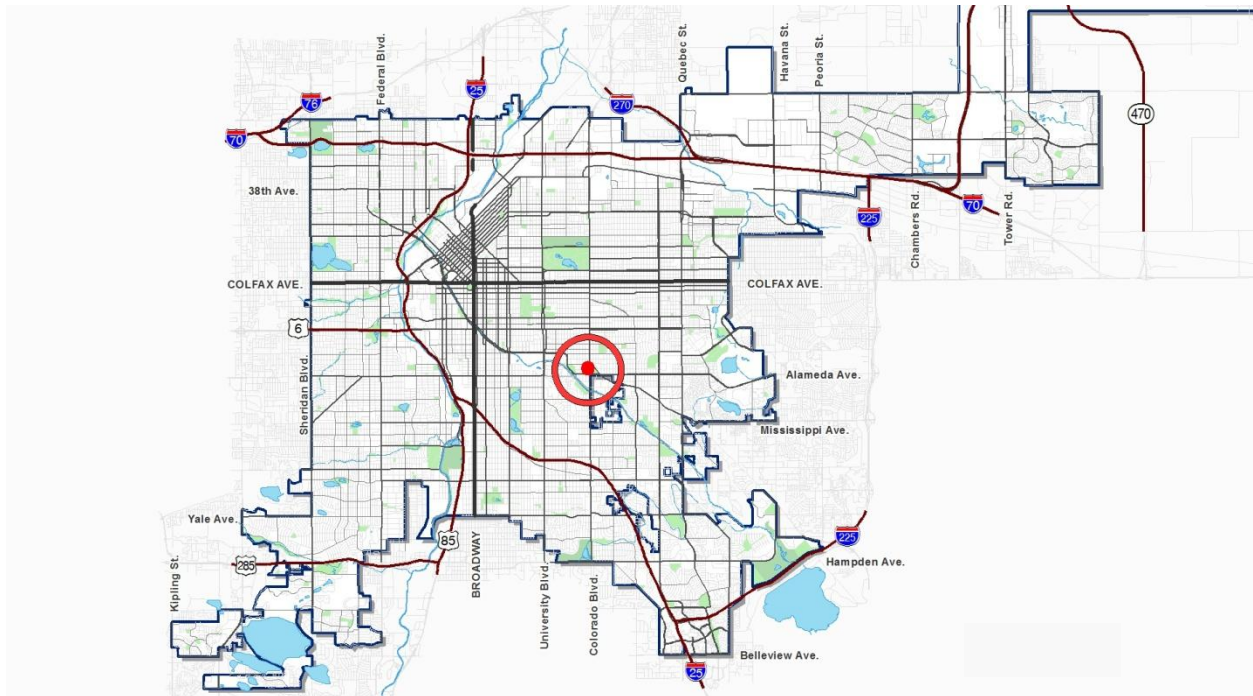
TO: Denver City Council
FROM: Sarah Showalter, Senior City Planner
DATE: October 23, 2014
RE: Zoning Map Amendment Application #2014I-00019
151, 155, 165, 171 & 175 S. Harrison Street, **Rezoning from PUD #625 to PUD #637 under Former Chapter 59**

Staff Report and Recommendation

This application proposes to rezone property located at 151, 155, 165, 171 & 175 S. Harrison Street from PUD #625, originally approved under Former Chapter 59, to new PUD #637 under Former Chapter 59 as authorized under D.R.M.C. Section 59-3(a)(1) and Former Chapter 59, Sections 59-515 et seq. and 59-646 et seq. Based on the criteria for review in Former Chapter 59, staff recommends approval.

Request for Rezoning

Application:	#2014I-00019
Address:	151, 155, 165, 171 & 175 S. Harrison Street
Neighborhood/Council District:	Cherry Creek Neighborhood/ Council District #10
RNOs:	Cherry Creek East Neighborhood Association; Denver Neighborhood Association; Harman Neighborhood Association; Cherry Creek Steering Committee; Cranmer Park-Hilltop Civic Association; Inter-Neighborhood Cooperation
Area of Property:	0.575 acres / 25,062 square feet
Current Zoning:	PUD #625 Under Former Chapter 59
Proposed Zoning:	PUD #637 Under Former Chapter 59
Property Owner:	Empire Holdings
Authorized Representative:	Stephen Sparn, Stephen Sparn Architects



Summary of Rezoning Request

The property proposed for rezoning contains four contiguous parcels at the northwest corner of S. Harrison Street and Cedar Avenue. Currently, the property is vacant. The existing zoning for the site, PUD 625, was approved in 2008. PUD 625 allows for 15 residential units to be constructed on the property. The owner is seeking to rezone to a new PUD zone district under Former Chapter 59 that will retain a majority of the regulations from PUD 625, while updating the development information to accommodate modifications to the site plan and building architecture. The total number of permitted units and the maximum height will remain the same. The new PUD zone district will also incorporate design guidelines that are based on the Cherry Creek East Design Guidelines, which were drafted in 1999 but never formally adopted.



The subject property: 151, 155, 165, 171 & 175 S. Harrison Street

Existing Context

The subject property is located on the northwest corner of S. Harrison Street and Cedar Avenue in Cherry Creek East neighborhood, within the Cherry Creek Statistical Neighborhood. The immediate area around the site contains a variety of residential land uses including single

family, two family, and multi-family. Colorado Boulevard, a major north-south arterial, is located one block east of the site.

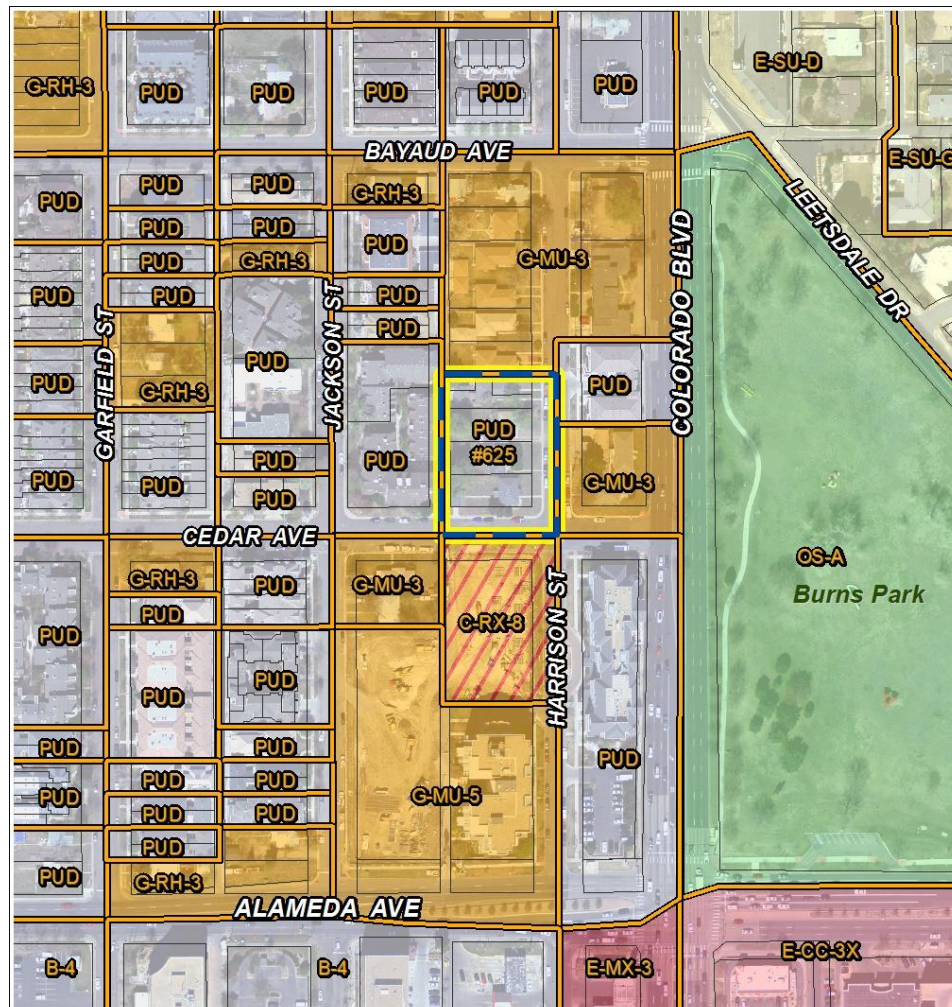
The following table summarizes the existing context proximate to the subject site:

	Existing Zoning	Existing Land Use	Blueprint Denver	Existing Block, Lot, Street Pattern
Site	PUD 625	Vacant	Urban Residential – Area of Change	Regular grid of streets; Block sizes and shapes are consistent and rectangular. Mix of alley and street access.
North	G-MU-3	Multi-family	Urban Residential – Area of Change	
South	C-RX-8	Multi-family	Urban Residential – Area of Change	
East	G-MU-3 and PUD	Multi-family	Urban Residential – Area of Change	
West	PUD	Multi-family	Urban Residential – Area of Stability	

1. Existing and Proposed Zoning

The existing PUD 625 was created in 2008 under Former Chapter 59. PUD 625 allows for one use: multiple dwelling unit, with a maximum of 15 units. PUD 625 contains detailed architectural elevations that do not align with the current owner's proposed development. Proposed PUD 637 will update the architectural elevations, as well as development program information such as the total number of parking spaces and the total square footage of the development. PUD 637 also contains design guidelines that will apply to the new development, taken from the Design Guidelines for Cherry Creek East. The allowed land use and the maximum number of units (15) will remain the same under PUD 637. The maximum allowable height (3 stories/42 feet) will also remain unchanged. A summary of the primary changes between existing PUD 625 and proposed PUD 637 follows. For more detailed information on specific regulations contained in the proposed PUD, see the proposed PUD 637 that is attached to this staff report.

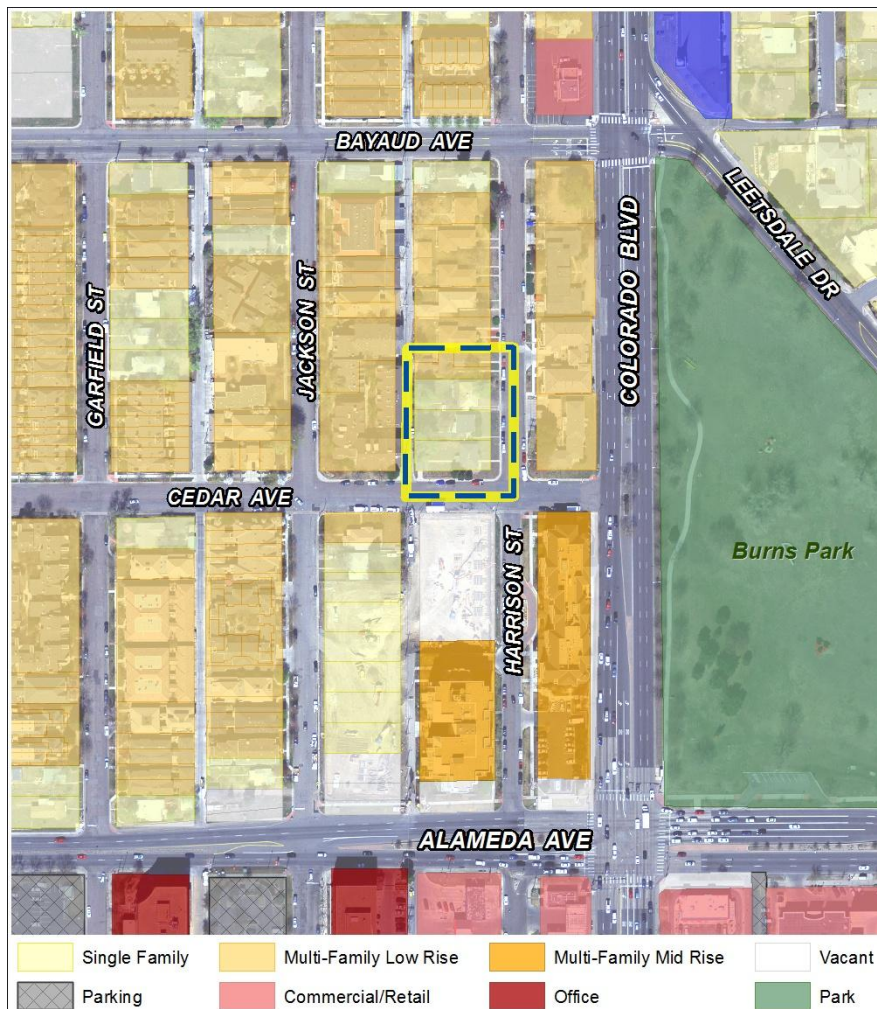
Summary of Primary Changes from PUD 625 to Proposed PUD 637		
Item	PUD 625 (2008)	PUD 637 (Proposed)
Maximum Gross Floor Area	30,599 SF	32,750 SF
Maximum of Building/Impervious Surfaces	20,758 SF (83%)	21,504 SF (86%)
Minimum Landscaped/Permeable Areas	4,304 SF (17%)	3,558 SF (14%)
Minimum Off-Street Parking Spaces	23	26
Home Occupations	Not permitted	Permitted
Architectural building elevations	Included	Included and updated (conceptual)
District Plan	Included	Included and updated
Design Guidelines	Not Included	Included



Existing Zoning Map

2. Existing Land Use

The subject site is currently vacant. It is surrounded by a variety of multi-family uses including apartments, townhomes, and duplexes. The existing land uses are shown in the map on the following page. At the time that the map was composed in 2012, the subject site contained single-family homes and the site to the south was vacant. Since that time, the subject site has become vacant and the site to the south has been developed with a 5-story multifamily building.



Existing Land Use Map

3. Existing Building Form and Scale

Buildings in the immediate vicinity of the subject property range from 1 to 5 stories. There is a new 5-story multi-family building to the south, a 3-story residential building to the west, 1-story two-family units directly to the north, and 1-3 story multi-family uses to the east, on the other side of Harrison Street.



View from Harrison St of subject property, looking toward the southwest



Multi-family building directly east of the site, on the other side of Harrison St.



Multi-family building northeast of the site, on the opposite side of Harrison Stret.



Two-family homes immediate north of the site.

Public Review Process

CPD Staff provided informational notice of receipt of the rezoning application to affected members of City Council and registered neighborhood organizations on April 22, 2014.

The property was legally posted for a period of 15 days announcing the Denver Planning Board public hearing on August 20, 2014, and written notification of the hearing was sent to all affected registered neighborhood organizations and City Council members.

Informational notice of the Neighborhoods and Planning Committee agenda item was provided to affected members of City Council and registered neighborhood organizations on September 4, 2014.

Following Committee review, notification for the City Council public hearing on Monday, Oct 27th occurred. This included legally posted the property for a period of 21 days prior to the public hearing and sending written notification of the hearing to all affected registered neighborhood organizations and City Council members on Monday, Oct 6th.

At the time of this staff report, no public comments have been received.

Minimum Requirements for Rezoning Under Former Chapter 59

All proposed rezonings to a new PUD zone district under Former Chapter 59 must comply with the following limitations, as applicable:

1. Administrative Examination

Former Chapter 59, Section 59-647(1), requires all rezoning applications to be examined by any administrative agencies, either public or private, which might be affected by the

amendment, and to obtain those agencies' recommendations. A summary of agency referral responses follows:

- **Division of Real Estate:** Approved – No Comments
- **Public Works – City Surveyor:** Approved - No Comments

2. Other Limitations on Rezonings Under Former Chapter 59

The following limitations on rezonings do not apply to applications for rezoning to a new PUD zone district under Former Chapter 59:

- Section 59-647(3): Minimum Area Required.
- Section 59-647(4): Abutment of Incompatible Districts.
- Section 59-647(5): Abutment of Compatible Districts.
- Section 59-647(6): Need for Uses to be Clear and Demonstrable.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning proposal are found in the City's Charter and in Former Chapter 59 as follows:

Denver City Charter, Section 3.2.9(C)

1. Consistency with Adopted Plans

Former Chapter 59, Section 59-646

2. Reasonably necessary for the promotion of public health, safety, or general welfare
3. Justifying Circumstances:
 - a. Correct manifest error in the chapter, or
 - b. Because of changed or changing conditions

Former Chapter 59, Section 59-647 (2)

4. Uniformity of district regulations and restrictions

1. Consistency with Adopted Plans

The Denver City Charter, Section 3.2.9, requires all zoning regulations adopted by the City Council to "be made in accordance with a Comprehensive Plan." The following adopted comprehensive plans apply to this property:

- Denver Comprehensive Plan 2000
- Blueprint Denver (2002)
- Cherry Creek Area Plan (2012)

Denver Comprehensive Plan 2000

The proposal is consistent with many Denver Comprehensive Plan strategies, including:

- Environmental Sustainability Strategy 2-F – Conserve land by promoting infill development with Denver at sites where services and infrastructure are already in place; designing mixed use communities and reducing sprawl so that residents can live, work and play within their own neighborhoods.
- 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.
- Legacies Strategy 3-A – Identify areas in which increased density and new uses are desirable and can be accommodated.

The proposed PUD will allow quality infill development in a neighborhood with existing services and infrastructure. The PUD will enable vacant land to be redeveloped with appropriately-scaled townhomes, providing quality housing units in the Cherry Creek East neighborhood. The rezoning proposal is consistent with the referenced Comprehensive Plan recommendations.

Blueprint Denver

According to the 2002 Plan Map adopted in Blueprint Denver, the site has a concept land use of **Urban Residential** and is located in an **Area of Change**.

Future Land Use

“Urban residential neighborhoods are higher density and primarily residential but may include a noteworthy number of complementary commercial uses. New housing tends to be in mid- to high-rise structures, and there is a greater housing base than employment base. A mixture of housing types is present, including historic single-family houses, townhouses, small multi-family apartments and sometimes high-rise residential structures.” (P. 41-42).

The PUD district will allow townhouse development that is consistent with the urban residential land use designation.

Area of Change / Area of Stability

“The purpose of Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips. Areas of Change are parts of the city where most people agree that development or redevelopment would be beneficial.” (P. 127)

The proposed rezoning will support growth and new housing within a designated Area of Change.

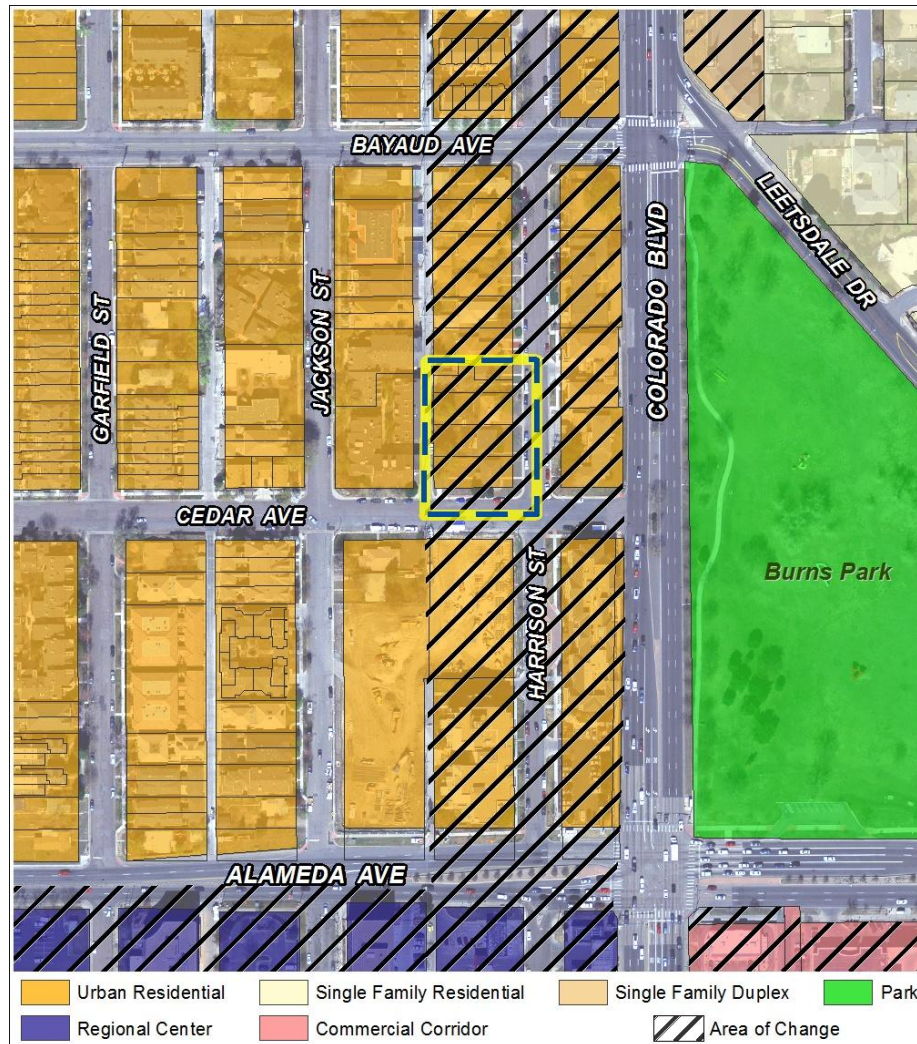
Street Classifications

According to Blueprint Denver, both Harrison Street and Cedar Avenue have a concept street classification of Undesignated - Local. “The design features of local streets are influenced less by traffic volumes and are tailored more to providing local access. Mobility

on local streets is typically incidental and involves relatively short trips at lower speeds to and from other streets” (P. 51).

The proposed townhome development is consistent with the traffic levels and lower speeds common to local streets.

The proposed rezoning is consistent with the referenced Blueprint Denver recommendations.



Blueprint Denver Concept Landuse

Small Area Plan: Cherry Creek Area Plan (2012)

The Cherry Creek Area Plan has the same land use recommendation for this site as Blueprint Denver - Urban Residential. It also continues the Blueprint Denver recommendation for this site to be an Area of Change.

The Cherry Creek Area Plan sets specific goals for the Cherry Creek East subarea. It calls for Cherry Creek East to continue to develop as a mixed use neighborhood with a variety of housing types. Plan recommendations for the Cherry Creek East Subarea include (Page 72):

- **“Reinforce the residential character.** Maintain and enhance the existing character and walkable environment of Cherry Creek East.”
- **“Respect the existing scale.** Enhance the existing pattern of development intensity with low scale buildings in the residential areas.”

The proposed PUD meets both of the above recommendations. The PUD district will allow for townhome development that reinforces the residential character of the area. The proposed PUD will also respect the existing scale of residential development in the area since it requires a maximum height of 3 stories/42 feet. The 3 story maximum also follows the recommended building height from the Cherry Creek Area Plan’s maximum building heights map for Cherry Creek East, shown below.



Maximum building heights map - Cherry Creek East neighborhood



In addition, the PUD district will require high-quality, pedestrian-oriented design since it incorporates design guidelines taken directly from the Cherry Creek East Design Guidelines. These Design Guidelines, drafted in 1999, were never formally adopted. The Cherry Creek Area Plan calls for updating and adopting new Cherry Creek East Design Guidelines. Until that work occurs, the proposed PUD provides an interim solution by requiring that the new townhome development proposed for the site follows many of the relevant guidelines from the 1999 Guidelines (see attachment 5.A. to the PUD).

The Cherry Creek Area Plan identifies Harrison Street, especially on the east side, as a priority area to attract redevelopment and investment. Although this site is on the west side of Harrison, the high-quality, pedestrian-friendly development called for in the proposed PUD district should help to attract development on the east side of the street in the future.

2. Reasonably Necessary for the Promotion of Public Health, Safety, or General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City primarily through implementation of the City's adopted land use plans.

3. Justifying Circumstances

The justifying circumstance for this rezoning is that the land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area. Since the adoption of PUD 625 in 2008, the character and vision for Cherry Creek East has changed due to new infill development and adoption of the Cherry Creek Area Plan in 2012. The Area Plan identifies the site and its surroundings as a priority area for high-quality, infill residential development. The proposed zoning for the site will allow for updated architecture and enable the development of quality, context-sensitive townhomes that fulfill the Area Plan goals for the neighborhood.

Since 2008, the Area Plan adoption also created a new recommendation to update and adopt the Cherry Creek East Design Guidelines. The proposed PUD responds to this change by incorporating relevant design guidelines into the zoning.

4. Uniformity of District Regulations and Restrictions

The uniformity criterion establishes that all properties within the same zone district be subject to the same regulations and restrictions. The proposed rezoning meets this criterion by virtue of the fact that the proposed PUD applies only to the subject property, and no other properties in the City have this zone designation.

Staff Recommendation

Based on the analysis set forth in this staff report, CPD staff finds that the application to rezone the property at 151, 155, 165, 171 & 175 S. Harrison Street from PUD 625 to new PUD 637 under Former Chapter 59 meets the requisite review criteria. Accordingly, staff recommends approval.

Attachments

1. Proposed PUD #637
2. Application

PUD ZONE DISTRICT #637 District Regulations

1. SCHEDULE

The requirement for a schedule has been waived by the Zoning Administrator and CPD Executive Director on the determination that this information is not necessary for the review of PUD #637.

2. DESCRIPTION OF PLANNED UNIT DEVELOPMENT (PUD)

The use of terms “Article” or “Section” refer to portions of the Revised Municipal Code of the City and County of Denver. It is required that the current terms and uses already defined in Section 59-2 of the Zoning Ordinance be used in describing this proposal. Terms like “retail” or “light industrial” require further definition. Gross floor area shall include interior balconies and mezzanines, but shall not include parking garages, any story of a building where at least seventy-five percent (75%) of that floor is occupied by mechanical equipment or any story where the ceiling is less than four (4) feet above grade. Attach additional sheets if necessary.

a. MAXIMUM GROSS FLOOR AREA FOR EACH PROPOSED USE

	Use	Maximum Square Feet
A.	Residential	32,750
B.		
C.		
D.		
	Total Square Feet	32,750

MAXIMUM FLOOR AREA RATIO (F.A.R) 1.31 : 1.

The floor area ratio is the ratio between the gross floor area of a building to the area of the zone lot on which the building is constructed. NOTE: Land area dedicated for public streets is not included in the area of the zone lot.

MAXIMUM NUMBER OF DWELLING UNITS: 15

MAXIMUM NUMBER OF DWELLING UNITS PER ACRE 26.1 D.U./AC.

b. LAND COVERAGE BY BUILDINGS AND IMPERVIOUS SURFACES

	SQUARE FT	% OF SITE AREA
Maximum area of building coverage (including garage(s) and all other accessory structures):	11,829	47
Maximum area of drives and parking:	6,546	26
Maximum area of other impervious surfaces:	3129	13
MAXIMUM TOTAL OF BUILDING AND IMPERVIOUS SURFACES	21,504	86

c. LANDSCAPED AND/OR PERMEABLE AREAS

	SQUARE FEET	% OF SITE AREA.
Minimum area of live or organic landscaped lot coverage:	3155	13
Approximate area of non-live material coverage (graveled or other areas with permeable surfaces):	403	2
MINIMUM TOTAL OF LANDSCAPED AND/OR PERMEABLE AREAS:	3,558	14

d. PROJECT AREA TOTALS (totals of “b” and “c” above)

	SQUARE FEET
Building and impervious surfaces:	21,504
Landscaped and/or permeable areas:	3,558
TOTAL SITE AREA: (This area must equal the site area listed on page 1)	25,062

e. SETBACKS

The minimum setbacks for buildings are shown on the District Plan. A building envelope may be used to graphically depict the minimum setbacks required.

North:	<u>5.5</u> feet	Front:	_____ feet	
South:	<u>5.0</u> feet	OR	Rear:	_____ feet
East:	<u>10.0</u> feet		Side:	_____ feet
West:	<u>5.0</u> feet			

The minimum spacing between buildings shall be 10 feet

Permitted encroachments into the minimum setbacks for buildings shall conform to Section 59 - 120(b)4 of the R-1 zone district.

Official Parkway Setback requirements for this P.U.D. are: NA feet for buildings and NA feet for signs.

f. MAXIMUM HEIGHTS OF STRUCTURES

The maximum height of structures shall be 3 stories which shall not exceed a total of 42 feet NOTE: The height of a building shall be determined by the vertical distance from the highest point of a pitched roof or the top of parapet around a flat roof to the average elevation of the corners of the proposed building at the finished grade.

Rooftop features (such as solar collectors, antennas, chimneys, flues, vents and air conditioning equipment) may exceed the maximum height of structures by 5 feet.

Bulk plane restrictions ☐ shall ☒ shall not be required. If required, bulk plane restrictions shall conform to Section 59 - _____ of the _____ zone district. NOTE: Solar collectors and mechanical equipment are not exempted from bulk plane regulations!!

g. OFF-STREET PARKING

This project shall contain off-street parking spaces at the ratios shown in the following chart. If completed to the maximum floor area, the project shall contain a minimum of 26 off-street parking spaces. **Parking for residential uses should be expressed in number of spaces per dwelling unit.** NOTE: Any floor area utilized by a permitted use listed under 2.a. in a story where the ceiling is less than four (4) feet above grade shall be calculated into the off-street parking requirement.

Dwelling, Multiple Unit	1.73 Per Unit
Use A	Parking Ratio
_____	_____ square feet
Use B	Parking Ratio
_____	_____ square feet
Use C	Parking Ratio
_____	_____ square feet
Use D	Parking Ratio

NUMBER OF OFF-STREET PARKING SPACES PER
DWELLING UNIT:

1.73

MINIMUM NUMBER OF OFF-STREET PARKING SPACES FOR PERSONS
WITH DISABILITIES: 0.

Does this P.U.D. comply with the use and maintenance requirements of Section 59-585(2)-(9)? Yes ☐ No ☐ **NA** All off-street parking is in garages.

Do the parking spaces and/or aisles in this P.U.D. comply with the requirements of Section 59-588, Chart No. 1? ☐ Yes ☐ No **NA**. If **no** complete the following section:

☐ PARKING SPACE

Universal space dimensions	_____
Compact space dimensions	_____
Large space dimensions	_____
Ratio of compact spaces to large spaces	_____

☐ DRIVING AISLES

Aisle widths	_____
Angle of stalls	_____

Will this project contain parking for bicycles? Yes ☐ No ☒ If yes, bicycle parking requirements shall be _____. Will this (these) bicycle parking area(s) comply with the rules and regulations for dimensional and equipment standards of Section 59-582(e)? Yes ☐ No ☐. If not, bicycle parking fixtures and locations shall be approved by the City Bicycle Planner (720-865-2453).

h. OFF-STREET LOADING

This project contains 0 off-street loading space(s). Will this (these) space(s) conform with dimensions required in Section 59-599? Yes ☐ No ☐ If not, off-street loading space dimension requirements shall be: _____.

i. SURFACE DRAINAGE

The rules and regulations of the Wastewater Management Division will require certain design and construction considerations to control surface water runoff. Does the site contain a flood hazard area as identified by the Federal Emergency Management Agency? ☐ Yes ☒ No Does the site contain wetland areas? ☐ Yes ☒ No For assistance in answering these questions, contact the Wastewater Management Division at 303-446-3400.

j. INTERIOR STREETS, DRIVES, PARKING AREAS AND PEDESTRIAN WALKWAYS

Interior streets, drives, parking areas and pedestrian walkways within the P.U.D. district, if any, are shown on the District Plan.

k. EASEMENTS

Existing and/or proposed utility and/or access easements are shown on the District Plan or are located as follows:

*Continuous 5' easement on north property line. A complimentary easement is on the adjacent property giving a total of 10' easement for the existing storm sewer.

l. LANDSCAPING AND BUFFERING

Areas to be landscaped must be shown on the District Plan. However, a more detailed landscaping plan may be required by the Planning Office as a part of this application. All foliage shall be maintained in a healthy, growing and safe condition. NOTE: A detailed landscaped plan is required as a part of the site plan review phase after the rezoning is approved.

NUMBER OF EXISTING TREES: 0.

MINIMUM NUMBER OF TREES TO BE PLANTED:

On private property: 9.

On public right of way or in tree lawns: 7.

If street trees are proposed or required in the public right-of-way, such trees shall be installed in accordance with the requirements of the City Forester (303-964-2480). If street tree plantings are required within the right-of-way of a state highway, contact the Colorado Department of Transportation for approval (303-757-9930).

MINIMUM SIZE OF TREES AT TIME OF PLANTING:

Evergreens/Coniferous (height):. NA.

Deciduous (caliper): 2.5".

Ornamental (caliper): NA.

MINIMUM % OF EVERGREEN OR CONIFEROUS TREES: NA.

MINIMUM NUMBER OF SHRUBS TO BE PLANTED ON PRIVATE PROPERTY: NA.

MINIMUM SIZE OF CONTAINER AND HEIGHT AND/OR SPREAD REQUIREMENTS FOR PLANTED SHRUBS: 5 gal.

Does the proposed P.U.D. comply with parking lot landscaping requirements of Section 59-585(11) ☐ Yes ☐ No ☒ NA

All foliage shall be maintained in a healthy, growing and safe condition.

FENCES AND/OR WALLS

The height of fences and/or walls which may be built in the P.U.D. district, except for the front setback space, shall be a minimum of 3.5 feet and a maximum of 6 feet

The height of fences and/or walls which may be built within the P.U.D. district front setback space shall be a minimum of 3.5 feet and a maximum of 3.5 feet

Size and types of materials permitted for such fences and/or walls are shown on the District Plan. Fences and/or walls shall be either solid and view obscuring or open and view permitting as required by the District Plan. **NOTE:** Any fence heights exceeding the preceding requirements shall be subject to Section 59-38(11), Overheight Fences and Walls.

Will earthen berms or mounds be installed? Yes ☐ No ☒ Such earthen berms or mounds shall be landscaped and shown on the District Plan. The height of earthen berms or mounds shall be a minimum of _____ feet and a maximum of _____ feet.

m. **BOAT, CAMPER, TRAILER AND RECREATIONAL VEHICLE STORAGE**

Boat, camper, trailer and recreation vehicle storage ☐ is ☒ **is not** permitted on the property. All such storage facilities shall be shown on the District Plan. If boat, camper, trailer and recreation vehicle storage areas are permitted, screening fences **are required**. Such fences shall be **solid and view obstructing**. Fences shall be a minimum of _____ feet and a maximum of _____ feet in height.

MAXIMUM LENGTH OF BOAT, CAMPER, TRAILER AND/OR RECREATION VEHICLE PERMITTED: _____.

n. **DEDICATIONS AND IMPROVEMENTS**

The owner understands that City ordinances and agency rules and regulations may require the dedication of additional street right-of-way and the construction of certain public improvements. **VACATIONS AND/OR DEDICATIONS MUST**

BE APPROVED PRIOR TO OR AT THE PUBLIC HEARING ON THIS PROPOSAL. If this proposal involves the vacation of certain public rights-of-way for incorporation into the project area, contact the Public Works Department at 720-865-3124.

o. EXTERNAL EFFECTS

Vibration, heat, glare, radiation and fumes shall be regulated by Section 59-92 of the R-1 zone district.

Reflective glass **may not** be used.

Every use, unless expressly exempted, shall be operated within a completely enclosed structure. ☒ Yes ☐ No

p. NATURAL TERRAIN

The existing grade of the site **will not** be altered.

*The existing natural terrain and grades of site will not be substantially altered.

Minor grading will be done to safely and properly convey the drainage

q. UTILITIES

Describe where the utilities (public and private) serving the property are located

*Water will be provided from existing water mains in Harrison St. and/or Cedar Ave. Sanitary will be provided by existing sanitary in alley.

For information contact the following:

Denver Water Board	303-628-6100
Qwest	303-451-2706
Excel Energy	303-571-7502
Wastewater Management	303-446-3590

r. SIGNS

The project is regulated by the following:

Section 59-537, Signs permitted in all districts

Section 59-538, Sign area measurement

Section 59- 548, Sign regulations for the R-1 zone district.

If no specific regulations are referenced above, please indicate the following:

MAXIMUM NUMBER OF SIGNS:	<u>1.</u>
MAXIMUM SIGN AREA:	<u>NA.</u>
TOTAL MAXIMUM SIGN AREA:	<u>NA.</u>
NUMBER OF GROUND SIGNS ALLOWED:	<u>NA.</u>
NUMBER OF JOINT ID SIGNS ALLOWED:	<u>NA.</u>

MAXIMUM SIGN AREA PER JOINT ID SIGN: NA.
 TOTAL MAXIMUM JOINT ID SIGN AREA: NA.
 TEMPORARY SIGNS ALLOWED: NA.
 NUMBER OF CANOPIES AND AWNINGS: NA.
 CANOPIES AND AWNINGS WILL BE BACKLIT? ☐ Yes ☒ No

NOTE: All ground, monument, and joint ID sign locations and setbacks must be shown on the District Plan.

s. OUTDOOR STORAGE OF PRODUCTS, MATERIALS OR SOLID WASTE

Outdoor storage of products and/or materials ☐ is ☒ **is not permitted.** If permitted, what products and/or materials are allowed? _____.

Fences for outdoor storage areas shall be provided. Said fences are solid and shall be a minimum of _____ feet and a maximum of _____ feet in height.

Outdoor storage of solid waste **is** permitted (trash enclosure). If permitted, fences for such outdoor storage areas shall be provided. Said fences shall be solid and shall be a minimum of 5 feet and a maximum of 6 feet in height.

NOTE: All outdoor storage areas must be shown on the District Plan.

*** Trash Enclosure**

t. TRANSPORTATION

The current traffic volumes on streets in or adjacent to the project must be shown on the Existing Conditions Map. These volumes are available for major streets from the Transportation Engineering Division (720-865-3150), the Community Planning & Development Agency Office (720-865-2915) or may be estimated by the applicant based on a professional traffic study. Streets for which no estimate is available should be so noted on the Existing Conditions Map.

The projected traffic volumes (current traffic volumes on streets in or adjacent to the project + site generated traffic) must be shown on the District Plan. Site generated traffic should be estimated based on the proposed project type, size, and other relevant factors. Ratios for estimating traffic are available in the Institute of Transportation Engineers reference books at the library.

For projects with total daily site generated traffic of more than 200 vehicle trips, or for projects in areas with special problems, a more detailed analysis may be required, and the applicant should contact the Transportation Engineering Division for further guidance.

PUBLIC TRANSPORTATION

The nearest bus stop is located (where?):

* Stop #13088, S. Colorado Blvd & Bayaud Ave

u. SCHOOLS

Future school sites **will not** be dedicated as a part of this project.

v. HOME OCCUPATIONS

Home occupations ARE permitted. If so permitted, home occupations shall conform to Section 59-89 of the R-2 zone district.

w. USES BY TEMPORARY PERMIT

Uses by temporary permit are regulated by Section 59-86 of the R-2 zone district.

*NONE

x. ACCESSORY USES

Accessory uses are regulated by Section 59-87 of the R-2 zone district.

*NONE

y. INTERIM USES

Prior to the development of this project, the property will be used on an interim basis for the following uses within the existing buildings: NA.

*NONE

z. PHASING

Will the project be developed in phases? ☒ **Yes** ☐ **No** If yes, specify the phasing and the improvements to be constructed in each phase. Building #1 will commence first with the remaining 3 buildings starting every 4 months.

NOTE: A separate site plan review is required for all P.U.D.'s prior to obtaining zoning or building permits for construction. Contact the Zoning Administration (720-865-3000) for more details. This process may be started after the Planning Board hearing has been completed.

3. WRITTEN STATEMENT - Attached

On an attached page (see page 11) a written statement is given generally describing:

- a.** The proposed P.U.D. and the market which it is intended to serve.
- b.** The proposed P.U.D. and its relationship to the Denver Comprehensive Plan. Where the applicant's objectives are not in substantial conformance with the Denver Comprehensive Plan, the applicant should discuss the changing conditions that justify approval of the proposed P.U.D. District. For help on this contact the Community Planning & Development Agency Office (720-865-2915).

- c. How the proposed P.U.D. District is to relate to the character of the surrounding neighborhood.

4. EXISTING CONDITIONS MAP

The requirement for an Existing Conditions Map has been waived by the Zoning Administrator and CPD Executive Director on the determination that this information is not necessary for review of PUD #637.

5. DISTRICT PLAN

5.A Design Standards are attached.

5.B District Plan

The District Plan is attached.

This PUD includes the following listed and attached drawings or renderings:

- ☐ architectural concepts
- ☒ building elevations (conceptual only)
- ☐ façade treatments (conceptual only)
- ☐ exterior building materials (conceptual only)
- ☐ and/or other important features (list): _____.

6. ACKNOWLEDGMENT

The applicant for this P.U.D. is the owner or owners of all the property contained within the proposed P.U.D. District or is the agent for the owner or owners of all the property contained within the proposed P.U.D. District. NOTE: Agents must supply proof of agency from the owner or owners of the property at the time of application.

The applicant understands that vested property rights shall be created ninety (90) days after the approval of this District Plan by the Denver City Council. These vested property rights shall remain vested for a period of three (3) years in accordance with Section 59-29.

Reid Phillips, manager Empire Holding
Print or type Applicant's Name(s)

as manager
Applicant's Signature(s)

PUD 637 – Written Statement (Attachment Number 1)**3a. The proposed P.U.D. and the market which it is intended to serve.**

The 15-unit project is intended to provide middle income housing and is designed to attract young professionals and families who will appreciate a community that is strongly connected to Cherry Creek and its abundant amenities.

3b. The proposed P.U.D. and its relationship to the Denver Comprehensive Plan.

The proposed PUD is consistent with many policies and objectives of the Denver Comprehensive Plan 2000 including:

Environmental Sustainability – strategy 2-D: Promote energy-efficient technologies and the use of renewable energy (including solar, hydro, wind and others) in the home, the workplace, and for transportation.

Sustainable Design - This project incorporates high performance energy conservation design principles and Photovoltaic Solar Systems.

Environmental Sustainability – strategy 2-F: Promoting infill development within Denver at sites where services and infrastructure are already in place.

Infill Development - This project is located in the Cherry Creek East and has all available services and infrastructure in place.

Land Use – Objective 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

Area of Change - This property is located in an Area of Change and is being developed consistent with the surrounding G-MU-3 zoning.

Land Use and Transportation: strategy 4-A Encourage mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces impact on the environment, and encourages vibrant urban centers and neighborhoods.

Transit-Oriented-Development – This project is located in the transit rich Cherry Creek neighborhood and is ½ block away from the major transit corridor, Colorado Boulevard.

Housing – objective 2: Encourage preservation and modernization of Denver’s existing housing stock and established neighborhoods. Support addition of housing in expansion and infill development.

Infill Development– The Harrison Street Townhome project is an in-fill development in a block designated as an Area of Change.

Middle-Income Households – strategy 4c: Ensure that plans for new development areas include traditional urban neighborhoods with well-designed, well-built homes affordable to middle-income households and close to work, shopping and services.

Middle-Income Housing– The Harrison Street Townhome project is intending to serve middle-income residents.

Preferred Housing Development -- objective 6 Encourage mixed-use, mixed-income housing development in Denver's core area and along transit lines.

Middle-Income Housing— This middle-income housing project is located in the transit rich Cherry Creek neighborhood and is ½ block away from the major transit corridor, Colorado Boulevard.

3c. How the proposed P.U.D. District is to relate to the character of the surrounding neighborhood.

The Harrison Street Townhome project is located in the Cherry Creek East Neighborhood and north and east of the Cherry Creek shopping district, in what historically was essentially a single-family residential neighborhood. The area is now being redeveloped with new multi-family residences, primarily townhomes. Per the Cherry Creek Area Plan, the neighborhood vision is to continue redeveloping the area in a manner that focuses on livability and produces a well-integrated blend of residential living units. This PUD request respects the Area Plan's recommendations by providing a quality in-fill development that will respect the predominant urban form of detached sidewalks, tree lawns, landscaped block-sensitive setbacks, alley access to structures, limited curb cuts and building entry features that are visible from the street.

5.A RESIDENTIAL DESIGN STANDARDS - 151-175 S. Harrison Street Townhomes

SITE DESIGN	
Objective	Standards
Vehicular Access	<ul style="list-style-type: none"> Parking shall be accessed off of the alleys.
Parking	<ul style="list-style-type: none"> Parking shall be buffered from neighboring properties by walls, fences and or landscape of sufficient height to block the view of vehicles. Garages shall not face the street.
Pedestrian Access	<ul style="list-style-type: none"> All building entries shall be directly connected to the street via a pathway, paved walkway, staircase, or ramp.
Landscaping	<ul style="list-style-type: none"> A minimum of 75% of the pervious area between the sidewalk and the building shall be landscaped with shrubs, groundcover, and trees. The remaining 25% of the area may be sod. A landscape strip a minimum of 2'-0" wide shall be provided between the sidewalk and fences or site walls.
Lighting	<ul style="list-style-type: none"> Use the standard pedestrian light (fixture information available from Planning Office) in the tree lawn throughout the district. Pedestrian lights shall be spaced in accordance with the streetscape template. Alleys shall be lighted by fixtures attached to garages, rather than by streetlights. Fixtures shall provide continuous lighting, rather than being "motion sensitive".
Walls and Fences	<ul style="list-style-type: none"> Fences or walls in front yards shall be no taller than 3.5'. Fences or walls may be no wider than 16". Mechanical equipment and trash storage areas shall be screened with a fence, wall or landscaping. Side and rear yard fences shall be no taller than 6 feet with a maximum of 4 feet of solid material at the base and the remainder constructed of lattice or similar material that is at least 50% open. All walls and fences shall be constructed of the same or comparable building materials and architectural detailing as the structures they enclose. Chainlink fences shall not be allowed.
Mechanical Equipment	<ul style="list-style-type: none"> All mechanical equipment, including meters, shall be screened from the public right-of-way and adjacent residences by fences, walls and or landscaping. Screening of rooftop mechanical, satellite dishes and antennas should be incorporated into the building architecture.

ARCHITECTURAL DESIGN	
Objective	Standards
Building Facades	<ul style="list-style-type: none"> Provide materials and detailing of human scale Use modular materials such as brick, architectural masonry units and stone Break up continuous wall surfaces with details and reveals Provide architectural features such as belt courses, sills, and window surrounds to provide variety and detail Each building facade visible from the street shall utilize three or more of the following scaling elements: <ul style="list-style-type: none"> expressions of structure, including banding, belt coursing, watertables, columns, pilasters, piers; patterns of window and door openings that are emphasized through the use of sills, lintels, pediments, muntins, mullions, and other scale providing elements whose size and proportion relate to the uses and room types within changes in massing change in color change in texture change in material module or pattern Each change of material must involve a minimum 2" surface variation. Material changes shall occur at inside corners or at a detail specifically designed to provide a transition.
Building Orientation and Placement	<ul style="list-style-type: none"> No less than 65% of the building facade shall be oriented parallel to the street on which it fronts.
Building Form and Massing	<ul style="list-style-type: none"> Provide variation on the plane of the building facade through the use of protruding bays or porches, upper level step-backs or off-sets in the main plane of the facade. Rooflines shall be designed to create the appearance of individual residences. Facade proportions including the height to width and wall to window ratio shall create the appearance of individual residences.
Window Proportion	<ul style="list-style-type: none"> The height of individual windows must equal or be greater than their width. Horizontal window bands shall consist of groups of vertically proportioned individual windows.
Corner Lots	<ul style="list-style-type: none"> Each ground floor unit shall have direct access to a covered front porch.

	<ul style="list-style-type: none"> • Porches shall be a minimum of 6' x 10'. • At least half of the dimension of the porch shall protrude from the facade rather than being recessed into the floor plan.
Windows — Glazing Transparency	<ul style="list-style-type: none"> • Use only clear or low "E" with no additional reflectance rating.
Signs	<ul style="list-style-type: none"> • New buildings shall be designed with built-in sign bands or locations to accommodate signage that is complementary to the buildings architecture, detailing, and materials. • Signs shall be compatible with the character of the surrounding district and adjacent architecture in terms of scale, color, materials, lighting levels, and adjoining uses. • Signs shall be compatible with the architectural characteristics of the buildings on which they are placed in terms of scale, proportion, color, materials and lighting levels. • Signs shall be expressive of the business or activity for which they are displayed. • Signs shall be creative in the use of two and three-dimensional forms, iconographic representations, lighting and graphic design, including the appropriate use of color, pattern, typography and materials. • Signs shall be constructed with high quality, durable materials appropriate to the physical demands of an urban setting. • Signs on commercial buildings shall fit within existing features of the building's facade. • Illumination external to the sign surface with lighting directed at the sign is preferred over internally lit. • Sign lighting must be directed so that it does not illuminate adjacent buildings.
Porches	<ul style="list-style-type: none"> • For projects proposed on corner lots, elevations that face the streets shall incorporate at least three of the following elements: <ul style="list-style-type: none"> ○ bay window, porch or balcony ○ projections or other devices ○ windows or glazed doors ○ change in the vertical or horizontal wall plane
Glass : Wall Ratio	<ul style="list-style-type: none"> • Windows and doors shall comprise not less than 15% or more than 50% of any front or street-facing facade.

STREETSCAPE DESIGN

Streetscape improvements should help create a unique identity for Cherry Creek East, while at the same time providing continuity with the historic Denver streetscape, as well as that of surrounding areas. Streetscaping should help to create a comfortable and inviting pedestrian and vehicular environment.

Objective	Standards
Street and Parking Lot Lighting	<ul style="list-style-type: none"> • Lighting shall be designed to provide even and uniform light distribution without hot spots or dark spots. • All lighting shall utilize low cut off fixtures to avoid glare. • Placement of fixtures shall provide a coordinated and organized appearance that facilitates uniform light levels and works with the placement of sidewalks and landscaping. • Parking area lighting adjacent to residential development shall direct the light away from the residences. • Parking area lights shall be extinguished one hour after the close of business except for minimum lighting of some of the poles as needed to insure security of the space. • Parking area lighting should complement the lighting of adjacent street and properties and should use
Pedestrian Lighting	<ul style="list-style-type: none"> • Pedestrian lights shall be located in the public right-of-way. Fixture model, height, lamp type, wattage, and spacing shall be consistent with the Cherry Creek East Streetscape Grid.
Sidewalks	<ul style="list-style-type: none"> • Sidewalks shall be detached from the curb. • The sidewalk shall be at the property line on the east/west streets. • Sidewalks shall be 5 feet wide minimum. • Sidewalks generally must be straight, but may meander to avoid removal of mature trees.
Tree Lawns	<ul style="list-style-type: none"> • A tree lawn at least 8 feet in width on the north-south streets, and a minimum of 5 feet in width on the east-west streets, shall abut the paved right-of-way. • The tree lawn shall be landscaped only with grass and street trees. • Street trees must be planted in the tree lawn, in accordance with the Cherry Creek East Streetscape Grid. • Newly planted street trees shall be 2-1/2-inch caliper minimum.
Utility Lines	<ul style="list-style-type: none"> • Utility lines shall be placed underground NOTE: All walks, landscaping, and amenities within the public rights-of-way shall conform to the standard 1993 City and County of Denver Streetscape Design

1"=30'-0"



PLANNED DEVELOPMENT
151-175 SOUTH HARRISON STREET
LOCATED IN THE S.E. $\frac{1}{4}$ OF SECTION 12, TOWNSHIP 4
SOUTH, RANGE 68 WEST OF THE SIXTH P.M.
CITY AND COUNTY OF DENVER
STATE OF COLORADO
.575+- ACRES

CODE USED FOR ANALYSIS:
NFPA 72 2011
OCCUPANCY GROUP R-3
CONSTRUCTION TYPE VB
FULL SPRINKLERED CONSTRUCTION

HARRISON STREET TOWNHOMES



HARRISON STREET ELEVATION

1/16" = 1'-0"



CEDAR STREET ELEVATION

1/16" = 1'-0"

NOTE: ELEVATIONS SHOWN ARE CONCEPTUAL ONLY

5 OF 7
3-17-14

HARRISON STREET TOWNHOMES



ALLEY ELEVATION

1/16" = 1'-0"



NORTH ELEVATION

1/16" = 1'-0"

NOTE: ELEVATIONS SHOWN ARE CONCEPTUAL ONLY

6 OF 7
3-17-14



APPLICATION FOR ZONE MAP AMENDMENT

Application #	2014I-00019	Date Submitted	3/20/14	Fee Required	\$1000	Fee Paid	\$1000
APPLICANT INFORMATION				CONTACT INFORMATION (Same as Applicant? <input type="checkbox"/>)			
Applicant Name	Empire Holding			Contact Name	Stephen Sparn Architects, PC		
Address	801 Main Street, STE 120			Address	1731 15 th Street, STE 250		
City, State, Zip	Louisville, CO 80027			City, State, Zip	Boulder, CO 80302		
Telephone / Fax	719 / 510-1360			Telephone / Fax	303 / 442-4422		
Email	reid@nesthomecompany.com			Email	ssparn@sparn.com		
Subject Property Location [Please Include Assessor's Parcel Number(s)]							
151, 155, 165, 171 & 175 South Harrison Street							
Legal Description of Subject Property							
Lots 21-28, Block 29, Burlington Capitol Hill Addition							
Area of Subject Property (Acres/Sq Ft)		Present Zone District		Proposed Zone District (Waivers and Conditions Require Separate form)			
.575 acres/25,062 Sq. Ft.		PUD #625		PUD			
Describe the nature and effect of the proposed Zone Map Amendment							
<p>The proposed Zone Map Amendment to the existing PUD #625 allows for the project to be updated to current urban residential standards that focuses on improving livability while providing a well-integrated blend of residential units. The previously approved PUD had deficiencies in the site plan and the architectural form and layouts were functionally obsolete compared to today's market standards. The number of units approved within PUD #625 (15 units) and this amendment request have not changed. The primary focus of this proposal has been to improve the site plan and quality of the residential units. This amendment includes four residential buildings which include fifteen (15), 3-story townhome units plus enclosed stairway to rooftop deck and 26 on-site parking spaces, all in enclosed garages. See written statement for specific details.</p>							
Select Legal Basis for the Zone Map Amendment and explain in detail				Error in the map as approved by City Council		<input type="checkbox"/>	
				Changed or Changing Conditions that make a Zone Map Amendment Necessary		<input checked="" type="checkbox"/>	
Legal Basis for the Zone Map Amendment							
<p>The properties at 151 – 171 South Harrison Street has been designated an <i>Area of Change</i> in Denver's integrated land use plan, <i>Blueprint Denver</i> and in the <i>Cherry Creek Area Plan</i>. This area, located in East Cherry Creek and north and east of the Cherry Creek shopping district, in what historically was essentially a single-family residential neighborhood, is now being redeveloped with new multi-family residences, primarily townhomes. The neighborhood vision is to continue redeveloping the area in a manner that focuses on livability and produces a well-integrated blend of residential living units. We are requesting a Zone Map Amendment to establish the appropriate framework for achieving the <i>Blueprint Denver</i> vision for <i>Areas of Change</i>.</p> <p>Specifically, we are requesting to amend the existing PUD to improve the existing PUD#625 in order to improve the site plan and improve the quality of the residential units. We have conducted two meetings with the <i>Cherry Creek East Neighborhood Association</i> as well as a conference with our City Council Representative. The CCENA Board of Directors have provided a letter of support to Staff. Their recommendation encouraged us to amend the existing PUD #625 because the process allows for the applicant to include binding design standards into the Zone Map Amendment.</p>							

See 5.A Design Standards in our PUD application form for specifics as well as the Written Statement provided as part of this application.

The **Cherry Creek Area Plan** notes *"The properties on the east side of Harrison have seen a continued lack of private investment. Existing building have deteriorated and vacant lots remain undeveloped. Challenges include adjacency with the heavily traveled Colorado Boulevard and its parkway setbacks, parcel depth and access. Though there is a desire for change along Harrison to spark private investment, multiple property owners with varied goals, narrow block depth, lack of sidewalks and high traffic volumes are all challenges."*

This Zone Map Amendment request respects the Area Plan's recommendations by providing a quality development that will respect the predominant urban form of detached sidewalks, tree lawns, landscaped block-sensitive setbacks, alley access to structures, limited curb cuts and building entry features that are visible from the street.

State the land use and the development proposed for the subject property. Include the time schedule (if any) for development

The proposed land use is to build 15 residential townhome units on the property. 11 units will have attached 2-car garages and 4 smaller units will have an attached 1-car garage, all accessed off of the adjacent alley by means of an on-site private drive. The project will be a for-sale condominium development. The project will begin construction immediately up receipt of all entitlement approvals anticipated to be in the late summer of 2014.

Required Exhibits		Additional Exhibits
Applicant & Owner Information Sheet	<input type="checkbox"/>	
Maps – Required for Final Submissions	<input type="checkbox"/>	
Case Manager	Sarah Showalter	
Signature		Date

APPLICANT & OWNER INFORMATION SHEET

[1] Section 59-648(c) of the Denver Revised Municipal Code requires that an applicant for rezoning provide the applicant's name, address, and respective ownership interest, if any, on the application. In addition, unless subject to paragraph [2] below, the applicant must provide, in the space provided on this form, a list of all the owners of the property and the holders of deeds of trust, identifying which owners and holders of deeds of trust are represented by the applicant.

[2] If the application is for designation of an area as B-2, B-3, R-X or PUD zone district, the applicant must submit the concurrence of the owners and holders of deeds of trust of the entire land area to be included in the proposed district (and any structures thereon). In such cases, this form must be completed for each individual owner, together with sufficient evidence of ownership for each owner and holder of a deed of trust. Documentation verifying ownership interest may include (but is not limited to): Copies of deeds, powers of attorney, and corporate/partnership registrations filed with the Secretary of State.

Application Number	Applicant's Name
	Empire Holdings C/O Reid Phillips
Property Address(es)	
151, 155, 165, 171 & 175 South Harrison Street	
Applicant's Address	
801 Main Street, STE 120, Louisville, CO 80027	

NOTE: If application is for rezoning to B-2, B-3, R-X or PUD, and the applicant is not the property owner, this form must be accompanied by a Power of Attorney statement from the property owner.

Indicate as accurately as possible the form of interest in the property, and the amount held by the individual or entity listed as "applicant" above.

Fee Title Owner (Has Deed of Ownership)	All	<input checked="" type="checkbox"/>
	A Portion	<input type="checkbox"/>
Contract Owner	All	<input type="checkbox"/>
	A Portion	<input type="checkbox"/>
Holder of a Security Interest	All	<input type="checkbox"/>
	A Portion	<input type="checkbox"/>

List the names and addresses of all owners and holders of Deeds of Trust for the property, if any, and indicate which owners or holders of deeds of trust are represented by the applicant in the space below (please add additional pages, if needed).

Empire Holding
801 Main Street, STE 120
Louisville

Signature of Applicant

Date Signed

 as manager

3/13/2014