

CITY COUNCIL PUBLIC HEARING

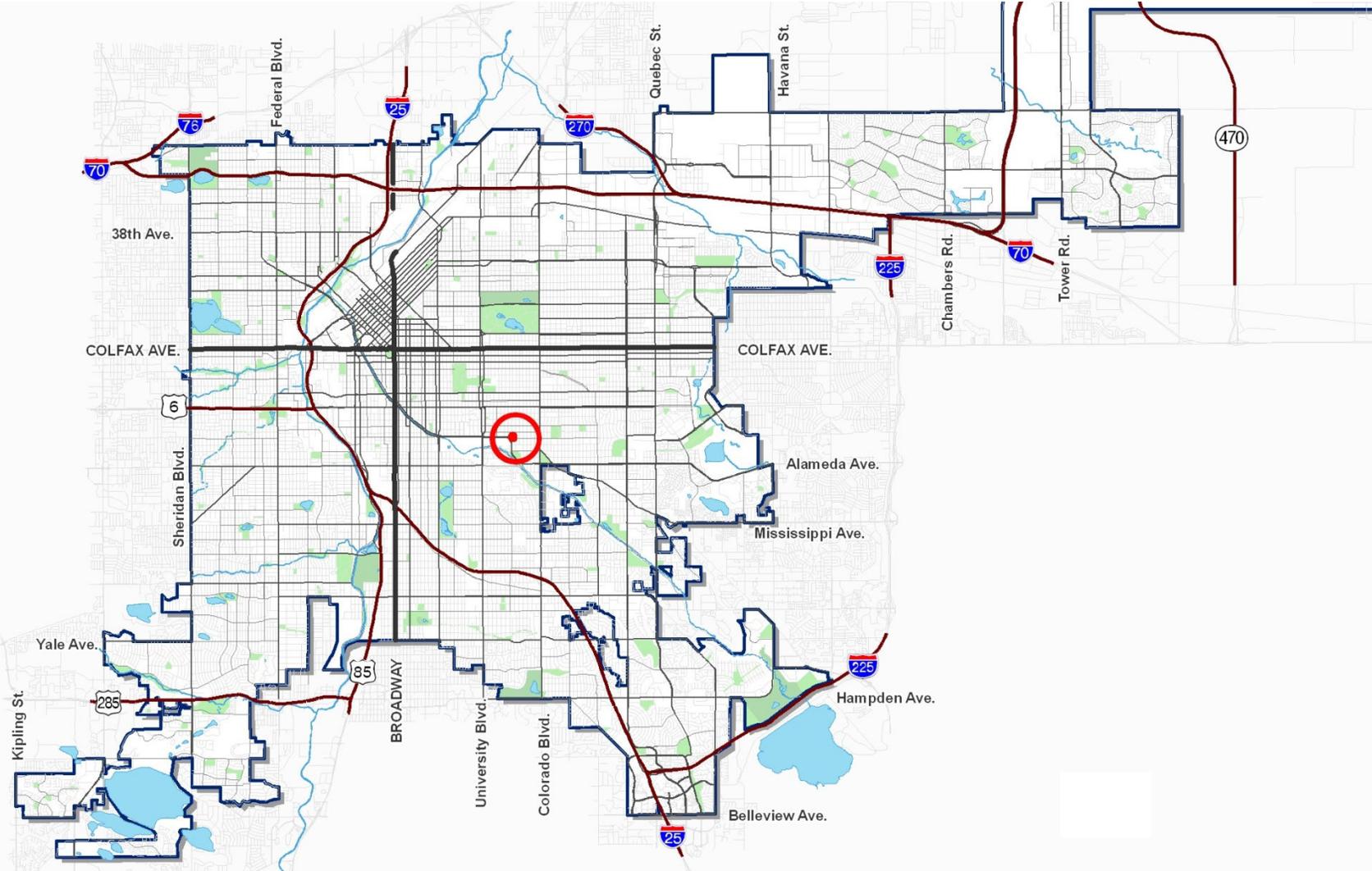
April 15, 2013

100, 102, 114 AND 128 STEELE STREET

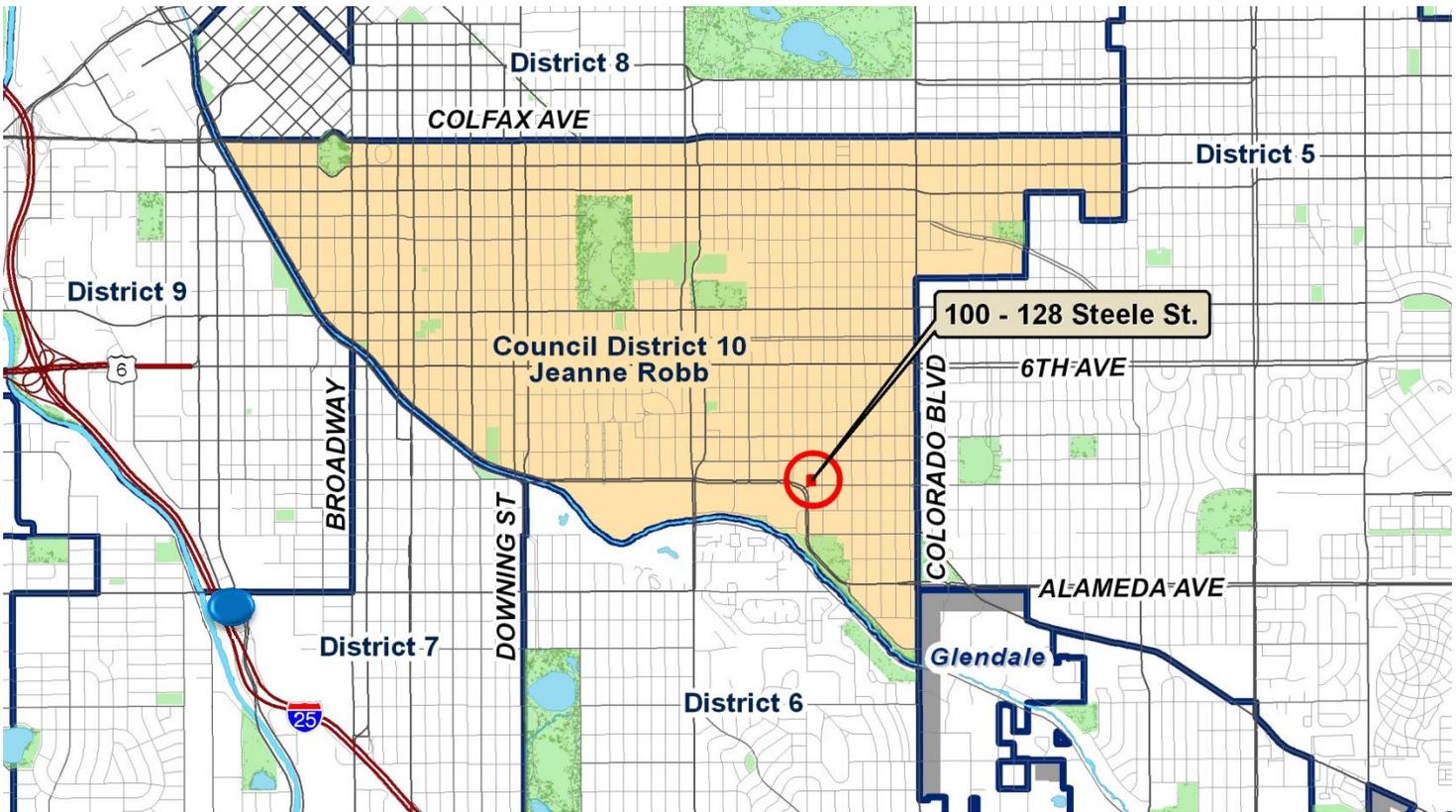
From C-CCN to C-MX-12

Located in Central Denver

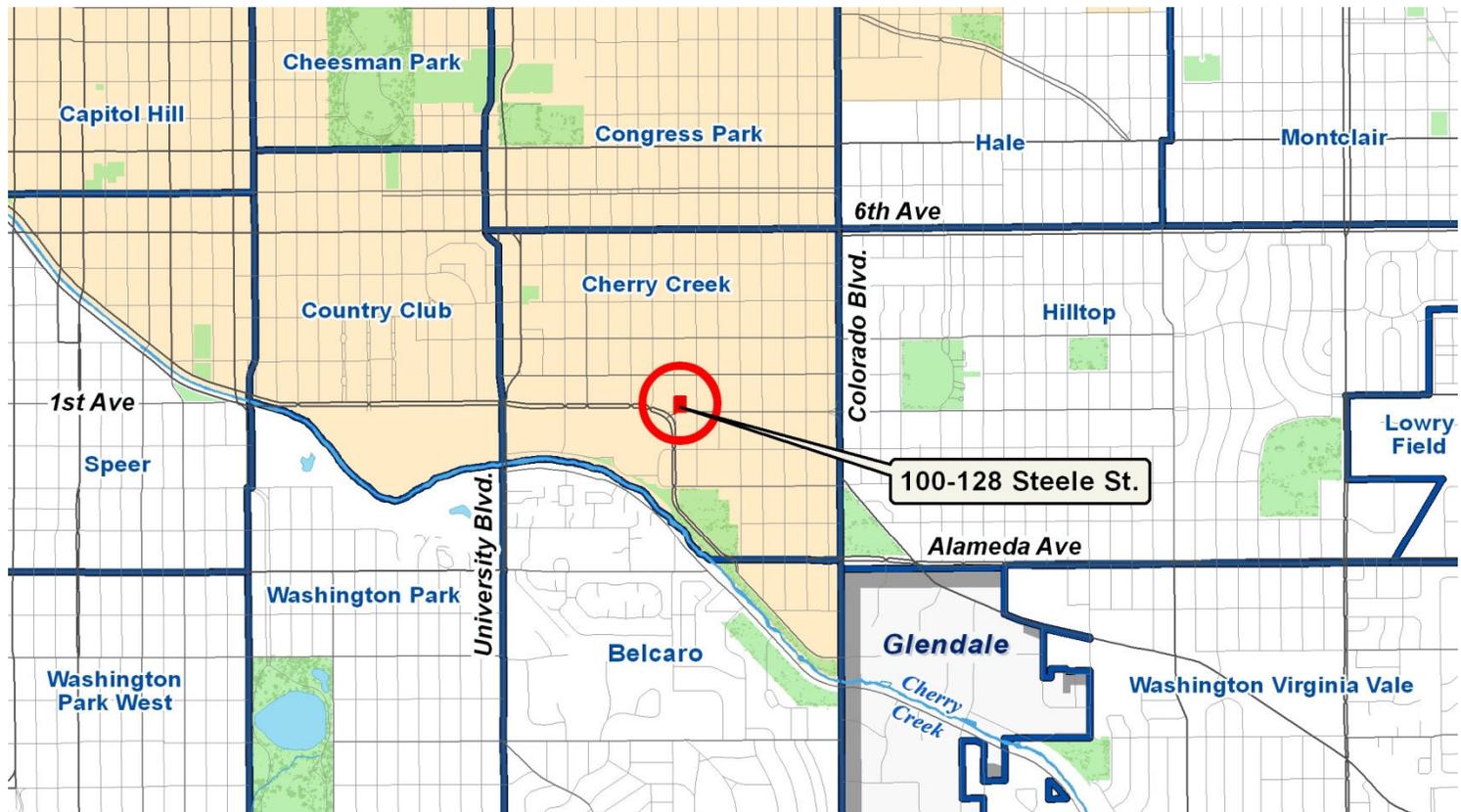
From C-CCN to C-MX-12



Council District 10



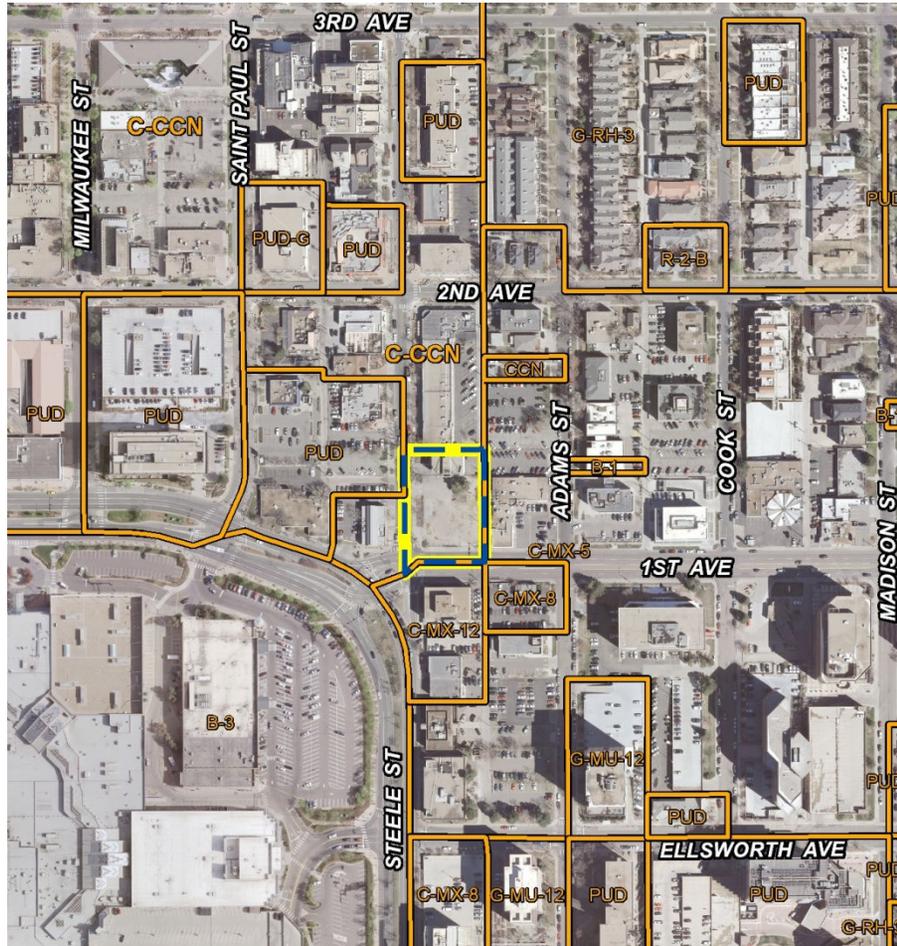
Cherry Creek Neighborhood



Location



Request



- 0.59 acres / 25,704 s.f. (200 x 125)
- Sivan 8 LLC, Sivan Eight, Terri L Beebe LLC
- Requesting rezoning to redevelop the quarter block
- Rezone from C-CCN to **C-MX-12**
 - ▣ **C** – Urban Center Neighborhood Context
 - ▣ **MX** – Mixed Use
 - ▣ **12** – 12 stories max. height (150')

Request: C-MX-12

Urban Center Neighborhood Context – MiXed Use – 12 stories max.
ht.

Article 7. Urban Center Neighborhood Context
Division 7.2 Districts

7.2.2.2 Specific Intent

- A. Mixed Use C-MX-3 buildings
- B. Mixed Use C-MX-4 buildings
- C. Mixed Use C-MX-5 buildings
- D. Mixed Use C-MX-6 buildings
- E. Mixed Use C-MX-7 buildings
- F. Mixed Use C-MX-8 buildings
- G. Mixed Use C-MX-9 buildings
- H. Mixed Use C-MX-10 buildings
- I. Mixed Use C-MX-11 buildings
- J. Mixed Use C-MX-12 buildings

SECTION 7.2.3

Article 7. Urban Center Neighborhood Context
Division 7.1 Neighborhood Context Descriptions

DIVISION 7.1 NEIGHBORHOOD CONTEXT DESCRIPTION



SECTION 7.1.1 GENERAL CHARACTER
The Urban Center Neighborhood Context consists of multi-unit residential and mixed-use commercial strips and commercial centers. Multi-unit buildings are typically Rowhouse, Courtyard Apartment and Apartment forms. Commercial buildings are typically Live-Work, Shopfront, and General Commercial forms. Multi-unit residential uses are primarily located along residential collector, mixed-use arterial, and local streets. Commercial uses are primarily located along mixed-use arterial and local streets.

SECTION 7.1.2 STREET, BLOCK AND ACCESS PATTERNS
The Urban Center Neighborhood Context consists of a regular pattern of block shapes surrounded by an orthogonal street grid. Orthogonal streets provide a regular pattern of pedestrian and vehicular connections through this context and there is a consistent presence of alleys. Block sizes and shapes are consistent and include detached sidewalks, tree lawns, street and surface parking, and landscaping in the front setback.

SECTION 7.1.3 BUILDING PLACEMENT AND LOCATION
All buildings typically have consistent orientation and shallow front setbacks with parking at the rear and/or side of the building.

SECTION 7.1.4 BUILDING HEIGHT
The Urban Center Neighborhood Context is characterized by moderate to high building heights to promote a dense urban character. Lower scale structures are typically found in areas transitioning to a less dense urban neighborhood.

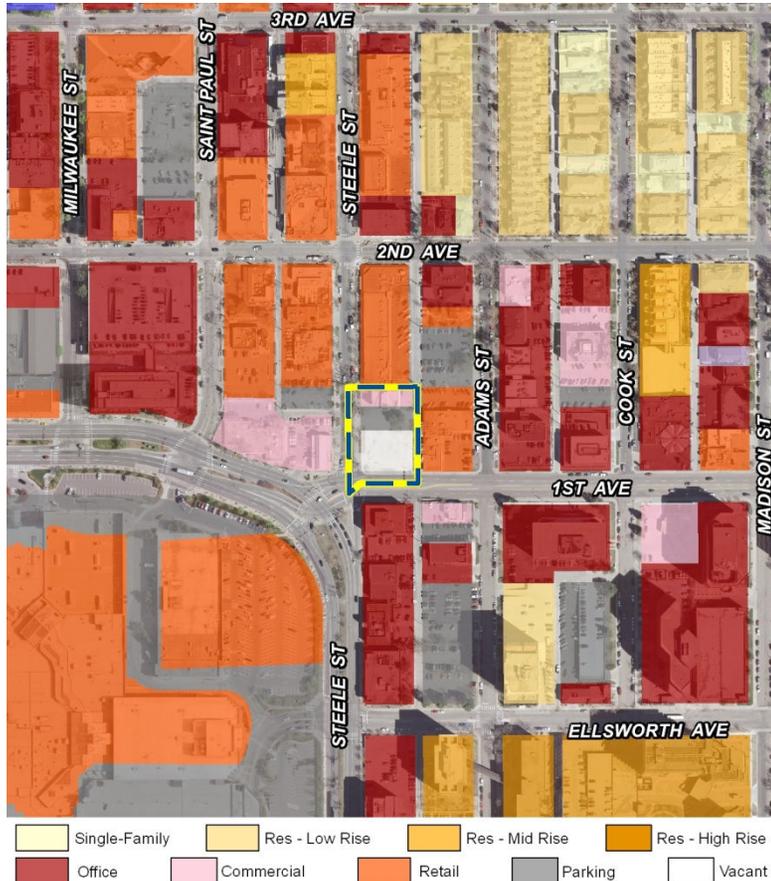
SECTION 7.1.5 MOBILITY
There are high levels of pedestrian and bicycle use with the greatest access to multi-modal transportation system.

DENVER ZONING CODE
June 25, 2010

7.2-2 | [7.1-1



Existing Context – Land Use

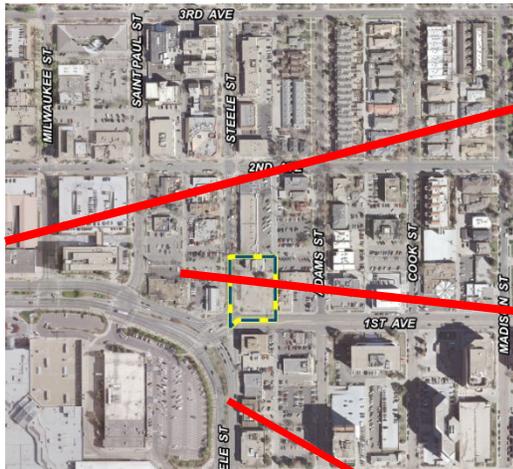


- Site includes a small office building and a vacant parcel
- Immediate surroundings are mixed use, retail, office, and commercial

Existing Context

- Zoning – C-CCN
- Design Standards & Guidelines for CCN apply to this site
- Building Form & Scale
 - ▣ Heights
 - 1 three story office building and vacant site exist
 - Area heights (within 2 blocks range from 1 to 17 stories)
 - ▣ Setbacks
 - Typically shallow but varied at the street
 - Enhanced pedestrian realm
 - ▣ Off-street parking location
 - Typically to the side or rear; some parking structures in the vicinity

Existing Context



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

Review Criteria



Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
 - ▣ Comprehensive Plan 2000
 - ▣ Blueprint Denver: A Land Use and Transportation Plan
 - ▣ Cherry Creek Area Plan (2012)
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

Review Criteria:

Consistency with Adopted Plans

Comprehensive Plan 2000

- Environmental Sustainability Strategy 2-F – “*Conserve land by **promoting infill development** within 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**.*”
- Mobility Strategy 4-E – “*Continue to **promote mixed-use development**, which enables people to live near work, retail and services.*”
- Economic Activity Strategy 4-B – **Enhance existing business centers ... in a manner that offers a variety of high-quality uses that support Denver’s business environment, complements neighboring residential areas, generates public revenue, and creates jobs. Consider the following key strategies as top priorities:**
 - *Maintain the Cherry Creek Shopping Center, **Cherry Creek North** and other nearby areas as the **premier retail destination** in the Denver metro area*

Review Criteria: Consistency with Adopted Plans

Blueprint Map Here



Blueprint Denver (2002)

- Land Use Concept:
 - Regional Center
 - Balance of retail, employment and residential uses
 - Land Use Concepts were confirmed in the Cherry Creek Area Plan
 - Area of Change
 - In Cherry Creek, “The neighborhood vision is to continue redeveloping the area in a manner that focuses on livability and produces a well-integrated blend of residential, regional and neighborhood retail, office, hotel, open space, and public uses in a pedestrian-friendly environment.”

Review Criteria:

Consistency with Adopted Plans

Blueprint Denver Urban Design Review

- Blueprint contains specific recommendations for Urban Design Review
 - ▣ “This staff intensive review is appropriate for a few high visibility areas such as downtown and Cherry Creek North”
- Design Standards and Guidelines for Cherry Creek North ensure high quality urban design

Review Criteria:

Consistency with Adopted Plans

Blueprint Denver Future Street Classifications

- 1st and Steele Corridor: Mixed Use Arterial
 - ▣ “Designed to provide a high degree of mobility and generally serve longer vehicle trips to, from and within urban areas.”
- 1st Avenue east of Steele: Mixed Use Collector
 - ▣ “Located in high-intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity”
- Steele Street north of 1st Ave.: Undesignated Local
 - ▣ “Influenced less by traffic volumes and tailored more to providing local access”

Review Criteria: Consistency with Adopted Plans



2 0 1 2
CHERRY CREEK AREA PLAN



Adopted July 16, 2012

Cherry Creek Area Plan

- Framework Plan Recommendations
- Subarea Strategies: Entire Cherry Creek Shopping District Recommendations
- Subarea Recommendations: CCN Business Improvement District

Review Criteria: Consistency with Adopted Plans



Cherry Creek Area Plan - Framework Plan Recommendations

- *“To remain prosperous, Cherry Creek must continue to grow and change. In order for this to occur in a way that reinforces the quality of life for Cherry Creek residents, the bulk of this growth should occur in these areas rather than stable neighborhoods.”*
- *“Include design elements and details such as pedestrian scaled signage, transparent windows, storefronts, building entries, building articulation, patio seating, pedestrian plazas and courtyards.”*

Review Criteria: Consistency with Adopted Plans



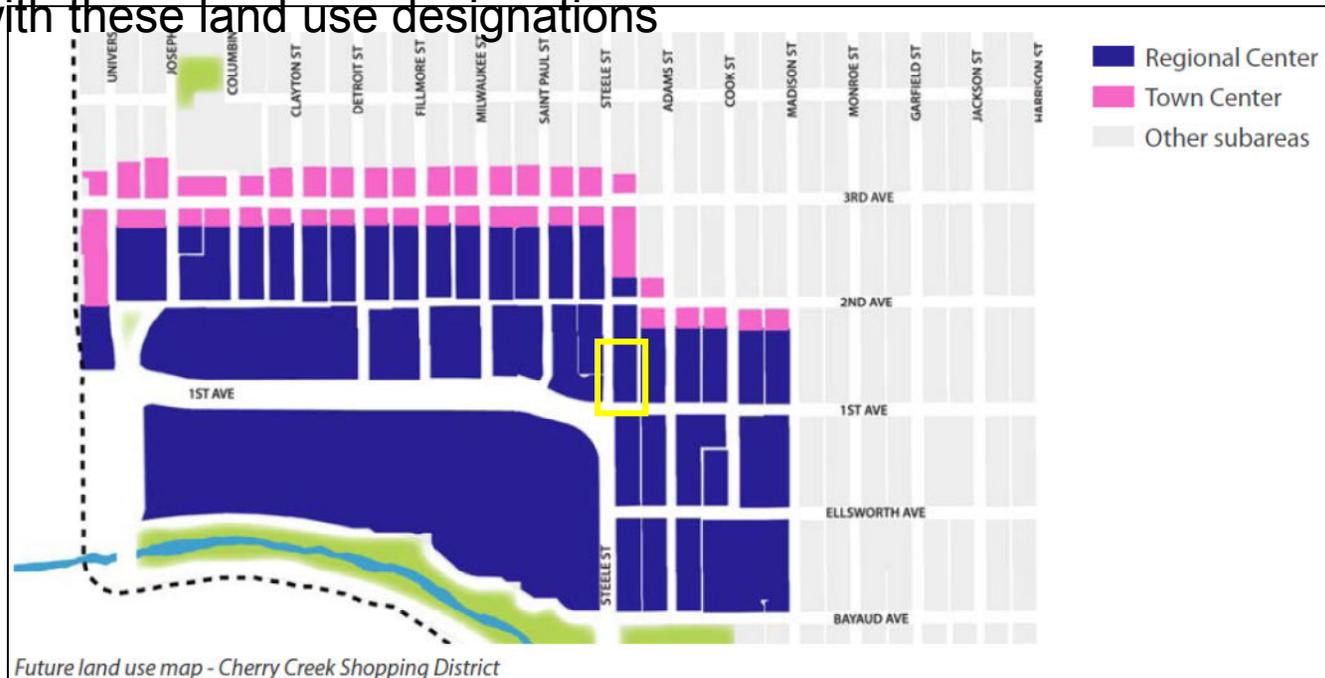
Cherry Creek Area Plan - Framework Plan Recommendations

- *“Cherry Creek’s high intensity nodes are appropriate for increased development intensity allowing for the concentration of active uses utilizing appropriate locational criteria.”*
- *“Any new development should reinforce the pedestrian scale and character of Cherry Creek.”*
- *“Plan concepts and recommendations point to the benefit of attracting more people – residents, employees, and visitors – and reinvestment to areas of change, namely the Shopping District and Cherry Creek Triangle”*
- C-MX zone district standards and the Design Standards & Guidelines address

Review Criteria: Consistency with Adopted Plans

CCAP – Cherry Creek Shopping District Recommendations

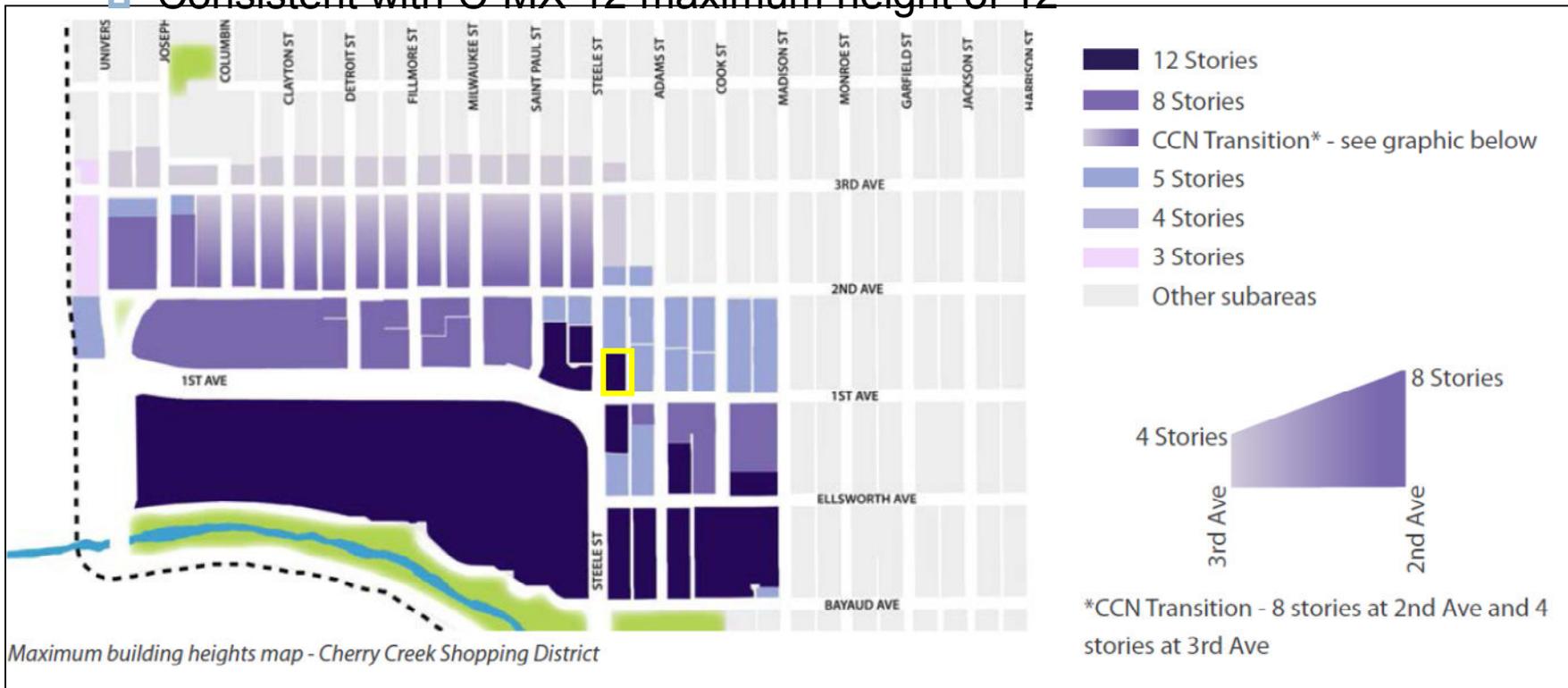
- Land Use: Regional Center
 - ▣ C-MX zone districts allow large variety of land uses at scales consistent with these land use designations



Review Criteria: Consistency with Adopted Plans

CCAP – Cherry Creek Shopping District Recommendations

- Maximum Building Heights: 12 stories
 - Consistent with C-MX-12 maximum height of 12



Review Criteria:

Consistency with Adopted Plans

CCAP – Cherry Creek Shopping District Recommendations

- *“Continue to support a mix of uses in the Regional Center including office, retail, commercial, multifamily residential and hotels.”*
 - ▣ The proposed zone districts will allow additional mixed use development which can generate additional shoppers within the neighborhood.
- *“All new development should serve to enhance the pedestrian realm. Line streets with storefronts, windows and building entrances. Place active uses at the street and parking at the rear.”*
 - ▣ These goals can be achieved through the Design Standards and Guidelines for Cherry Creek North.

Review Criteria:

Consistency with Adopted Plans

CCAP – Cherry Creek North Business Improvement District Recommendations

- *“Revise land use regulation. Enact zoning and other land use regulatory tools for the C-CCN zone district to encourage rather than inhibit high quality redevelopment and reinvestment across all parcel sizes, large and small. Retain positive elements of current zoning including ground floor retail, design review, quality design and materials, interesting signage, and parking location. Reconsider height, FAR, building form, and parking requirements.”*
- Eight subgoals follow (p. 61)

Review Criteria:

Consistency with Adopted Plans



CCAP – Revise Land Use Regulation

- *Goal #1 - Retain and enhance Cherry Creek North's unique physical character.*
- Design quality will be achieved through the implementation of the Design Standards and Guidelines for Cherry Creek North.

Review Criteria:

Consistency with Adopted Plans

CCAP – Revise Land Use Regulation

- *Goal #2 - Make reinvestment economically viable in the entire district. Current zoning is insufficient to achieve the Plan's vision for a prosperous Cherry Creek and the need for reinvestment, redevelopment and sustained economic viability.*
- Consistent with the plan goals, the proposed C-MX districts increase maximum heights and reduce minimum parking requirements

Review Criteria:

Consistency with Adopted Plans

CCAP – Revise Land Use Regulation

- *Goal #3 - Encourage small lot reinvestment.*
- Rezoning to C-MX-12 will encourage the redevelopment of this lot (25,000 sf).

Review Criteria:

Consistency with Adopted Plans



CCAP – Revise Land Use Regulation

- *Goal #4 - Transition from higher buildings along 2nd to lower buildings along 3rd.*
- This goal does not apply to this property – The site does not extend north to 2nd Avenue

Review Criteria:

Consistency with Adopted Plans



CCAP – Revise Land Use Regulation

- *Goal #5 - Create height transition from the business district to adjacent residential.*
- This goal does not apply to the property – the site is not adjacent to residential areas.

Review Criteria:

Consistency with Adopted Plans



CCAP – Revise Land Use Regulation

- *Goal #6 - Retain sunlight on streets and views between buildings.*
- The standard C-MX zone districts do not include these tools, however the Design Standards and Guidelines include sustainability and massing recommendations.

Review Criteria:

Consistency with Adopted Plans

CCAP – Revise Land Use Regulation

- *Goal #7 - Prevent the creation of “walled” or monolithic streets.*
- Building articulation will be addressed during design review
- The building takes up only a portion of the block face (210' of 510'), ensuring a monolithic, large scale development will be avoided

Review Criteria:

Consistency with Adopted Plans



CCAP – Revise Land Use Regulation

- *Goal #8 - Active storefronts and ground floor uses.*
- The Design Standards and Guidelines will achieve pedestrian active uses on the ground story

Review Criteria:

Consistency with Adopted Plans

CCAP – Cherry Creek North Business Improvement District Recommendations

- **Assure Design Quality**
- **Manage Parking**
 - ▣ The plan goals include marketing off-street parking lots, capitalizing on shared parking opportunities, employing a “park once and walk” strategy, and forming a private parking district, which are mostly beyond the scope of zoning. The C-MX district does include provisions for shared parking

Review Criteria



Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
 - ▣ CPD finds the rezoning is consistent with Comprehensive Plan 2000, Blueprint Denver: A Land Use and Transportation Plan, and the Cherry Creek Area Plan.
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

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**
 - ▣ **Changed or Changing Land or Surrounding Environs**
 - CPD finds this criterion is met as the rezoning encourages redevelopment in an area where a recently adopted plan recognizes that the character of the area is changing.
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

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
 - ▣ Overall the proposed rezoning is consistent with the Urban Center Neighborhood Context that exists in the surrounding area and with the C-MX-12 purpose and intent.

Process

- Planning Board – February 6, 2012
 - ▣ Recommends Approval 7-1
- LUTI – March 5, 2013
- City Council Public Hearing – April 15, 2013
 - ▣ Notice sent March 22, 2013
- Public Outreach
 - ▣ Notification signs posted on property
 - ▣ RNOs
 - CHUN; CCN BID; CCNNA; Cherry Creek Steering Committee; Harman Neighborhood Association, Inc.; Neighborhood Advisory Committee to the Botanic Gardens; Cherry Creek Business Alliance; INC
 - ▣ 3 RNOs submitted position statements (CCABA, CCN BID & CCNNA)
 - ▣ additional letters were received and included

Recommendation

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 recommends **Approval** of Application
2012I-00031