

Overview of PUD Zone District #636

PUD Zone District #636 provides zoning standards, rules and regulations tailored specifically to the existing commercial building and site located at 2000 East 28th Avenue. PUD #636 is a new PUD zone district under Former Chapter 59, as authorized by D.R.M.C., Section 59-3(a)(1).

PUD Zone District #636 is comprised of the following 3 parts:

- (1) PUD #636 **Part 1**, which contains the bulk of the zoning regulations applicable to new development within PUD #636 Zone District. The content of **Part 1** tracks verbatim the content of PUD Zone District #572, previously approved by the City Council in 2005 and applicable to the same property at 2000 East 28th Avenue. Any deviation in PUD #636 **Part 1** from the content of previously approved PUD #572 is specifically noted in the applicable **Part 1** Section, and the reader is cross-referenced to the replacement regulations contained in PUD #636 **Part 2**, described below.
- (2) PUD #636 **Part 2** contains zoning regulations applicable to new development within PUD Zone District #636 that are cross-referenced in PUD #636 **Part 1**.
- (3) PUD #636 **District Plan**, which depicts a general site plan and includes general site development standards, such as but not limited to parking lot layout, parking lot landscaping, and exterior lighting standards, which are applicable to all new development within PUD #636 Zone District.

PUD Zone District #636 replaces previously approved PUD #572 in its entirety.

General Provisions

The following general provisions shall apply and govern in PUD Zone District #636:

1. All code references in PUD Zone District #636 are to Former Chapter 59 as established in D.R.M.C., Section 59-2(a).
2. All zoning permit applications for new land uses, changes of use, or construction within the boundaries of PUD Zone District #636 shall comply with the regulations stated in PUD #636 Parts 1 and 2, and with the PUD #636 District Plan. In addition, all zoning permit applications for new land uses, changes of use, and construction shall comply with the zoning standards in Former Chapter 59, including applicable rules and regulations promulgated under Chapter 59, but only to the extent such standards, rules and regulations do not conflict with the standards in this PUD #636 Zone District.

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**PUD ZONE DISTRICT #636
PART 1 District Regulations**

1. SCHEDULE

The requirement for a construction 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 #636 because no new construction is proposed.

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

Section 2.a regulations are found in PUD #636 Part 2, on page 15 of 17.

b. LAND COVERAGE BY BUILDINGS AND IMPERVIOUS SURFACES

	SQ. FT	% OF SITE AREA
Maximum area of building coverage (including garage(s) and all other	4,557	32

accessory structures):		
Maximum area of drives and parking:	5,456	38
Maximum area of other impervious surfaces:	1,542	11
MAXIMUM TOTAL OF BUILDING AND IMPERVIOUS SURFACES	11,555	82

c. LANDSCAPED AND/OR PERMEABLE AREAS

	SQ. FT.	% OF SITE AREA.
Minimum area of live or organic landscaped lot coverage:	2538	18
Approximate area of non-live material coverage (graveled or other areas with permeable surfaces):	0.00	0.00
MINIMUM TOTAL OF LANDSCAPED AND/OR PERMEABLE AREAS:	2,538	18

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

	SQ. FT.
Building and impervious surfaces:	11,555
Landscaped and/or permeable areas:	2,538
TOTAL SITE AREA: (This area must equal the site area listed on page 1)	14,093

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: 0 ft. Front: _____ ft.
 South: 50 ft. OR Rear: _____ ft.
 East: 0 ft. Side: _____ ft.

West: Existing bldg. = 15 ft.; outdoor patio = 0 ft. *Also note: All signs must take setbacks as per above - refer District Map. *Also note: 6 foot fence inside 15 ft. west setback line.
 The minimum spacing between structures shall be n/a ft.

Permitted encroachments into the minimum setbacks for buildings shall conform to Section 59 – 120(b)(4) of the R-2 zone district.

Official Parkway Setback requirements for this P.U.D. are: n/a ft. for buildings and n/a ft. for signs.

f. MAXIMUM HEIGHTS OF STRUCTURES

The maximum height of structures shall be one stories which shall not exceed a total of 18 ft. **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 five (5) feet.

Bulk plane restrictions shall shall not be required. If required, bulk plane restrictions shall conform to Section 59 – n/a of the n/a zone district. NOTE: Solar collectors and mechanical equipment are not exempted from bulk plane regulations!!

g. OFF-STREET PARKING

Section 2.g regulations are found in PUD #636 Part 2, on pages 15 and 16 of 17.

h. OFF-STREET LOADING

This project contains zero (0) off-street loading space(s). Will this (these) space(s) conform with dimensions required in Section 59-596? **X Not Applicable**
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 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: n/a.

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.

MINIMUM NUMBER OF TREES ON PRIVATE PROPERTY: 9

MINIMUM SIZE OF TREES AT TIME OF PLANTING:

Evergreens/Coniferous (height): 6 ft.

Deciduous (caliper): 3 in.

Ornamental (caliper): 2 in.

MINIMUM % OF EVERGREEN OR CONIFEROUS TREES: n/a.

MINIMUM NUMBER OF SHRUBS ON PRIVATE PROPERTY: 10.

MINIMUM SIZE OF CONTAINER AND HEIGHT AND/OR SPREAD REQUIREMENTS FOR PLANTED SHRUBS: 5 gal / 24" h.

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

NUMBER OF STREET TREES PROPOSED IN THE PUBLIC RIGHT OF WAY: 2 new / 6 existing.

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 (964-2580). If street tree plantings are required within the right-of-way of a state highway, contact the Colorado Department of Transportation for approval (757-9930).

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 6 ft. and a maximum of 6 ft.

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 2 ft. and a maximum of 3 ft.

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 n/a ft. and a maximum of n/a ft.

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 n/a ft. and a maximum of n/a ft. in height.

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

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 640-5405.

o. EXTERNAL EFFECTS

Vibration, heat, glare, radiation and fumes shall be regulated by Section 59-92 of the R-2 zone district.

Reflective glass **may** be used.

Every use, unless expressly exempted, shall be operated within a completely enclosed structure. Yes No *Note: patio area need not be enclosed for serving of food.*

p. NATURAL TERRAIN

The existing grade of the site **will** be altered.

q. UTILITIES

Describe where the utilities (public and private) serving the property are located
Race Street: water and sewer; Alley: electrical and gas.

For information contact the following:

Denver Water Board	628-6100
U.S. West	451-2706
Public Service Company	571-6636
Wastewater Management	446-3590

r. SIGNS

Section 2.r regulations are found in PUD #636 Part 2, on page 16 of 17.

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? n/a.

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

Outdoor storage of solid waste is permitted. If permitted, fences for such outdoor storage areas shall be provided. Said fences shall be solid and shall be a minimum of 6 ft. and a maximum of 8 ft. in height.

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

t. TRANSPORTATION

The requirement for transportation information 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 #636 because no new construction is proposed.

PUBLIC TRANSPORTATION

The nearest bus stop is located (where?): southeaser corner Race Street & 28th Avenue.

u. SCHOOLS

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

v. HOME OCCUPATIONS

Home occupations **are not** permitted. If so permitted, home occupations shall conform to Section 59-n/a of the n/a zone district.

w. USES BY TEMPORARY PERMIT

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

x. ACCESSORY USES

Accessory uses are regulated by Section 59-87 (b) of the B-2 zone district.

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: n/a.

z. PHASING

The requirement for a phasing plan 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 #636 because no new construction is proposed.

NOTE: A separate site plan review is required for all P.U.D.'s prior to obtaining zoning or building permits for construction. Contact **CPD Development Services** for more details. This process may be started after the Planning Board hearing has been completed.

3. WRITTEN STATEMENT

On an attached page a written statement is given generally describing: See Page 14 of 17

- 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 Planning Office (640-2736).
- 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 the review of PUD #636; consideration of effects on surrounding properties will be reviewed at the time of site development.

5. DISTRICT PLAN

The District Plan is attached

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

- architectural concepts
- building elevations
- facade treatments
- exterior building materials

- landscape plan
- and/or other important features (list): Existing Site Plan.

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.

P.U.D. at 2000 EAST 28th AVENUE

**P.U.D. No. 4749 Attachment No. 3
Written Statement**

3a. The proposed P.U.D. and the market it intends to serve:

The PUD is an existing restaurant establishment that has been serving the current neighborhood and much of the lower downtown Denver area for over 35 years. This PUD would merely allow the established facility to continue operating as it has been and would allow the Owners to improve access and parking to their existing establishment.

3b. The P.U.D. relationship to the comprehensive plan:

The PUD relates very well to the Denver Comprehensive plan as it is already providing amenities to the neighborhood. The PUD has always provided, and will continue to provide, quality dining in and take out food services to the immediate area.

3c. How the P.U.D. district is related to the character of the surrounding neighborhood:

As stated above, the PUD is an existing establishment that has been in continuous operation for many years. The establishment is housed in a historic structure that completely “blends” into the surrounding neighborhood. In fact, the current establishment and structure help to define the current neighborhood and is an integral part of the community.

PUD #636 Part 2

Replacement Regulations for PUD #636 Part 1: Sections 2a., 2g., and 2r.

Section 2a. ALLOWED USES AND MAXIMUM GROSS FLOOR AREA

All uses that are allowed in the B-2 District, as specified in Section 59-182, shall be allowed in this PUD and subject to any and all requirements of that section including limitations, conditions, special review, and distance requirements, with the exception of the following uses which are not allowed in this PUD:

- Residential, institutional/special
- Automobile gasoline filling station, emissions inspection
- Automobile wash, laundry and/or polishing shop
- Printing service, publishing, business support
- Parking of vehicles
- Wholesale trade, light, and/or storage of nontoxic, nonhazardous materials
- Recreation services, outdoor
- University or College

MAXIMUM FLOOR AREA RATIO (F.A.R) 0.32 : 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: n/a.

MAXIMUM NUMBER OF DWELLING UNITS PER ACRE: n/a.

Section 2g. OFF-STREET PARKING

This project shall contain off-street parking spaces at the ratios shown below. 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 this Section 2.a. in a building story where the ceiling is less than four (4) feet above grade shall be calculated into the off-street parking requirement.

<u>Eating place</u>	1/250 square feet Parking Ratio
<u>Office: non-dental or non-medical</u>	1/400 square feet Parking Ratio
<u>All other permitted uses</u>	See Article VI for the B-2 zone district

MINIMUM NUMBER OF OFF-STREET PARKING SPACES FOR PERSONS WITH DISABILITIES: one (1).

Does this P.U.D. comply with the use and maintenance requirements of Section 59-585(2)-(9)?

Yes No

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. If **no** complete the following section:

PARKING SPACE

Universal space dimensions	<u>9' x 18'</u>
Compact space dimensions	<u>n/a</u>
Large space dimensions	<u>n/a</u>
Ratio of compact spaces to large spaces	<u>n/a</u>

DRIVING AISLES

Aisle widths	<u>16' 4"</u>
Angle of stalls	<u>90</u>

Will this project contain parking for bicycles? Yes No If yes, bicycle parking requirements shall be three (3). 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.

Section 2r. SIGNS

All signs in PUD Zone District #636 shall comply with Former Chapter 59, Article V, sign regulations applicable to the B-2 zone district.

2000 EAST 28TH AVENUE PLANNED UNIT DEVELOPMENT (PUD) #636 DISTRICT PLAN.

Professional Stamp

PROJECT LOCATION:
PUD #636 DISTRICT PLAN
2000 EAST 28TH AVENUE
DENVER, COLORADO

DRAKE
REAL ESTATE SERVICES
496 S. BROADWAY
DENVER, CO 80209
TEL. 303.825.6200
WWW.DRAKERES.COM

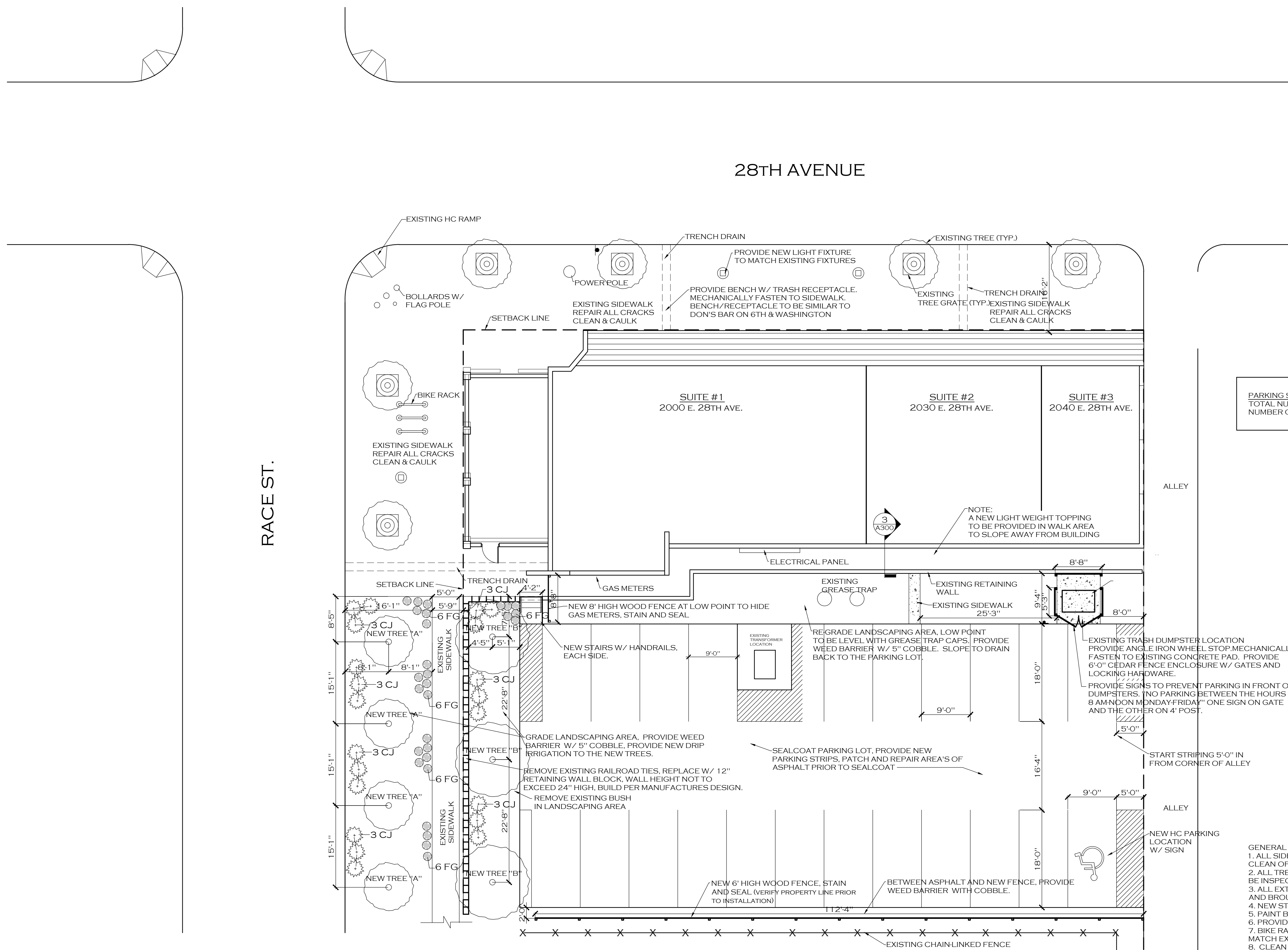
REVISIONS:	DATE:

NAMA PROJECT #: 13-145.30
DRAWN BY: mwb
REVIEWED BY: hc
SCALE: AS SHOWN
DATE: 03.25.2014

PROJECT TITLE:
PUD #636
DISTRICT PLAN

SHEET NUMBER:

A100



PARKING SUMMARY:

TOTAL NUMBER OF PARKING STALLS PROVIDED	22
NUMBER OF ACCESSIBLE STALLS PROVIDED:	1

- GENERAL NOTES:**
1. ALL SIDEWALKS TO BE POWER WASHED AND CLEAN OF DEBRIS.
 2. ALL TREES TO BE PRUNED, DRIP IRRIGATION TO BE INSPECTED SO THAT ITS IN RUNNING CONDITION.
 3. ALL EXTERIOR LIGHT FIXTURES TO BE INSPECTED AND BROUGHT BACK TO WORKING CONDITION.
 4. NEW STREET LIGHT TO MATCH EXISTING FIXTURES.
 5. PAINT BOLLARDS ON CORNER, YELLOW
 6. PROVIDE NEW FLAG FOR FLAG POLE.
 7. BIKE RACK, CLEAN OFF RUST AND PAINT TO MATCH EXISTING COLOR.
 8. CLEAN OUT ALL TRENCH DRAINS IN SIDEWALKS
 9. POWER WASH PATIO AREA
 10. CLEAN & POWER WASH WALKING AREA BETWEEN BUILDING AND RETAINING WALL IN REAR OF BUILDING (ALL SIDEWALKS)
 11. WALL PACKS ON BACK OF BUILDING TO BE REPLACED.
 12. ALL NEW OUTDOOR LIGHTING FIXTURES SHALL BE FULL CUT-OFF FIXTURES.

WAIVER OF PUD DISTRICT PLAN SUBMITTAL REQUIREMENTS

THIS PUD DISTRICT PLAN SHOWS THE GENERAL LOCATION, ARRANGEMENT, EXTENT AND CHARACTER OF THE EXISTING BUILDING AND SURFACE PARKING LOT SITED ON A SINGLE ZONE LOT AT 2000 EAST 28TH AVENUE. THE DETAIL SHOWN HEREIN IS SUFFICIENT TO DETERMINE COMPLIANCE WITH THE PUD REQUIREMENTS IN FORMER CHAPTER 59, SECTION 59-511, ET. SEQ.

ALL OTHER PUD DISTRICT PLAN REQUIREMENTS STATED IN SECTION 59-515(A)(2) ARE HEREBY WAIVED BY THE ZONING ADMINISTRATOR AND CPD EXECUTIVE DIRECTOR UPON THEIR DETERMINATION THAT THIS INFORMATION IS NOT NECESSARY FOR THE REVIEW OF PUD #636.

