



**TO:** Denver City Council  
**FROM:** Brad Johnson, Senior City Planner  
**DATE:** September 5, 2019  
**RE:** (A) Denver Zoning Code Text Amendment #5 to create the CMP-NWC-C, CMP-NWC-G, CMP-NWC-F and CMP-NWC-R Zone Districts  
-AND-  
(B) Official Zoning Map Amendment #2019I-00104 to rezone properties bounded by the South Platte River, 46<sup>th</sup> Avenue, Race Court and the BNSF railway with some exceptions.

## Staff Report and Recommendation

### A. Text Amendment

Based on the review criteria for a text amendment stated in the Denver Zoning Code (DZC), Section 12.4.11 (Text Amendment), Community Planning & Development (CPD) staff recommend that City Council **approve** Denver Zoning Code Text Amendment #5.

### B. Map Amendment

Based on the review criteria for a map amendment in the Denver Zoning Code (DZC), Section 12.4.10 (Map Amendment), CPD staff recommend that City Council **approve** map amendment proposal #2019I-00104.

## Request for Rezoning

|                                |                                                                                                                                                                                                                                                                                |
|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Address:                       | Multiple properties                                                                                                                                                                                                                                                            |
| Neighborhood/Council District: | Elyria Swansea / Council District 9                                                                                                                                                                                                                                            |
| RNOs:                          | Elyria and Swansea Neighborhood Association, Cross Community Coalition, Elyria Swansea/Globeville Business Association, Globeville Civic Association #2, Globeville Civic Partners, Globeville K.A.R.E.S, Inter-Neighborhood Cooperation (INC), UCAN, Unite North Metro Denver |
| Area of Property:              | Approximately 100 acres                                                                                                                                                                                                                                                        |
| Current Zoning:                | Current zone districts: I-A, UO-2; I-B, UO-2; I-MX-5, UO-2                                                                                                                                                                                                                     |
| Proposed Zoning:               | Proposed zone districts: Campus-National Western Center-Core (CMP-NWC-C), UO-2; Campus-National Western Center-General (CMP-NWC-G), UO-2; Campus-National Western Center-Flex (CMP-NWC-F), UO-2; Campus-National Western Center-Riverfront (CMP-NWC-R), UO-2                   |
| Property Owner(s):             | Property owner names: City and County of Denver, Neorama LLC, Douglas L McDonald                                                                                                                                                                                               |

## **Summary and Purpose**

### **A. Text Amendment #5**

The Denver Department of Community Planning and Development (CPD) and the Mayor's Office of the National Western Center (NWCO) are co-sponsoring a text amendment to the Denver Zoning Code to establish new zone districts that implement the objectives of the adopted 2015 *National Western Center Master Plan*. The text amendment would establish four new zone districts that allow the flexibility needed to accommodate the variety of events and activities that will occur at the campus, but that also facilitate walkable and interesting street environments and development that respects and engages the South Platte River. The text amendment would also establish a regulatory mechanism by which a coordinated program of high quality signage can be established on the National Western Center campus through preparation of an approved District Sign Plan.

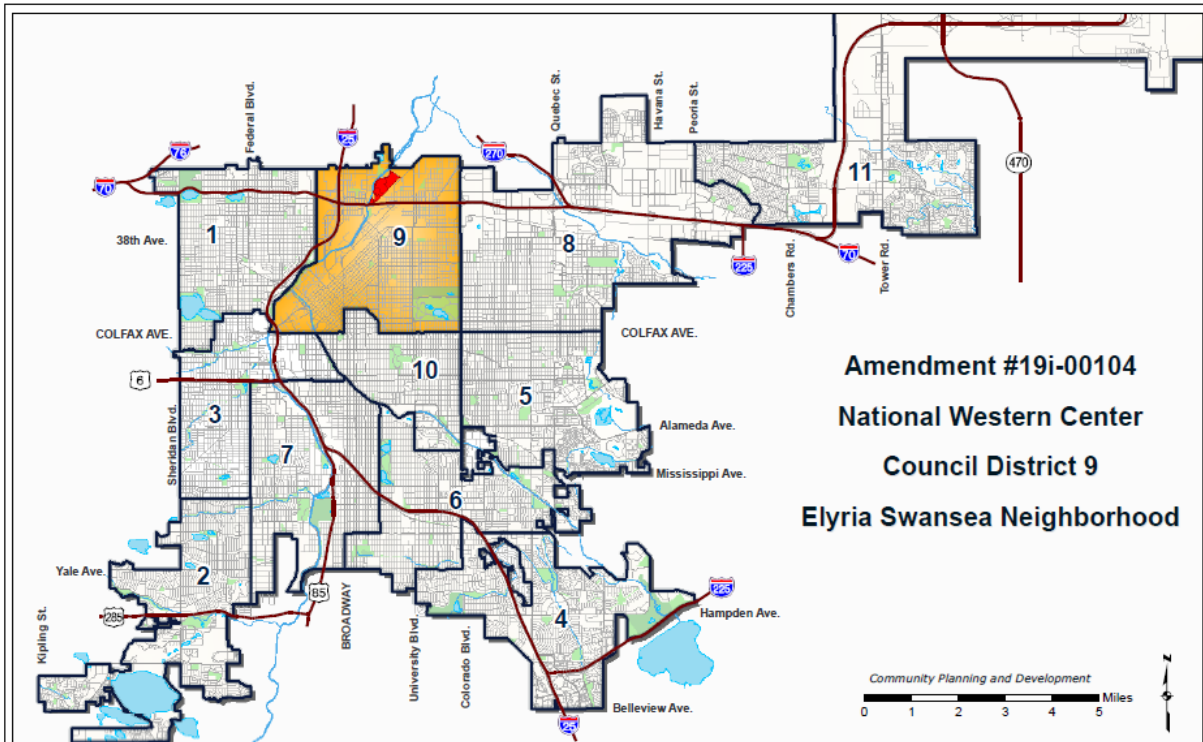
### **Relationship of Text and Map Amendment**

A map amendment is proposed to rezone properties with the zone districts created by the text amendment. Map amendment 2019I-00104 (addressed in this staff report – see below) would rezone existing Light Industrial (I-A), Heavy Industrial (I-B) and Industrial Mixed Use (I-MX-5) properties. The Use Overlay-2 (UO-2; Billboard Overlay) that is currently applied to the properties would be retained. The following pages identify the proposed application of the CMP-NWC-C (Core), CMP-NWC-G (General), CMP-NWC-F (Flex) and CMP-NWC-R (Riverfront) zone districts.

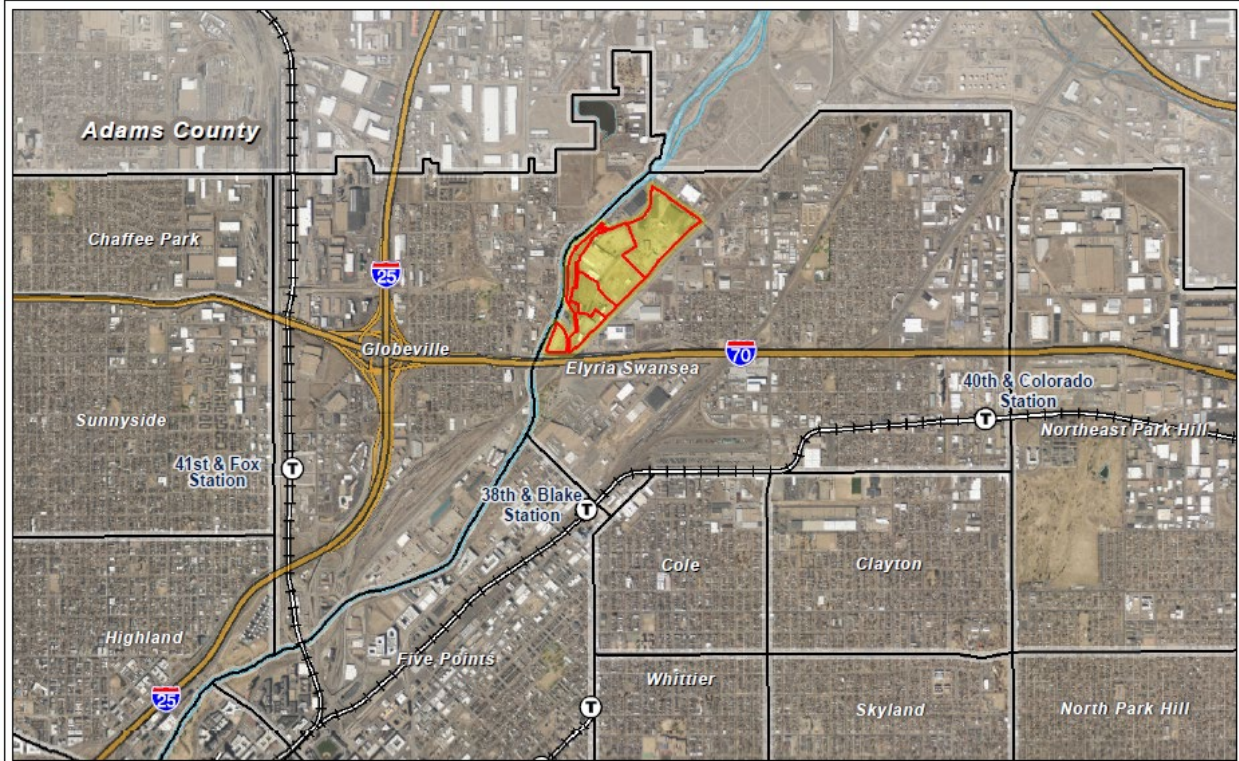
### **B. Map Amendment #2019I-00104**

CPD is also sponsoring a map amendment to rezone properties generally bounded by the South Platte River, Race Court, the BNSF railway and Interstate 70 with a few properties excepted. Properties within this area that are not proposed to be rezoned at this time include properties not owned by the City. Future map amendments may be submitted at a later date. Two exceptions to the exclusion of privately owned properties are the Neorama LLC property and a portion of the McDonald Farms property owned by Douglas L McDonald. Neorama LLC has elected to participate in the rezoning and the City is in the process of acquiring the portion of the McDonald property that is included in the proposed rezoning.

## Zone Map Amendment 19i-00104 City Location



## Zone Map Amendment 19i-00104 Neighborhood Location - Elyria Swansea





**Zone Map Amendment 19i-00104  
Aerial - 2018**

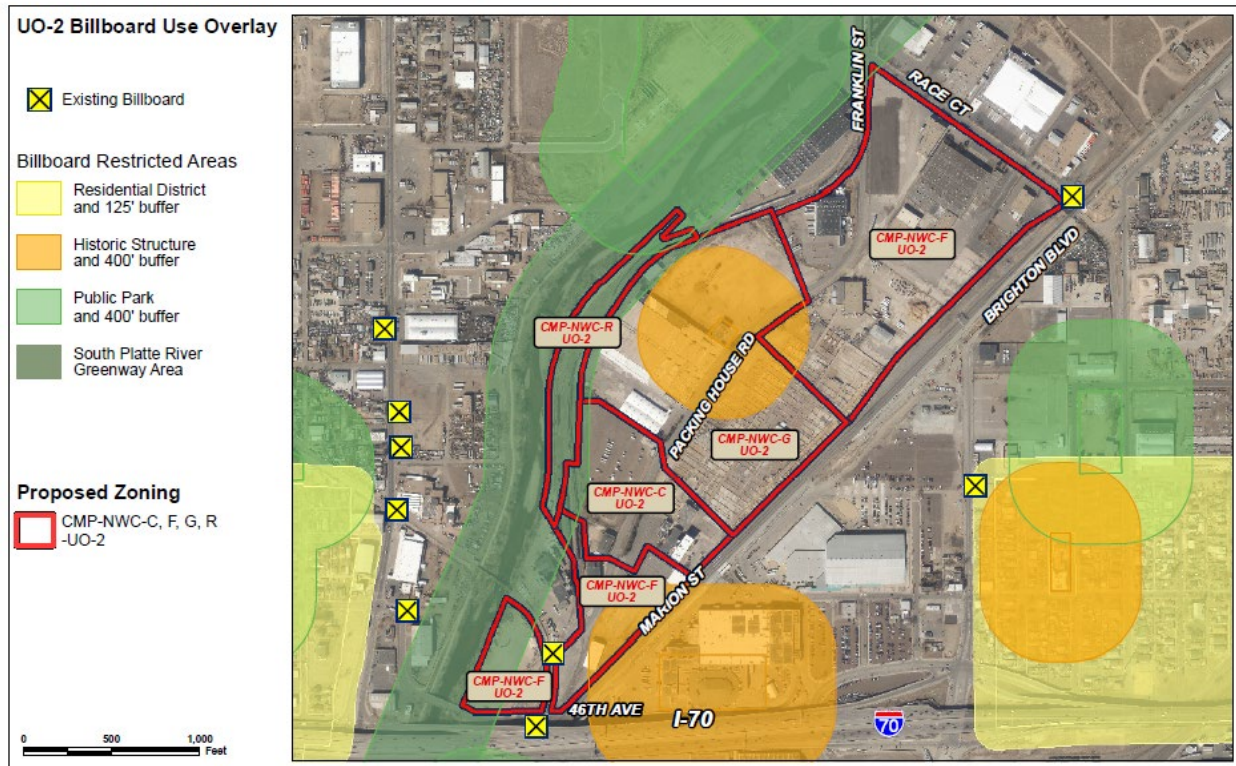
**From I-A UO-2, I-B UO-2, I-MX UO-2  
To CMP-NWC-C, F, G, R UO-2**



Map Date: July 22, 2019

## Zone Map Amendment 19i-00104 UO-2 Billboard Use Overlay

From I-A UO-2, I-B UO-2, I-MX UO-2  
 To CMP-NWC-C, F, G, R UO-2



Map Date: July 22, 2019

### Existing Context

The area of the proposed rezoning is generally located along the east side of the South Platte River at the northern extent of the City of Denver, within the Elyria Swansea neighborhoods Statistical Neighborhood boundaries. The Washington Street corridor is located west of the area across the South Platte River. Heron Pond/Heller Open Space and Carpio Sanguinette Park are located to the northwest across the South Platte River. The Riverside Cemetery and a collection of industrial buildings are located to the northeast, however it should be noted that much of the cemetery is beyond Denver's city limits. The Denver Coliseum and parking area lies to the southeast and the Brighton Boulevard corridor is located to the east. The area is nested within the Elyria-Swansea neighborhood and just east of the Globeville neighborhood. A newly constructed RTD commuter rail stop is located just to the east, and RTD is currently testing commuter trains on this corridor (RTD N Line).

The area of the proposed rezoning is generally synonymous with the portion of the National Western Center Master Plan boundary that is west of the BNSF rail tracks. The area is currently accessed from the west via 47<sup>th</sup> and 46<sup>th</sup> Avenue, from the south by 46<sup>th</sup> Avenue, from the east by Race Court, and from the north by Franklin Street. The area of the proposed rezoning is bisected north to south by Packing House Road.

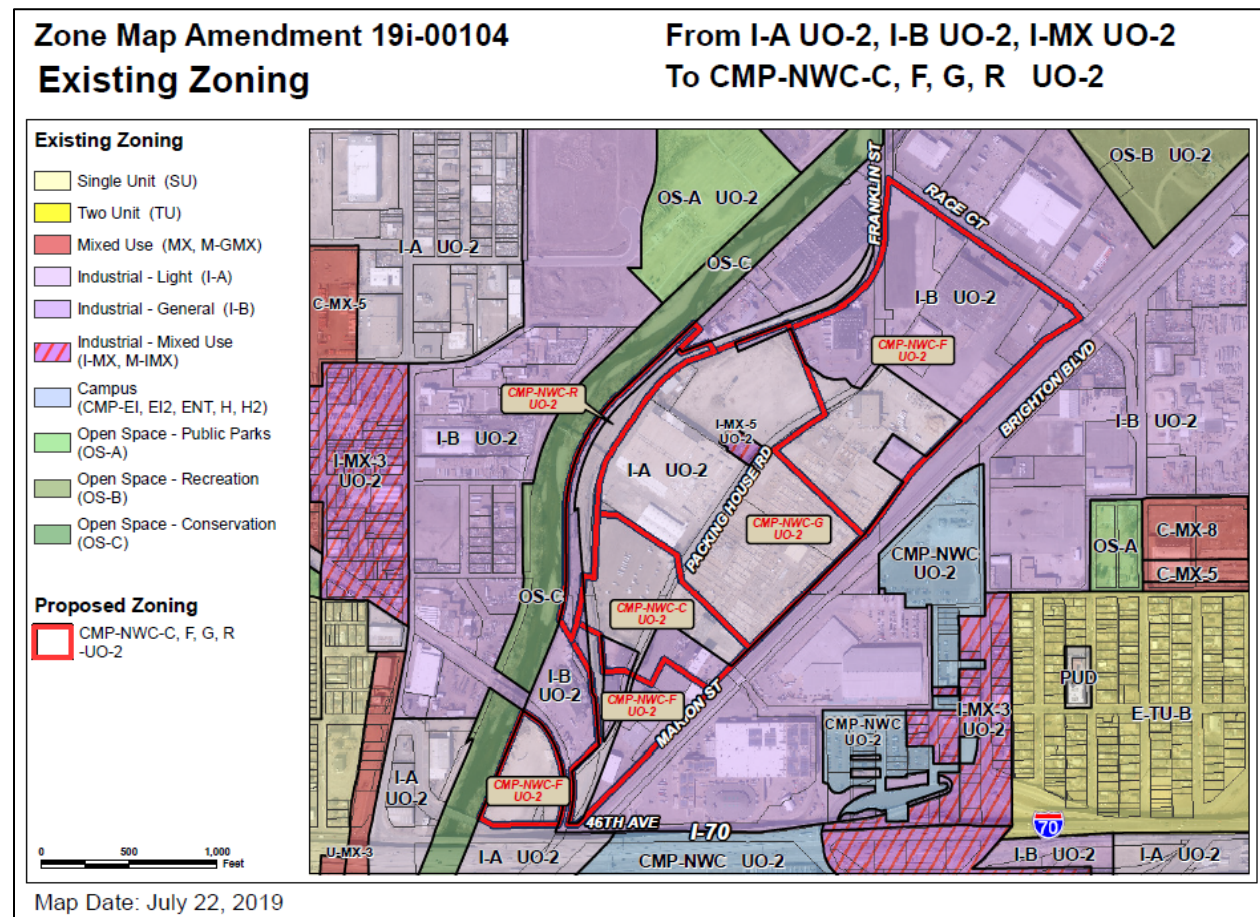
The following table summarizes the existing context proximate to the subject site:

|       | Existing Zoning                          | Existing Land Use                                                                         | Existing Building Form/Scale                                                                                                                                                                                                                                                                   | Existing Block, Lot, Street Pattern                                                                                                                                                                                                                                                                                                         |
|-------|------------------------------------------|-------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Site  | I-A, UO-2;<br>I-B, UO-2;<br>I-MX-5, UO-2 | Industrial, Vacant, Office, Parking, Transportation/ Communications/ Utilities, Mixed-use | Many medium to large warehouse and industrial buildings, outdoor storage areas, rail and wastewater infrastructure, cattle pens for the National Western Stock Show, Historic Armour Building, Armour Water Tower, Livestock Exchange Building (4 stories), Blue Silos Art Studios (2 stories) | The existing block pattern is established by a very limited number of streets that relate to existing rail lines and spurs on the site and the South Platte River. A single north-south vehicular connection in Packing House Road connects massive blocks on the site to Race Court at the north and 46 <sup>th</sup> Avenue at the south. |
| North | I-B, UO-2                                | Industrial                                                                                | North side of Race Court – 1 to 2 story industrial and warehouse facilities                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                             |
| South | CMP-NWC, UO-2;<br>I-A, UO-2;             | Vacant, Park/Open Space, Entertainment/ Cultural                                          | No buildings immediately to the south in the areas surrounding the BNSF railway and Interstate 70 corridor                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                             |
| East  | I-B, UO-2;<br>CMP-NWC, UO-2              | Entertainment/ Cultural, Transportation/ Communications/ Utilities, Vacant                | 46 <sup>th</sup> Avenue and 47 <sup>th</sup> Avenue – large 2 to 4 story multi-purpose event facilities, including the Hall of Education, National Western Complex, 1909 Stadium Arena, National Western Events Center and Coliseum                                                            |                                                                                                                                                                                                                                                                                                                                             |
| West  | OS-C; I-B, UO-2;<br>OS-A, UO-2           | River, Park/Open Space, Industrial, Vacant                                                | South Platte River is immediately to the west where there are no significant structures; mainly large floorplate, single story industrial buildings west of the river with some smaller format single story retail buildings at the southern end near Interstate 70/Washington Street          |                                                                                                                                                                                                                                                                                                                                             |



## 1. Existing Zoning

Existing zoning includes I-A, UO-2; I-B, UO-2 and I-MX-5, UO-2 zone districts. The Billboard Use Overlay (UO-2) allows for “outdoor general advertising device” signs within the applicable area. Additional standards and limitations regarding minimum separation and distance requirements also apply.



## 2. Historic Structure

There is one landmarked structure in the area of the proposed rezoning. The Armour & Company Administration Building is located at 5001 Packing House Road, and will be maintained as part of the National Western Center campus as the site is developed. The building was constructed in 1917 and future exterior work on this locally designated Denver landmark will require design review according to Article 1, Chapter 30 (Landmark Preservation) of the Denver Revised Municipal Code (D.R.M.C).

## 3. Urban Design Standards and Guidelines

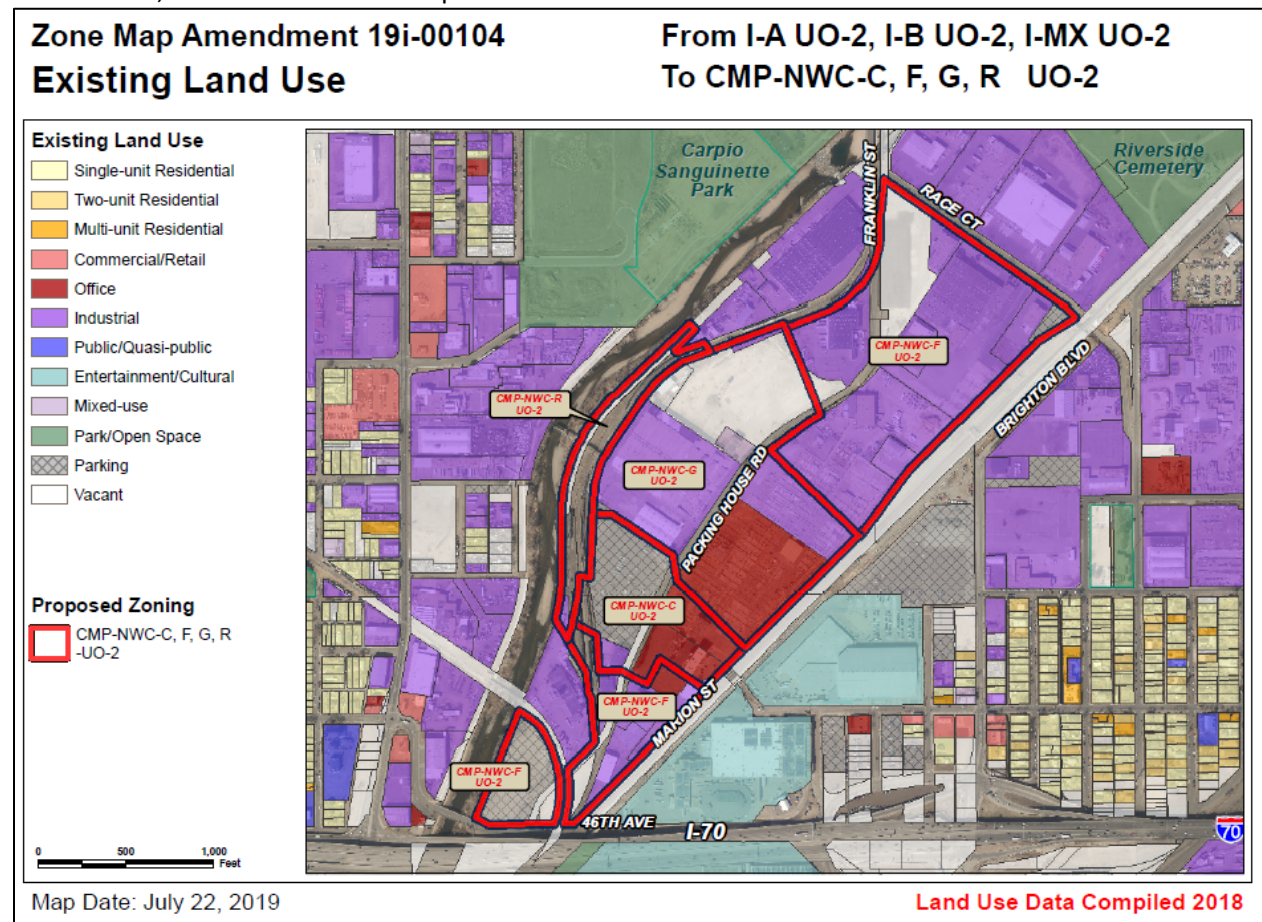
Urban Design Standards and Guidelines and associated design review procedures are not currently required for properties in the area of the proposed rezoning. However, Text Amendment #5 does include language enabling the application of design review with design standards and guidelines for the proposed zone districts (CMP-NWC-C, CMP-NWC-G, CMP-NWC-F, CMP-NWC-R). Urban design



standards and guidelines for the National Western Center have been drafted and are currently available for public review. If the text and map amendments described in this memo are adopted by the Denver City Council, the urban design standards and guidelines would be adopted in a subsequent step by the Department of Community Planning & Development after a required public hearing.

#### 4. Existing Land Use Map

Existing land uses are primarily industrial uses and vacant land. Large parking areas, retail, rail facilities, offices and art studio space are other uses in the area.



#### 5. Existing Building Form and Scale

The area covered by the map amendment area mostly contains one and two story industrial buildings and administration buildings associated with former industrial activities that took place on the site in the past. The Livestock Exchange Building, which sits just west of the BNSF railway in the central portion of the map amendment area, is an exception to this since it is four stories in height. Existing buildings are scattered throughout the area of the proposed rezoning and many are currently planned to be maintained on the site moving forward, while some other buildings may be removed to make way for new campus facilities. Two non-occupied site features that will remain on the site and serve as placemaking elements into the future include the Armour Water Tower and the Sheep Bridge.



Blue Silos Studios (left) and  
McConnell Building (right);  
*[Image Source: Google Maps]*



Historic Armour & Company Administration Building.  
*[Image Source: Google Maps]*



Livestock Exchange Building.  
*[Image Source: Google Maps]*



Existing industrial building that is planned to be  
renovated to serve as the Operations and  
Maintenance Facility for the campus.  
*[Image Source: Google Maps]*

## Proposed Zoning

The proposed zoning for the site includes four new zone districts. The intent of each zone district is described below.

- **Campus-National Western Center-Core (CMP-NWC-C).** The CMP-NWC-C District is intended to establish the area generally surrounding east-west streets connecting Globeville to Elyria-Swansea Neighborhoods through the National Western Center campus as the key pedestrian-oriented streets. Buildings will house a variety of indoor uses. Development will contribute to an engaging pedestrian experience by creating safe, comfortable and visually interesting neighborhood connections through the heart of campus. This area will provide critical pedestrian access points to site interiors. Anchor buildings will house more permanent uses as compared to other districts where activities change significantly from event to event.
- **Campus-National Western Center-General (CMP-NWC-G).** The CMP-NWC-G District is intended to accommodate a wide range of facilities that support the activities of the National Western Stock Show and other events throughout the year in highly flexible, large floorplate buildings. A wide range of outdoor and service activities will be accommodated by flexible plaza spaces and loading areas, including some spaces where access may be restricted during events. Development will contribute to a safe, comfortable and visually interesting experience along adjacent public streets, and particularly those streets that provide critical connections across the campus and to nearby neighborhoods.
- **Campus-National Western Center-Flex (CMP-NWC-F).** The CMP-NWC-F District is intended to accommodate the widest variety of uses on campus, including short- and long-term outdoor and indoor events, service- and maintenance-oriented activities, and complementary enclosed uses. This district will be home to the Stockyards, which will accommodate livestock pens during the National Western Stock Show and provide flexible space for small and large-scale outdoor events and/or surface parking during other times. This zone district will be home to “back-of-the-house” activities that are required for the campus to operate successfully. Complementary enclosed campus uses may include artist studios, professional offices, utility buildings, mixed-use buildings, housing or light industrial facilities. Streets flanking properties in this district will meet their service requirements while establishing comfortable and safe pedestrian routes. Given the functional requirements of properties in this zone district, additional flexibility for the design of sites and buildings adjacent to the street is appropriate.
- **Campus-National Western Center-Riverfront (CMP-NWC-R).** The CMP-NWC-R District is intended to accommodate passive open space, activity nodes, pedestrian circulation, natural riparian habitat and formal green and plaza spaces. It will accommodate small format, low scale buildings intended to activate the area and support outdoor functions. The Riverfront zone district will facilitate safe and direct access to the South Platte River and serve as an amenity for users of the National Western Center and the surrounding neighborhoods. Buildings in this district will be visually subordinate to the open space amenity and establish a strong visual and physical relationship to National Western Drive and the South Platte River.



The primary building forms allowed in the **existing** zone districts and the associated standards are summarized below.

| Design Standards                                        | I-A (existing)      | I-B (existing)      | I-MX-5 (existing)                                                                        |
|---------------------------------------------------------|---------------------|---------------------|------------------------------------------------------------------------------------------|
| Primary Building Forms Allowed                          | General; Industrial | General; Industrial | Town House; General; Industrial                                                          |
| Height in Stories/<br>Height in Feet (max)              | N/A                 | N/A                 | 5/70'                                                                                    |
| Floor Area Ratio (max)                                  | 2.0                 | 2.0                 | N/A                                                                                      |
| Primary Build-To Percentages (min)                      | N/A                 | N/A                 | 0% -70%*                                                                                 |
| Primary Build-To Ranges                                 | N/A                 | N/A                 | 0' to 10'*                                                                               |
| Primary Street Setbacks (min)                           | 20'                 | 20'                 | 0'                                                                                       |
| Surface Parking Between a Building and a Primary Street | Allowed             | Allowed             | Not Allowed *<br>(Allowed with Industrial Building Form)                                 |
| Transparency, Primary Street (min)                      | N/A                 | N/A                 | 0% - 40%*                                                                                |
| Pedestrian Connection                                   | N/A                 | N/A                 | Pedestrian Connection or Entrance Required or Dwelling Unit Entrance with Entry Feature* |

- \*Standard varies between building forms

The primary building forms allowed in the **proposed** zone districts and the associated standards are summarized below.

| Design Standards                           | CMP-NWC-C (proposed) | CMP-NWC-G (proposed) | CMP-NWC-F (proposed) | CMP-NWC-R (proposed) |
|--------------------------------------------|----------------------|----------------------|----------------------|----------------------|
| Primary Building Forms Allowed             | General              | General              | General              | General              |
| Height in Stories/<br>Height in Feet (max) | None/150'            | None/150'            | None/150'            | None/40'             |
| Building Coverage (max)                    | N/A                  | N/A                  | N/A                  | 30%                  |
| Floor Area Ratio (max)                     | N/A                  | N/A                  | N/A                  | N/A                  |
| Primary Build-To Percentages (min)         | 60%                  | 50%                  | N/A                  | N/A                  |
| Primary Build-To Ranges                    | 0'-25'               | 0'-25'               | N/A                  | N/A                  |

|                                                                                            |             |             |                       |             |
|--------------------------------------------------------------------------------------------|-------------|-------------|-----------------------|-------------|
| Primary Street Setbacks (min)                                                              | 0'          | 0'          | 5'                    | 5'          |
| South Platte River Primary Street Setbacks (min)                                           | 25'         | N/A         | 25'                   | 25'         |
| Surface Parking Between a Building and a Primary Street                                    | Not Allowed | Not Allowed | Allowed               | Not Allowed |
| Primary Street Parking Setback (Structured/Surface) (min)                                  | 65'/40'     | N/A         | N/A                   | N/A         |
| Transparency, Primary Street (min)                                                         | 60%         | 10%         | N/A                   | 40%         |
| Transparency, South Platte River Primary Street (min)                                      | 60%         | 10%         | 40%                   | 40%         |
| Pedestrian Connection                                                                      | Entrance    | Entrance    | Pedestrian Connection | Entrance    |
| Street Level Active Use (min percentage of building frontage meeting build-to requirement) | 100%        | 20%         | N/A                   | N/A         |

### **District Sign Plan Option**

The text amendment would apply sign regulations for the proposed zone districts that are identical to those in the existing CMP-NWC and CMP-ENT zone districts. However, the text amendment also establishes a District Sign Plan option for all Campus-National Western Center zone districts. This mechanism allows for creative campus signage and lighting elements that may not be allowed under the baseline zoning provided that such signage and/or lighting elements are consistent with a District Sign Plan approved by the Denver Planning Board. The proposed text amendment establishes the criteria by which the Planning Board may approve or deny a District Sign Plan.

### **No Minimum or Maximum Parking Requirements**

The proposed zone districts do not include minimum or maximum vehicular parking requirements. Daily vehicular parking demand is anticipated to vary widely for Phases 1-2 of the campus from 1,100 spaces on a typical day to more than 10,000 on a Stock Show weekend day. As such, the zoning provides the campus operator and parking management entity (NWC Authority) the ultimate flexibility to respond to day-to-day, medium event and large event scenarios.

### **Summary of City Agency Referral Comments**

As part of the DZC review process, proposed text and map amendments referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

**Assessor:** Approved – No Response

**Asset Management:** Approved – No Comments

**Denver Public Schools:** Approved – No Response

**Department of Environmental Health:** Approved – See Comments

Notes. DDPHE, conditionally concurs with the rezoning. Environmental concerns exist on the site including groundwater contaminated with tetrachloroethene (PCE) and subsurface soil containing organic-based debris, asbestos and metals. The presence of PCE in groundwater is a potential concern for PCE vapor intrusion into existing or new buildings from contaminated soil or groundwater. Vapor mitigation systems, which would also accommodate concerns for naturally occurring radon gas, should be installed in structures intended for human occupancy. Additionally, should construction dewatering be required, a permit from the Colorado Department of Public Health and Environment (CDPHE) would be required prior to discharge of the groundwater. During future soil disturbing activities, materials may be encountered that will require special handling and disposal.

General Notes: Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas intrusion into buildings, DEH suggests installation of a radon mitigation system in structures planned for human occupation or frequent use. It may be more cost effective to install a radon system during new construction rather than after construction is complete. If renovating or demolishing existing structures, there may be a concern of disturbing regulated materials that contain asbestos or lead-based paint. Materials containing asbestos or lead-based paint should be managed in accordance with applicable federal, state and local regulations.

The Denver Air Pollution Control Ordinance (Chapter 4- Denver Revised Municipal Code) specifies that contractors shall take reasonable measures to prevent particulate matter from becoming airborne and to prevent the visible discharge of fugitive particulate emissions beyond the property on which the emissions originate. The measures taken must be effective in the control of fugitive particulate emissions at all times on the site, including periods of inactivity such as evenings, weekends, and holidays.

Denver's Noise Ordinance (Chapter 36–Noise Control, Denver Revised Municipal Code) identifies allowable levels of noise. Properties undergoing Re-Zoning may change the acoustic environment, but must maintain compliance with the Noise Ordinance. Compliance with the Noise Ordinance is based on the status of the receptor property (for example, adjacent Residential receptors), and not the status of the noise-generating property. Violations of the Noise Ordinance commonly result from, but are not limited to, the operation or improper placement of HV/AC units, generators, and loading docks. Construction noise is exempted from the Noise Ordinance during the following hours, 7am–9pm (Mon–Fri) and 8am–5pm (Sat & Sun). Variances for nighttime work are allowed, but the variance approval process requires 2 to 3 months. For variance requests or questions related to the Noise Ordinance, please contact Paul Riedesel, Denver Environmental Health (720-865-5410).



Scope & Limitations: DDPHE performed a limited search for information known to DEH regarding environmental conditions at the subject site. This review was not intended to conform to ASTM standard practice for Phase I site assessments, nor was it designed to identify all potential environmental conditions. In addition, the review was not intended to assess environmental conditions for any potential right-of-way or easement conveyance process. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

**Parks and Recreation:** Approved – No Response

**Public Works – ROW - City Surveyor:** Approved – No Comments

**Development Services - Transportation:** Approved – No Response

**Development Services – Wastewater:** Approved – No Response

**Development Services – Project Coordination:** Approved – No Response

**Development Services – Fire Prevention:** Approved – No Response

## Public Outreach Process

Important milestones in the public outreach and review process for the proposed text and map amendments are included in the table below:

|                                                                                                                                                                                                              | Date               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| City Council approves the National Western Center Master Plan (plan development included extensive public process beginning in 2014)                                                                         | <b>Spring 2015</b> |
| Text and map amendment adopted, establishing Campus-National Western Center context in the Denver Zoning Code and mapping first CMP-NWC zone district on City owned properties east of the BNSF rail tracks  | <b>Summer 2015</b> |
| Community Workshop hosted by NWCO on Placemaking work, and introducing project and process for zoning amendments and design standards and guidelines documents                                               | <b>10/18/18</b>    |
| Initial meeting with National Western Center Citizen Advisory Committee (NWC CAC) to kick off the Regulatory Package for the National Western Center (zoning amendments and design standards and guidelines) | <b>10/25/18</b>    |
| Meeting with NWC CAC to present initial zoning strategy and potential variables to address in the zoning                                                                                                     | <b>11/7/18</b>     |
| Zoning Strategy Report posted to City website                                                                                                                                                                | <b>1/31/19</b>     |

|                                                                                                                                                                                                                                                                                                                                                                                                                                              |                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| Meeting with NWC CAC to present the NWC Zoning Strategy Report                                                                                                                                                                                                                                                                                                                                                                               | <b>1/31/19</b> |
| Presentation for the INC Zoning and Planning (ZAP) Committee (Part 1)                                                                                                                                                                                                                                                                                                                                                                        | <b>4/27/19</b> |
| Initial Public Draft Zoning Amendment Redlines posted to CPD website and shared with NWC CAC                                                                                                                                                                                                                                                                                                                                                 | <b>5/3/19</b>  |
| Planning Board information item                                                                                                                                                                                                                                                                                                                                                                                                              | <b>5/15/19</b> |
| Presentation for the INC Zoning and Planning (ZAP) Committee (Part 2)                                                                                                                                                                                                                                                                                                                                                                        | <b>6/1/19</b>  |
| Second Public Review Draft Zoning Amendment Redlines posted to CPD website                                                                                                                                                                                                                                                                                                                                                                   | <b>6/4/19</b>  |
| RNO and City Council Email Notification                                                                                                                                                                                                                                                                                                                                                                                                      | <b>6/4/19</b>  |
| Postcards sent to all property owners potentially affected by proposed map amendment to apply proposed zone districts (proposal 2019I-00104) with invitation to public meeting.                                                                                                                                                                                                                                                              | <b>6/4/19</b>  |
| Planning Board Hearing Review Draft Zoning Amendment Redlines posted to CPD website                                                                                                                                                                                                                                                                                                                                                          | <b>6/24/19</b> |
| Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all members of City Council and registered neighborhood organizations                                                                                                                                                                                                                                                    | <b>6/24/19</b> |
| Meeting with NWC CAC to present Planning Board Hearing Draft Zoning Amendment Redlines                                                                                                                                                                                                                                                                                                                                                       | <b>6/27/19</b> |
| Based on feedback received at the NWC CAC meeting on 6/27/19, CPD adds a condition to its recommendation to Planning Board that the map amendment application be modified such that the CMP-NWC-R zone district is applied to the areas south of Proposed Bettie Cram Drive along the South Platte River for an approximate distance of 400 feet to the south and a depth of 100 feet as measured from the South Platte River Zone Lot Line. | <b>7/10/19</b> |
| Planning Board Public Hearing results in the item being continued to the next Planning Board meeting to provide time for staff to analyze and revise proposed Section 10.10.8.9.A through 10.10.8.9.E of Text Amendment #5.                                                                                                                                                                                                                  | <b>7/10/19</b> |
| Based on concerns received from Planning Board on 7/10/19, CPD adds a condition to its recommendation to Planning Board that Text Amendment #5 be modified such that Sections 10.10.8.9.A through 10.10.8.9.E of the                                                                                                                                                                                                                         | <b>7/17/19</b> |

|                                                                                                                                                                                                 |                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| Planning Board Review Draft are replaced with stronger criteria by which the Planning Board may approve or deny a future District Sign Plan.                                                    |                |
| Planning Board Public Hearing (as continued from 7/10/19) concludes with a <b>(9-0)</b> board recommendation of approval of Denver Zoning Code Text Amendment #5 and Map Amendment #2019I-00104 | <b>7/17/19</b> |
| Land Use, Transportation and Infrastructure (LUTI) Draft Zoning Amendment Redlines posted to CPD website                                                                                        | <b>7/25/19</b> |
| Land Use, Transportation and Infrastructure (LUTI) Committee                                                                                                                                    | <b>7/30/19</b> |
| City Council Draft Zoning Amendment Redlines posted to CPD website                                                                                                                              | <b>8/12/19</b> |
| Property legally posted for a period of 21 days and CPD written notice of the City Council public hearing sent to all members of City Council and registered neighborhood organizations         | <b>8/19/19</b> |
| City Council Public Hearing                                                                                                                                                                     | <b>9/9/19</b>  |

### Public Comments

As of the date of this staff report, no letters have been received from a registered neighborhood organization. Letters of support have been received from the National Western Center Authority, the Western Stock Show Association and Colorado State University. Letters are included as Attachment D to this staff report.

## Criteria for Review / Staff Evaluation

### Summary of All Applicable Denver Zoning Code Review Criteria

**General Review Criteria for All Text Amendments.** Section 12.4.11 of the Denver Zoning Code (DZC) sets forth the following general review criteria for consideration of any text amendment:

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

**General Review Criteria for All Map Amendments.** Section 12.4.10 of the Denver Zoning Code (DZC) sets forth the following general review criteria for consideration of a legislative map amendment (note that Sec. 12.4.10.8 “Additional Review Criteria for non-Legislative Rezoning” does not apply to this legislative map amendment):

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

## 1. Consistency with Adopted Plans

The following adopted plans currently apply to this property:

- *Denver Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Globeville Neighborhood Plan (2014)*
- *National Western Center Master Plan (2015)*
- *Elyria and Swansea Neighborhoods Plan (2015)*

### ***Denver Comprehensive Plan 2040***

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, including:

- Strong and Authentic Neighborhoods Goal 1, Strategy A – *Build a network of well connected, vibrant, mixed-use centers and corridors.* (p. 35).
- Strong and Authentic Neighborhoods Goal 2, Strategy C – *Create people-oriented places that embrace community character with thoughtful transitions, aspirational design and an engaging public realm.* (p. 35).
- Strong and Authentic Neighborhoods Goal 9, Strategy A – *Encourage design and new development to improve public safety.* (p. 35).
- Economically Diverse and Vibrant Goal 7, Strategy B – *Advance cultural tourism and expand the city's diversity of innovative industries.* (p. 47).
- Environmentally Resilient Goal 5, Strategy A- *Promote the value of Denver's only river and expand its role in creating great neighborhoods, improving flood management and expanding natural habitat.* (p.53).
- Environmentally Resilient Goal 8, Strategy A- *Promote infill development where infrastructure and services are already in place* (p.55).

The proposed text and map amendment will enable revitalization and infill development of the National Western Center campus in a manner that creates vibrant streets, requires development that contributes to walkability and pedestrian comfort, ensures that active uses make public spaces safer, and establishes a cultural and tourism center. Furthermore the text and map amendment will preserve opportunities to provide connections to the South Platte River and ensure that development responds sensitively to this natural resource. Therefore the rezoning is consistent with *Denver Comprehensive Plan 2040* recommendations.

### ***Blueprint Denver (2019)***

Blueprint Denver was adopted in 2019 as a supplement to Comprehensive Plan 2040 and establishes an integrated framework for the city's land use and transportation decisions. *Blueprint Denver* identifies the subject property as part of a **Regional Center** place within the **Urban Center Neighborhood Context** and provides guidance from the future growth strategy for the city.

### **Blueprint Denver Future Neighborhood Context**

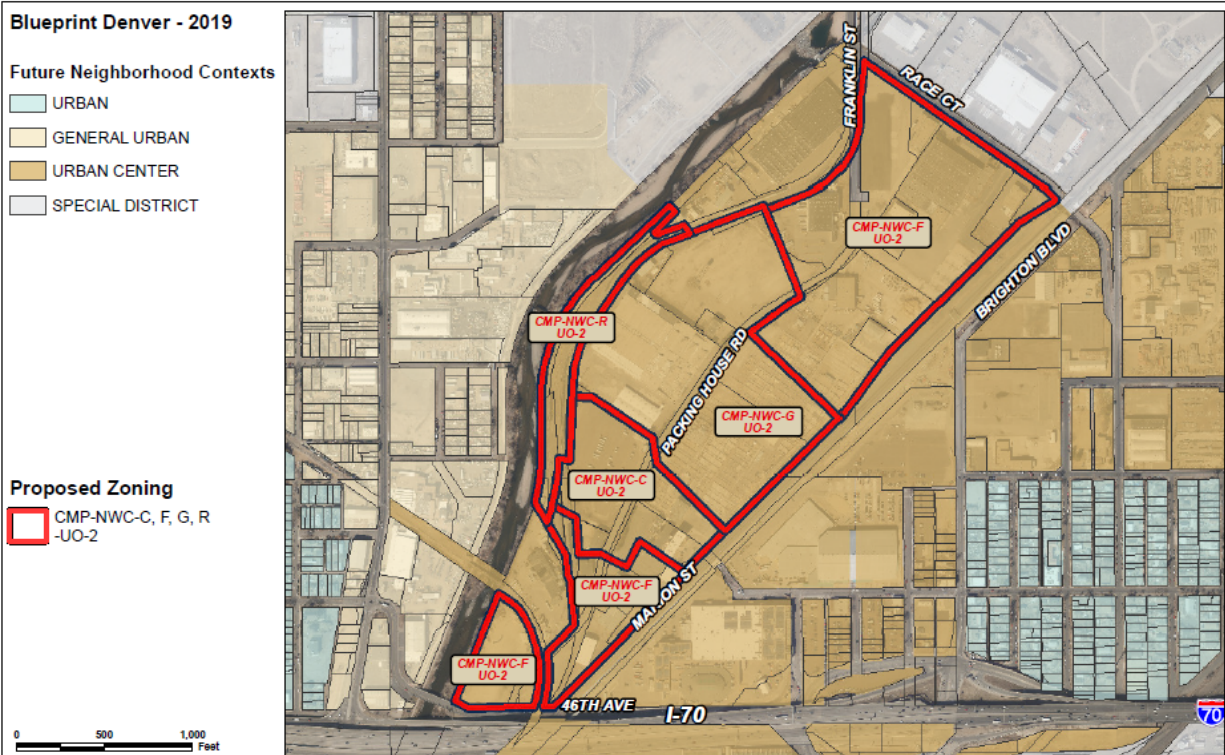
The proposed rezoning is shown on the context map as Urban Center, however it will also function similarly to a Campus Neighborhood Context in many ways. The Campus zoning context is proposed for



this rezoning. *Blueprint Denver* provides additional applicable guidance on how to apply plan direction on neighborhood context to rezonings stating, “The mapping of neighborhood context is at the citywide scale, so the boundaries of the context may be interpreted with limited flexibility if the request furthers the goals of Blueprint Denver and is consistent with the overall intent of the neighborhood context map” (p. 66). The context map is aspirational in nature, intended to provide a high-level of understanding as to the differences in land use and built form, mobility options and quality-of-life infrastructure between different neighborhoods (p. 139). For this application, the Campus context helps realize the goals of the mapped Urban Center neighborhood context, while maintaining zoning continuity with the previously established CMP-NWC district that was intended to implement the National Western Center Master Plan.

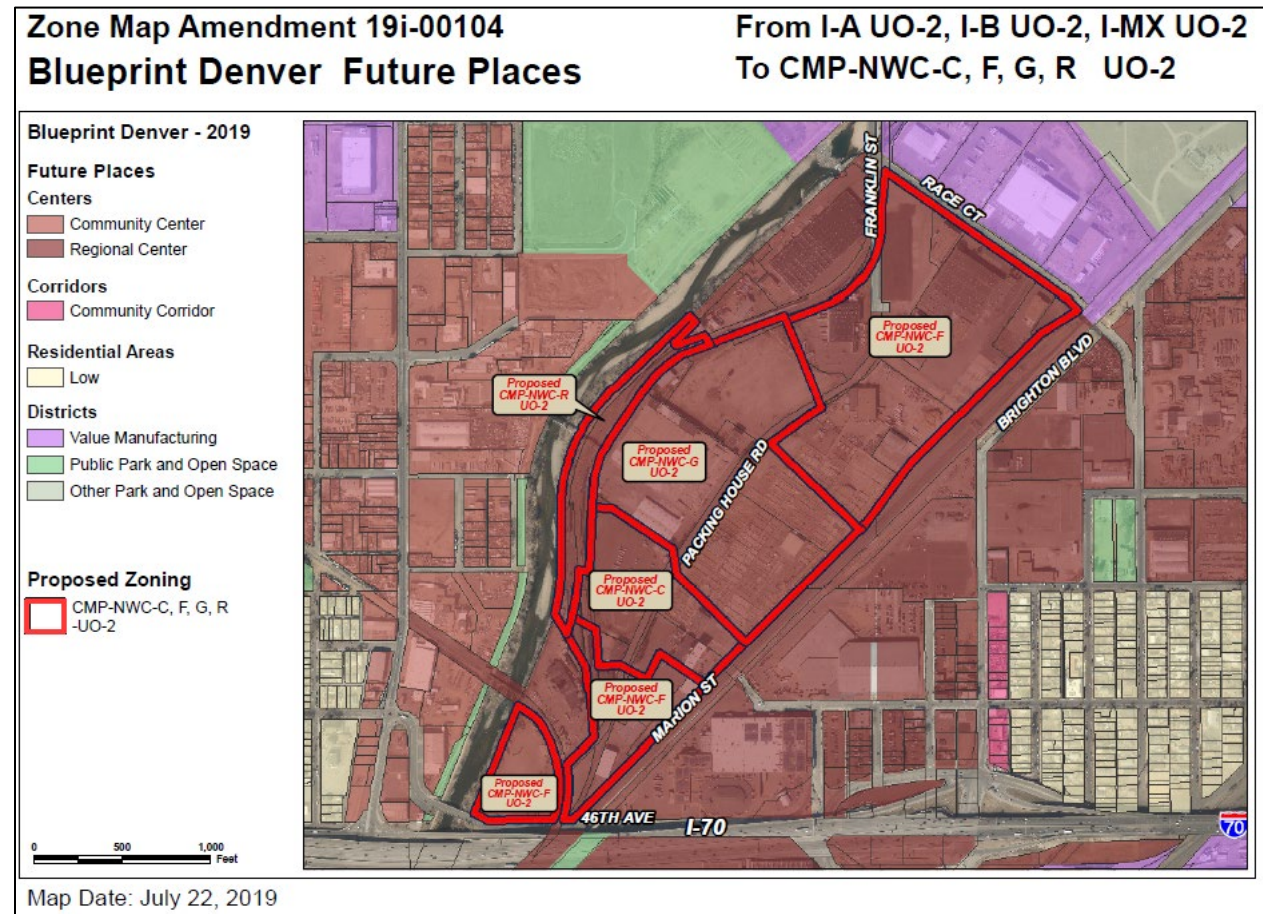
For example, the Urban Center neighborhood context is described as containing “mixed-use places of different scales. People often go to centers to engage in social activities and entertainment, such as shopping, dining and cultural events” (p. 140). The Urban Center context “contains high intensity residential and significant employment areas. Development typically contains a substantial mix of uses, with good street activation and connectivity.” (p. 252). Since the proposed CMP-NWC-C, CMP-NWC-G, CMP-NWC-F and CMP-NWC-R zone districts allow a substantial mix of uses that contribute to street activation and will allow the creation of a major activity and cultural event center, the proposed rezoning is to Campus context is appropriate and consistent with the plan.

## Zone Map Amendment 19i-00104 From I-A UO-2, I-B UO-2, I-MX UO-2 To CMP-NWC-C, F, G, R UO-2 Blueprint Denver Future Neighborhood Contexts



### Blueprint Denver Future Places

The Future Places Map shows the area of the proposed rezoning as a Regional Center. *Blueprint Denver* describes the aspirational characteristics of Regional Centers in the Urban Center context as, “Contains a high mix of uses...larger scale mixed-use buildings are common. Structures should respond in form and mass to the streets and public spaces around them. High degree of urbanism with continuous build frontages to define the public realm. Heights are generally the tallest in the context and transition gradually with the center to the surrounding residential areas” (p. 256). The proposed CMP-NWC-C, CMP-NWC-G, CMP-NWC-F and CMP-NWC-R provide a wide range and mix of uses and establish provisions that require buildings along streets connecting the Globeville and Elyria neighborhoods through the campus to provide continuous building frontages that define the public realm. Large scale mixed-use buildings are allowed. The future proposed height of up to 150 feet is appropriate for a Regional Center in this location.



### **Growth Strategy**

The subject property is part of a Regional Center. Regional Centers are anticipated to see around 30% of new housing growth and 50% of new employment growth by 2040” (p. 51). Focusing growth in centers and corridors helps to provide a variety of housing, jobs and entertainment options within a comfortable distance to all Denverites and is a key element of building complete neighborhoods throughout Denver” (p. 49). The proposed map amendment to CMP-NWC-C, CMP-NWC-G, CMP-NWC-F and CMP-NWC-R will focus mixed-use growth to a Regional Center where it has been determined to be most appropriate. Access to jobs and services can improve in the proposed Campus zone districts, and this site has access to bus transit lines and in the near future will have access to an RTD commuter rail line.



**Zone Map Amendment 19i-00104**  
**From I-A UO-2, I-B UO-2, I-MX UO-2 To CMP-NWC-C, F, G, R UO-2**  
**Blueprint Denver Future Growth Strategy**



Map Date: July 22, 2019

### **Street Types**

*Blueprint Denver* 2019 classifies Race Court and East 46<sup>th</sup> Avenue as Mixed-Use Collectors. “Collector streets are in between a local street and an arterial street; they collect movement from local streets and convey it to arterial streets” (p.154). The use and built form characteristics of Mixed-Use streets is described as, “Varied mix of uses including retail, office, residential and restaurants. Buildings are pedestrian-oriented, typically multi-story, usually with high building coverage with a shallow front setback” (p.159).

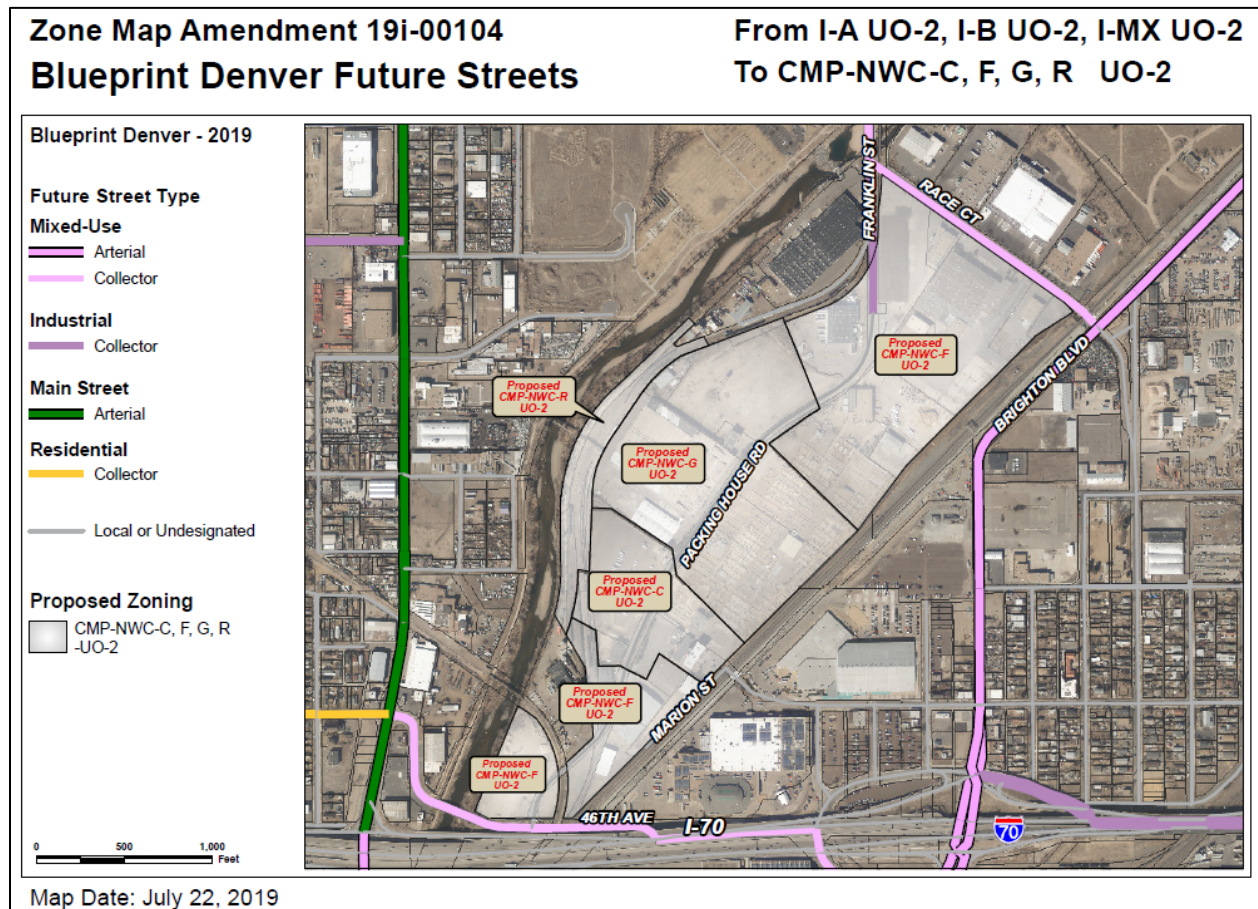
*Blueprint Denver* 2019 classifies a small portion of Franklin Street that enters into the area of the proposed rezoning at the north as a Industrial Collector. “Collector streets are in between a local street and an arterial street; they collect movement from local streets and convey it to arterial streets” (p.154). The use and build form of is described as being “characterized by manufacturing but may contain other uses. Buildings are generally low-rise and may be setback to accommodate site specific needs.” (p. 160).

The proposed zoning on properties surrounding the streets designated as Mixed Use Collectors is somewhat consistent with *Blueprint Denver*’s description of appropriate land use and built form on adjacent properties. The *Blueprint Denver* 2019 aspirational Street Types are applied to existing streets,



whereas the proposed zone districts are based on a planned street network that is yet to be constructed. Major anticipated streets that the zone districts are tailored to include Bettie Cram Drive and National Western Drive. Bettie Cram Drive and National Western Drive North will serve as Mixed Use streets in the area of the proposed rezoning. The proposed zone districts, and in particular the CMP-NWC-C zone district, reflect this vision for Bettie Cram Drive by requiring active uses, build-to zones, transparency and other provisions to ensure pedestrian-oriented buildings with consistent street walls that are consistent with Blueprint Denver's description of the Mixed Use Street Type. The proposed zone districts do allow a varied mix of uses consistent with the aspirational Street Type.

The east side of the Franklin Street is proposed to be rezoned as CMP-NWC-F, which allows the most flexibility in terms of uses, setbacks, building design and other similar standards as needed to provide for the support and service role this area will play for the campus. As such, the proposed zone district abutting the street segment designated as Industrial Collector is consistent with Blueprint Denver.



#### Globeville Neighborhood Plan (2014)

The proposed text amendment and map amendment are consistent with and progress the implementation of many concepts and strategies found in the Globeville Neighborhood Plan. While the area covered by the Globeville Neighborhood Plan does not coincide with the area of the proposed

rezoning, many of the strategies of the Globeville Neighborhood Plan rely on construction of the National Western Center, which will be facilitated by the proposed rezoning. Most of the following strategies are related to infrastructure inherent in the build-out of the National Western Center.

In the Strong Globeville chapter the following strategies apply to the National Western Center:

**B10. Embrace the South Platte River**

- **B10B:** An Activated Waterfront Plaza. Consider creating a waterfront plaza amenity close to the South Platte River for year-round activities with opportunities for synergy with the proposed National Western Center. Ensure that the plaza is well-connected to nearby green space, the South Platte River Trail, and the local street network.

**B15. Improve Neighborhood Services**

- **B15C:** Provide Better Access to Community Resources in Surrounding Neighborhoods. Ensure that there is safe, accessible, all-age, multi-modal access to the following key facilities in surrounding neighborhoods, including the National Western Center

In the Connected Globeville chapter the following strategies apply to the National Western:

**C5. Introduce a Street Grid between Washington Street and the south Platte River**

**C6. Introduce New Multi-modal Connections Over the River to the National Western Center.**

- Introduce new multi-modal connections over the river and into the National Western Center (NWC) to enhance the catalytic impact potential on the Globeville, Elyria, and Swansea Neighborhoods and to stitch the neighborhoods together. In identifying specific alignment and design for the new connections across the river, important considerations include:
  - o Accommodate vehicles, pedestrians, and bicycles.
  - o Locate the multi-modal connections along existing street alignments in Globeville. This Plan identifies 49th and 51st Avenues as the preferred locations for these connections.
  - o Provide more direct access from Globeville to the future NWC commuter rail station than exists today.
  - o Design and locate the bridges so as to facilitate riverfront development opportunities on the Globeville side of the river (see Connecting to the National Western Stock Show Transformative Project for more details).
  - o Maximize efficiencies that improve water quality and stormwater conveyance as well as connectivity
- 49th and 51st are identified as the first and second priorities as options to connect over the South Platte River and to the National Western Center.

In the Healthy Globeville chapter the following strategies apply to the National Western Center:

**D15. Connect to the National Western Center.**

Improve access and connectivity to and through residential neighborhoods and the redeveloped National Western Center.

**D18. Increase Food Access at the National Western Center.**

Promote new sources of healthy foods within the redeveloped National Western Center, such as grocery stores, farmers markets, and community gardens.

The proposed rezoning is consistent with and helps to implement these objectives of the Globeville Neighborhood Plan. The proposed zone districts will facilitate construction of the campus, which will result in the establishment of two new bridges connecting the campus to Globeville over the South Platte River, which will provide for multi-modal connectivity. The proposed zoning also allows for the types of uses envisioned in the Globeville Neighborhood Plan, such as farmers markets and community gardens.

**Elyria and Swansea Neighborhoods Plan (2015):**

The Elyria and Swansea Neighborhoods Plan was adopted by City Council in June 2015, and applies to the area of the proposed rezoning. The plan includes vision elements for a variety of topic areas that apply plan area-wide and strategies for specific character areas.

The proposed text amendment and map amendment are consistent with and progress the implementation of many concepts and strategies found in the Elyria and Swansea Neighborhoods Plan. Many of the strategies rely on the implementation of the National Western Center. Key relevant components of the Plan are described below.

In the Unique Elyria and Swansea chapter the following strategies apply to the National Western:

**A.2 Promote Heritage Tourism and historic integration**

**A.5 Establish National Western Center's Identity**

In the Strong Elyria and Swansea chapter the following strategies apply to the National Western Center:

**B.8 Establish maximum building heights to support a variety of land uses and community places and to accommodate the redevelopment of the National Western Center.** The building heights map in the Elyria and Swansea Neighborhoods Plan indicates up to 8 stories for the area of the proposed rezoning and for the entire National Western Center Campus area. The proposed CMP-NWC-C, CMP-NWC-G and CMP-NWC-F zone districts allows up to 150 feet in height but does not limit the number of stories, similar to other Campus zone districts in the Denver Zoning Code. Large event center and arena type buildings often have ceiling heights far in excess of typical story heights, making feet a more appropriate measurement for building height in a campus. This approach is consistent with that taken for the original CMP-NWC zone district, which was mapped on city-owned properties east of the BNSF railway following a community process for the rezoning undertaken in 2015.

**B.12 Encourage development of key opportunity sites, including the Denver Public Schools site directly across the street from the National Western Center Station, sites in closest proximity to the NWC station, and calls for redeveloping the National Western Center.**

The future land use recommendation for the subject site is Entertainment, Cultural, Exhibition, which was consistent with the previous Blueprint Denver designation and remains consistent with the Regional Center Place Type identified for the area of proposed rezoning in *Blueprint Denver 2019*.

In the Connected Elyria and Swansea chapter the following strategies apply to the National Western Center and the area of proposed rezoning:

**C.5** Explore relocation and/or consolidation of the Denver Rock Island Railroad (DRIR).

**C.9** Introduce new street connections between Elyria and Globeville

**C.10** Realign National Western Dr. between 46th Ave and Race Ct.

In the Healthy Elyria and Swansea chapter the following strategies apply to the National Western Center and the area of the proposed rezoning:

**D18.** Increase Food Access at the NWC

In the Character Area Strategies and Transformative Projects chapter, one of the Character Areas is the National Western Center and Station Area. From that section the following strategies apply to the National Western Center and the area of the proposed rezoning:

**E.29** Target TOD Opportunities Adjacent to the Station

**E.31** Encourage “Industrial” to “Industrial Mixed Use” Transition in Areas Closest to the Station

**E.34** Improve Neighborhood Access and Mobility to the NWC and the River

The proposed rezoning is consistent with and helps to implement the objectives of the Elyria and Swansea Neighborhoods Plan. The proposed zone districts will facilitate construction of the campus, which will result in enhanced connectivity between Globeville, the National Western Center campus and the Elyria and Swansea neighborhoods. The proposed rezoning also promotes establishment of a heritage tourism destination and will help to establish the identity of the National Western Center campus through zoning provisions that emphasize great streets, a key open space amenity and respect for the South Platte River. The proposed zone districts provide more restrictions on land uses than the I-A and I-B zoning that applies to the properties today, which furthers goals for transitioning from heavy industrial uses. Given these factors, the proposed rezoning is consistent with the Elyria and Swansea Neighborhoods Plan.

#### **National Western Center Master Plan (2015)**

The National Western Center Master Plan was adopted by City Council in 2015, and applies to the area of the proposed rezoning. The NWC Master Plan is the primary document intended to guide the redevelopment and revitalization of the campus. The Master Plan provides extensive content establishing a campus vision that includes overarching objectives for the campus. It also provides more guidance for specific subareas and subtopics, including identification of potential facilities, street



infrastructure, open space and cultural opportunities. It is worth noting that the campus design work conducted by NWCO and further investigation of site constraints and programmatic requirements since adoption of the Master Plan has resulted in a reorganization of some of the campus's components, but the revised designs meet the broader objectives of the Master Plan.

The Master Plan contains numerous goals, objectives and planning concepts that will be furthered by the proposed rezoning. This analysis of consistency focuses on the backbone objectives of the Master Plan that are established by the document's Guiding Principles, which are shown below.

- Community and Neighborhood Integration
- Engage the River and Nature
- Celebrate Western Heritage
- Inspire Health and Wellness
- Build Cultural Crossroads
- Be Pioneering: Break Trail and Foster Innovation
- Create Fun and Entertaining Experiences
- Grow Local, Regional and Global Intelligence

While many of these principles will be realized through the programming, events and neighborhood partnerships that will occur at the campus, the proposed rezoning helps to facilitate the realization of these principles as the campus is developed. The paragraphs below briefly address how the proposed rezoning helps to implement each guiding principle stated in the NWC Master Plan.

The proposed zone districts emphasize community and neighborhood integration by ensuring that development adjacent to the streets that connect to the surrounding neighborhoods contribute to a safe, comfortable and interesting street environment.

The proposed zone districts require that buildings are setback from the South Platte River and that when buildings are adjacent to the river, they are designed to provide an interesting built edge. The proposed zoning also limits high impact uses within proximity to the South Platte River edge in order to encourage an engaging river edge.

The proposed zone districts allow the flexibility needed to accommodate spaces and facilities that will celebrate western heritage through programming, public art, and interpretive signage.

The proposed zone districts inspire health and wellness by requiring buildings and spaces next to streets to establish pedestrian comfort and encourage walking. The proposed zoning also encourages connectivity along the river and that buildings be located to allow future trails along the river. In the CMP-NWC-R zone district, building coverage limits ensure that the area remains as an open space amenity for the campus and neighborhood.

The proposed zone districts facilitate the development of facilities, plaza spaces and open space amenities that allow programmatic elements and site features that celebrate the past, include art and share the history of the site and its surroundings.

The proposed zone districts encourage fostering innovation by accommodating educational and research facilities in fields of study related to food production, nutritional health, animal health and other related disciplines.

The proposed zone districts support the creation of fun and entertaining experiences by facilitating the development of a wide variety of facilities, plaza spaces and green space amenities in a cohesive campus environment.

The proposed zone districts help to grow local, regional and global intelligence by accommodating the uses, facilities and activities that are needed to create educational and research facilities across the campus.

The proposed zone districts embrace an ethic of regeneration by allowing flexibility for site utilities that may be needed to enhance campus sustainability and ensuring that development is sensitive to the South Platte River.

## **2. The Proposed Text and Map Amendment Further the Public Health, Safety and Welfare of the City**

The proposed text and map amendments further the public health, safety, and general welfare of Denver residents since they provide for implementation and revitalization of the National Western Center as identified in the City's Adopted Plans. The proposed zone districts ensure compatibility between land uses and with natural features by ensuring that higher impact uses, such as automobile services and contractors, are limited to the CMP-NWC-F district and limited within proximity to the South Platte River. The new zone districts, and in particular the CMP-NWC-C and CMP-NWC-G zone districts, require that development contribute to street character by requiring that new buildings and sites are designed to enhance walkability within the public realm and connectivity from Globeville to Elyria-Swansea through the campus. The CMP-NWC-R zone district helps to ensure that a publicly accessible open space remains an amenity into the future by limiting the scale and building coverage for new development.

## **3. The Proposed Text and Map Amendment Result in Regulations that are Uniform Across the District**

The proposed text and map amendments will result in uniform regulations applicable to all new buildings within land mapped as CMP-NWC-C, CMP-NWC-G, CMP-NWC-F and CMP-NWC-R.

### **Attachments**

- A. Redlined Draft of Proposed Denver Zoning Code Text Amendment #5
- B. Clean Draft of Proposed Denver Zoning Code Text Amendment #5
- C. Denver Zoning Code Map Amendment Rezoning Proposal #2019I-00104
- D. Stakeholder Letters
  - Email from the Western Stock Show Association (WSSA) (6/27/19)
  - Letter from National Western Center Authority (7/1/19)
  - Letter from Colorado State University (7/2/19)