



2500 E 1st Ave. - Cherry Creek West

Request: From B-3 to PUD-G 36

Date: 08.13.2024

Presenter: Fran Penafiel

Agenda

- Request
- Location and Context
- Proposed Zoning
- Concurrent Processes
- Process
- Review Criteria



Request



- Property:
 - Size: ~12.8 acres
 - Structures:
 - Three 1-3 story commercial buildings
 - Surface parking
- Rezone from B-3 to PUD-G 36
- Requesting rezoning to align with plan guidance and facilitate infill development

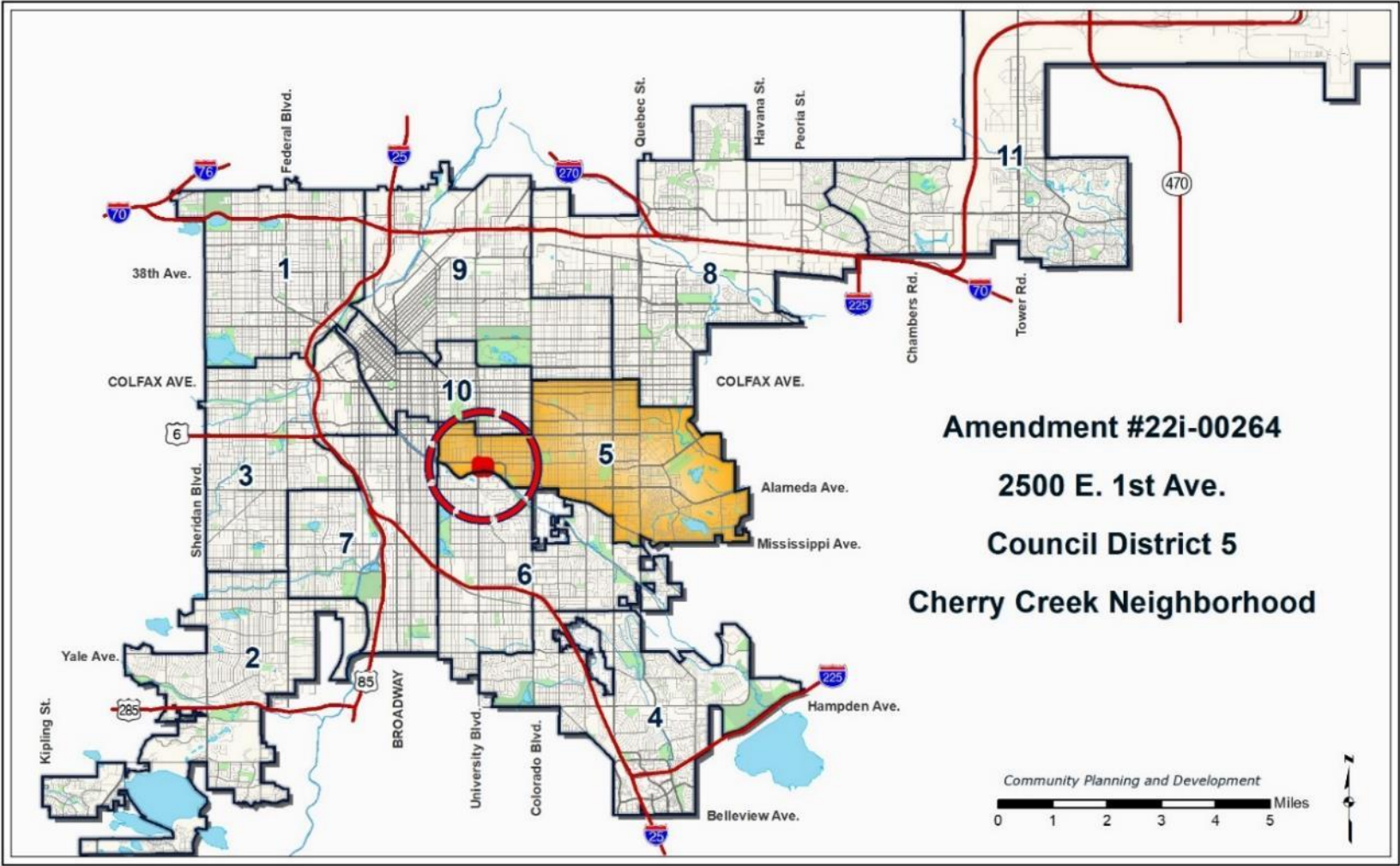
Reminder: Approval of a rezoning is not approval of a proposed specific development project

Agenda

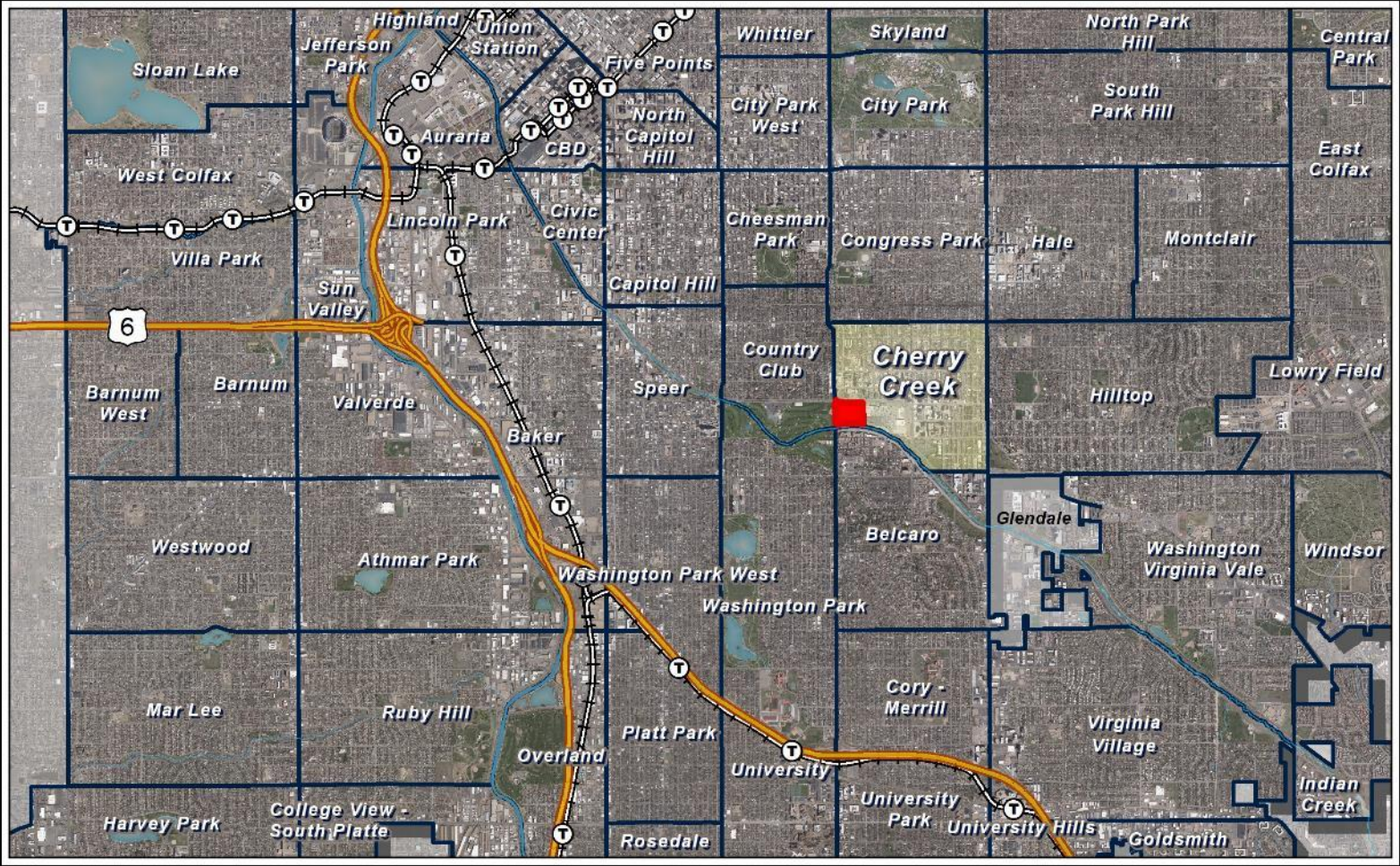
- Request
- Location and Context
- Proposed Zoning
- Concurrent Processes
- Process
- Review Criteria



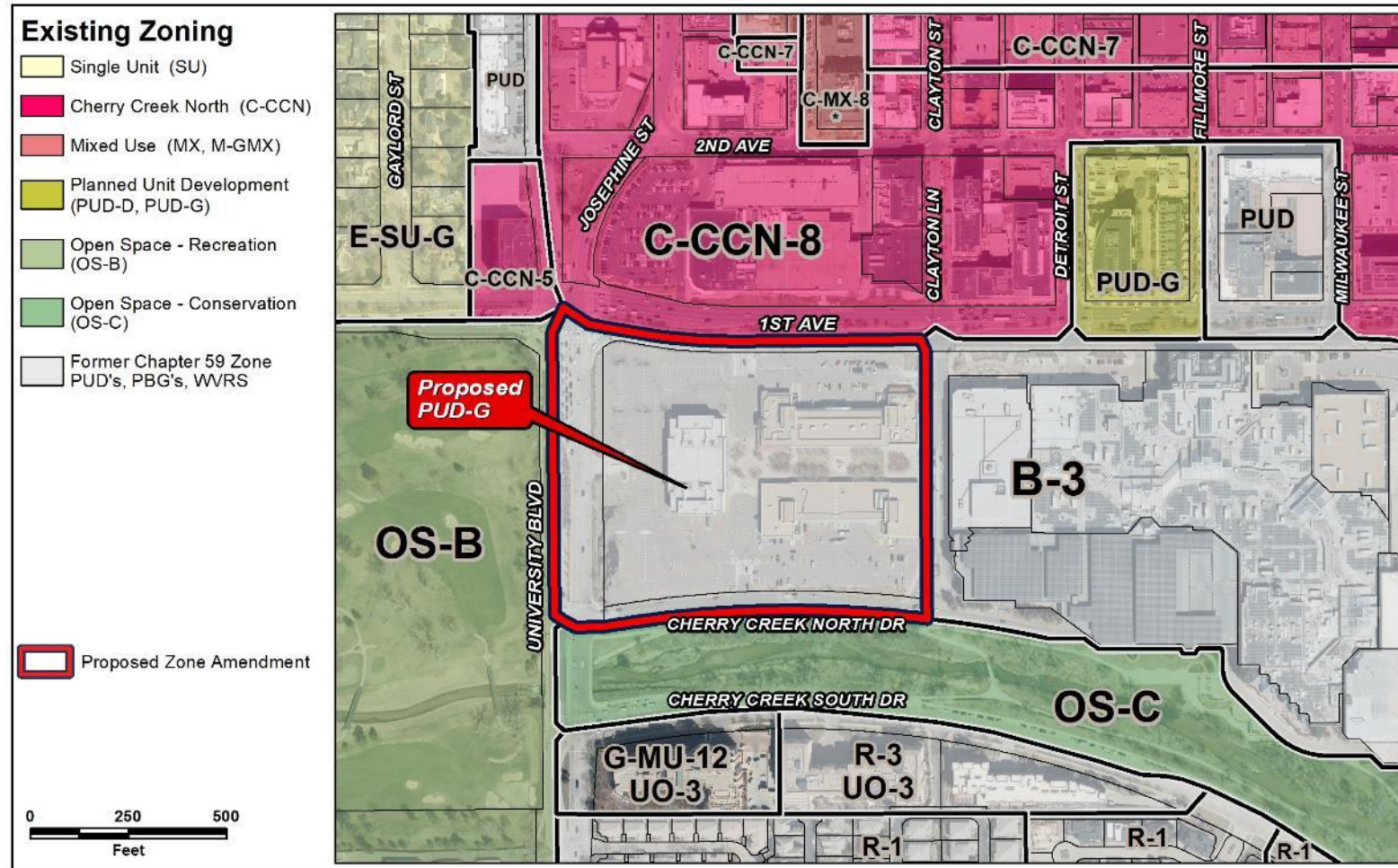
Council District 5 – Councilmember Sawyer



Statistical Neighborhood – Cherry Creek



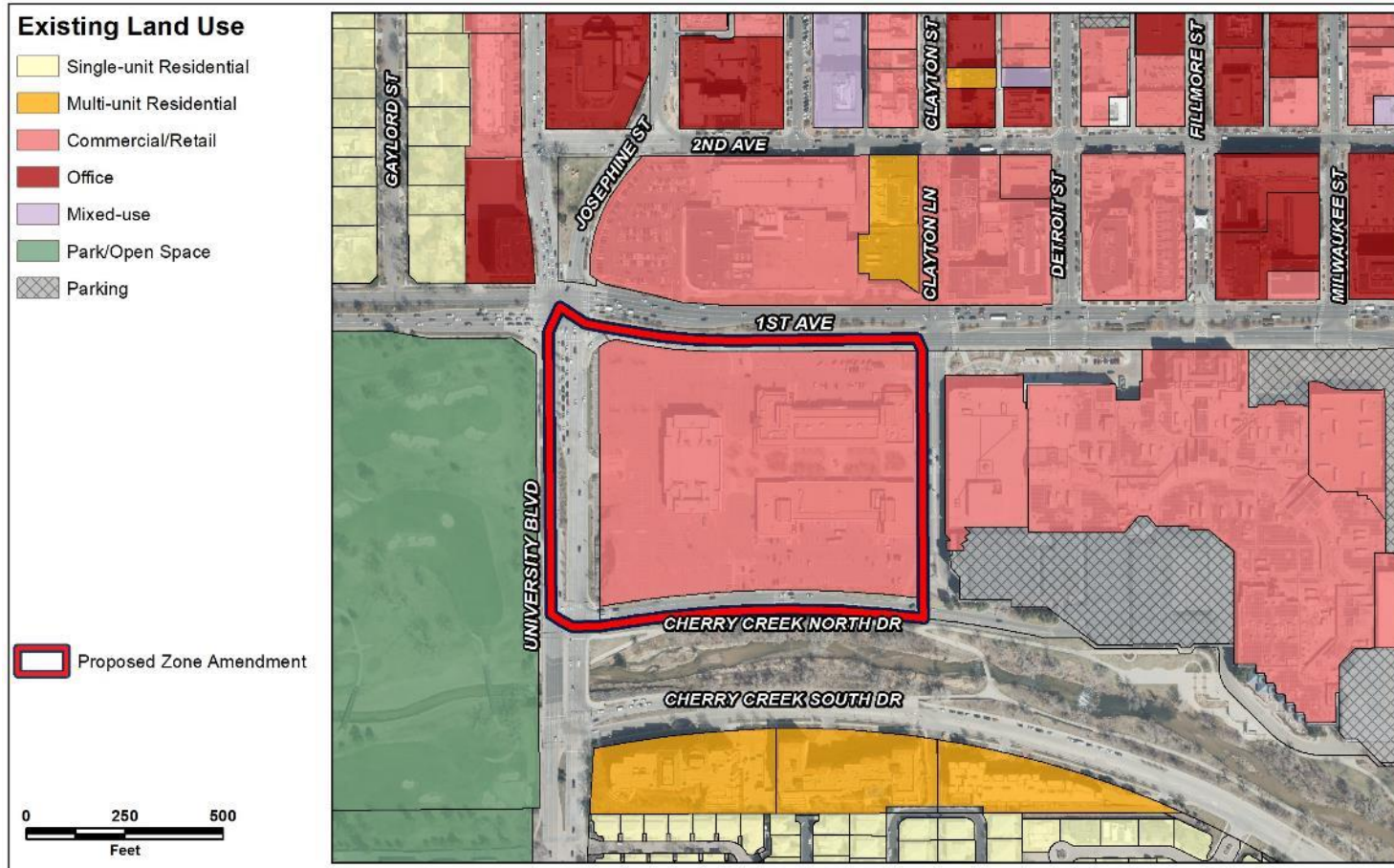
Existing Zoning - B-3



Proximity to:

- B-3
- C-CCN-8
- C-CCN-5
- OS-B
- OS-C
- G-MU-12 UO-3
- R-3 UO-3

Existing Context – Land Use



- **Commercial/Retail**

Adjacent to:

- Commercial/Retail
- Parking
- Office
- Multi-unit Residential
- Park/Open Space

Existing Context – Building Form/Scale



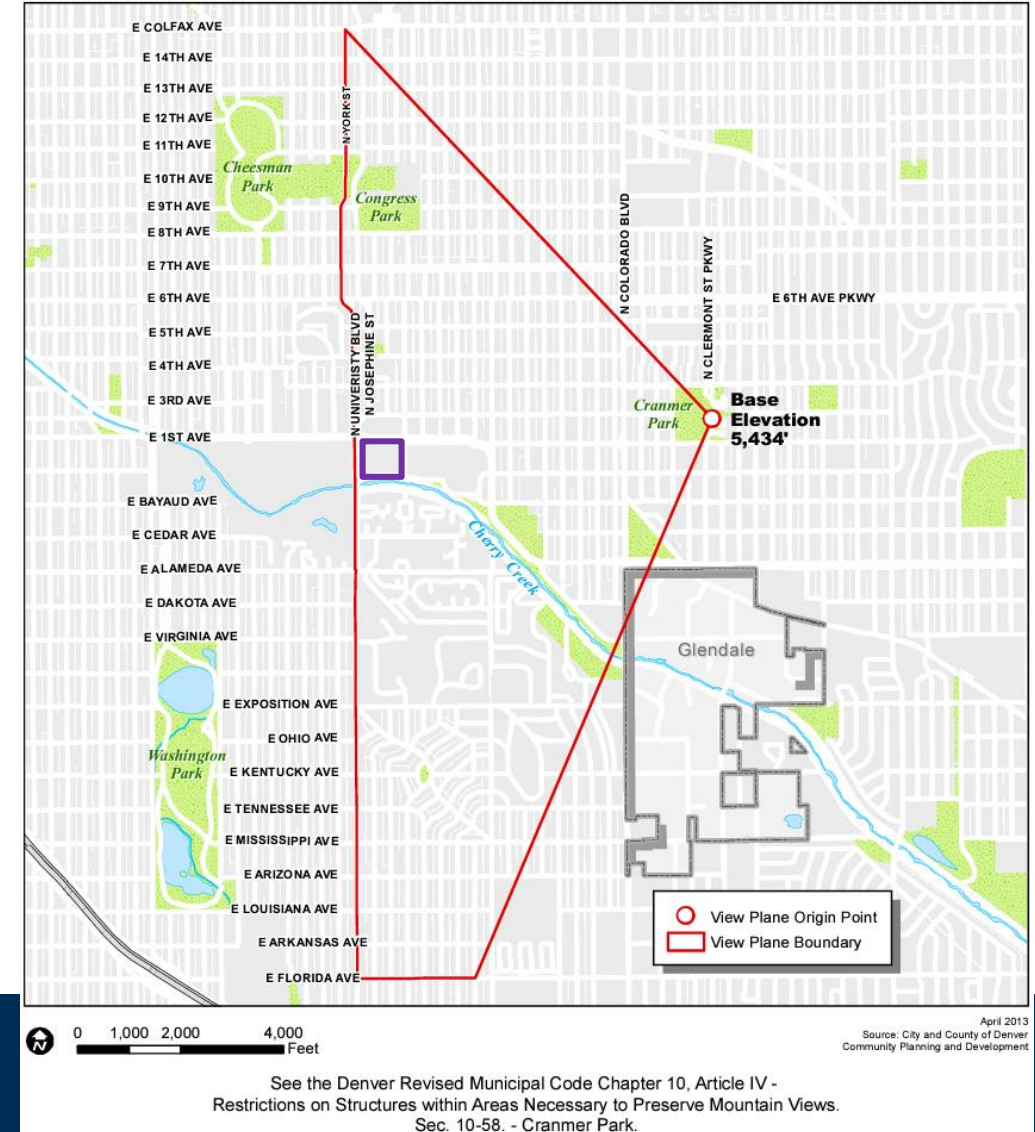
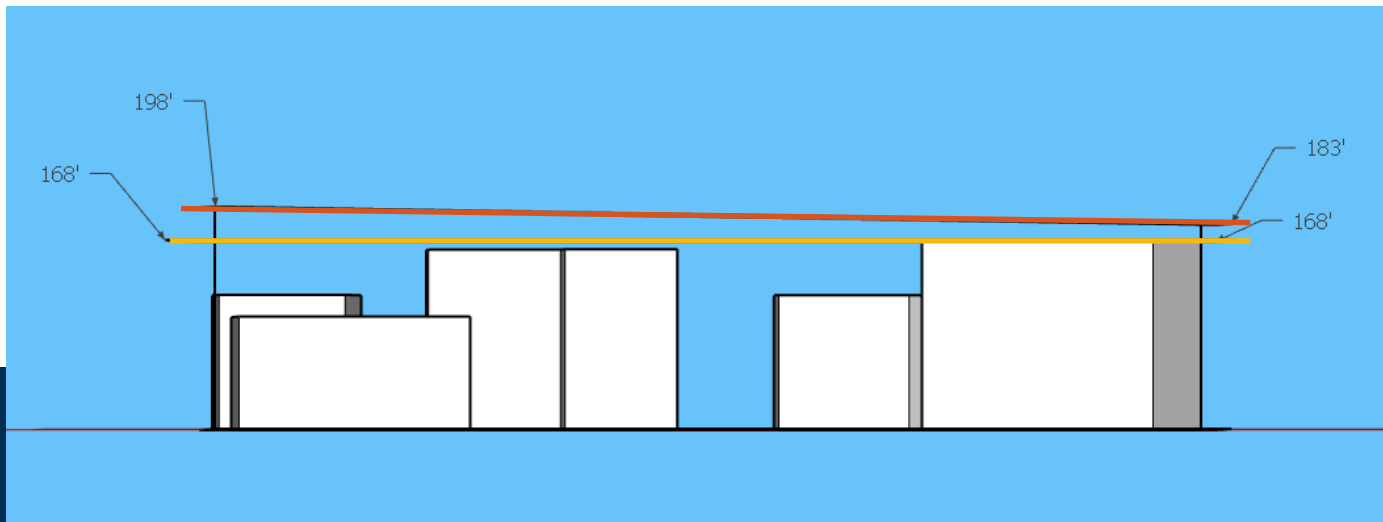
Existing Context – Building Form/Scale



View Plane – Cranmer Park View Plane

Max Building Heights Under the View Plane: between 183-198 feet

The subject site is restricted to a maximum height of roughly 183 feet on the east side of the site, and up to 198 feet in the most western part of the site. The proposed PUD-G 36 district restricts the height to a **maximum of 168 feet or 13 stories** throughout the site.



See the Denver Revised Municipal Code Chapter 10, Article IV - Restrictions on Structures within Areas Necessary to Preserve Mountain Views. Sec. 10-58. - Cranmer Park.

Agenda

- Request
- Location and Context
- Proposed Zoning
- Concurrent Processes
- Process
- Review Criteria



Request: PUD-G 36 based on C-CCN-12

Customized Standards

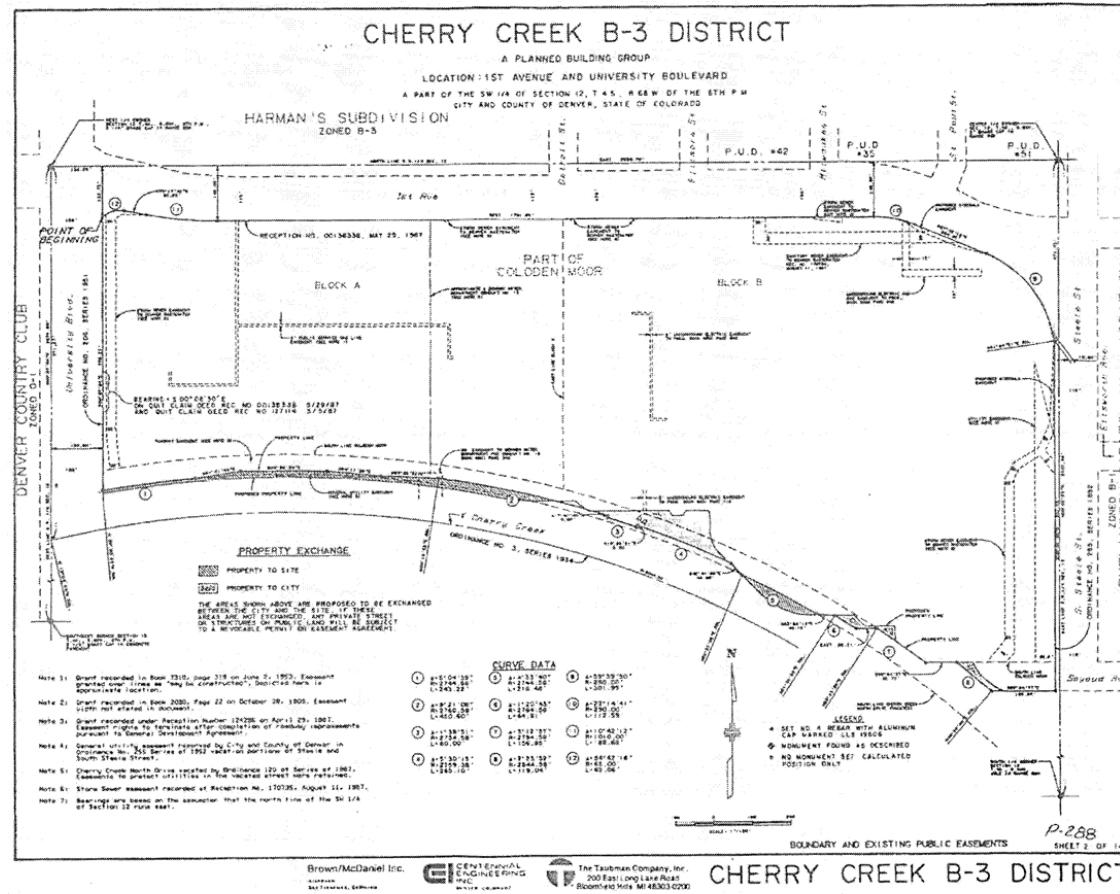
- Building height allowance of 13 stories and 168 feet.
- Household living on the ground floor on private streets.
 - Reduced transparency requirements on private streets for residential-only buildings.
 - Reduced active use requirement on private streets.
- Two internal private streets
- Four mid-block connections
- Mass reduction standard
- 10% publicly accessible open space
- Residential setback requirements

Agenda

- Request
- Location and Context
- Proposed Zoning
- Concurrent Processes
- Process
- Review Criteria



Planned Building Group (PBG)



Brown/McDaniel, Inc. CEMERICAL ENGINEERS INC. The Taubman Company, Inc.

CHERRY CREEK B-3 DISTRICT

FOURTH AMENDMENT
2014/01/14
SHEET 2 OF 22



Large Development Review

The site is subject to an approved Large Development Framework that includes a concept plan describing the proposed land uses, and open space and circulation networks.

Factors of determination:

- Gross land area of the project.
 - Need for a coordinated master framework.
 - Need for an Infrastructure Master Plan (IMP).
 - Rezoning.
 - Transit Oriented Development.
 - Transportation and Mobility.
 - Affordable housing.
- Large Development Review (LDR) deemed applicable: **2021**
- Signed Large Development Framework: **February 2023**
- An Infrastructure Master Plan is in progress.

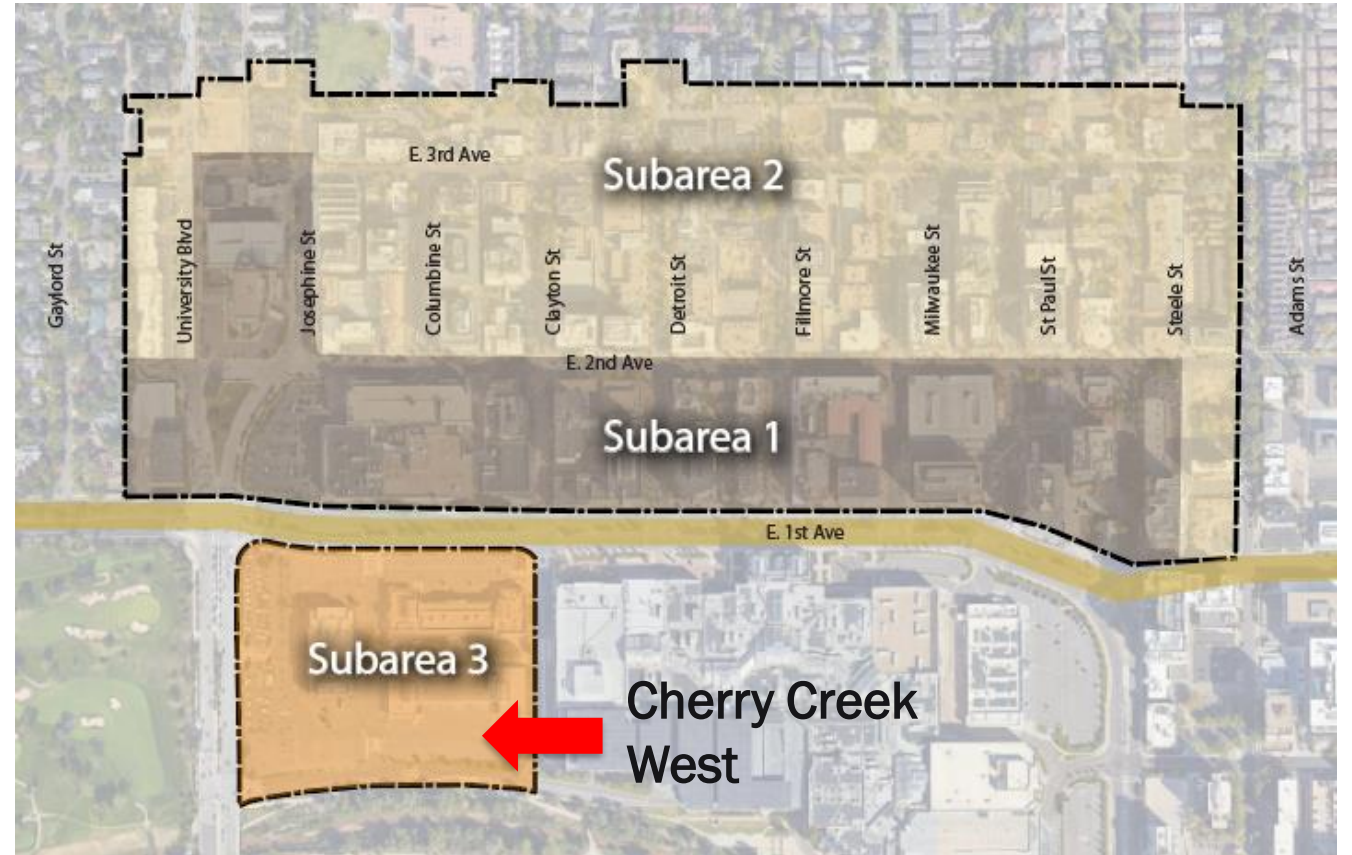
Development Agreement

Concurrent with the rezoning City Council will consider approval of a development agreement which includes agreements on:

- Affordable Housing
- Community partnership agreement to provide:
 - At least 8,000 square feet of affordable retail space at 10% below average lease rates.
 - A third-party consultant assessment of childcare needs related to the project
 - Targeted hiring to ensure that NEST residents have priority access to all open positions
- Agreement to establish design standards and guidelines
- Vesting

Urban Design Standards and Guidelines (UDSG)

- Apply existing Cherry Creek North UDSG to Cherry Creek West
- Amend existing UDSG to recognize unique conditions in Cherry Creek West and promote integration with Cherry Creek North
- Amend existing UDSG to address identified zoning conflicts



Agenda

- Request
- Location and Context
- Proposed Zoning
- Concurrent Processes
- Process
- Review Criteria



Process

PUD:

- Informational Notice: 05/31/24
- Planning Board Notice: 07/23/24
- Planning Board Public Hearing: 08/07/24
- LUTI Committee: 08/13/24
- City Council Public Hearing: 9/23/24 (tentative)

Planning Board

- Planning Board held a hearing on this item on 8.7.24
- The board voted unanimously to recommend APPROVAL
- 9 speakers, 1 neutral, 4 in support and 4 in opposition.
- Most concerns on the opposition related to potential CBA

Public Comments

- RNOs
 - 1 letter of opposition from Alamo Placita Neighborhood (APNA)
 - 1 comment letter from Cherry Creek Steering Committee (CCSC)
- 44 letters of support from the public
- 17 letters of opposition from the public
- 2 comment letter

Agenda

- Request
- Location and Context
- Proposed Zoning
- Concurrent Processes
- Process
- 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

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *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

Comprehensive Plan 2040



Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Cherry Creek Area Plan (2012)*

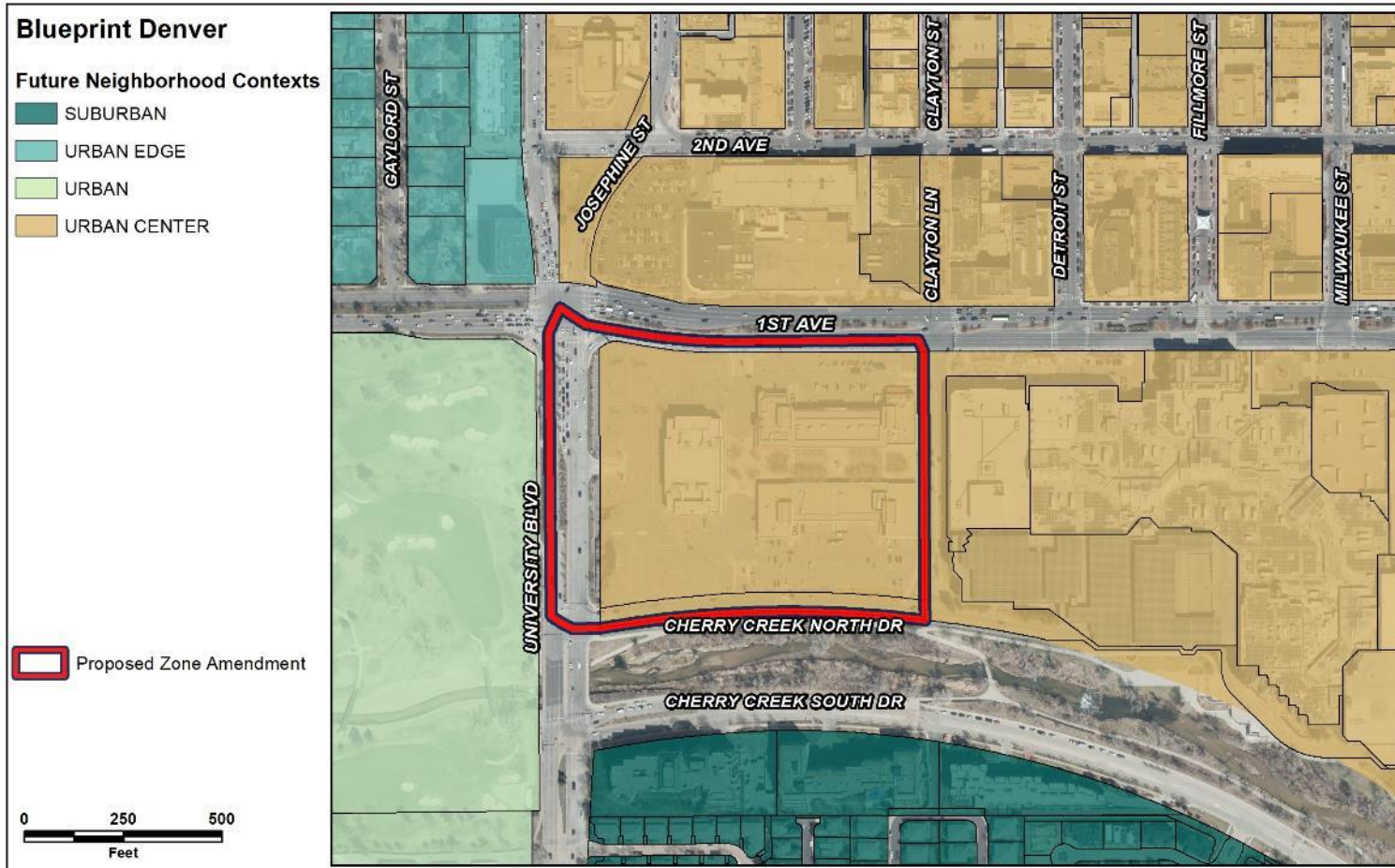
2. Uniformity of District Regulations

3. Further Public Health, Safety and Welfare

4. Justifying Circumstances

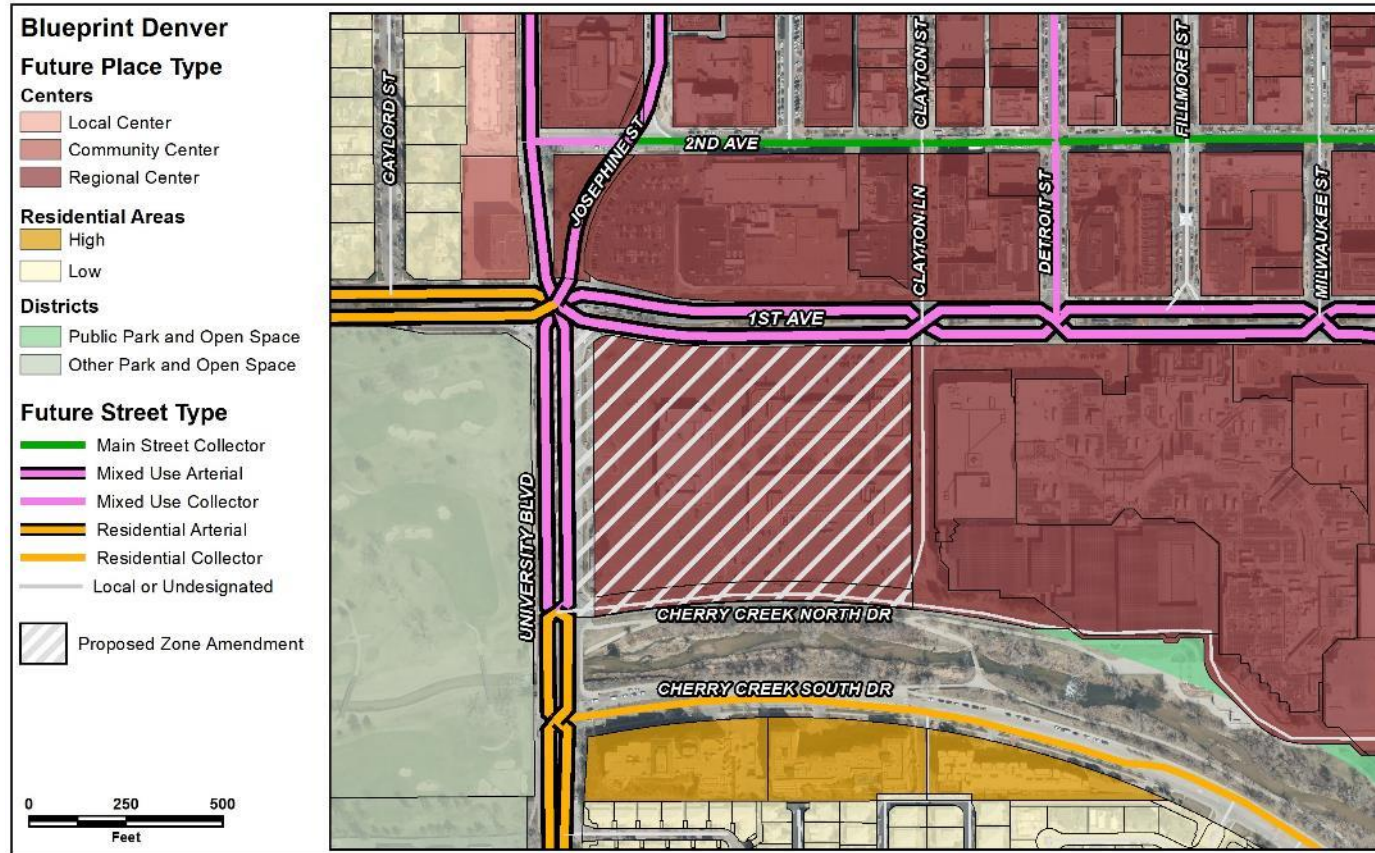
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

Blueprint Denver



- **Urban Center Neighborhood Context**
 - High mix of uses throughout with good street activation and connectivity
 - Buildings are usually multi-story with a high degree of lot coverage

Blueprint Denver



Regional Center

- Diversity of commercial and residential uses
- 24/7 live, work, entertainment environment
- High degree of urbanism
- Strong pedestrian realm

Evaluation is based on the proposed zone district is consistent with the Future Street Classification, not to assess the traffic impacts of a specific development proposal.

Blueprint Denver

Strategies

- Capture new housing growth in transit-rich Regional Centers
- Capture 90% of new job growth in Regional Centers and high intensity residential
- Coordinated development on large infill sites
- Create walkable, transit-friendly communities
- Rezone F Ch 59 properties into the DZC

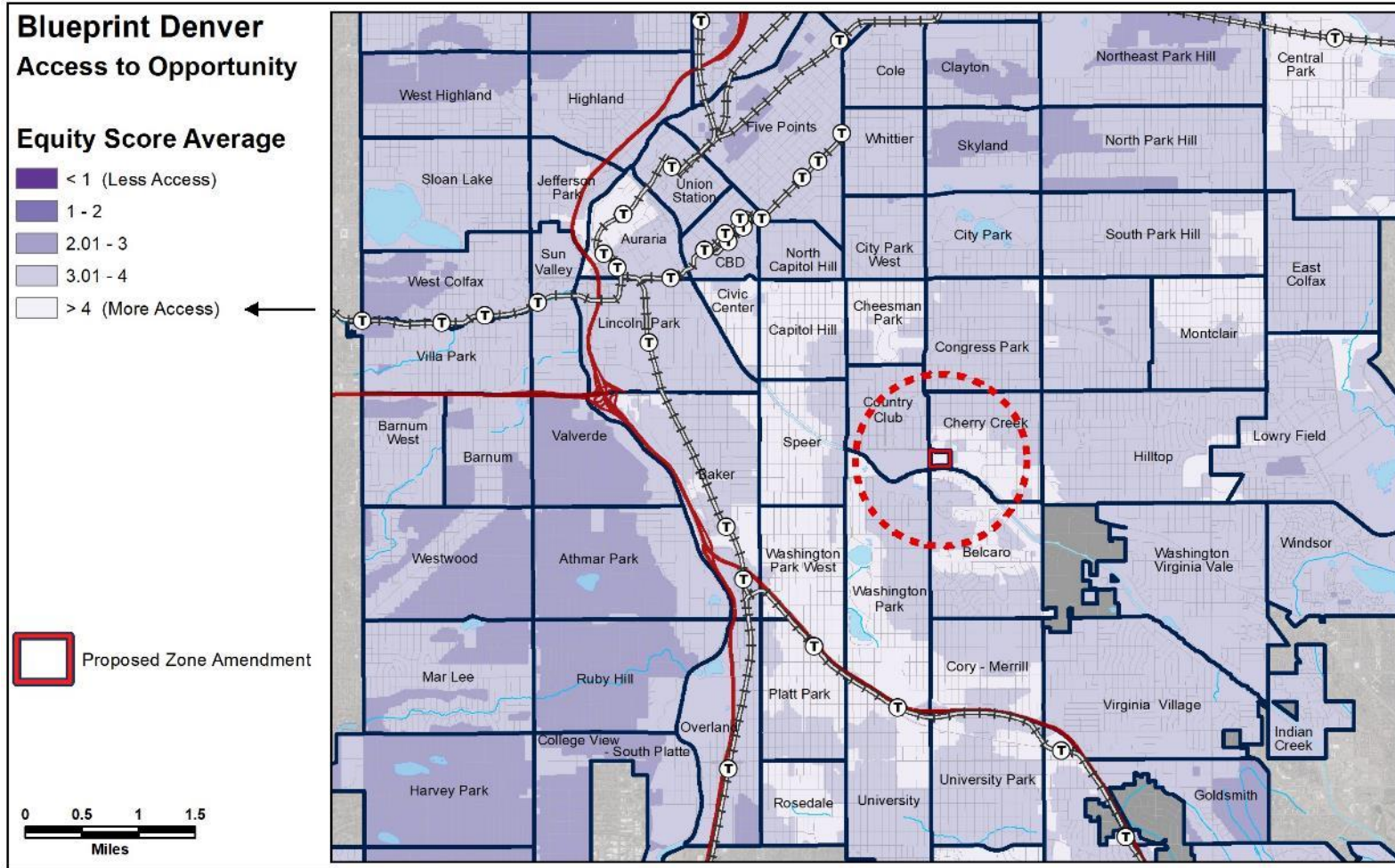
Blueprint Denver – Equity Analysis

Blueprint Denver Contains Three Major Equity Concepts

- Integrating these concepts into planning and implementation will help to create a more equitable Denver.



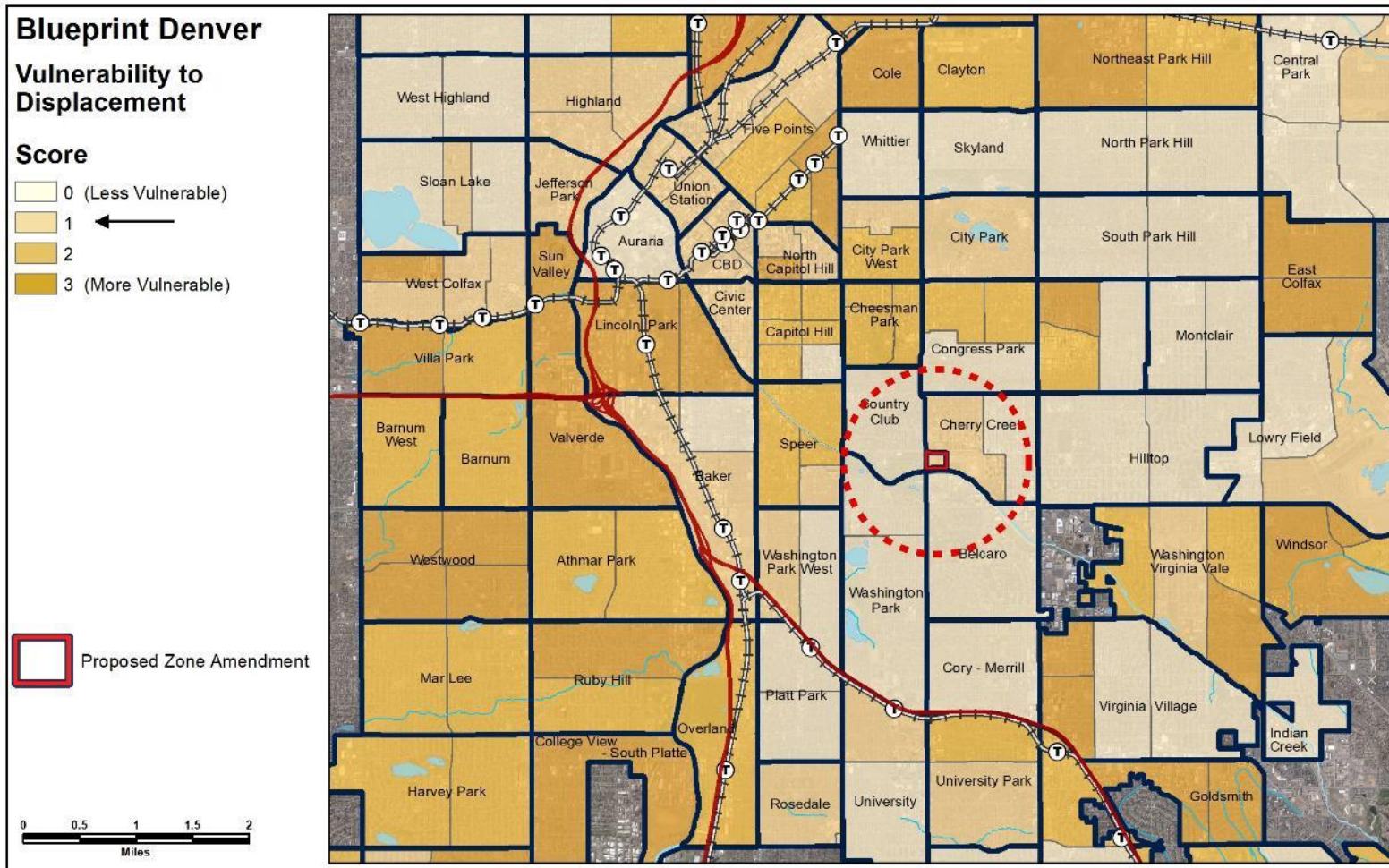
Blueprint Denver – Equity Analysis



Access to Opportunity

- High Access to Opportunity
- Access to transit
- Access to jobs, centers, and corridors

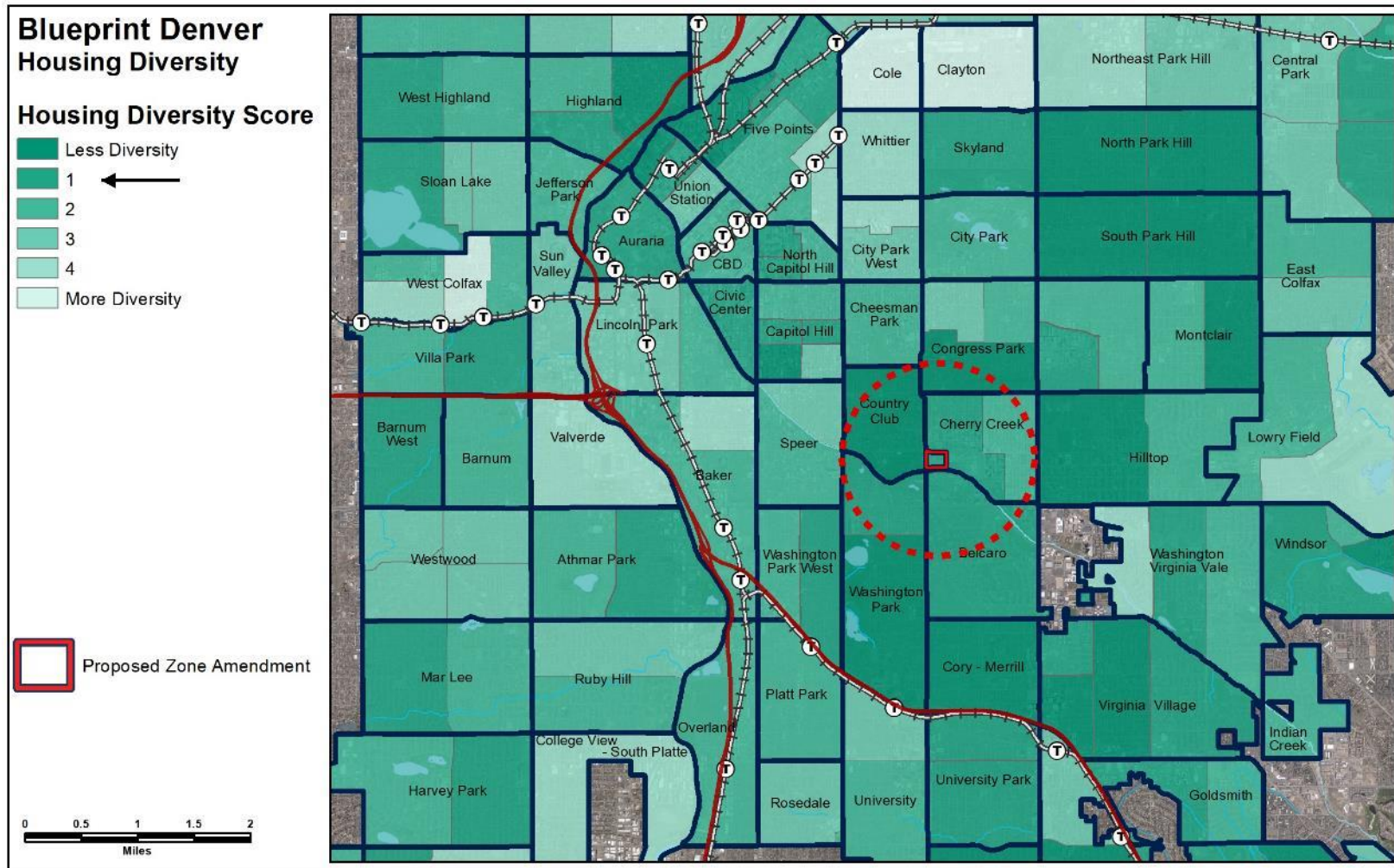
Blueprint Denver – Equity Analysis



Vulnerability to Involuntary Displacement

- Less vulnerable

Blueprint Denver – Equity Analysis



Expanding Housing Diversity

- Less diversity

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Cherry Creek Area Plan (2012)*

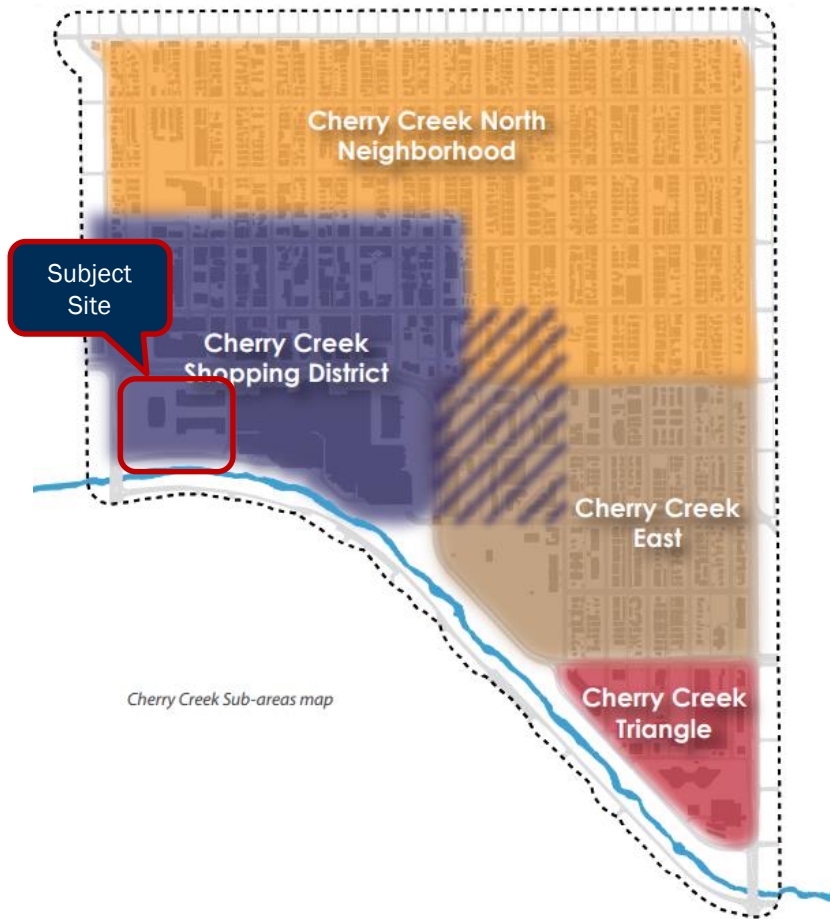
2. Uniformity of District Regulations

3. Further Public Health, Safety and Welfare

4. Justifying Circumstances

5. Consistency with Neighborhood Context, Zone District Purpose and Intent

Cherry Creek Area Plan



- Cherry Creek Area Plan (2012)
- Provides guidance on where growth should occur in Cherry Creek.

Cherry Creek Area Plan

Regional Center: Continue to support a mix of uses including office, retail, commercial, multifamily residential and hotels. Support compact development patterns and an enhanced public realm including landscaping, wayfinding signage, pedestrian lighting, public art and inviting building entries



Future land use map - Cherry Creek Shopping District



Maximum building heights map - Cherry Creek Shopping District

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

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
 - Retained Former Chapter 59
 - Adopted plan guidance
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

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

PUD Review Criteria

- A. The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of the Zoning Code;
- B. The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in Division 9.6;
- C. The development proposed on the subject property is not feasible under any other zone districts, and would require an unreasonable number of variances or waivers and conditions;
- D. The PUD District and the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property; and
- E. The PUD District and the PUD District Plan establish permitted building forms that are compatible with adjacent existing building forms, or which are made compatible through appropriate transitions at the boundaries of the PUD District Plan

PUD Review Criteria

- A. The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of the Zoning Code;
- *The rezoning will bring the site into the Denver Zoning Code while also providing affordable housing.*
 - *More efficient use of land and energy*

PUD Review Criteria

- B. The PUD complies with all applicable standards and criteria for PUDs
 - *The PUD complies with all standards and criteria stated in Division 9.6.*

- C. The development proposed on the subject property is not feasible under any other zone districts, and would require an unreasonable number of variances or waivers and conditions
 - *The PUD District is necessary because the current zoning is restrictive on residential uses and there is a need for more of a mix of districts and standards on the site that ensure infill development that follows C-CCN-12 in a currently underutilized site.*

PUD Review Criteria

- D. The PUD establishes permitted uses that are compatible with existing land uses adjacent to the subject property
- *The proposed PUD-G 36 would allow uses that are allowed in C-CCN-12 in the Denver Zoning Code.*
- E. The PUD establishes permitted building forms that are compatible with adjacent existing building forms.
- *The PUD District allows building heights and building forms that are compatible with the surrounding neighborhoods.*

CPD Recommendation

CPD recommends approval, based on finding that all review criteria have been met:

Standard Rezoning 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

PUD-Specific Rezoning Criteria

- A. The PUD is consistent with the intent and purpose of PUDs;
- B. The PUD complies with all applicable standards and criteria for PUDs;
- C. The development proposed on the subject property is not feasible under any other zone districts, and would require an unreasonable number of variances or waivers and conditions;
- D. The PUD establishes permitted uses that are compatible with existing land uses adjacent to the subject property; and
- E. The PUD establishes permitted building forms that are compatible with adjacent existing building forms.