



Councilman Wayne New
Councilman Rafael Espinoza

Garden Court Building Form Moratorium

Denver City Council
August 22, 2016



Garden Court Building Form Moratorium

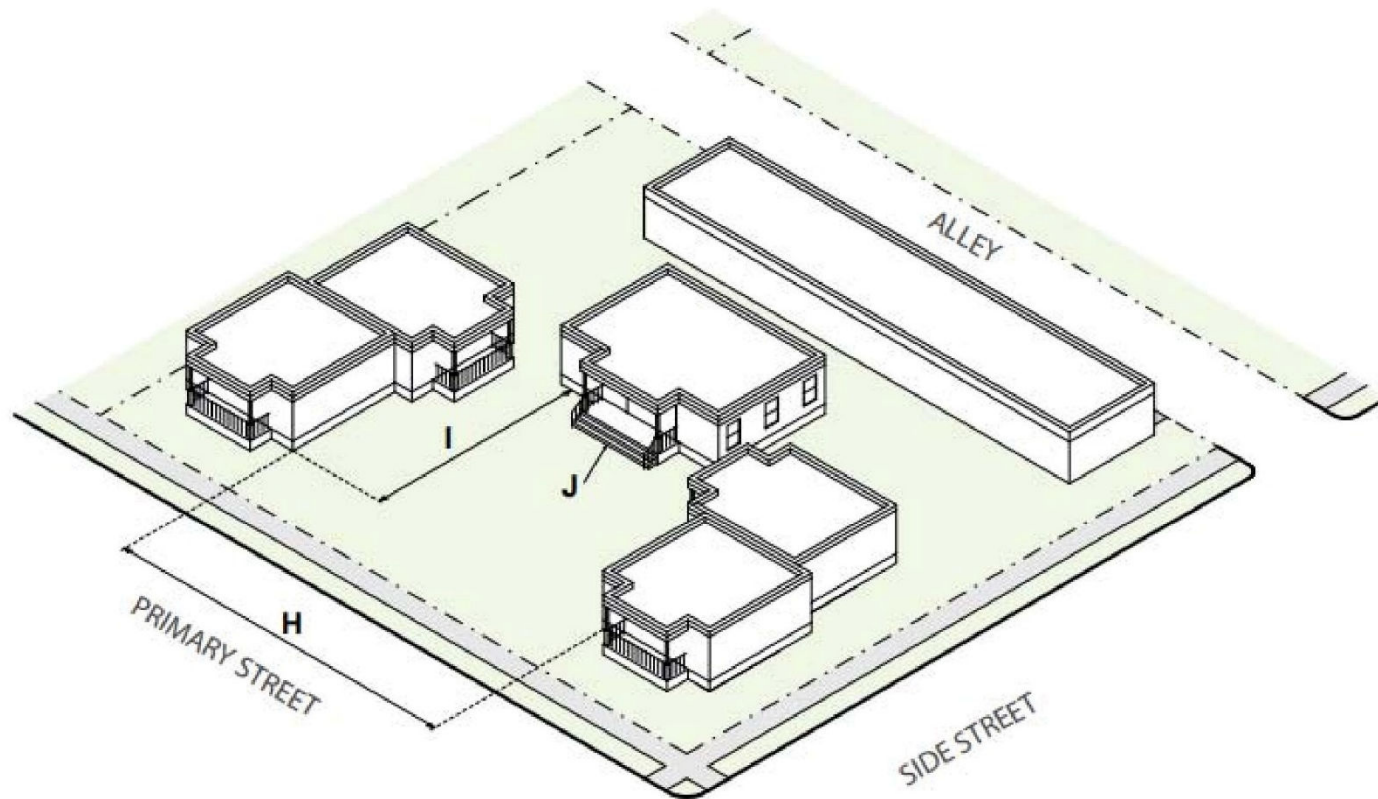
Why Do We Need a Moratorium?

1. Unintended Use of Form: Being implemented without garden or court.
2. Zoning Code Confusion and Ambiguity: Not mentioned in specific intent as an allowed form but still utilized
3. Conflicts with Existing Neighborhood Character: Maximum density promoted over design quality
4. Unintended Consequences: CPD agrees that Garden Court Form is being implemented in ways that were not intended and that further evaluation is necessary



Garden Court Building Form Moratorium

Zoning Code Garden Court Diagram





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Garden Court Building Form

Current Garden Court Challenges

- Minimum **width of 15'** being implemented
- **Lack of sufficient space** for true garden landscaping
- Insufficient **solar access** and **permeable surfaces**
- Not all buildings bounding the **three sides** of the garden court are required to contain **dwelling units**

Row House (RH) Zone Districts

- **Vertical overlap (stacking)** of row houses not allowed per Article 13
- Unintended use of **GC** form has resulted in a significant increase in **maximum density** over **design quality**



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What Was Intended



**1656 Monroe Street
City Park, District 9**





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What Was Built



**21st & Decatur Street
Jefferson Park, District 1**





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What Was Intended



**10th & Garfield Street
Congress Park, District 10**





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What Was Built



**101 Harrison Street
Cherry Creek North, District 10**



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Zoning Code Confusion & Ambiguity

Garden Court (GC) Intent and Form Confusion

Definition: **Intent – Something that is intended; purpose; design**

7 of 15 Zone Districts Without Intent to Use Garden Court Form

Example: 6.2.2.2 Specific Intent

A. Row House (G-RH-3)

G-RH-3 is a multi unit district allowing urban house, duplex, and row house building forms. Row houses are not taller than three stories.



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Existing Neighborhood Character

Neighborhood Reasons to Revise GC Building Form

1. Balances neighborhood character with increased housing density demands.
2. Encourages smart development, respecting the uniqueness of residential areas and established building forms.
3. Creates a more attractive, quality of life area in the inner garden court area.
4. Provides more permeable ground surfaces and solar access in the garden court area for healthy plantings and landscape.
5. Enables clarity to ensure accurate understanding and interpretation of zoning.
6. Gives residents more predictability on future development.
7. Instills greater sense of community for the residents and developers.



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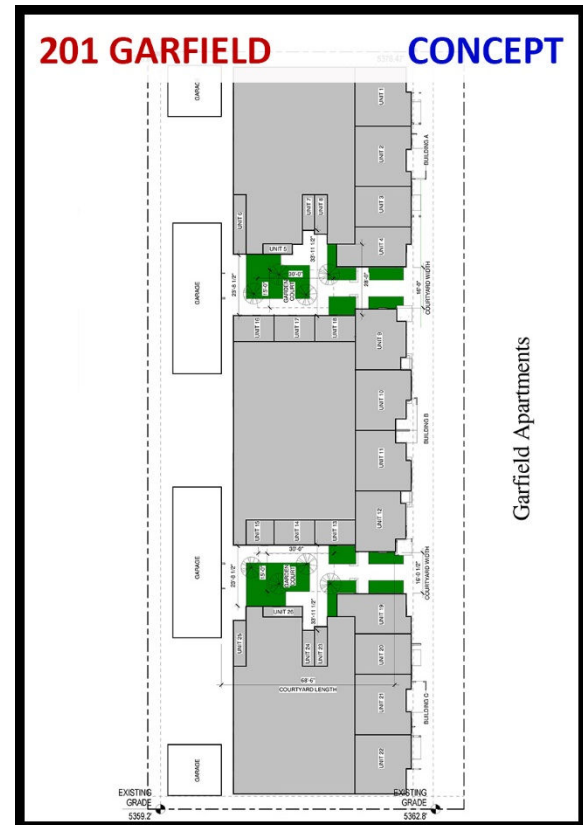
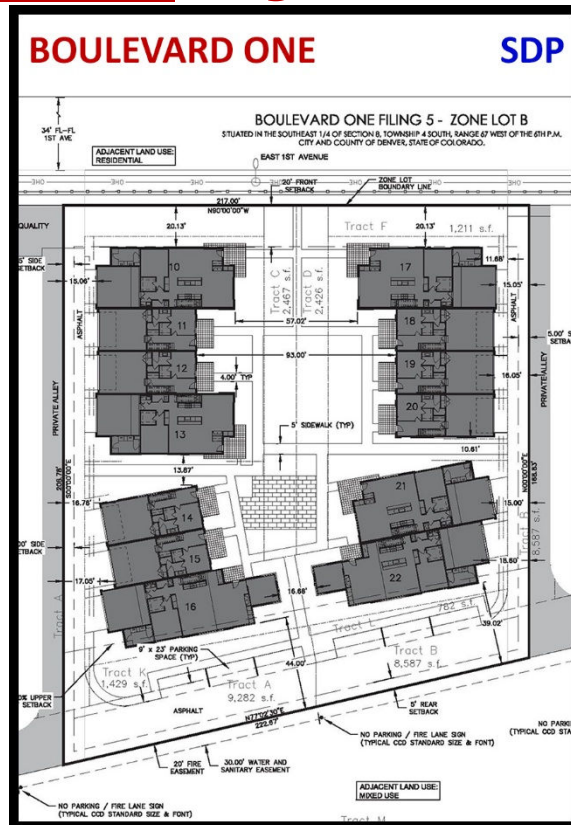
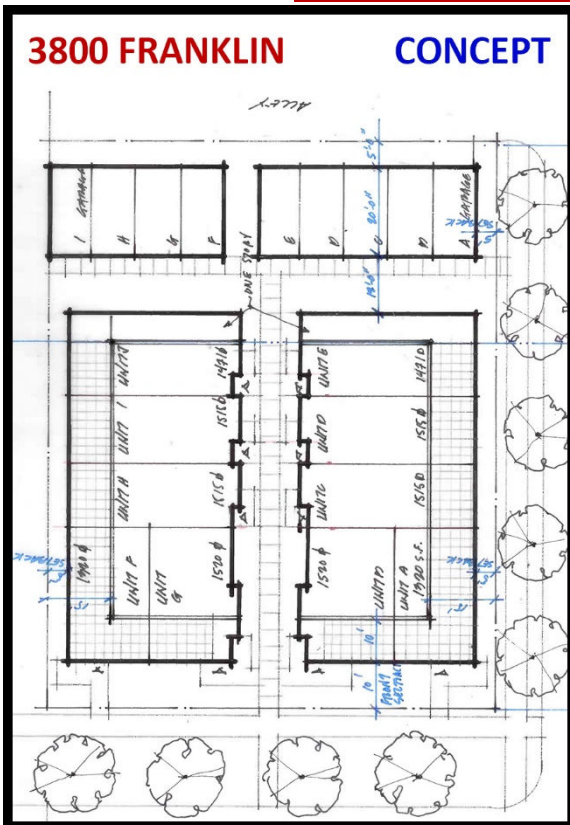
Project Applications Under Review

- 6 applications were in the pipeline at first reading
- 3 applications will not proceed
 - 30-50 S. Colorado Blvd: rezoning denied by City Council. Density per acre not consistent with adopted plans.
 - 3127 St. Paul application rescinded by owner.
 - 3001 Lawrence project not moving forward.
- 3 active applications
 - 2 in Concept Review
 - 1 in Final Review (SDP)



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3 of 6 in Pipeline Exempted by Moratorium



Garfield Apartments



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Proposed Garden Court Solutions

- Width: Street-facing garden court width shall be equal to or greater than the maximum height in feet of the tallest proposed building
- Stacking: No part of any dwelling unit shall be constructed vertically above any part of another dwelling unit
- Bounding Buildings: Each unit and each building bounding the garden court shall contain at least one dwelling
- Pending: Three (3) applications are exempt for moratorium
- Time Frame: 12 month moratorium allows time for evaluation of form use by CPD