

PUD-G 14



1601 West Jewell Avenue

2015I-00073

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CHAPTER 1. ESTABLISHMENT AND INTENT

SECTION 1.1 PUD-G 14 ESTABLISHED

The provisions of this PUD-G 14 apply to the land depicted on the Official Zoning Map with the label PUD-G 14, and more generally described as approximately 9.48 acres of land within a portion of the south 1/2 of Section 21, Township 4 south, Range 68 west of the 6th principal meridian (P.M.). The PUD-G 14 is a single area with no subareas established.

SECTION 1.2 PUD-G 14 GENERAL PURPOSE

The general purpose of PUD-G 14 is to facilitate redevelopment of the site in a manner that is compatible with the established residential character of the Ruby Hill Neighborhood and contributes to the vitality of Ruby Hill Park.

SECTION 1.3 PUD-G 14 SPECIFIC INTENT

More specifically, PUD-G 14 is intended to:

- 1.3.1 Allow a broadcasting facility and telecommunications tower on the site to encourage investment and improvements to the site, including the replacement of the existing tower.
- 1.3.2 Allow office and other uses of similar intensity at a scale that is compatible with the surrounding residential neighborhood.
- 1.3.3 Preserve and improve open space on a portion of the site and establish pedestrian connectivity within and through the site.

CHAPTER 2. URBAN EDGE NEIGHBORHOOD CONTEXT DESCRIPTION

All development within this PUD-G 14 shall conform to the Denver Zoning Code, Division 4.1, Neighborhood Context Description , as amended from time to time.

CHAPTER 3. DISTRICTS

Development in this PUD-G 14 shall conform to the Denver Zoning Code, Division 4.2, Districts, as specifically applicable to the E-MX-2x Zone District, as amended from time to time, except as modified in this PUD-G 14.

Uses and Required Minimum Parking in this PUD-G 14 shall conform to the Denver Zoning Code, Division 6.4, Districts, as specifically applicable to the G-RO-3 Zone District, as amended from time to time, except as modified in this PUD-G 14.

CHAPTER 4. DESIGN STANDARDS

Development in this PUD-G 14 shall comply with the Denver Zoning Code, Division 4.3, Design Standards, as specifically applicable to the E-MX-2x Zone District, as amended from time to time, with the following modifications and exceptions:

SECTION 4.1 PRIMARY BUILDING FORM STANDARDS

Development in this PUD-G 14 shall comply with the Primary Building form standards in Section 4.3.3 of Denver Zoning Code, with the following exceptions, additions and modifications:

4.1.1 Building Height

- A. Maximum building height shall comply with Division 4.3.3 Primary Building Form Standards, as specifically applicable to the E-MX-2x Zone District.

4.1.2 Siting

A. Required Build-To

There shall be no required build-to in this PUD-G 14.

B. Setbacks

1. South Zone District Boundary (min) shall be 150 feet
2. West Zone District Boundary (min) shall be 80 feet
3. North Zone District Boundary (min) shall be 230 feet
4. East Zone District Boundary (min) shall be 80 feet

C. Parking

1. Surface Parking shall be located a minimum of 150 feet from the West Zone District boundary.

D. Setback Permitted Encroachments

1. Section 4.3.7.4.B.2 shall be modified as follows:
 1. Off Street Parking Area shall be a permitted encroachment for the E-MX-2x Zone District and all Building Forms in the E-MX-2x Zone District.
 2. Surface Parking shall be allowed within the East Zone District Boundary setback and North Zone District Boundary setback as specified in section 4.1.2.B of this PUD-G 14, except as limited in Section 4.1.2.C of this PUD-G 14. Surface parking shall not be allowed within the West or South Zone District Boundary setbacks.

4.1.3 Gross Floor Area Limitation

1. The square footage of all buildings combined in this PUD-G 14 shall not exceed a maximum of 100,000 square feet of gross floor area.

4.1.4 Design Elements

A. Ground Story Activation

1. Additional Transparency shall be provided facing the pedestrian walkway within the setback required in Section 6.2.2.B of this PUD-G 14 of (min) 40%. Transparency Alternatives for Primary Streets in Section 4.3.6.2 of the Denver Zoning Code shall be allowed adjacent to the West Zone District Boundary, in addition to Primary and Side streets.
2. An entrance, which may be emergency or employee-only, shall be provided facing the pedestrian walkway required in Section 6.2.2.B of this PUD-G 14.

CHAPTER 5. USES AND REQUIRED MINIMUM PARKING

SECTION 5.1 USES

- 5.1.1 Primary, accessory and temporary uses allowed in this PUD-G 14 shall be those same uses allowed in the G-RO-3 Zone District, as stated in the Denver Zoning Code, Section 6.4, Uses and Required Minimum Parking, , as amended from time to time, with the following exceptions, additions, and modifications:
- A. “Parking, Garage” and “Parking, Surface”, as defined in Article 11 of the Denver Zoning Code, shall not be permitted (NP) as a Primary Use.
 - B. “Eating and Drinking Establishments”, as defined in Article 11 of the Denver Zoning Code , shall be a Permitted Use with Limitations and require a Zoning Permit Informational Notice (L-ZPIN). Limitation 11.4.8 within Article 11 of the Denver Zoning Code, shall apply as modified within Section 6.3 of this PUD-G 14.
 - C. “Bed and Breakfast Lodging”, as defined in Article 11 of the Denver Zoning Code, shall not be permitted (NP).
 - D. “Dental / Medical Office or Clinic”, as defined in Article 11 of the Denver Zoning Code, shall not be permitted (NP).
 - E. “Antennas Not Attached to a Tower”, as defined in Article 11 of the Denver Zoning Code, shall be a Permitted Use with Limitations and require a Zoning Permit (L-ZP). Limitation 11.5.2 shall apply, as modified in Section 6.3 of this PUD-G 14.
 - F. “Communication Services”, as defined in Article 11 of the Denver Zoning Code, shall be a Permitted Use with Limitations and require a Zoning Permit (L-ZP). Limitation 11.5.1 shall apply, as modified in Section 6.3 of this PUD-G 14.
 - G. “Telecommunications Towers”, as defined in Article 11 of the Denver Zoning Code, shall be a Permitted Use with Limitations and require a Zoning Permit (L-ZP). Limitation 11.5.2 shall apply, as modified in Section 6.3 of this PUD-G 14.
 - H. “Telecommunications Facilities - All Others”, as defined in Article 11 of the Denver Zoning Code, shall be a Permitted Use with Limitations and require a Zoning Permit (L-ZP). Limitation 11.5.2 shall apply, as modified in Section 6.3 of this PUD-G 14.
 - I. “Outdoor Eating and Serving Area Accessory to Eating/Drinking Establishment Use”, as defined in Article 11 of the Denver Zoning Code, shall be a Permitted Accessory Use with Limitations and require a Zoning Permit Informational Notice (L-ZPIN). Limitation 11.7 within Article 11 of the Denver Zoning Code shall apply.

SECTION 5.2 REQUIRED MINIMUM PARKING

- 5.2.1 All uses established in this PUD-G 14 shall comply with the Denver Zoning Code, Section 6.4, Uses and Required Minimum Parking, as specifically applicable to uses allowed in the G-RO-3 Zone District, as amended from time to time, as modified by Section 5.1 of this PUD-G 14.

CHAPTER 6. ADDITIONAL STANDARDS

SECTION 6.1 ARTICLE 1 OF THE DENVER ZONING CODE

6.1.1 Applicability

Development in this PUD-G 14 shall conform to Article 1, General Provisions of the Denver Zoning Code, as amended from time to time.

SECTION 6.2 ARTICLE 10 OF THE DENVER ZONING CODE

6.2.1 Applicability

Development in this PUD-G 14 shall comply with the Denver Zoning Code, Article 10, General Design Standards, as specifically applicable to the E-MX-2x Zone District, as amended from time to time, with the following exceptions, additions and modifications:

6.2.2 General Site Design and Facility Standards

Development in this PUD-G 14 shall comply with the Denver Zoning Code, Division 10.3 Multiple Buildings on a Single Zone Lot, with the following exceptions, additions and modifications:

- A. Section 10.3.4, "Pedestrian Access and Circulation", shall apply to this PUD-G 14 even if only a single building is developed.
- B. A pedestrian walkway connecting Jewell Avenue to the adjoining site to the north shall be provided within the 80 foot West Zone District boundary setback, as site development occurs. The walkway shall be illuminated in accordance with Section 10.7, "Outdoor Lighting", of the Denver Zoning Code. A public access easement over the walkway shall be granted by the property owner prior to Site Development Plan approval.

SECTION 6.3 ARTICLE 11 OF THE DENVER ZONING CODE

6.3.1 Applicability

Establishment of uses in this PUD-G 14 shall comply with the Denver Zoning Code, Article 11, Use Limitations and Definitions, as specifically applicable to the G-RO-3 Zone District, as amended from time to time, with the following exceptions and modifications:

6.3.2 Eating and Drinking Establishments Use Limitations

Development in this PUD-G 14 shall comply with the Denver Zoning Code, Division 11.4, Commercial Sales, Service and Repair Primary Use Limitations, with the following exceptions/ additions:

1. All Eating and Drinking Establishment Uses in this PUD-G 14 shall not exceed a combined maximum of 5,000 square feet of gross floor area.
2. The floor area of all Eating and Drinking Establishment Uses shall be located a minimum of 150 feet from a Residential Zone District.

6.3.3 Communications and Information Use Limitations

Development in this PUD-G 14 shall comply with the Denver Zoning Code, Division 11.5, Industrial, Manufacturing and Wholesale Primary Use Limitations, as amended from time to time, with the following exceptions/additions:

1. Section 11.5.2.1.C.3 Towers in Nonresidential Zone Districts, shall be modified as follows:
 - a. A Tower is permitted and does not need to comply with the Zone District regulations in Section 4.1 of this PUD-G 14, but shall comply with the standards in section 6.3.3 of this PUD-G 14.
 - b. No single dimension of the base of a tower in this PUD-G 14 shall exceed 35 feet.
2. Section 11.5.2.1.D. Specific Requirements -- All Towers, Antennas and Telecommunications Support Facilities, shall be modified with the following exceptions/additions:
 - a. A tower shall be a self-supporting latticed tower. From the tower base, all sides of the tower shall angle inwards as they rise so as to create a pyramidal shape with a reduction in mass and width as height is increased.
 - b. Up to one FM antenna may be attached to a tower. Additional antennas with diameters not to exceed 4 feet each may be attached to a tower.
 - c. Section 11.5.2.1.D.3, regarding the mass of antennas, shall not apply to this PUD-G 14.
3. Section 11.5.2.1.E. Specific Requirements -- Towers, shall be modified with the following exceptions / additions:
 - a. 11.5.2.1.E.1 Setbacks. A Tower shall be located a minimum of 370 feet from the south Zone District boundary, 200 feet from the north Zone District boundary, 200 feet from the west Zone District boundary, and 250 feet from the east Zone District boundary.
 - b. 11.5.2.1.E.2 Height. The Tower shall be limited to a maximum height of 400 feet.
 - c. 11.5.2.1.E.6 Separation Requirements. The Tower in this PUD-G 14 does not need to comply with the tower separation requirements.
 - d. Tower Type. Guyed towers shall not be allowed in this PUD-G 14.
 - e. Only one tower shall be allowed in this PUD-G 14. However, the tower located on the site as of the effective date of this PUD may remain in place and continue to operate until a new tower has been constructed and put into operation, at which point, the existing tower shall be removed. Removal shall be completed no later than 30 days after the new tower is put into operation.
4. Section 11.5.2.2.B, regarding the identification of backhaul providers, shall not apply to this PUD-G 14.
5. Section 11.5.2.2.C, regarding the requirement to provide a vicinity map, shall not apply to this PUD-G 14.
6. Section 11.5.2.6, Telecommunications Towers In and Adjacent to Residential Zone Districts or within 500 feet of Another Tower, shall not apply to this PUD-G 14.

SECTION 6.4 ARTICLE 12 OF THE DENVER ZONING CODE

6.4.1 Applicability

All development in this PUD-G 14 shall comply with the Denver Zoning Code, Article 12, Procedures and Enforcement, as amended from time to time, with the following exceptions/additions:

A. Official Map Amendment

This PUD-G 14 may be amended by subarea, platted lots, or metes and bounds parcels, as allowed in the Denver Zoning Code, Section 9.6.1.4, Amendment to Approved PUD District Plans.

SECTION 6.5 ARTICLE 13 OF THE DENVER ZONING CODE

6.5.1 Applicability

Development in this PUD-G 14 shall comply with the Denver Zoning Code, Article 13, Rules of Measurement and Definitions, as amended from time to time, with the following exceptions/additions:

1. Section 13.1.5.7.B shall be modified as follows:
 1. The setback in Section 4.1.2.B.1 of this PUD G-14 is measured perpendicular to the South Zone District Boundary at the North edge of the West Jewell Avenue right-of-way.
 2. The setbacks in Section 4.1.2.B.2, 3, and 4 are measured perpendicular to the West Zone District Boundary, North Zone District Boundary, and East Zone District Boundary, respectively, abutting another zone lot. The South Zone District Boundary setback and North Zone District Boundary setback extend across the full width of the PUD area, overlapping with the West Zone District Boundary and East Zone District Boundary setbacks. The West Zone District Boundary setback and East Zone District Boundary setback extend across the full length of the PUD area, overlapping with the South Zone District Boundary and North Zone District Boundary setbacks.

CHAPTER 7. RULES OF INTERPRETATION

Subject to Chapter 8 of this PUD G-14, whenever a section of the Denver Zoning Code is referred to in this PUD-G 14, that reference shall extend and apply to the section referred to as subsequently amended, recodified, or renumbered; provided, however, if a section of the Denver Zoning Code, as subsequently amended, recodified, or renumbered conflicts with a provision of this PUD-G 14, this PUD-G 14 shall control.

CHAPTER 8. VESTED RIGHTS

This PUD-G 14 shall be established in accordance with Denver Zoning Code sections 9.6.1.2.C and 9.6.1.5, and vested property rights shall be created 90 days after the effective date of the ordinance approving this PUD-G 14. The property rights vested through approval of this PUD-G 14 shall remain vested for a period of 3 years and shall include the right to commence and complete development of and the right to use the site in accordance with the intent, standards, and uses set forth in the Denver Zoning Code, as amended from time to time, except as modified by this PUD-G 14.