



TO: Denver City Council
FROM: Steve Nalley, Senior City Planner
DATE: January 12, 2015
RE: Zoning Map Amendment #2014I-00049
3325 Denargo St. - Rezoning from **I-B, UO-2** to **PUD-G 12**

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for proposed map amendment #2014I-00049 for a rezoning from I-B, UO-2 to PUD-G 12.

Request for Rezoning

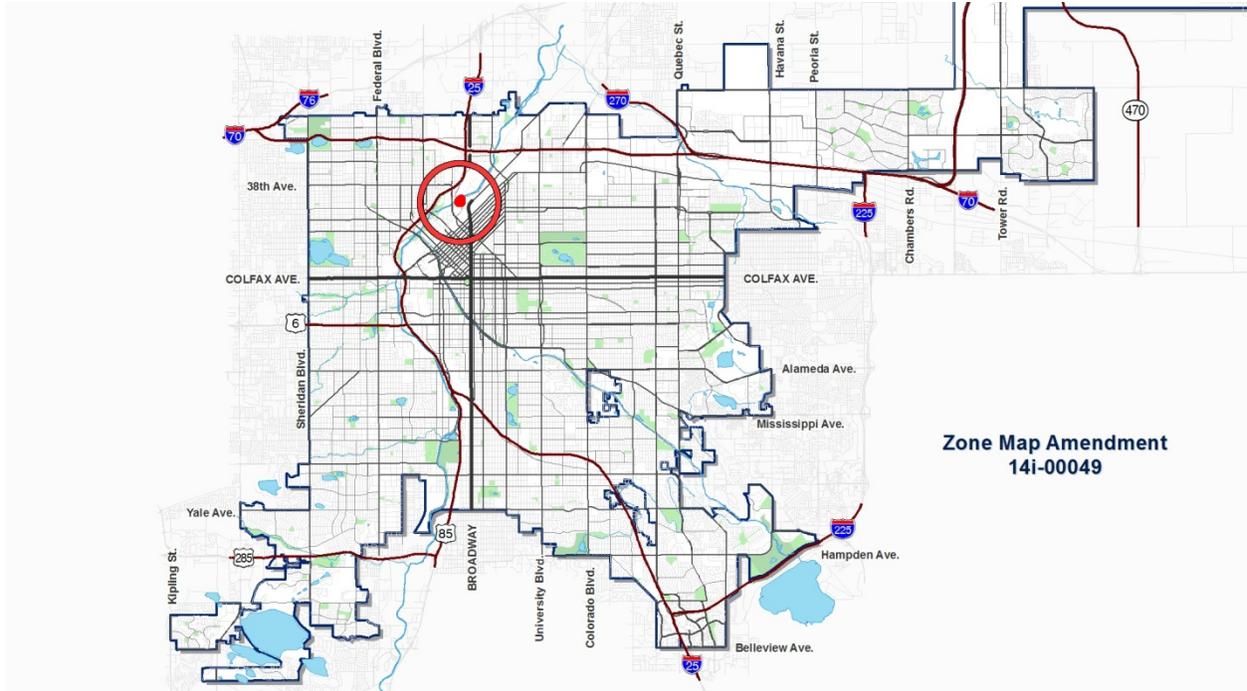
Proposed map amendment:	#2014I-00049
Address:	3325 Denargo St.
Neighborhood/Council District:	Five Points / Council District #9
RNOs:	United Community Action Network Inc., Elyria Swansea/Globeville Business Association, RiNo - River North Art District, Ballpark Neighborhood Association, Denver Neighborhood Association Inc., Inter- Neighborhood Cooperation, Denver Urban Resident Association
Area of property:	4.025 acres
Current zoning:	I-B, UO-2
Proposed zoning:	PUD-G 12
Property owner:	Project Rino, LLC
Contact:	Bob Gollick and Sean Maley

Summary of Rezoning Request

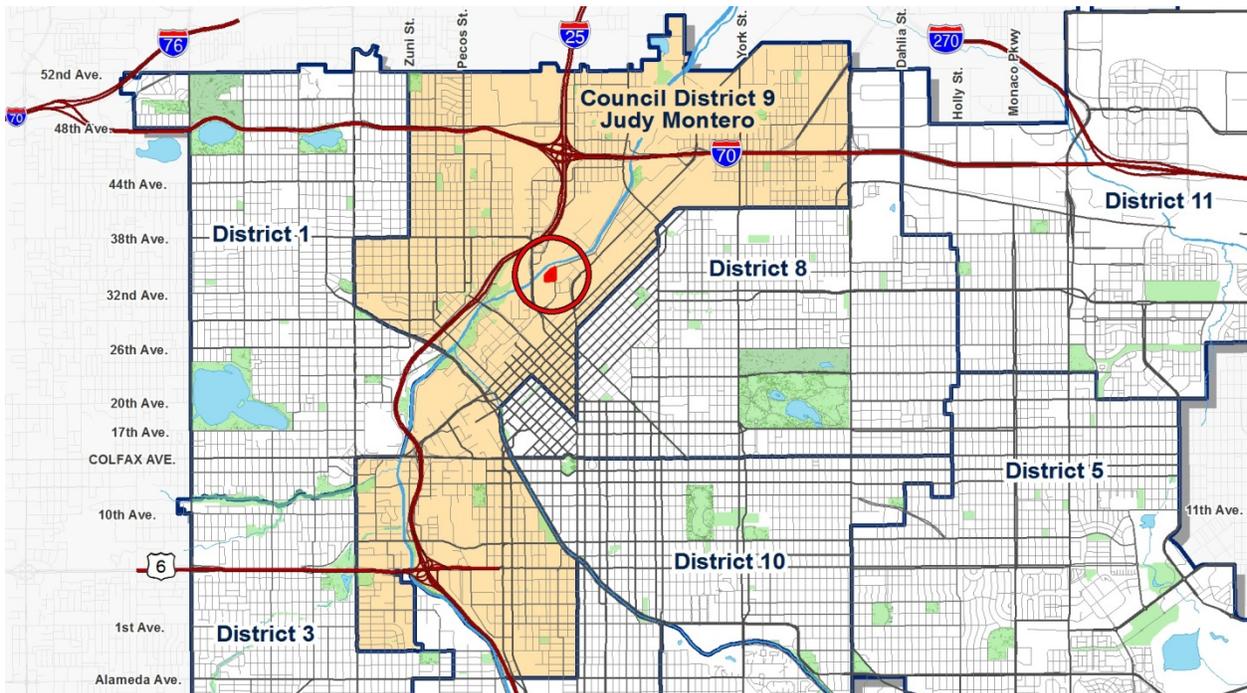
The general purpose of rezoning to a PUD-G is to implement the planned vision set forth in Blueprint Denver and the River North Area Plan for Denargo Market and the rapidly developing surrounding neighborhood. The current zoning of the subject site, I-B, UO-2, is not consistent with the planned vision. The specific intent of this PUD-G is to:

- Utilize the Urban Center Context and allow C-MX-12 zone district uses;
- Acknowledge the South Platte River by increasing transparency, altering build-to requirements of the C-MX-12 building form standards, and requiring active ground story uses along the key site frontages.
- Anticipate planned infrastructure improvements surrounding the site, including public future open space abutting the South Platte River and realignment of Denargo Street.

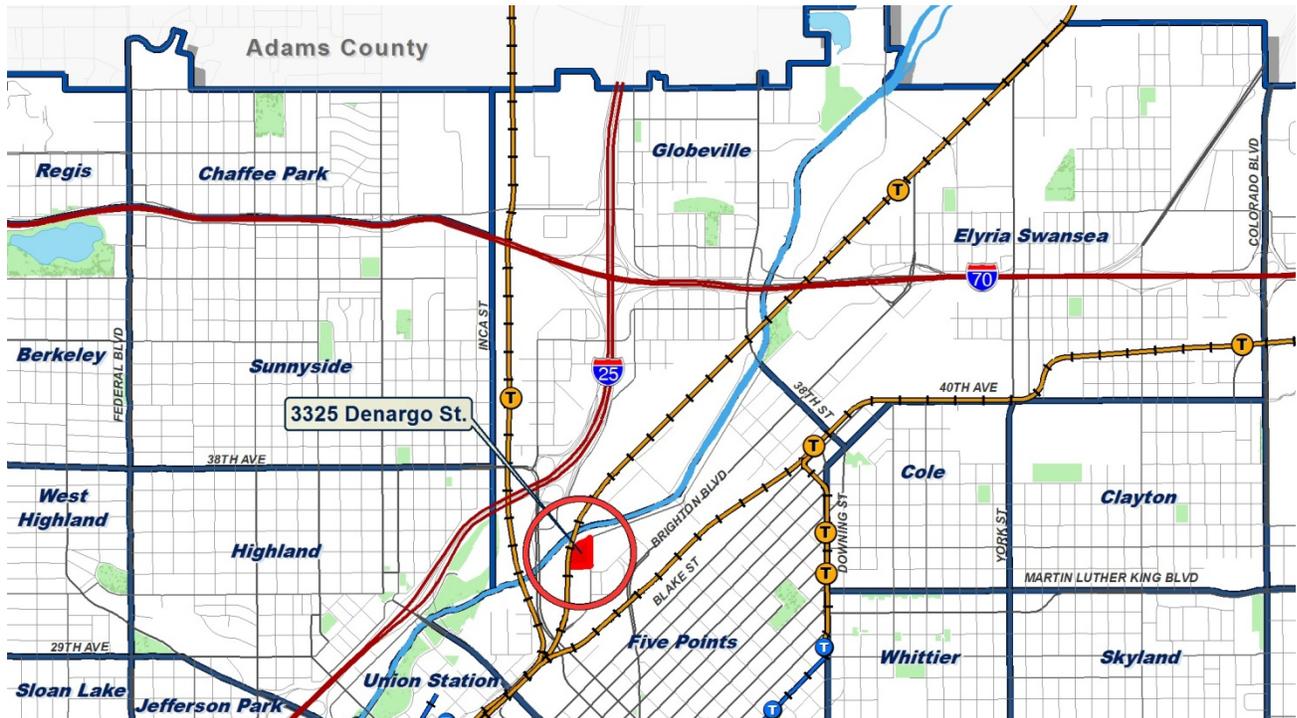
Citywide map – subject site is represented in red.



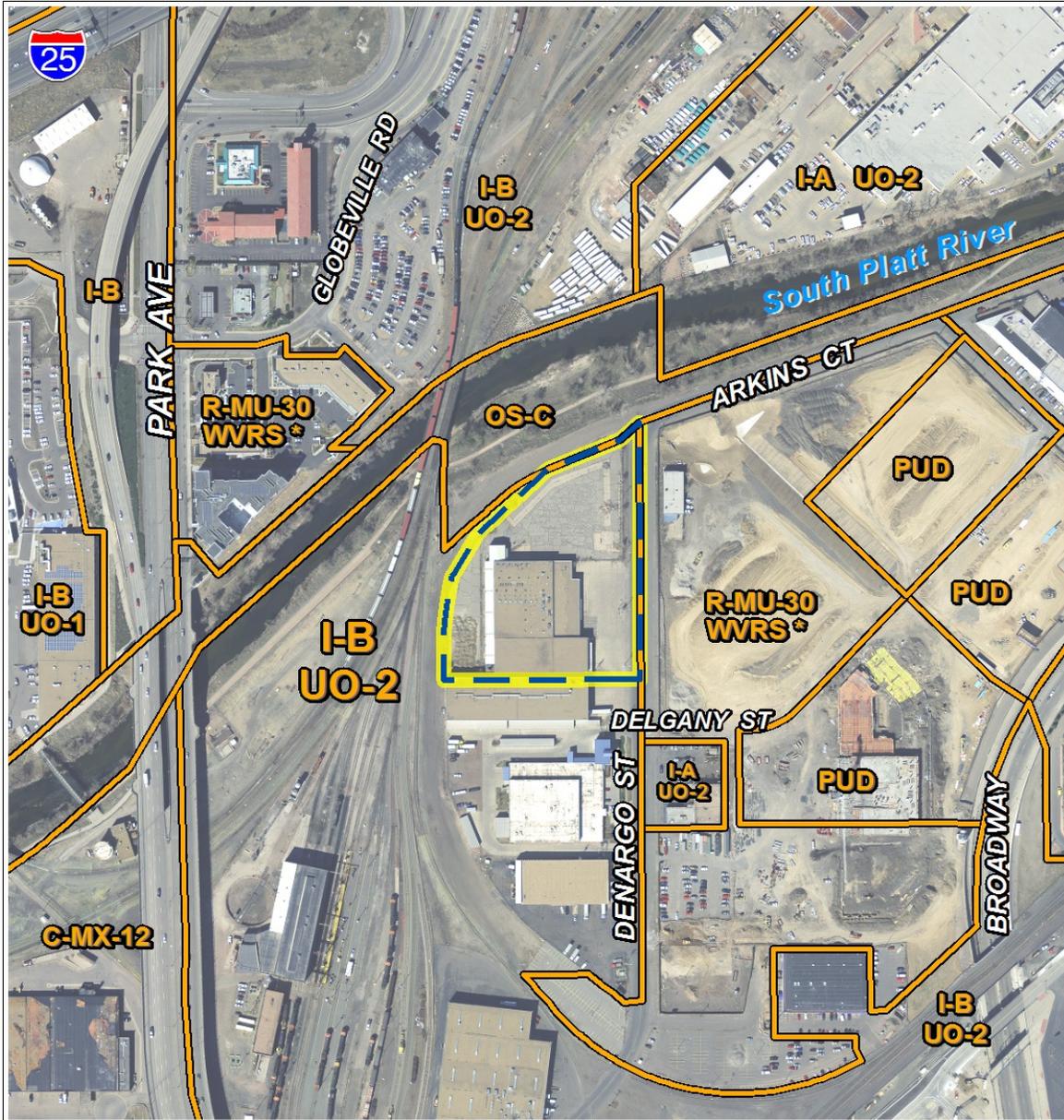
Council district map – the subject site is located in Council District #9.



Neighborhood map – the subject site is located in the Five Points neighborhood.



The property proposed for rezoning is located on Denargo St. The site borders the South Platte River, the Denargo Market redevelopment site, and multiple rail lines. The site has one owner and the existing warehouse structure is not in use.



The vantage point below is looking south. The subject site is in the foreground and Downtown Denver is in the background.



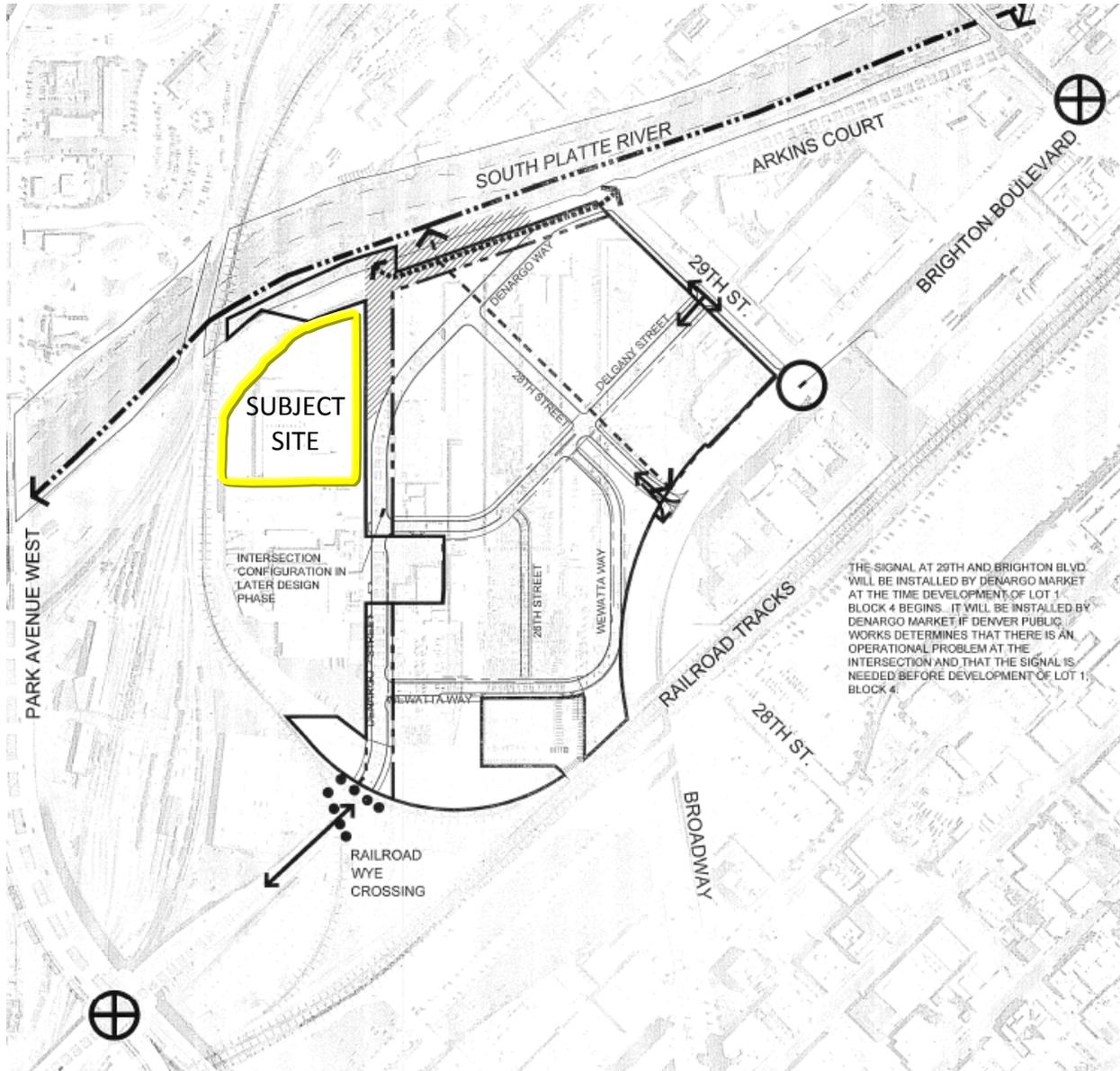
Image source: Google, image date: August 2011

The vantage point below is looking north. The subject site is in the foreground and the South Platte River and Regency Student housing is in the background.



Image source: Google, image date: August 2011

The graphic below is a snapshot of the Denargo Market General Development Plan (GDP). The subject site is not within the Denargo GDP study area. This graphic highlights the planned realignment of Denargo St. and the planned open space surrounding the subject rezoning site. The proposed PUD-G requires a high level of ground story activation and active uses, creating a pedestrian friendly environment and active edge along the open space. See the attached Draft PUD-G for specific standards.



Existing Context

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

	Existing Zoning	Existing Land Use	Blueprint Denver	Existing Block, Lot, Street Pattern
Site	I-B, UO-2	Vacant warehouse structure	Mixed Use – Area of Change	Incomplete grid of streets; Block sizes and shapes are inconsistent caused by nearby rail and the South Platte River. Vehicle parking is in the front, rear or side of buildings with mixed alley access. New development at Denargo Market includes structured parking and a smaller block network than the surrounding context.
North	OS-C	South Platte River and greenway trail – Open space	n/a	
South	I-B, UO-2	Industrial	Mixed Use – Area of Change	
East	R-MU-30 w/ WVRS and conditions	Vacant – development site	Mixed Use – Area of Change	
West	I-B, UO-2	Rail yard	Mixed Use – Area of Change	

1. Existing Zoning

The existing zoning for the site is I-B, UO-2, approved in 2010 as part of the Denver Zoning Code. Prior to the Denver Zoning Code, the site was zoned I-2, heavy industrial. During the new code effort mapping discussions, the property owner of this site at the time requested to carry forward a like kind zone district. The current zoning allows heavy industrial uses and a 2:1 floor area ratio. The UO-2 portion of the zone district is a use overlay allowing billboards.

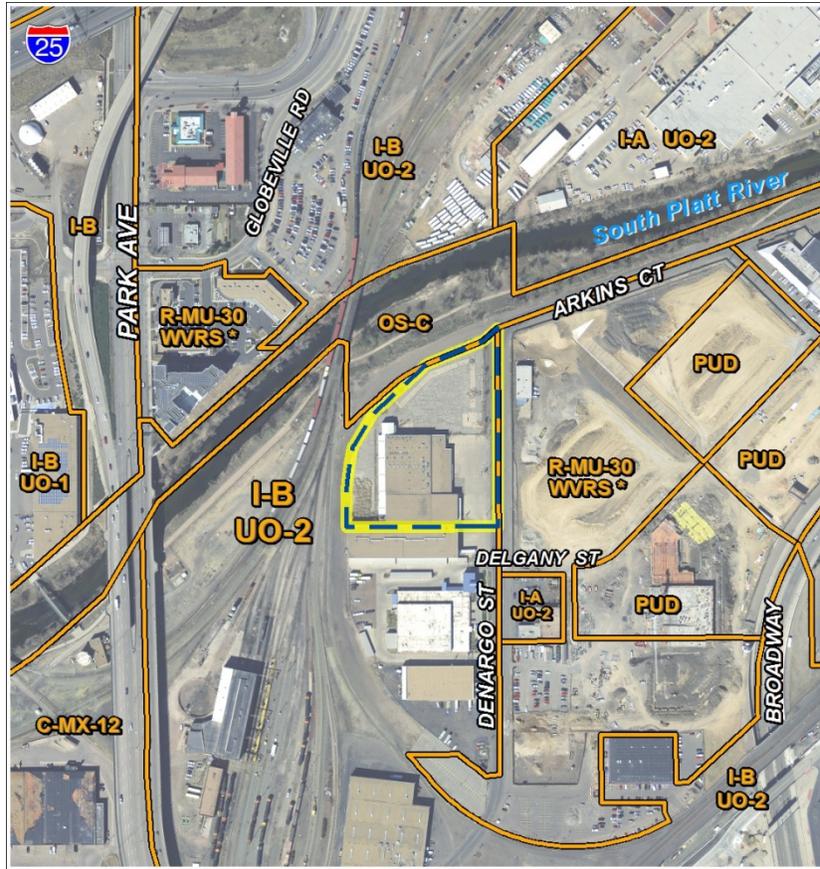
2. Existing Land Use Map

The existing land use of the subject site is identified as industrial on the following existing land use map, but the existing warehouse structure is not in use. Transition from predominately industrial uses to mixed-use and creative spaces has ensued in the surrounding neighborhood over the past decade, with the addition of art galleries, multifamily residential development and commercial office space.

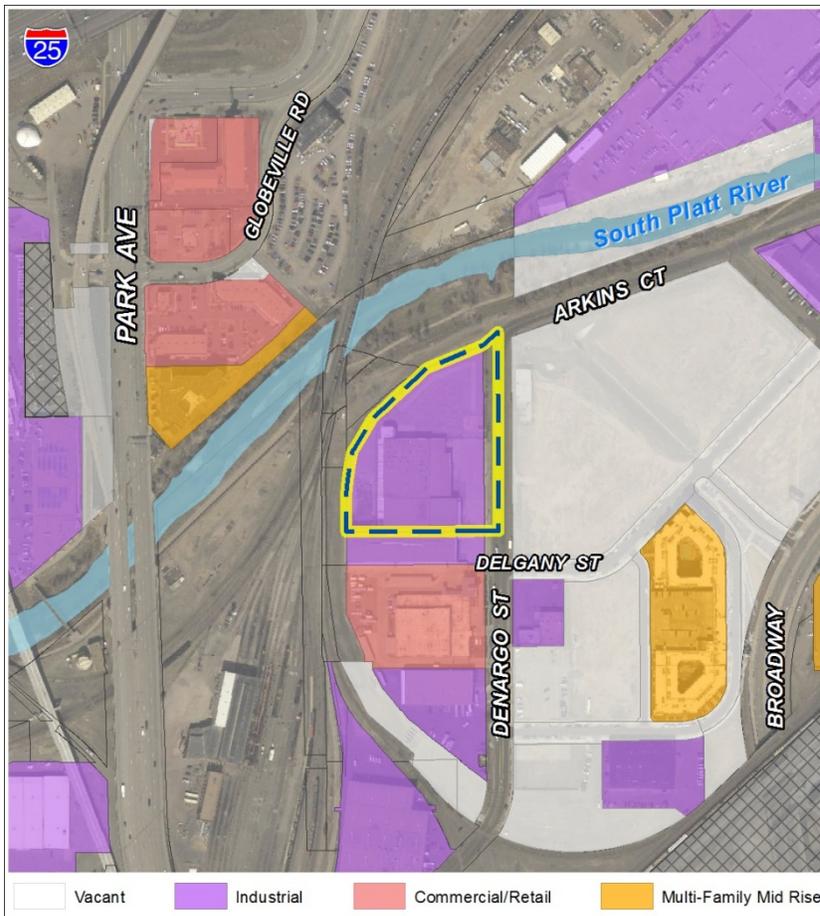
3. Existing Building Form and Scale

The majority of buildings in the immediate area are 1 to 3 stories. One new multifamily development at Denargo Market is 5 stories. Aside from this multifamily development, there is a significant discrepancy between the existing built environment and the vision for the built environment established in adopted plans.

Existing
Zoning Map

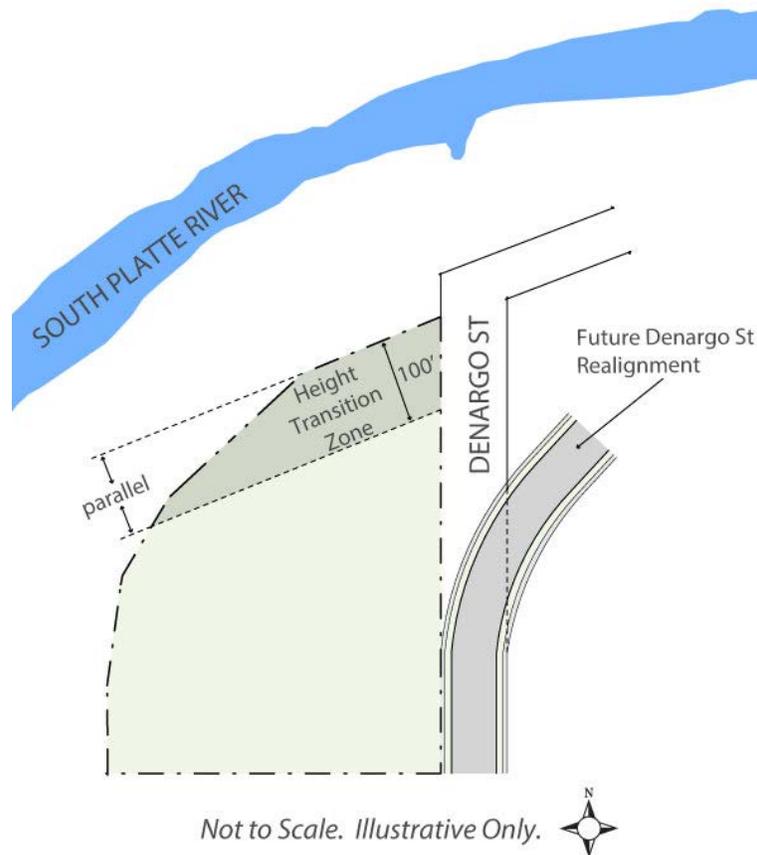


Existing
Land use Map



Proposed PUD-G 12

Refer to the attached PUD-G 12 for all proposed allowances and requirements. The intent of the PUD-G 12 is to require ground story standards along the South Platte River where none would exist with a straight zone district. The proposed standards also correspond with planned open space associated with the Denargo Market GDP, and step down the allowed height in the “Height Transition Zone” depicted below. The proposed PUD-G 12 allows for development consistent with the Urban Center Neighborhood Context, requires active ground story uses and increased transparency on publically visible facades, including the South Platte River.



Summary of City Agency Referral Comments

As part of the DZC review process, the rezoning application is referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

- **Asset Management:** Approve – No comments.
- **Denver Fire Department:** No comments.

- **Development Services – Wastewater:** Approved – There is no objection to the rezone, however applicant should be under notice that Public Works will not approve any development of this property without assurance that there is sufficient sanitary and storm sewer capacity. A sanitary study and drainage study may be necessary. These studies may result in a requirement for the developer to install major infrastructure improvements or a limit to development if current infrastructure is insufficient.
- **Development Services – Project Coordinator:** No Comments.
- **Development Services – Transportation:** Approved – No Comments.
- **Denver Parks and Recreation:** No Comments.
- **Public Works – City Surveyor:** Approved – No comment

Public Review Process

CPD Staff provided informational notice of receipt of the rezoning application to affected members of City Council and registered neighborhood organizations on August 27, 2014.

The property was legally posted for a period of 15 days announcing the Denver Planning Board public hearing, and again for 21 days announcing the City Council public hearing. Written notification of the Planning Board public hearing, Neighborhoods and Planning Committee and City Council public hearing was sent to all affected registered neighborhood organizations.

The Planning Board public hearing was held on December 3, 2014 where the board unanimously recommended approval.

Neighborhoods and Planning Committee was held on 12/10/14.

At the time of this staff report no letters of opposition have been received.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning proposal are found in DZC, Sections 12.4.10.4, as follows:

DZC Section 12.4.10.13

- Consistency with Adopted Plans
- Uniformity of District Regulations and Restrictions
- Public Health, Safety and General Welfare

DZC Section 12.4.10.14

- Justifying Circumstances
- Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

DZC Section 12.4.10.15

- Additional review criteria for rezoning to PUD District

1. Consistency with Adopted Plans

The following adopted plans apply to this property:

- Denver Comprehensive Plan 2000
- Blueprint Denver (adopted in 2002)
- River North Plan (adopted in 2003)

Denver Comprehensive Plan 2000

The Denver Comprehensive Plan (2000) provides goals, policies and objectives to support future development in the City. This rezoning proposal is consistent with many Denver Comprehensive Plan strategies, including:

- Environmental Sustainability Strategy 2-F – “Conserve land by promoting infill development with Denver at sites where services and infrastructure are already in place; designing mixed use communities and reducing sprawl so that residents can live, work and play within their own neighborhoods.”
- Land Use chapter, Strategy 3-B is to “Encourage quality infill development that is consistent with the character of the surrounding neighborhood...”
- Mobility Strategy 4-E – Continue to promote mixed-use development, which enables people to live near work, retail and services.

The proposed map amendment would enable the option for mixed-use development on an infill location where services and infrastructure are already in place. The proposed PUD-G broadens the variety of allowed uses. The rezoning is consistent with Comp Plan 2000 recommendations.

Blueprint Denver (adopted in 2002)

According to the 2002 Plan Map adopted in Blueprint Denver, the site has a concept land use of **Mixed Use** and is located in an **Area of Change**.

Future Land Use

Mixed use areas have a sizeable employment base as well as housing. Intensity is higher in mixed-use areas than in other residential areas. Land uses are not necessarily mixed in each building or development or even within each block but are mixed within walking distance of each other.

Area of Change / Area of Stability

“The purpose of Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips. Areas of Change are parts of the City where most people agree that development or redevelopment would be beneficial”

Blueprint Denver identifies the following features as characterizing an Area of Change, all of which apply to the subject site:

- Underutilized land near downtown and along the South Platte River
- Areas undergoing positive change that is expected to continue
- Areas adjacent to and around transit stations (both existing and planned)
- Areas along corridors with frequent bus service that can accommodate development, especially where there is potential for a pedestrian-friendly shopping environment
- Areas with special opportunities such as where major public or private investments are planned

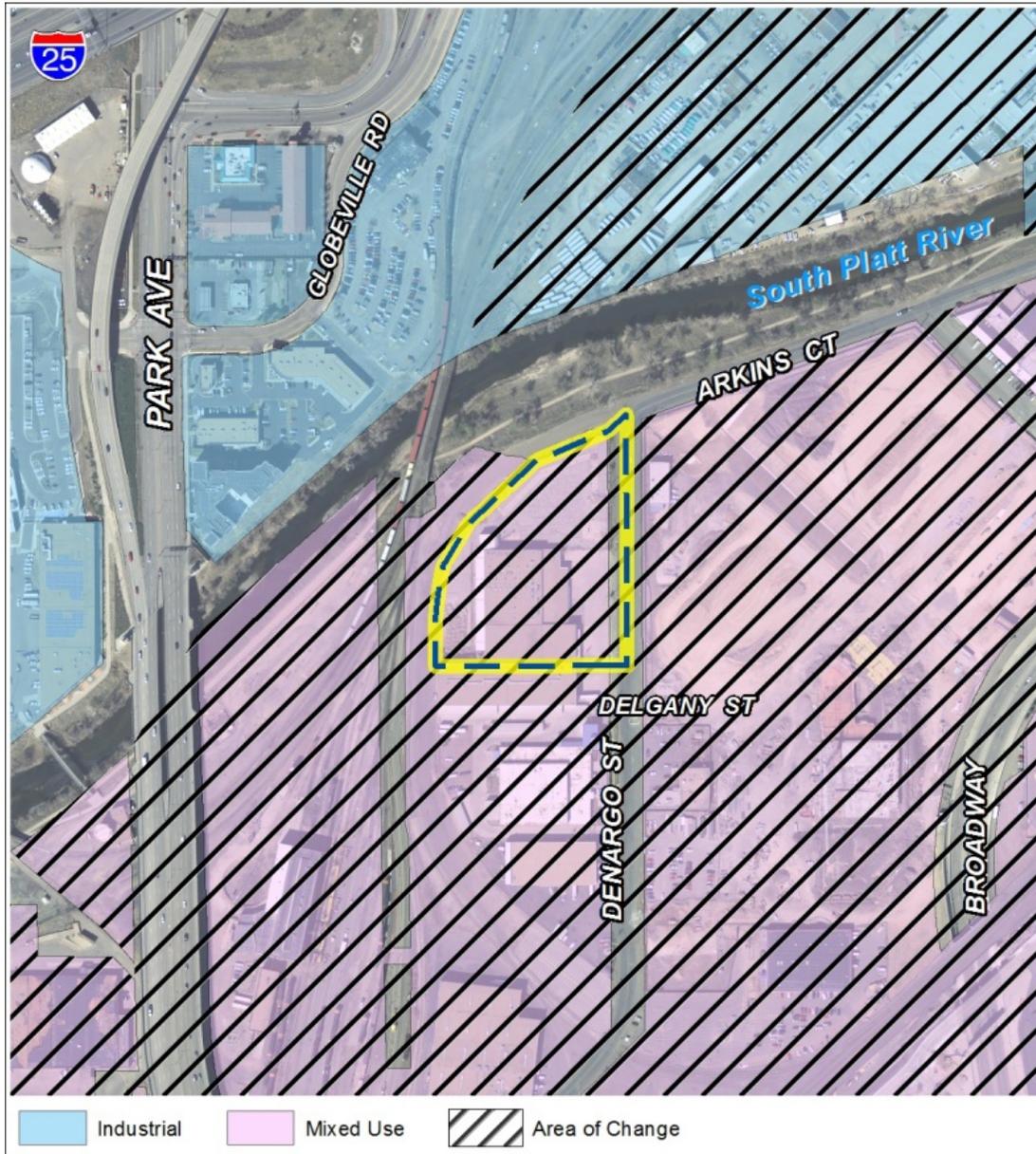
Blueprint identifies the larger Brighton Blvd area as an area of change with considerable potential for development and states "...a mixture of housing, retail services and office development is ideally suited for redeveloping this sub-area. However, some warehousing and distribution uses may remain. Brighton's role as an entry to downtown, as well as its proximity to neighborhoods and its interstate access, creates considerable potential for back office services, neighborhood serving retail and a variety of housing types. The proximity of the Platte River greenway to the Brighton sub-area will provide opportunities to enhance the greenway edges, locate development along it, and use it as a major bicycle and pedestrian connection to downtown."

Street Classifications

According to Blueprint Denver, Denargo St. has a street classification of residential-Collector. However nearby streets, Wewatta St and Brighton Blvd, are classified as Mixed Use - Arterials. Arterial streets are designed for a high degree of mobility connecting major points throughout commercial and residential developments. Blueprint Denver also identifies Brighton Blvd. as an Enhanced Transit Corridor.

The proposed rezoning to PUD-G introduces allowed uses and requires pedestrian friendly, active ground story development to relate to the area as contributing to the gateway into downtown. The rezoning is consistent Blueprint Denver recommendations.

Blueprint Denver map:

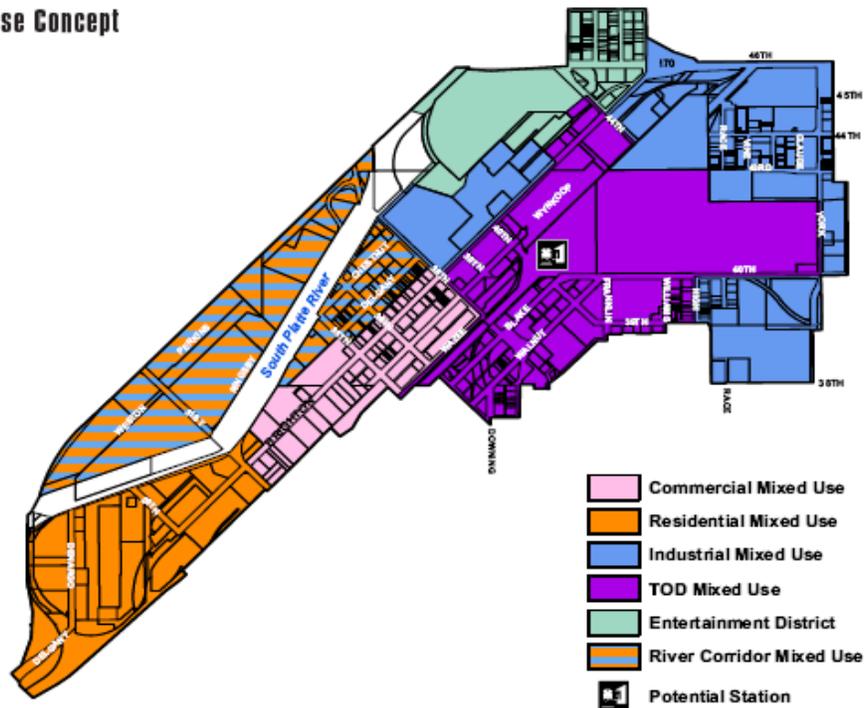


Small Area Plan: River North Area Plan (adopted in 2003)

The River North Plan identifies two primary districts, the future transit station now located at 38th and Blake and the Denargo Market district. The Plan defines the area as a district adjacent to downtown with access from the Central Business District (CBD) via Broadway but also to the Central Platte Valley via Delgany Street. Its placement along the South Platte River and proximity to downtown provides an opportunity to create an exciting mixed-use area with its own identity. The plan identifies the Denargo Market district as an opportunity for intensive mixed-use development, oriented to downtown.

The River North Plan reinforces the Blueprint Denver vision, by designating the subject site as Residential/Mixed Use. The Plan states “within this area, residential uses would be the predominant use along the river with some neighborhood serving retail and office uses as well. Larger scale retail (but not conventional big box retail), especially a festival marketplace concept, is envisioned in the Denargo Market, which would serve downtown, River North and nearby neighborhoods. Office uses and downtown support services are appropriate as well.” “The Denargo Market area offers the potential for a significant mixed-use development with destination commercial uses, anchored by housing, and benefiting from its relationship to the river corridor and downtown.” (page 75)

Land Use Concept



The River North Plan also recommends a General Development Plan (GDP) for Denargo Market. Although the subject site was considered during early GDP discussions, the existing GDP does not include the subject site. Since no major public infrastructure changes are needed for the subject site and the proposed PUD-G is consistent with the recommendations from adopted plans, a GDP amendment is not recommended as part of this rezoning or subsequent development.

On page 76, a goal specific to the Denargo Market Area calls for developing urban design standards and guidelines for new development that:

- Require facades on parking structures facing public right of way to accommodate pedestrian-active uses on the ground level;

- Require appropriate massing, scale, building heights and building size for new development with height limits along the South Platte River; and
- Encourage street oriented building placement and architectural variation.

On page 66, the Plan also recommends developing design guidelines for the South Platte River Corridor that include criteria for height, scale, building massing and architectural detailing. It calls for maintaining the view to the river corridor, encouraging construction that is low to medium in height, (not more than 55 feet) and creating pedestrian “friendly” architecture that incorporates ground floor windows, direct entrances from buildings to the street, and human-scaled facades.

The proposed PUD-G is consistent with the goals of the River North Plan by requiring active ground floor uses, high transparency standards, new open space, and massing and siting standards that enhance and engage the South Platte River corridor and public rights-of-way. The PUD-G allows height greater than 55 feet, but achieves the intent of maintaining the view of the corridor edge of the South Platte River Corridor. Future planned open space along the River adjacent to the subject site will help to maintain the view of the corridor. Height, scale and massing detailing are achieved with a height transition from 8 stories to 12 stories. By allowing a mix of uses and meeting the intent of the design guideline goals, this proposed rezoning is consistent with the River North Plan recommendations.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to PUD-G will result in the uniform application of zone district building form, use and design regulations.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City primarily through implementation of the City’s adopted land use plan.

4. Justifying Circumstances

The application identifies changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.14.A.4, “The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area.” As mentioned above, this site is designated as an Area of Change in Blueprint Denver. The changes and new investment occurring in the area justify zoning that will encourage redevelopment. In addition, the proposed zoning recognizes and implements the vision established in the River North Plan.

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

The proposed PUD-G rezoning would lead to development that is consistent with the Urban Center Neighborhood Context description, and the purpose and intent of the C-MX-12 Zone District.

6. Additional review criteria for rezoning to PUD District

- The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of this Code
 - The proposed scale and timing of the development project demands a more customized zoning approach to achieve a successful, phased development. To anticipate the realignment of Denargo St. and to address future open space along the South Platte River, a customized zoning approach is needed.
- The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in Division 9.6
 - The General PUD complies with all standards and criteria stated in Division 9.6.
- The development proposed on the subject property is not feasible under any other zone district and would require an unreasonable number of variances or waivers and conditions
 - The General PUD District is necessary because there is no zone district available that requires ground story activation along a planned open space or the South Platte River corridor, only existing streets.
- The PUD District, the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property
 - The General PUD District utilizes the C-MX-12 building forms and uses to ensure land uses, height, siting, and ground story activation are compatible with the surrounding properties.
- The PUD District, 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
 - The General PUD District utilizes modified building forms and standards to achieve the vision established in adopted plans.

Staff Recommendation

Based on the analysis set forth above, CPD staff finds that the application for rezoning for the property at 3325 Denargo to PUD-G meets the requisite review criteria. Accordingly, staff recommends approval.

Attachments

1. Application
2. Draft PUD-G 12



Zone Map Amendment (Rezoning) for PUD - Application

1/26/12

PROPERTY OWNER INFORMATION*	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Project Rino, LLC
Address	27777 Franklin Road, Ste. 200
City, State, Zip	Southfield, Mi, 483046
Telephone	303 722-8771
Email	bgollick@comcast.net
*If More Than One Property Owner: All official map amendment applications for a PUD District shall be initiated by all the owners of the entire land area subject to the rezoning application, or their representatives authorized in writing to do so.	

PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Representative Name	Robert J. Gollick, Inc.
Address	609 South Gaylord Street
City, State, Zip	Denver, Colorado 80209
Telephone	303 722-8771
Email	bgollick@comcast.net
**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.	

Please attach Proof of Ownership acceptable to the Manager for all property owners, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.

SUBJECT PROPERTY INFORMATION	
Location (address and/or boundary description):	3325 Denargo Street
Assessor's Parcel Numbers:	0227405006000
Legal Description: (Can be submitted as an attachment. If metes & bounds, a map is required.)	ALTA Survey dated March 10, 2014 submitted separately
Area in Acres or Square Feet:	4.025 acres or 175,341± square feet
Current Zone District(s):	I-B, UO2

PROPOSAL		
Proposed Zone District	<input checked="" type="checkbox"/> General PUD	<input type="checkbox"/> Detailed PUD
Proposing SubAreas?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Intent of PUD:	Please refer to the attachment	
Standard Zone District: Please list the zone district(s) on which the PUD will be based.	C-MX-20 and C-MX-8	
Deviations from Standard Zone District: Please provide a list of proposed deviations and an explanation of why the deviation is needed. Please provide as an attachment if necessary.	Deviation	Why deviation is necessary
	Please refer to the attachment	Proximity with Platte River requires special treatment
	Build-to, Building Location and Height Variances	
		Submission Date: 7.7.14



REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.13</p>	<p><input checked="" type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan</p> <p>Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p> <p><input checked="" type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input checked="" type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.14</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input checked="" type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that rezoning that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code.</p> <p>Please provide an attachment describing the justifying circumstance.</p> <p><input checked="" type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>Please provide an attachment describing how the above criterion is met.</p>
<p>Additional Review Criteria for Rezoning to PUD District: The proposal must comply with all of the additional review criteria DZC Sec. 12.4.10.15</p>	<p><input checked="" type="checkbox"/> The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development).</p> <p><input checked="" type="checkbox"/> The PUD District and the PUD District Plan comply with all applicable standards and criteria station in Division 9.6.</p> <p><input checked="" type="checkbox"/> 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.</p> <p><input checked="" type="checkbox"/> The PUD District, the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property.</p> <p><input checked="" type="checkbox"/> The PUD District, 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 (e.g., through decreases in building height; through significant distance or separation by rights-of-way, landscaping or similar features; or through innovative building design).</p> <p>Please provide an attachment describing how the above criteria are met.</p>



ATTACHMENTS

Please check any attachments provided with this application:

- Authorization for Representative
- Proof of Ownership Document(s)
- Legal Description
- Deviations
- Review Criteria

Please list any additional attachments:

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	NO
Project Rino, LLC	27777 Franklin Road, Ste. 200 Southfield, Mi, 483046 303 722-8771 bgollick@comcast.net	100%	<i>GA</i> <i>Gary A. Shiffman</i>		A	
Mr. Gary Shiffman, Managing Member			<i>GA</i>			

July 7, 2014

PUD Zone Map Amendment Application for:

3325 Denargo Street, Assessor's Parcel Number: 0227405006000

Property Owners:

Project RiNo LLC, Mr. Gary Shiffman, Managing Member

Proposed Zoning: C-MX-20 and C-MX-8 based PUD-G

Authorized Representative:

Robert J. Gollick, Inc. (Bob Gollick)

609 South Gaylord Street

Denver, Colorado 80209

303 722-8771

bgollick@comcast.net

Development Team:

Ms. Dana Crawford: <dana@danacrawford.net>

Mr. Bill Parkhill: <bill@parkhilldevelopment.com>

Mr. Curt LeRossignol; curtlerossignol@hotmail.com

Mr. Gary Shiffman,

Project Intent Statement

The proposed PUD-G is in general conformance with the Denver Zoning Code for the C-MX-20 and C-MX-8 zone districts. It is intended to promote safe, active and diverse areas through the use of building form(s) that clearly define and activate the public street edge and most important, emphasize the South Platte River experience. The PUD is intended to enhance the convenience, ease and enjoyment of, walking, and public gathering within and around River North, one of the city's great emerging neighborhoods.

Of most significance, the proposed map amendment will permit development of residential units adjacent to one of the most significant amenities in the City, the South Platte River. The intent is to create a special place taking advantage of the River. The PUD zoning is necessary to allow for building placement precluded in a general zone district. Functional and great open space will result providing a unique experience for residents, visitors and those using the adjacent bike trail or River.

To ensure the new development contributes positively to the neighborhood and character, and improves the transition between the River and the Brighton Boulevard corridor. The C-MX-20 and C-MX-8, Urban Center Mixed Use districts, on which this PUD-G is based, are focused on creating mixed, diverse neighborhoods at the existing permitted neighborhood scale and requiring a shallow front setback(s) with high build-to requirements.

The proposed maximum height of 20 stories transitioning to lower height is consistent with existing permitted building height in the area, which allows up to 220 feet of structure height the project's proposed height is critical to its viability. In order for the River North District, an "area of change" as described in Blueprint Denver, to stay viable into the future, new projects in the district must have adequate scale to provide the quality of design desired in the adopted River North Plan. Twenty stories is a very appropriate height in relation to the project's specific location in the District and the adopted Plan's vision for height thus providing the project with adequate density to be viable and accomplish the goals of the Plan.

The property proposed for rezoning is located in the River North Neighborhood along the west side of Denargo Street with the South Platte River generally as it's northern boundary. The site currently includes an abandoned warehouse with an abundance of paved surface area. The proposed PUD rezoning will allow for a mixed-use development consistent with the scale and quality of the surrounding current and future developments. Future development on the subject may include residential units, commercial uses, office uses and any other use(s) permitted in the C-MX-20 zone district.

Contents

PUD-G??

Exhibit "I" General Review Criteria (Per DZC Section 12.4.10.7, A, B, and C)

Section A: Consistency with Adopted Plans

- Denver Comprehensive Plan 2000
- Blueprint Denver
- River North Area Plan (The Plan)

Section B: Uniformity with District Regulations

Section C: Public Health, Safety and General Welfare

Exhibit "II" Additional Review Criteria (Per DZC Section 12.4.10.8, A and B)

Section A: Justifying Circumstances (Changed or Changing Conditions)

Section B: Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

Exhibit "III" Additional PUD Review Criteria (Per DZC Section 12.4.10.9)

Section A: The PUD is consistent with the intent and purpose of such districts stated in Article 9

Section B: Compliance with PUD Standards

Section C: Necessity for a PUD

Section D: Proposed land uses are compatible with existing land uses

Section E: Compatibility of Proposed Building Forms

Exhibit "IV". Supplemental Information

Section D.1: Property Ownership Information

Section D.2: Letter of Authorization for RJ Gollick, Inc.

Section D.3: Neighborhood Outreach Letters

Exhibit "I": General Review Criteria (Per DZC Section 12.4.10.7)**Section A: Consistency with Adopted Plans**

The proposed PUD-G is in complete conformance with the recommendations and goals contained following adopted City Plans. Detailed analysis is provided below after each Section.

• Comprehensive Plan 2000**Land Use Chapter****Objective 1: Citywide Land Use and Transportation Plan****Strategy 1-B:**

Ensure that the *Citywide Land Use and Transportation Plan* reinforces the City's character by building on a legacy of **high-quality urban design and stable, attractive neighborhoods**; encouraging preservation of historic buildings, districts and landscapes; and maintaining the integrity of the street grid, parks, parkways, and open space system.

Objective 3: Residential Neighborhoods and Business Centers**Strategy 3-B:**

Encourage quality infill development that is **consistent with the character of the surrounding neighborhood**; that offers opportunities for **increased density** and more amenities; and that broadens the variety of compatible uses.

Accommodating New Development**Objective 4 Land Use and Transportation**

Strategy 1-C: Incorporate relevant recommendations from neighborhood, corridor and area plans that are supplements to Plan 2000. Examples are the plans for Stapleton, Lowry, Gateway, Federal Boulevard, Central Platte Valley and the Golden Triangle. (*River North Plan adopted by City Council*)

Strategy 3-B:

Encourage quality **infill development that is consistent with the character of the surrounding neighborhood**; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.

Strategy 4-A: Encourage mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces impact on the environment, and encourages vibrant urban centers and neighborhoods.

Strategy 4-B: Ensure that land use policies and decisions support a variety of mobility choices, including light rail, buses, paratransit, walking and bicycling, as well as convenient access for people with disabilities.

MOBILITY CHAPTER**Objective 4: Changing Travel Behavior****Strategy 4-E**

Continue to promote mixed-use development, which enables people to **live** near work, retail and services.

LEGACIES CHAPTER**Objective 2 New Development, Traditional Character****Strategy 2-E**

Ensure that the Zoning Code reinforces quality urban design.

Objective 3 Compact Urban Development**Strategy 3-A**

3-A Identify areas in which increased density and new uses are desirable and can be accommodated.

ECONOMIC ACTIVITY CHAPTER**Objective 6 Preferred Housing Development**

Encourage mixed-use, mixed-income housing development in Denver's core area and along transit lines.

Strategies

6-A Support mixed-use development consistent with the goals of the Comprehensive Plan's land-use and mobility strategies.

ENVIRONMENTAL SUSTAINABILITY CHAPTER**Strategy 2-F** Conserve land by:

- Promoting infill development within Denver at sites where services and infrastructure are already in place.
- Designing mixed-use communities and reducing sprawl, so that residents can **live**, work and play within their own neighborhoods.

Strategy 4-A Promote the development of sustainable communities and centers of activity where shopping, jobs, recreation and schools are accessible by multiple forms of transportation, **providing opportunities for people to live where they work.**

SUMMARY: *As listed above there are numerous Objectives and Strategies that are contained in Denver Comprehensive Plan 2000 that are supportive of the proposed map amendment. In particular, the Land Use Chapter in it's detailed description of infill development.*

• Blueprint Denver

Blueprint Denver has designated the subject property as an *Area of Change* with a land use concept of **Mixed Use**, which is defined (in *Blueprint Denver*) as follows:

Brighton Boulevard – mixed-use neighborhood

The Brighton sub-area incorporates one to two blocks on either side of Brighton Boulevard from downtown to Interstate 70. A mixture of housing, retail services and office development is ideally suited for redeveloping this sub-area. However, some warehousing and distribution uses may remain. This also will entail converting this industrial street to a mixed-use street. Brighton's role as an entry to downtown, as well as its proximity to neighborhoods and its interstate access, creates considerable potential for back office services, neighborhood serving retail and a variety of housing types. The proximity of the Platte River greenway to the Brighton sub-area will provide opportunities to enhance the greenway edges, locate development along it, and use it as a major bicycle and pedestrian connection to downtown. (page 136)

*The vision is to continue redevelopment in the area by **encouraging reinvestment through infill on vacant lots** and reuse of unoccupied or dilapidated structures in a manner that focuses on livability and produces a well-integrated blend of residential, regional and neighborhood retail, office, hotel, open space, and public uses in a pedestrian-friendly environment placing emphasis on the River as an amenity.*

Blueprint Denver also calls for improving and adding urban new centers to create vibrant urban areas that serve not only Denver neighborhoods, but also the region. Downtown and Cherry Creek are Denver's centers with the greatest regional draw. River North has potential to become an Urban Center. Brighton Boulevard is classified in *Blueprint Denver* as a Mixed Use Arterial along with Broadway. The other nearby streets are classified as Residential Collectors.

As stated in *Blueprint Denver*, much of Denver's growth will be accommodated by infill development on vacant land or through **redevelopment** of existing sites. *The proposed map amendment will meet that statement by providing the entitlement ability to develop a mixed-use project on an underutilized parcel.*

Compact development: "...improve neighborhood cohesion, reduce urban sprawl and residents more directly connect to services and amenities within their immediate living environment." **Note:** *Development of the subject property will "connect" residents with the services and amenities the RiNo area provides without the necessity of driving.*

Plan Strategy: Direct Growth to Areas of Change

There are 26 Areas of Change that serve as the basis of the *Blueprint Denver* concept. Certain features may characterize an Area of Change, such as:

- Areas undergoing positive change that is expected to continue
- Areas along corridors with frequent bus service that can accommodate development, especially where there is potential for a pedestrian-friendly shopping environment
- Areas with special opportunities such as where major public or private investments are planned

Blueprint Denver expects an additional 30,000 jobs and 15,000 new housing units in the remaining Areas of Change by 2020. If growth is redirected from the Areas of Stability to the Areas of Change, the model results are positive — **less development intrusion and traffic in the neighborhoods and more redevelopment along corridors** and near transit stations with little or no increase in traffic. Slight reductions in traffic may even result where land uses are mixed and highly coordinated with transit access.

Most of the Areas of Change already are developed to varying degrees. In most cases, there is enough capacity of public facilities — such as streets, sewers and schools — so that additional development will be able to take advantage of existing infrastructure in the area. However, these areas have not realized their full development potential. **Some are zoned incorrectly for accommodating future development.**

“An ideal place to direct development is vacant land near downtown”. This statement is taken from Blueprint Denver, page 23, and is even truer today than it was when Blueprint was adopted. There is a need for housing near the Central Business District; this need will continue to grow. People need a place to live near where they work, play and can take advantage of transit.

Blueprint Denver suggest using Transit as a Tool (page 98)

- Evaluate and implement options for enhanced bus transit services such as higher frequency bus service and priorities for intelligent transportation systems (ITS) investments (including bus priority signalization) on the Brighton Boulevard corridor.

SUMMARY: *The subject property is designated as an “area of change” as a Mixed Use district. This is precisely the intent of this proposed C-MX-20 based PUD zoning and the effect approval will have on the RiNo neighborhood. Providing more residential units and thus more residents where they will live, work and play.*

• River North Area Plan (Plan)

Note: The following portion of this application contains excerpts and paraphrasing from the Plan. Page numbers are included to reference of the entire section of the Plan cited.

The River North Plan consists of two north to south corridors and one east to west corridor which connects three districts and four neighborhoods. The subject property is situated just off Delgany Street and the Park Avenue Viaduct in the Denargo Market District.

The Denargo Market district is adjacent to downtown and has access from the Central Business District via Broadway but also to the Central Platte Valley via Delgany Street. Its placement along the South Platte River and proximity to downtown provides an opportunity to create an exciting mixed-use area with its own identity. RTD's FasTracks Vision Plan calls for a rapid transit station in the vicinity creating the opportunity for rapid transit service between Union Station and Denver International Airport, to Thornton along the North Metro Line, and to downtown via an extension of the light rail line that runs along Welton Street and that now ends at 30th Street and Downing Street. River North is conveniently located between downtown and DIA and will be connected to both through transit and roads. New employers and new residents will be attracted to convenient access to downtown, Stapleton and DIA. The Events District includes the National Western Stock Show, the Denver Coliseum, and the Forney Transportation Museum and attracts visitors from all over the world. (page 2)

Goals and objectives have been identified for River North including the Denargo Market District. In addition, actions have been identified that can lead to the implementation of this plan. Some of the relevant ones are:

- Rezoning portions of the area to mixed-use zone districts,
- Master planning and establishing General Development Plans for the Denargo Market area
- Enhancing the South Platte River corridor,
- Promoting economic activity, and
- Creating a variety of housing options including affordable housing. (page 4)

As the Plan states, there are several reasons why the River North Plan should be developed at this time:

- The southern portion of the Plan's area is immediately adjacent to new development in the Ball Park and Prospect neighborhoods and with the Denargo Market close by, this is a logical location for new development.
- There are several vacant and underutilized sites on Brighton Boulevard that are on the real estate market.
- Several new residential projects are in process or constructed including 241 apartments developed by JPI at 29th Street and Brighton Boulevard, a 75-unit condominium project near 31st Street and Brighton Boulevard, a mixed-use development at the Taxi site on Ringsby Court, and a multi-phase project in the Rock Drill site at 39th Street and Williams Street. In addition, several major improvements have been made to commercial properties as well as to the National Western Stock Show.
- In addition to private reinvestment, several major public investments have recently been made. The major transportation and access improvements include the replacement of the Broadway viaduct, the Brighton Boulevard and Washington Street interchanges with I-70, and the replacement of the railroad bridge over Washington Street and widening it to four lanes. The city has recently made significant

improvements to the Denver Coliseum and built a new Fire House #9 at 44th Street and Brighton Boulevard. (page 9)

The Plan identifies Issues, Opportunities and Goals that impact development opportunities within the corridor. The proposed PUD will meet or exceed numerous stated goals as described below.

Issues

- Much of the land in the study area is currently underutilized. (Such as Denargo Market)
- The current zoning does not allow some appropriate uses, allows other inappropriate uses, and does not provide appropriate development and design standards for new development. (The proposed C-MX-20 based PUD will address this issue)

Opportunities

- RTD's FasTracks Vision Plan provides a major opportunity to create an exceptional Transit Oriented Development; its prime location between downtown and DIA with rapid transit connections to each creates numerous and **exciting opportunities for new development**. (such as Denargo Market)
- The twin north-south corridors, with Brighton Boulevard providing primarily vehicular access between I-70 and downtown and the South Platte River providing a linear open space amenity with pedestrian and regional bicycle access, **create exciting development and open space opportunities**. (page 59)

Goals

- Create opportunities for employees of current and future employers to live within the study boundaries and seek to connect residents of adjacent neighborhoods with jobs within the Plan's boundaries.
- Build upon the unique land uses that exist and **identify redevelopment sites and opportunities** that foster the creation of a compatible mix of uses.
- Attract new development along the South Platte River, especially new residential development that takes advantage of the river and enhances it as an open space corridor.
- By adding new development to the current uses and structures, create a unique environment both in terms of an eclectic mix of uses and exciting, innovative architecture. (pages 59 and 60)

South Platte River Corridor

The South Platte River corridor runs from the southern to the northern boundary of the River North Area. It is a major amenity as well as an opportunity to promote redevelopment. The South Platte River must be protected and enhanced as a citywide amenity, an amenity for River North and an amenity for the surrounding neighborhoods.

The area called the River Corridor Mixed Use Area on the Land Use Concept Map runs on both sides of the South Platte River to 38th Street on the north. Uses are primarily industrial. When existing industrial businesses cease operations or relocate they should not be replaced with other industrial uses. **New uses should be mixed and should be uses that can take advantage of the river frontage**. (page 65)

Denargo Market benefits from being along the South Platte River Corridor and will strive to enhance the River frontage creating an amenity for all residents of Denver.

Issues

- The natural state of the South Platte River has been eroded in places such as on the west side of

Arkins Court.

- In some cases, current uses do not take advantage of the proximity to the river and are unsightly taking away from the enjoyment of this open space.
- The addition of open space along the river in conjunction with **new development** and in conjunction with drainage improvements.

Goals

- Create urban design guidelines to ensure architecturally high-quality development that respects the vision of the South Platte River corridor as an open space corridor,
- Develop Design Guidelines that include criteria for height, scale, building massing and architectural detailing. Design Guidelines objectives should include maintaining the view to the river corridor, and creating pedestrian “friendly” architecture that incorporates ground floor windows, direct entrances from buildings to the street, and human-scaled facades. (pages 65 and 66)

The proposed PUD will incorporate the guidelines contained in the CMX zone district providing a pedestrian friendly street experience. River views will be a priority for pedestrians and residents.

- Enhance the South Platte River as a natural area, which may entail the provision of buffer zones to protect the natural ecosystem from adjacent development.

Denargo Market Area

This district is located between Broadway/Brighton Boulevard and the South Platte River and between Park Avenue and 31st Street. It is described in the Land Use Concept Map as a Residential/Mixed Use area. This area includes land closest to downtown, primarily the Denargo Market area. Within this area, residential uses would be the predominant use along the river with some neighborhood serving retail and office uses as well. Office uses and downtown support services are appropriate as well.

Issues

- There are multiple owners of land making it difficult to establish a master plan, seek zoning for the entire area, and establish a General Development Plan. Note: a General Development Plan has been adopted by the City. While the subject is not a part of that GDP, the Denargo Market is now under a unified ownership making development feasible.

Opportunities

- Denargo Market area has over 1,500 feet of river frontage and the potential of **locating new development immediately adjacent to the river** and creating additional open space.
- The Denargo Market area offers the **potential for a significant mixed-use development** with destination commercial uses, **anchored by housing, and benefiting from its relationship to the river corridor and downtown.**

Goals

- Adequate parking should be efficiently provided in the most appropriate form while maximizing development opportunities.
- Provide pedestrian and bicycle access to Brighton Boulevard, the South Platte River bike trail, and Delgany Street.
- Create a compact, mixed-use, pedestrian-friendly development.
- Encourage a mix of uses including residential, retail, and office uses.

- Provide a range of housing options in terms of type and size including both for sale and rental and promote the development of affordable housing that at a minimum complies with Denver's Inclusionary Housing Ordinance.
- **Provide housing along the South Platte River.**
- Insure that urban design reinforces the pedestrian oriented and transit-supportive character of the area and creates friendly and useable public spaces.
- Facades on parking structures facing public right of way should accommodate pedestrian active uses on the ground level.
- Appropriate massing, scale, building heights and building size for new development with height limits along the South Platte River; and
- Encourage street oriented building placement and architectural variation. (pages 75 and 76)

Economic Activity

Blueprint Denver identifies River North as an Area of Change, which means that growth should be directed to this part of the city. Based on market analyses completed in conjunction with the corridor plan, a considerable level of development and redevelopment could occur if select regulatory, financial, physical and market issues are addressed.

Issues

- The current industrial zoning classifications that dominate the corridor does not allow residential development and only limited retail uses, thereby constraining the ability of the market to respond to demand that exists for these and other non-industrial uses.
- The existing industrial zoning allows new, and expansion of existing, industrial uses that are not necessarily compatible with many of the proposed uses identified for the corridor with potential to reduce future private investment in the area. (page 78)

Opportunities

- There are several sizable parcels of land, including many that are vacant or underutilized (such as Denargo Market), that limit the need for significant land assemblages.
- The presence of various art production operators offers the potential for a marketable anchor in a newly redeveloping urban neighborhood and **supports the introduction of housing** on the corridor in the form of live/work projects.
- There is a rapidly growing residential market downtown, as well as underserved neighborhoods, creating the demand for additional goods and services through the introduction of new, retail and service operators.

Goals

- Encourage land uses that effectively increase the day- and night-time population (such as residential units) of the area providing the impetus for future commercial development. (page 79)

Implementation

While the previous section of this application identifies the goals and objectives for the Brighton Boulevard corridor and Denargo Market District, this section identifies the specific actions that the Plan recommends be taken to implement the Plan.

Land Use and Zoning

Rezone the residential mixed-use area, which includes Denargo Market, to Residential Mixed Use zoning, Commercial Mixed-Use zoning or a combination of both of them. New heavy industrial uses are discouraged in this area. Mechanisms for retaining art related uses should be pursued. A master planning process should be undertaken for the Denargo Market area. The process would look at appropriate development, a general site plan, and appropriate zoning among other topics. (page 84)

River Corridor Mixed-Use

When an existing industrial use ceases operations (such as the warehouse in Denargo Market), it should not be replaced with another industrial use. Zoning should be put in place that assures uses with appropriate design guidelines that take advantage of the proximity to the South Platte River. Both residential and commercial mixed-use zone districts should be considered. (page 85)

SUMMARY: *The proposed zoning is in complete conformance with the adopted River North Plan. The Plan recommends more housing, more investment, and more development in the Denargo Market District. This is the exact result development of this site will have under the proposed PUD-G district.*

Exhibit "I" Section B: Uniformity with District Regulations

The proposed PUD-G map amendment will result in regulations and restrictions that are uniform for each type of building throughout the PUD. Each will have the same PUD classification and bearing the same symbol or designation on the official map, but the regulations for one structure may differ from those for another structure.

Exhibit "I" Section C: Public Health, Safety and General Welfare

The River North Plan is intended to promote patterns of land use, urban form, circulation and services that contribute to the economic, social and physical health, safety and welfare of the people who live and work in the area. Corridor and district plans address issues and opportunities at a scale that is more refined and more responsive to specific needs than the City's Comprehensive Plan 2000 and Blueprint Denver. It provides more specific guidance for the allocation of city resources and for the location and design of private development. This plan serves as a supplement to Comprehensive Plan 2000.

Exhibit "II" Additional Review Criteria (Per DZC Section 12.4.10.8, A and B)**Section A: Justifying Circumstances (Changed or Changing Conditions)**

The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area.

River North Plan

The proposed C-MX based PUD-G district map amendment is in response to the changed and changing conditions in the RiNo area. The redevelopment of the Brighton Corridor, which started several years ago, was the catalyst for development to occur throughout the Denargo Market neighborhood. Numerous residential developments along with several commercial and retail projects have changed the area into one of Denver's fastest growing and dynamic neighborhoods in which to live, work and shop.

The most significant of the "changed conditions is the adoption of the River North Plan (the Plan) by City Council that is supportive of this zoning request and described in the section above. The proposed map amendment is supported by numerous recommendations, strategies and goals stated in the Plan.

Additional examples of the changed conditions, which support and justify this request, are as follows:

1. The adoption by City Council of "Blueprint Denver".
2. Approval of the site as an "**Area of Change**" for a **Mixed Use** within "Blueprint Denver",
3. Successful development of several projects within the subject area.
4. The zoning approval for a 220 foot, 200 foot and a 180 foot mixed use structure (s) adjacent to the Denargo Market property.
5. The need for additional residential dwelling units is consistent with the development patterns that the neighborhood has experienced.
6. The adoption of the 2010 Zoning Code, which provides "form-based", zoning tools to address the development goals of the City, the Plan and the residents for infill sites, and
7. The desire for individuals to live near where they work and play.

The area conditions have changed significantly, providing the legal basis for this zone change request and make the proposed amendment reasonable and necessary to the promotion of the public health, safety and general welfare. The public interest for the citizens of Denver is best served by adoption of this map amendment, which will provide support for the services, amenities, employment opportunities and provide residential development necessary for positive planned growth to occur.

Section B: Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements.

The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District. The proposed PUD is predicated upon the C-MX zone district category which is intended for mixed-use, urban infill development that is consistent to what is being proposed.

Neighborhood Context

The neighborhood context consists of a generally irregular grid of streets. Block sizes and shapes are inconsistent with various shapes and sizes. Building setbacks in this area are varied at the street, with parking to the side or rear of buildings. There already exists a large variety of building heights in the

general area with between 1 and anticipated 20 stories already approved. In the district area, land uses are varied with light industrial, retail, office, or mixed, with limited other uses including residential and other types of commercial.

The proposed amendment is to provide the framework for the development of a property located in one of the area's most important districts, Denargo Market. This proposed map amendment requests approval of the C-MX-20 and C-MX-8 based PUD zone district. All of the MX designated zone districts are mixed-use. The C-MX-20 zone district was adopted by City Council to respond to development parcels such as this and is categorized as Urban Center Neighborhood Context. The Zoning Code describes the neighborhood context of the C-MX districts as consisting of **multi-unit residential** and mixed-use commercial strips and commercial centers allowing **multiple unit residential buildings** along with commercial buildings that may be live work. The general intent is to encourage mixed-use developments with the building(s) being located close to the street. The Urban Center Neighborhood Context, (from the Zoning Code) is characterized by **high building heights** to promote a dense urban character. Lower scale structures are typically found in areas transitioning to a less dense urban neighborhood, or in this instance, the South Platte River. This is precisely the nature of the proposed zoning with the Plan and some area zoning already in place for 20 story structure(s). The proposed PUD zone district will compliment the existing allowable height and uses already permitted.

The effect of the proposed amendment will be immediate and positive. To begin to develop in a planned and consistent manner and to begin to thrive, the area needs increased density, **more residential units** thus more residents, more activity to draw and attract business. Zoning proposals such as this one can be the catalyst for smart growth with density where it should be and people living and shopping where they work. Development of the subject property under the guidelines of the PUD will provide quality residential units, employment opportunities and commercial uses on a highly visible parcel that is in need of redevelopment. The inclusion of additional commercial space will bring activity to the immediate area. The addition of residential units will bring shoppers and diners to the area that for the most part will walk to their destinations.

Exhibit "III" Additional PUD Review Criteria (Per DZC Section 12.4.10.9)**Section C.1 Review Criteria for Rezoning to a PUD****Consistency with the Intent of a PUD**

Using the guidelines and standards of the C-MX-20 and C-MX-8 zone districts as the basis for the proposed PUD assures that the development will be consistent with the goals of the River North Plan and thus the neighborhood context. The zoning meets all the standards and intent of a PUD as described in Article 9.6 (Planned Unit Development) of the Denver Code. The C-MX zone districts were adopted for areas such as Denargo Market.

Compliance with PUD Standards

The proposed PUD meets or exceeds all the applicable standards listed in Section 9.6 of the Zoning Code. Most standards are addressed throughout the narrative of the proposed PUD as well as on the Proposed Site Condition graphic.

Necessity for a PUD

The subject property is in proximity with the South Platte River thus requiring varying heights and appropriate building placement and treatment to create a special place. Thus the proposed PUD (if adopted) will control future development on the site. If a conventional zone district were utilized, waivers and conditions that building stepbacks, build-to lines, open space and other elements would need to be incorporated into the map amendment application.

Consistency with the Intent of a PUD

All the existing uses that are adjacent to the subject property are permitted uses within the proposed PUD and thus consistent with the land use goals and expectations for the area.

Compatibility of Proposed Building Forms

The proposed PUD will utilize the General Building form as allowed in the C-MX zone district. This is compatible with the building forms that are existing, as well as under construction and/or proposed, adjacent to or near the subject property.

Exhibit "IV". Supplemental Information

Section D.1 Property Ownership Information

The property description shown is data from the Assessor's active, in-progress 2014 file. The "current year" values are from the 2014 tax year for real property tax due in 2015. These values are based on the property's physical status as of January 1, 2014.

PROPERTY INFORMATION

Property Type: INDUSTRIAL - FOOD PROCESSING Parcel: 0227405006000

Name and Address Information	Legal Description
PROJECT RINO LLC	GARDEN ADD B1,4,5
27777 FRANKLIN RD 200	DAF
SOUTHFIELD, MI 48034-8205	*
Property Address: 3325 DENARGO ST	Tax District DENV

Assessment Information

	Actual	Assessed	Exempt	Taxable
Current Year				
Land	3452500	1001230		
Improvements	1000	290		
Total	3453500	1001520	0	1001520

7/5/14, 11

Section D.2: Letter of Authorization for RJ Gollick, Inc.

PUD-G 12



3325 Denargo St.

2014I-00049

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CHAPTER 1. ESTABLISHMENT AND INTENT

SECTION 1.1 PUD-G 12 ESTABLISHED

The provisions of this PUD-G 12 apply to the land depicted on the Official Zoning Map with the label PUD-G 12, and more generally described as approximately 4.025 acres of land within a portion of the west 1/2 of Section 27, Township 3 south, Range 68 west of the 6th principal meridian (P.M.) The PUD-G 12 is a single area with no subareas established.

SECTION 1.2 PUD-G 12 GENERAL PURPOSE

The general purpose of PUD-G 12 is to allow uses and building forms that contribute to the planned vision for the River North neighborhood and the South Platte River corridor.

SECTION 1.3 PUD-G 12 SPECIFIC INTENT

More specifically, PUD-G 12 is intended to:

- 1.3.1 Allow all C-MX-12 zone district uses;
- 1.3.2 Acknowledge the South Platte River by transitioning allowed building height, increasing transparency, and altering build-to requirements of the C-MX-12 building form standards; and
- 1.3.3 Anticipate planned infrastructure improvements surrounding the PUD-G 12 site, including future public open space abutting the South Platte River and realignment of Denargo Street.

CHAPTER 2. URBAN CENTER NEIGHBORHOOD CONTEXT DESCRIPTION

All development within this PUD-G 12 shall conform to the Denver Zoning Code, Division 7.1, Neighborhood Context Description, as amended from time to time.

CHAPTER 3. DISTRICTS

Development in this PUD-G 12 shall conform to the Denver Zoning Code, Division 7.2, Districts, as specifically applicable to the C-MX-12 Zone District, as amended from time to time, and except as modified in this PUD-G 12 zone district.

CHAPTER 4. DESIGN STANDARDS

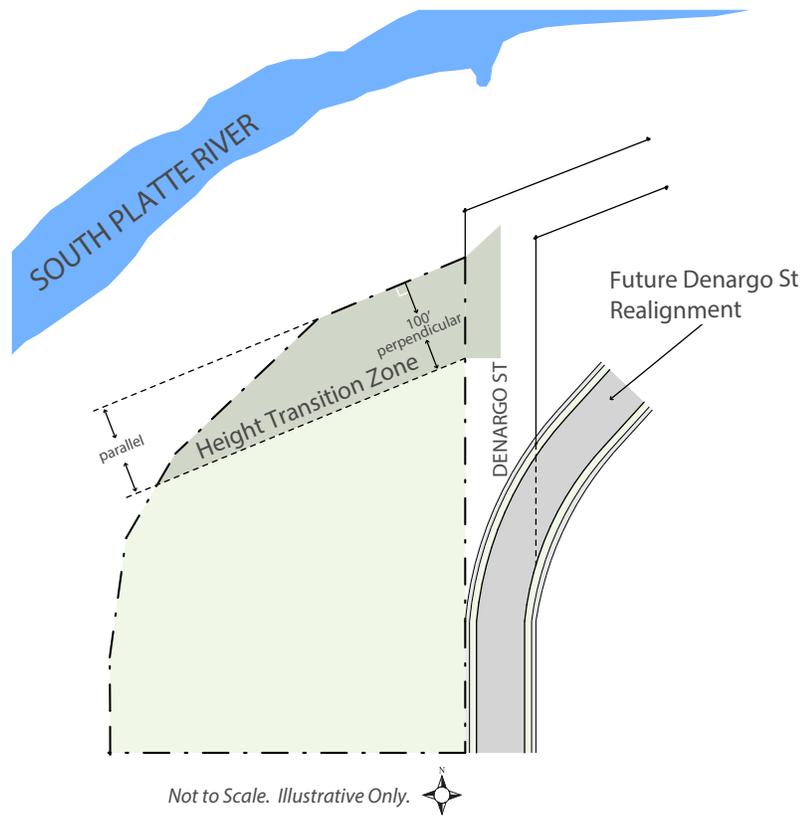
Development in this PUD-G 12 shall comply with the Denver Zoning Code, Division 7.3, Design Standards, as specifically applicable to the C-MX-12 Zone District, and as amended from time to time, with the following modifications and exceptions:

SECTION 4.1 PRIMARY BUILDING FORM STANDARDS

Drive Thru Services and Drive Thru Restaurant building forms are prohibited. Development in this PUD-G 12 shall comply with the General Building form standards in Section 7.3.3 of Denver Zoning Code, as amended from time to time, with the following exceptions and modifications:

4.1.1 Building Height

- A. The maximum height within the Height Transition Zone shall be 8 stories and 110 feet. The Height Transition Zone is depicted generally in the illustration below, and described legally in Exhibit A, attached to this PUD-G 12, and incorporated herein.
- B. In addition to the Height Transition Zone area described in Exhibit A, and to anticipate future realignment of Denargo Street, the following shall apply:
 1. The northernmost boundary of the Height Transition Zone shall extend northeasterly to the boundary of this PUD-G 12 zone district as mapped on the Official Zoning Map, and as generally depicted below.
 2. The southern boundary line of the Height Transition Zone shall extend easterly to the boundary of this PUD-G 12 zone district as mapped on the Official Zoning Map, and as generally depicted below.



4.1.2 Siting

Development in this PUD-G 12 is not required to comply with a Primary Street Build-To standard.

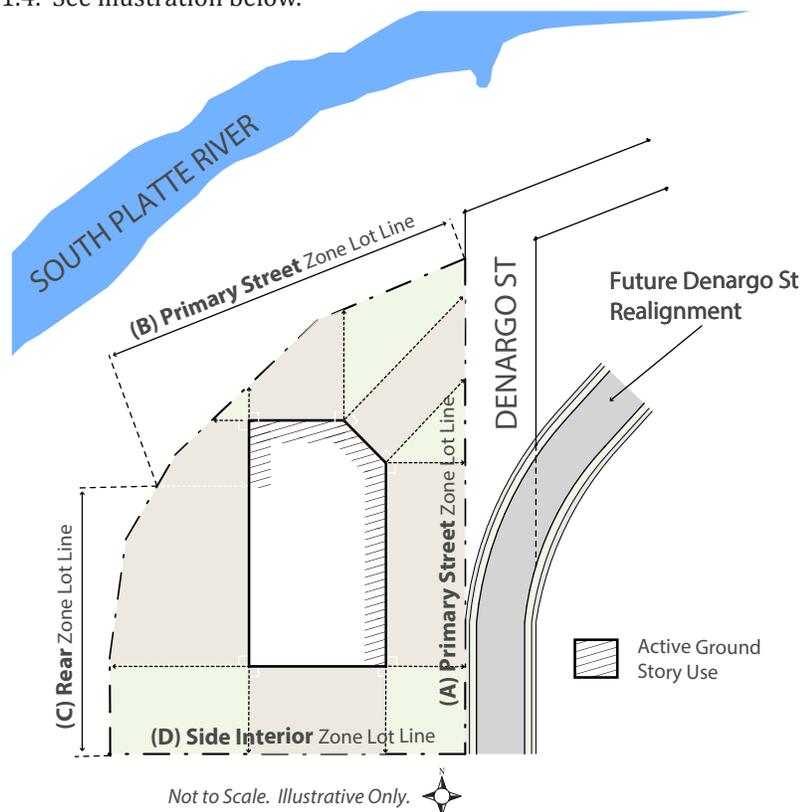
4.1.3 Design Elements

A. Ground Story Activation

The required Transparency standard applicable to a designated Primary Street Zone Lot line shall be 60% minimum, or 40% minimum for residential-only buildings. (See Chapter 6, Section 6.5, for designation of all zone lot lines within this PUD-G 12.)

4.1.4 Primary Street Zone Lot Line Active Ground Story Uses

- A. The ground story of any structure containing parking spaces shall be occupied by an “Active Ground Story Use” for any portion of the structure’s facade facing a primary street zone lot line. An “Active Ground Story Use” is any use allowed in this PUD-G 12 except for the following:
 - 1. Parking, Garage
 - 2. Parking accessory to a primary use otherwise allowed in the same building or structure
- B. Residential lobbies and other similar pedestrian access to and through the subject structure from the primary street zone lot sides of the building may be credited toward compliance with the Active Ground Story Uses requirement.
- C. Vehicle access to on-site parking or loading spaces from a primary street may be credited toward compliance with the Active Ground Story Uses requirement.
- D. To determine if any portion of a facade must contain an Active Ground Story Use, extend a line the width of the structure’s facade and perpendicular to the structure’s facade to the closest zone lot line. If any portion of the perpendicular line intersects a primary street zone lot line, that portion of the facade must contain an active ground story use, as defined by this section, 4.1.4. See illustration below.



CHAPTER 5. USES AND REQUIRED MINIMUM PARKING

SECTION 5.1 USES

5.1.1 Primary, accessory and temporary uses allowed in this PUD-G 12 shall be those same uses allowed in the C-MX-12 Zone District, as stated in the Denver Zoning Code, Section 7.4, Uses and Required Minimum Parking, as amended from time to time.

SECTION 5.2 REQUIRED MINIMUM PARKING

5.2.1 All uses established in this PUD-G 12 shall comply with the Denver Zoning Code, Section 7.4, Uses and Required Minimum Parking, as amended from time to time, as specifically applicable to uses allowed in the C-MX-12 Zone District.

CHAPTER 6. ADDITIONAL STANDARDS

SECTION 6.1 ARTICLE 1 OF THE DENVER ZONING CODE

6.1.1 Applicability

Development in this PUD-G 12 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 12 shall comply with the Denver Zoning Code Article 10, General Design Standards, as specifically applicable to the C-MX-12 Zone District, as amended from time to time, with the following exception:

6.2.2 Landscaping, Fences, Walls and Screening

Development in this PUD-G 12 shall comply with the Denver Zoning Code, Division 10.5, Landscaping, Fences, Walls and Screening, as amended from time to time, with the following exceptions/additions:

- A. Fencing and walls shall be minimized in PUD-G 12 along primary street zone lot lines (See Chapter 6, Section 6.5, for designation of all zone lot lines within this PUD-G 12.) Where fences and walls are constructed between a building and a primary street zone lot line, the following standards shall apply and supersede any conflicting provision in the Denver Zoning Code, Division 10.5:
 1. The fence or wall shall be a minimum of 75% open over the entire area of the subject fence or wall;
 2. Maximum fence or wall height is 4 feet, except where City ordinances specifically require a taller height; and
 3. The fence or wall shall be constructed of masonry, wood, wrought iron, or metal bars not exceeding 1.5 inches in diameter.

SECTION 6.3 ARTICLE 11 OF THE DENVER ZONING CODE

6.3.1 Applicability

Establishment of uses in this PUD-G 12 shall comply with the Denver Zoning Code, Article 11, Use Limitations and Definitions, as specifically applicable to the C-MX-12 Zone District, as amended from time to time.

SECTION 6.4 ARTICLE 12 OF THE DENVER ZONING CODE

6.4.1 Applicability

All development in this PUD-G 12 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 12 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

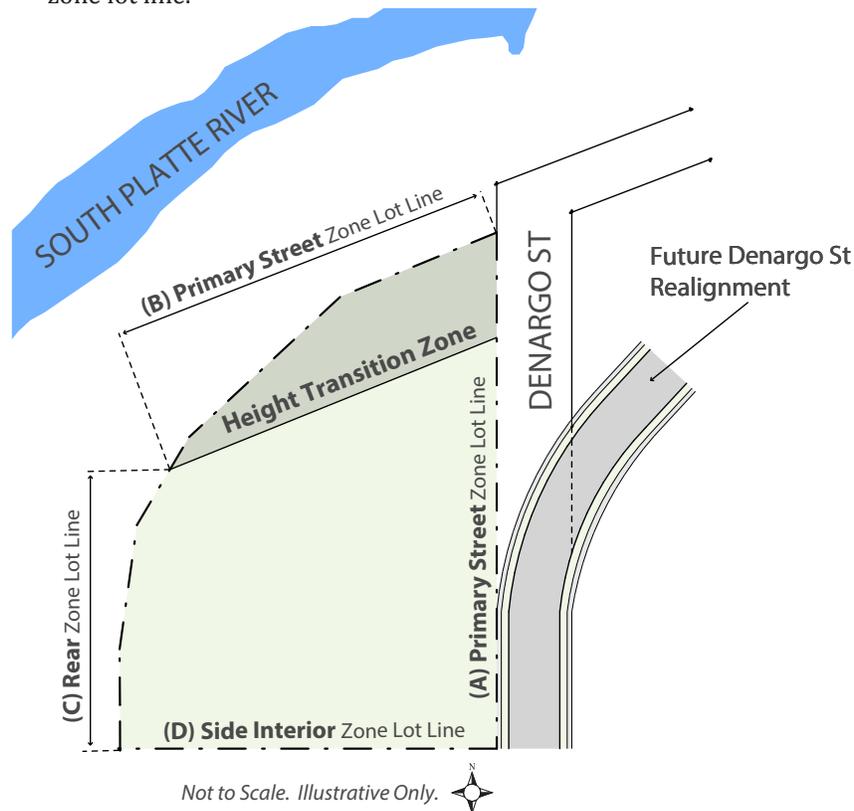
Development in this PUD-G 12 shall comply with the Denver Zoning Code, Article 13, Rules of Measurement and Definitions, as amended from time to time, with the following modifications and additions:

6.5.2 Siting Form Standards

A. Determination of Primary Street, Side Interior, and Rear Zone Lot Lines

Determination of zone lot lines provide a reference of measurement for standards related to form and building placement (e.g. Transparency), as referenced in Chapter 4 of this PUD-G 12. Accordingly, the following zone lot line determinations shall apply to development within PUD-G 12, and administrative adjustments or variances to such determinations are not allowed:

1. The east zone lot line ((A) on the reference graphic) abutting Denargo Street, as configured on the approval date of this PUD G 12, is designated as a Primary Street zone lot line.
2. The north zone lot line ((B) on the reference graphic) abutting the South Platte River and following the northern boundary of the Height Transition Zone (depicted generally in the illustration below and defined specifically in the attached legal description) is designated as a Primary Street zone lot line.
3. The west zone lot line ((C) on the reference graphic) south of the Height Transition Zone is designated as a Rear zone lot line.
4. The south zone lot line ((D) on the reference graphic) is designated as a Side Interior zone lot line.



6.5.3 Entrance

Instead of the Entrance requirement in Section 13.1.6.2.B.4 of the Denver Zoning Code, the following shall apply:

- A. An entrance shall provide a clear, obvious, publicly accessible connection between a primary street zone lot line and the primary uses within the building.
- B. An entrance shall be located on the primary street zone lot line facing facade.
- C. An entrance shall be one of the following types:
 1. Door - An entrance on the same plane as the building facade.
 2. Recessed Entrance - An entrance inset behind the plane of the building facade by no more than 15 feet.

6.5.4 Definitions

This PUD-G 12 zone district shall be considered a “Mixed Use Commercial Zone District,” as defined in Article 13, as amended from time to time.

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Exhibit A
3325 DENARGO STREET
Height Transition Zone

Legal Description

A portion of Blocks 1 and 4, Garden Addition to Denver and vacated West 34th Avenue, both in said Garden Addition, and of unplatted property in the west half (W ½) of Section 27, Township 3 South, Range 68 West of the Sixth Principal Meridian, all in the City and County of Denver, Colorado, together bounded and described as follows:

Beginning at a point on the west line of Denargo Street that is 999.08 feet distance north from the east and west center line of said Section 27, measured along the west line of said Denargo Street, which point is 11.45 feet distance east, measured at right angles from the east line of said Garden Addition;

Thence S70°27'38"W, 360.03 feet to a point which is parallel with and 100 feet distant southeasterly from the southeasterly line of the official channel of the South Platte River; Thence northeasterly, parallel with and 100 feet distant southeasterly from said southeasterly line of the official channel of the South Platte River, along the following four courses:

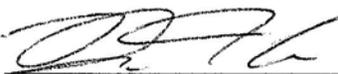
- 1) N3°57'50"E, 5.53 feet to the northeast corner of Lot 6, Block 4 of said Garden Addition;
 - 2) N45°00'00"E, 212.13 feet to a non-tangent, 516.20-foot radius curve at the west line of Lot 13 of said Block 1;
 - 3) Northeasterly along said non-tangent, 516.20-foot radius curve (from which the center bears S27° 44' 50"E), concave southeasterly through a central angle of 8°12'18", a distance of 73.92 feet;
 - 4) N70°27'38"E, 126.05 feet to said west right-of-way line of Denargo Street;
- Thence S0°00'00"E along last said west line, 106.11 feet to the Point of Beginning.

Said parcel as described contains 27,482 square feet or 0.63 acres, more or less.

Basis of Bearings

The east line, NW ¼, Section 27 is assumed to bear S0°00'00"E.

Certification



Brian Krombein, PE, PLS
For and on behalf of

Vermilion Peak Engineering LLC
1745 Shea Center Drive, 4th Floor
Highlands Ranch, CO 80129



9/8/14

Date

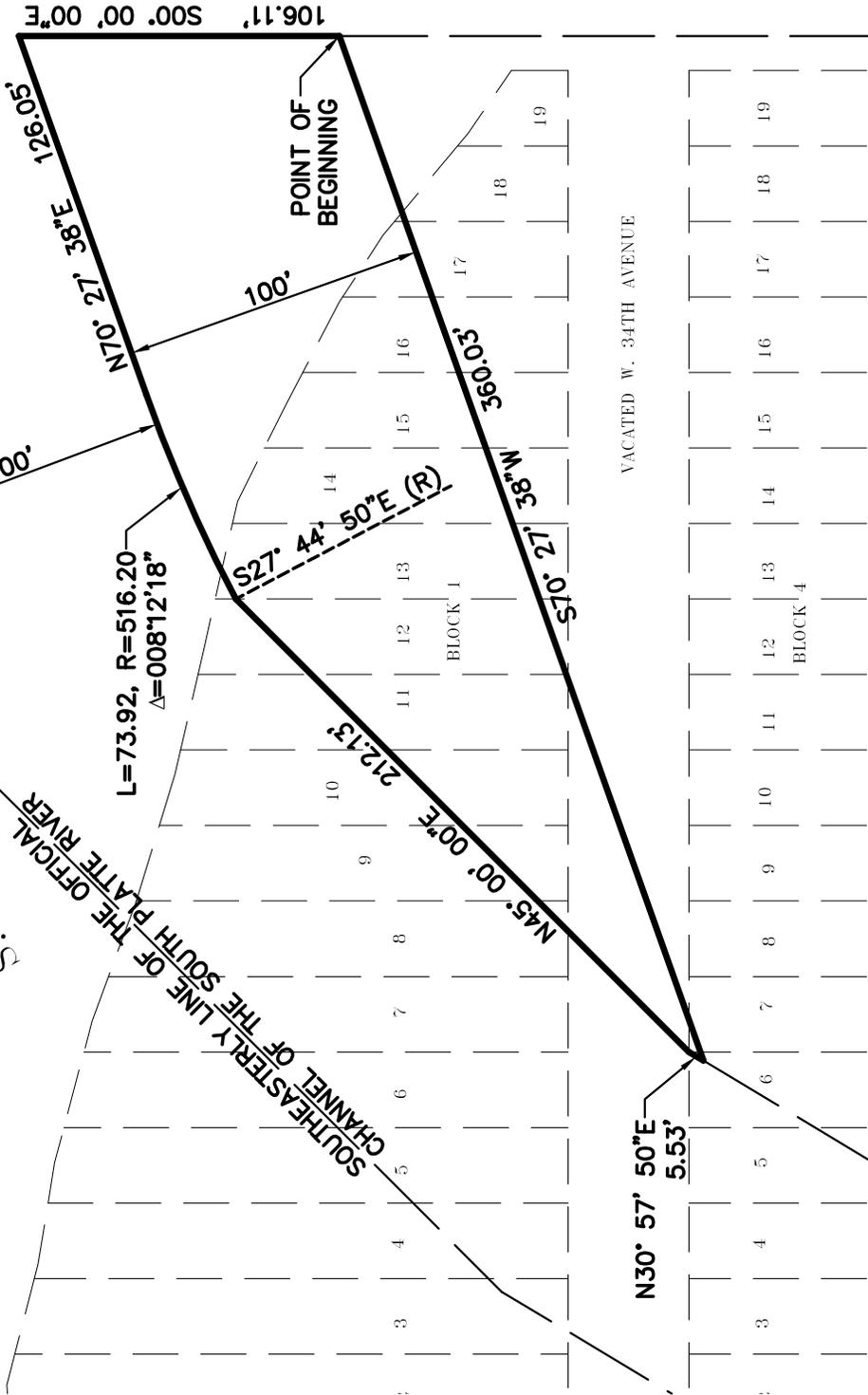
S. PLATTE RIVER

SOUTHERLY LINE OF THE ORIGINAL CHANNEL OF THE SOUTH PLATTE RIVER

L=73.92, R=516.20
Δ=008°12'18"

S27° 44' 50"E (R)

POINT OF BEGINNING



VACATED W. 34TH AVENUE



SCALE: 1" = 60'

DENARGO STREET

106.11' S00° 00' 00"E

100'

100'

100'

100'

10

9

8

7

6

5

4

3

14

13

12

11

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BLOCK 14

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BLOCK 18

BLOCK 19

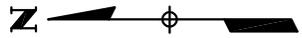


EXHIBIT
3325 DENARGO STREET
JOB NO. 14010
DATE: SEPTEMBER 8, 2014
SHEET 2 OF 2

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