



**TO:** Denver Planning Board, Julie Underdahl, Chair  
**FROM:** Steve Nalley, Senior City Planner  
**DATE:** December 3, 2014  
**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

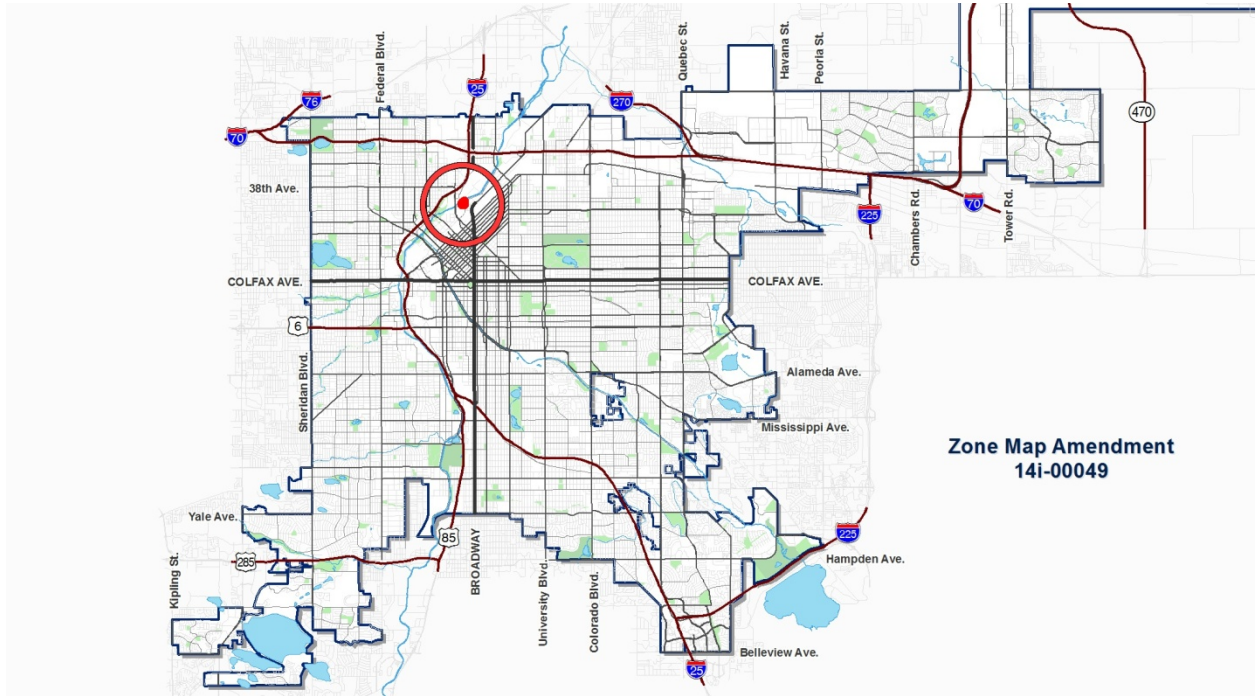
Proposed map amendment:	#2014I-00049
Address:	3325 Denargo St.
Neighborhood/Council District:	Five Points / Council District #9
RNOs:	United Community Action Network Inc., Elyria Swansea/Globeville Business Association, RiNo - River North Art District, Ballpark Neighborhood Association, Denver Neighborhood 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 person:	Bob Gollick

## Summary of Rezoning Request

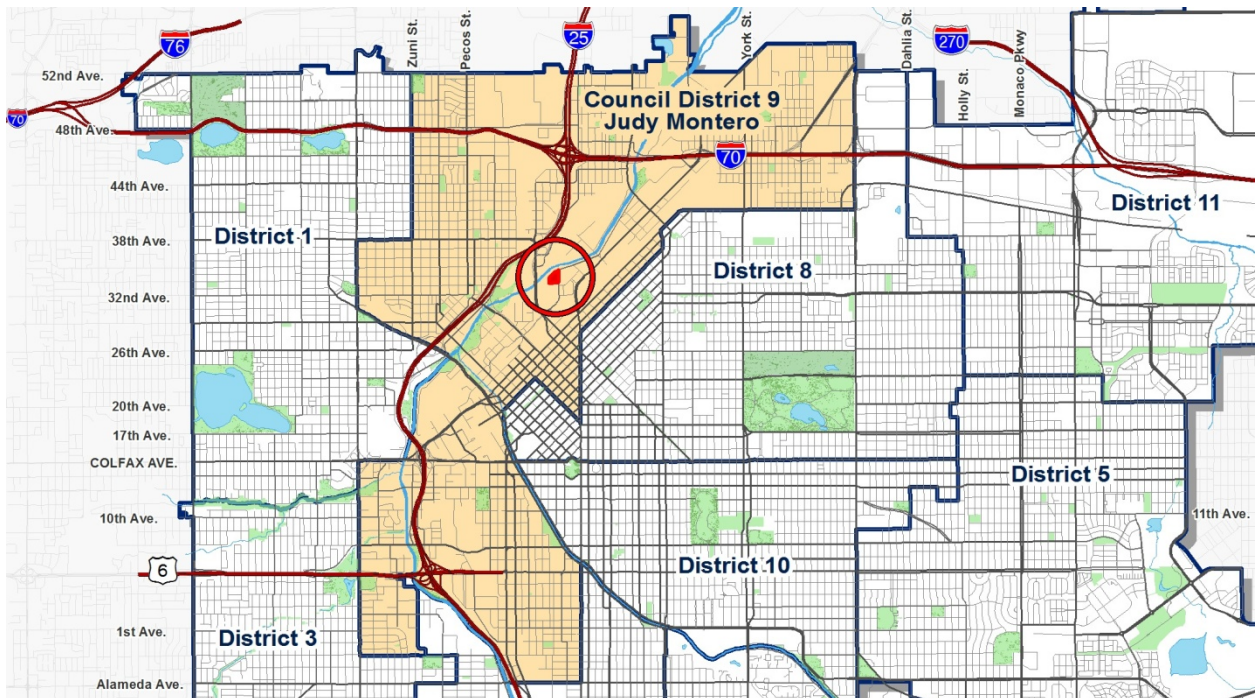
The general purpose of rezoning to a PUD-G is to implement the planned vision set forth in Blueprint Denver and the River North Area Plan for Denargo Market and the rapidly developing surrounding neighborhood. The current zoning of the subject site, I-B, UO-2, is not consistent with the planned vision.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

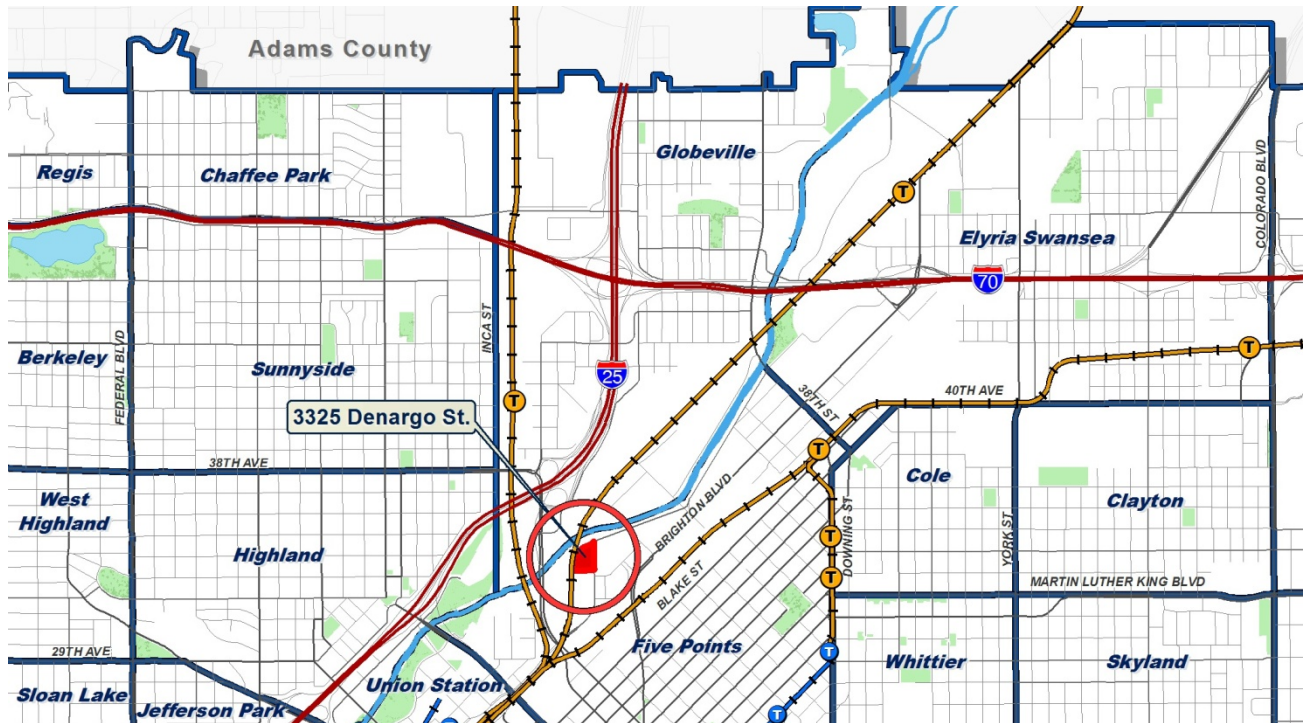
Citywide map – subject site is represented in red.



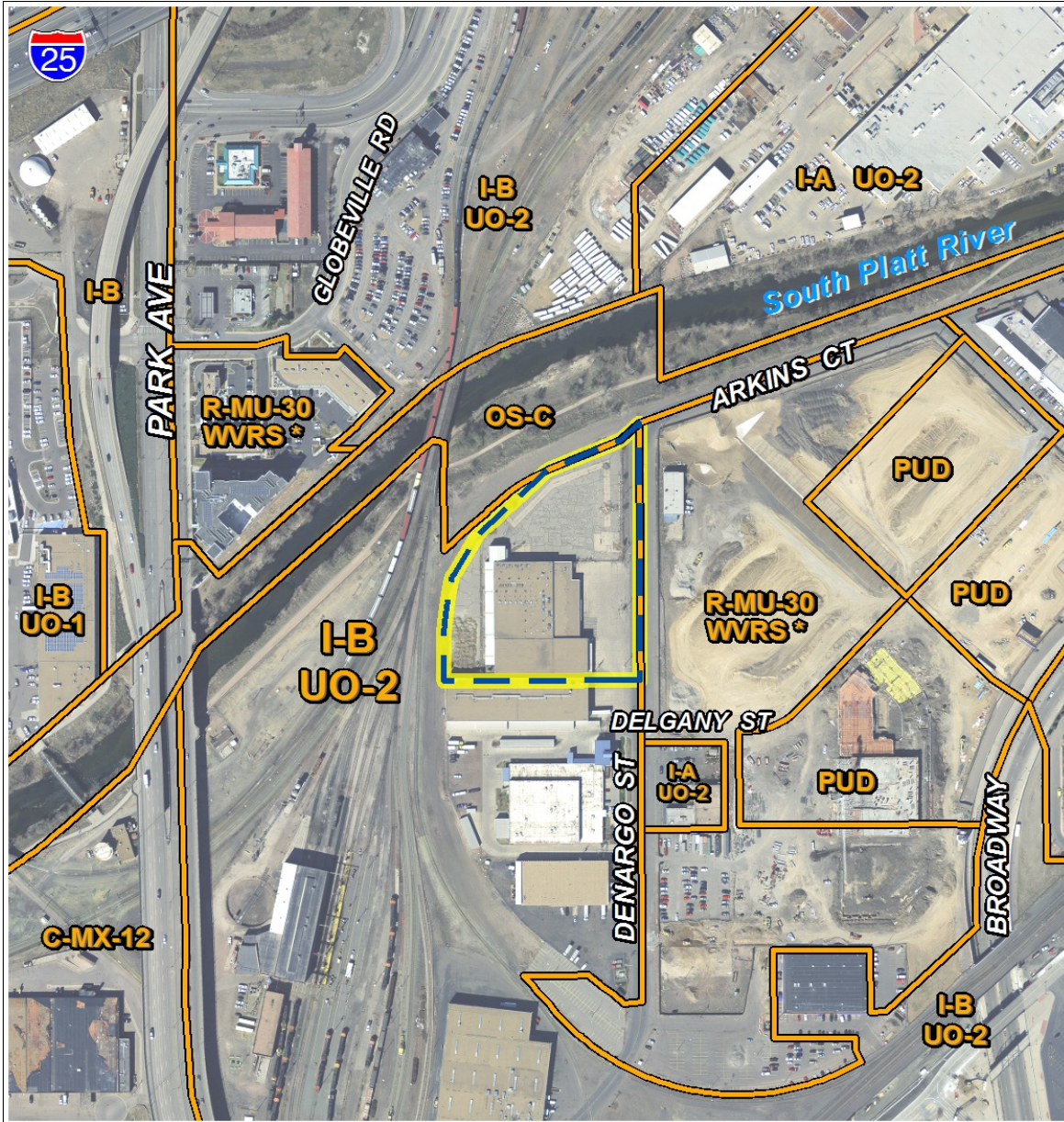
Council district map – the subject site is located in Council District #9.



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.



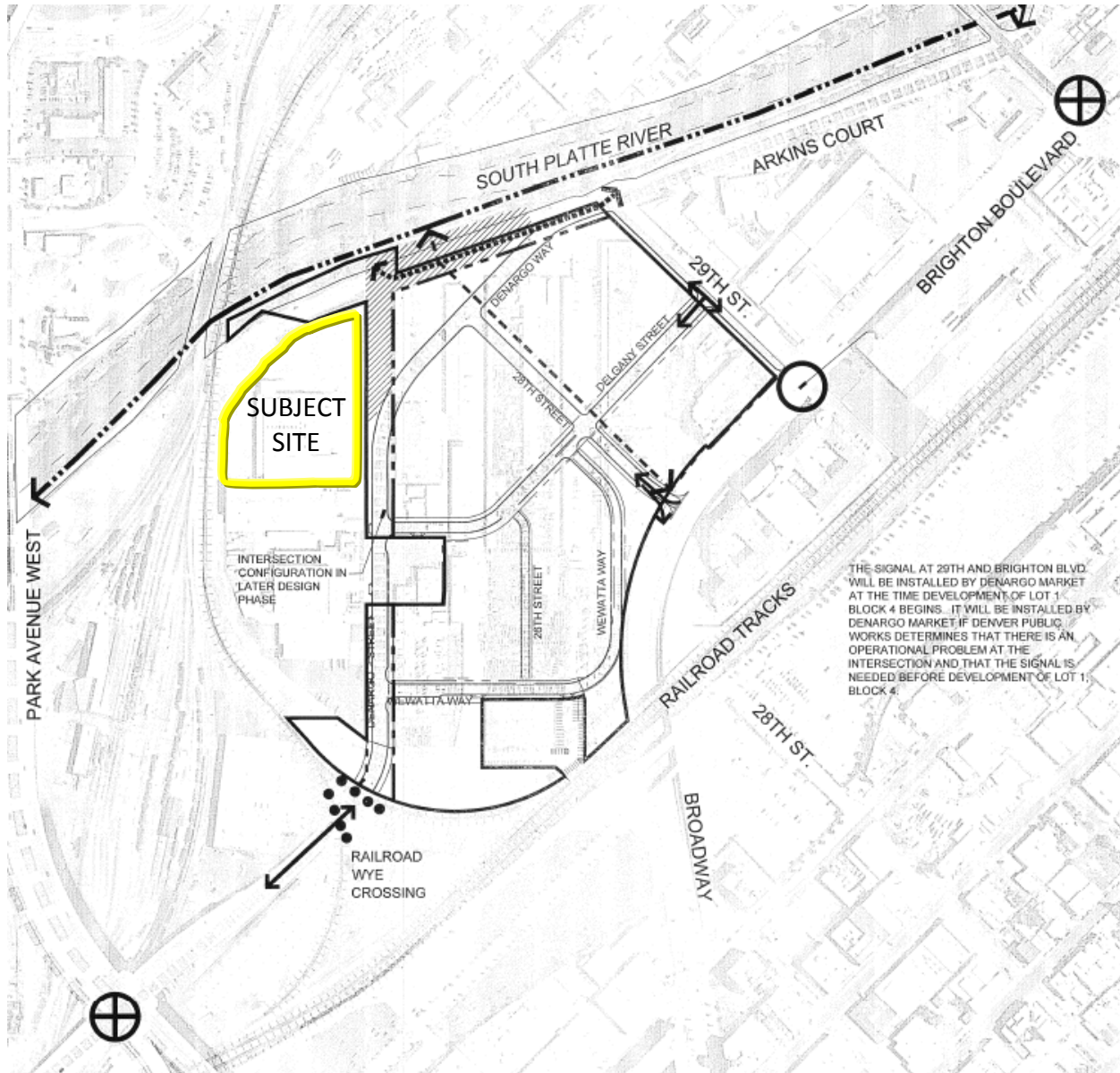
*Image source: Google, image date: August 2011*

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.

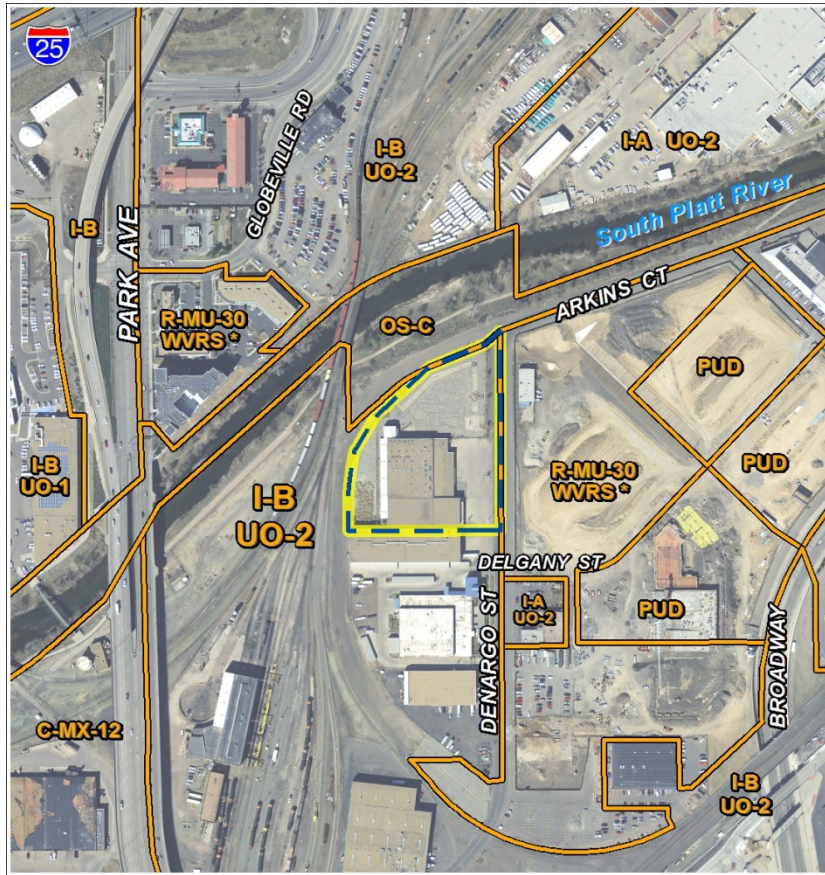
### 2. Existing Land Use Map

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.

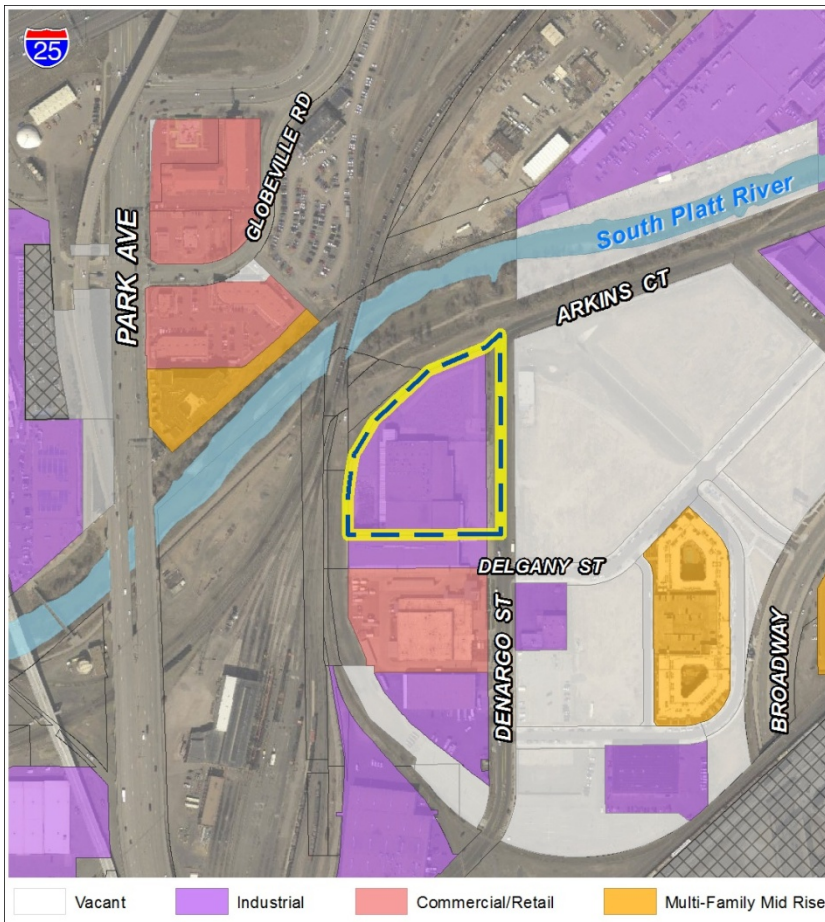
### 3. Existing Building Form and Scale

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



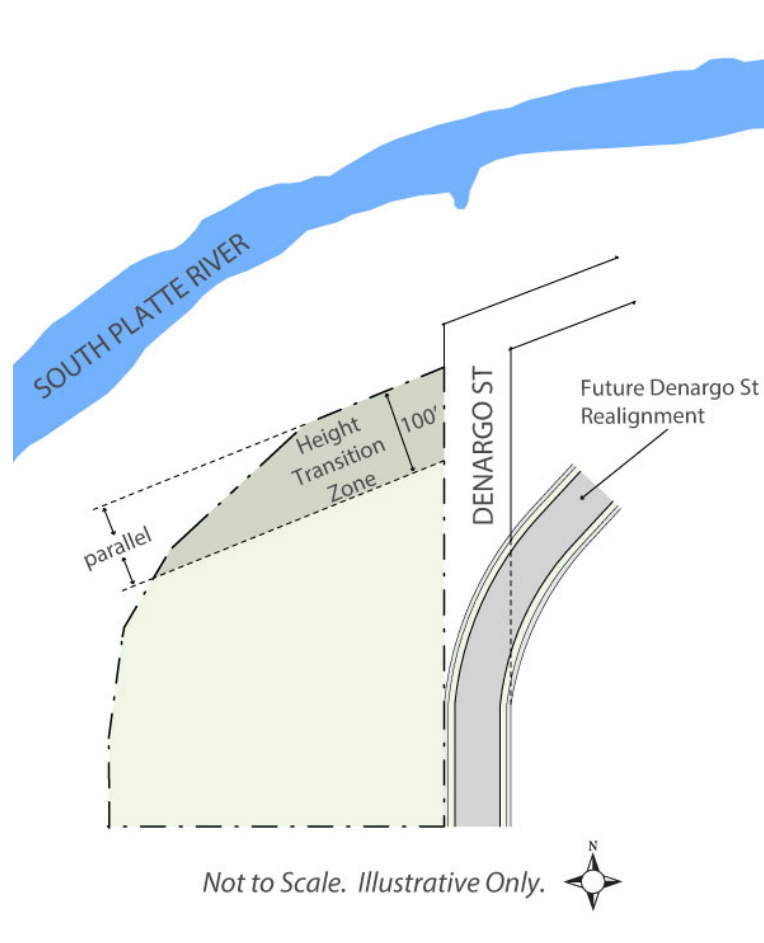
Existing  
Land use Map





## 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 activation 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 date on October 1, 2014, and written notification of the hearing was sent to all affected registered neighborhood organizations. The Oct. 1<sup>st</sup> Planning Board public hearing was continued to November 5, 2014 to allow additional time for the applicant to discuss the rezoning with the neighborhood. The Nov. 5<sup>th</sup> Planning Board public hearing was continued to November 19, 2014 in order to post the draft PUD-G 12 document online 15 days prior to the public hearing. The Nov. 19<sup>th</sup> Planning Board public hearing was continued to December 3, 2014 in order to introduce additional edits to the PUD, specifically reducing the allowed maximum height to 12 stories.

At the time of this staff report, nine letters of support and one letter of opposition have been received and are enclosed in this report. The letter of opposition specifically takes issue with the previously proposed 20 story allowance. Subsequent to receipt of this letter, the proposed PUD allowed height has been reduced to 12 stories max.

## 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

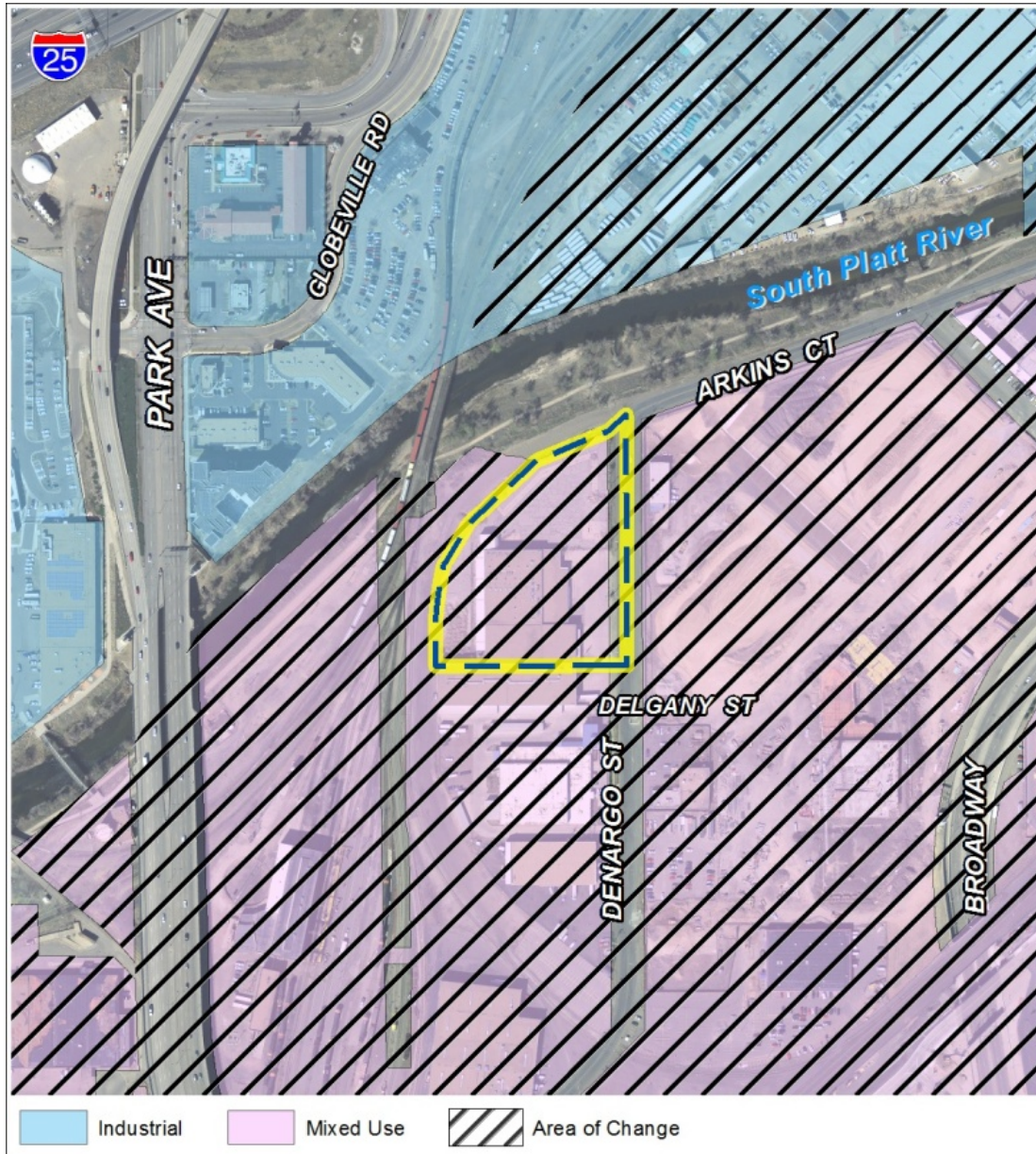
Blueprint identifies the larger Brighton Blvd area as an area of change with considerable potential for development and states "...a mixture of housing, retail services and office development is ideally suited for redeveloping this sub-area. However, some warehousing and distribution uses may remain. 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:

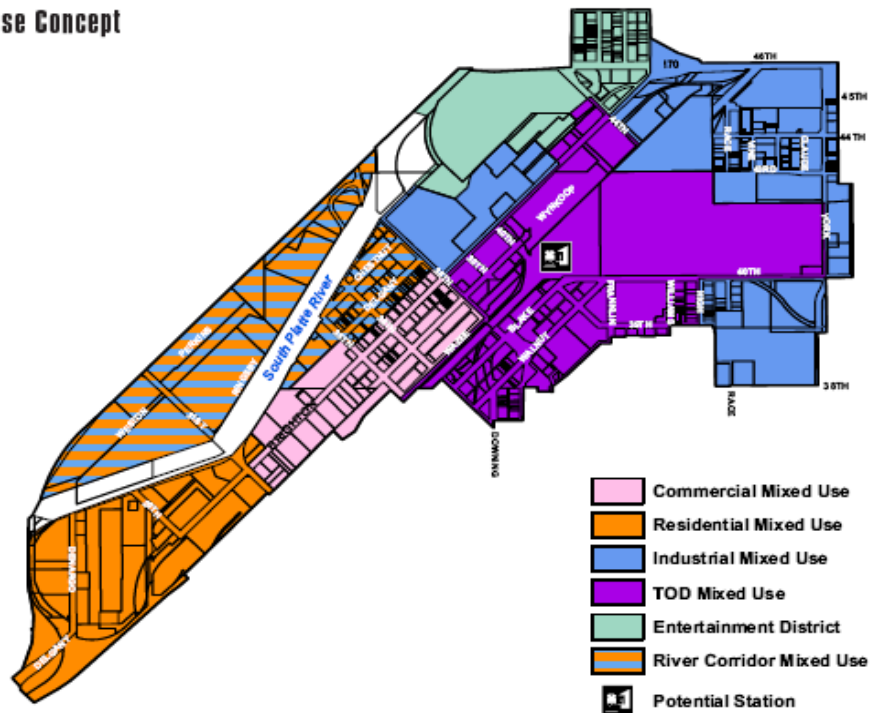


**Small Area Plan: River North Area Plan (adopted in 2003)**

The River North Plan identifies two primary districts, the future transit station now located at 38<sup>th</sup> 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. Letters of support and letter of opposition.
3. 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)
<b>EXAMPLE</b> 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](mailto:bgollick@comcast.net)

**Development Team:**

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

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

Mr. Curt LeRossignol; [curtlerossignol@hotmail.com](mailto: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.

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PUD-G??

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**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 38<sup>th</sup> 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.**

**Section D.3: Neighborhood Outreach Letters**

**ROBERT J. GOLLICK, INC.**  
REAL ESTATE CONSULTING

December 16, 2013,

RiNo Neighbors:  
Elyria Swansea/Globeville:  
RiNo, River North Art District:  
Ballpark Neighborhood Association:  
United Community Action Network Inc.:  
Northeast Community Congress for Education  
Denver Neighborhood Association, Inc.:  
Inter-Neighborhood Cooperation:

Justin Croft  
Larry Burgess  
Tracy Weil  
Judy Schneider  
Drew Dutcher  
John McBride  
Brad Zieg  
Larry Ambrose

**Re: Proposed Rezoning of 3325 Denargo Street**

Greetings to all,

Renaissance on the River, LLC a longtime Denver development group comprised of; Dana Crawford, Bill Parkhill and Curt LeRossignol, is under contract to purchase property addressed as 3325 Denargo Street; AKA The Denargo Market or the Kritt property. This approximately 4±-acre parcel of land is currently underdeveloped and zoned I-B, which is an employment and industrial zone district

Renaissance intends to develop the property as a mixed-use project focusing attention to the South Platte River utilizing this tremendous amenity in an appropriate manner. The concept is for a combination of commercial and residential uses incorporated into one or more structures. The current industrial zoning is inappropriate for this development as well as the area. It places restraints on allowed uses, density as well as building height. . Thus a rezoning will be required in order to develop this property in an appropriate manner as described above.

Renaissance has retained the consulting firm of **Robert J. Gollick, Inc.**, to assist in rezoning the property. Our team has met with Denver Community Planning and Development (CPD) to discuss the development concept. CPD has agreed that the C-MX-20 zone district is the appropriate entitlement mechanism. The allowable height, 20-stories, is similar to the height permitted in the existing PUDs in the area and the allowed uses are complimentary to the City's vision for the area.

The purpose of this letter is to inform you in advance of the upcoming rezoning application and invite you to ask any questions or meet to discuss the proposed rezoning. If so, please feel free to contact me at the email address below with questions or to schedule a convenient time to meet.

The zoning application will be filed in early January. However the zoning timeframe requires approximately six months of review and meeting time as well as posting signs on the property twice prior to the City Council public hearing. Our team feels strongly that the best way to proceed with

609 SOUTH GAYLORD STREET, DENVER, COLORADO 80209 303-722-8771 FAX 303-744-3243 BGOLLUCK@COMCAST.NET



any zoning request is by early and ongoing contact with all neighborhood organizations. Your input is necessary for the public process to work.

If you have any questions please contact me. Our team will meet with you individually or with your respective Association. If you feel I have missed anyone on the list for this letter let me know and I will contact them as well.

Thank you for your interest in this rezoning application. .

Sincerely,

Robert J. Gollick, President  
**Robert J. Gollick, Inc.**

SENT VIA EMAIL

- cc: Councilwoman Judy Montero, District 9  
Rocky Piro, Manager, Community Planning & Development  
Steve Gordon, Community Planning & Development  
Deirdre Oss, Community Planning & Development  
Ryan Winterberg, Community Planning & Development  
Dana Crawford, Renaissance on the River, LLC  
Curt LeRossignol, Renaissance on the River, LLC  
Bill Parkhill, Renaissance on the River, LLC



**ROBERT J. GOLLICK, INC.**  
REAL ESTATE CONSULTING

June 18, 2014,

RiNo Neighbors:	Justin Croft
Elyria Swansea/Globeville:	Larry Burgess
RiNo, River North Art District:	Tracy Weil
Ballpark Neighborhood Association:	Judy Schneider
United Community Action Network Inc.:	Drew Dutcher
Northeast Community Congress for Education	John McBride
Denver Neighborhood Association, Inc.:	Brad Zieg
Inter-Neighborhood Cooperation:	Larry Ambrose
Globeville Civic Association #1	Dave Oletski
Globeville Civic Association #2	Armando Payan

**Re: Proposed Rezoning of 3325 Denargo Street**

Greetings to all of you,

I want to provide you with an update on the progress of the development of the Denargo Market property. Thus this correspondence is a follow-up to the letter you received from me in December. Many exciting things have occurred in those past six months that I want to share with you. First, and of most significance, Renaissance on the River, LLC has completed the purchased of the 4± acre Denargo Market property from Mr. Kritt. The closing was last month. This has given our team the ability to proceed in working with City staff to determine the best mechanism to obtain the appropriate entitlements to transform the site into a world-class mixed-use development.

Our vision is to create a project that contains a mix of uses that are primarily residential along with appropriate commercial uses that will stimulate the area and become the focal point for the neighborhood. As you know, the land is currently underdeveloped and zoned I-B, which is a employment and industrial zone district. This zoning was appropriate years ago when the area was a manufacturing and warehouse district. However, the development evolution of the neighborhood over the past several years requires a zone district that can accommodate that mix of uses and intensities.

After several meetings with Community Planning and Development (CPD) it was determined that utilizing the PUD-G as the entitlement strategy will be the appropriate way to proceed. The PUD-G will be based upon the C-MX-20 and C-MX-8 zone districts. Utilizing a PUD-G will allow for appropriate height transitions to occur as well as provide the ability to focus on the proximity with the South Platte River which will become the greatest amenity for the entire RiNo neighborhood. Additionally, utilizing a PUD-G will assure that the development meets or exceeds the guidelines and recommendations that are contained in the adopted River North Plan which establishes the vision for development in the area.



We will initiate the PUD zoning process within the next few weeks and will keep you updated as that 6-month process evolves. Additionally, CPD will provide notification to the RNOs and our team will post the property for any public hearings or meetings.

If you have any questions or would like to meet to discuss the proposed rezoning please feel free to contact me at the email address below and I will schedule a convenient time to get together. Our team feels strongly that the best way to proceed with any zoning request is by early and ongoing contact with all neighborhood organizations. Your input is necessary for the public process to work.

Again, If you have any questions please contact me. Our team will meet with you individually or with your respective Association. If you feel I have missed anyone on the list for this letter let me know and I will contact them as well.

Thank you for your interest in this rezoning application. .

Sincerely,

Robert J. Gollick, President

**Robert J. Gollick, Inc.**

SENT VIA EMAIL

cc: Councilwoman Judy Montero, District 9  
Brad Buchanan, Executive Director, Community Planning & Development  
Steve Nalley, Community Planning & Development  
Dana Crawford, Renaissance on the River, LLC  
Curt LeRossignol, Renaissance on the River, LLC  
Bill Parkhill, Renaissance on the River, LLC





F O C U S

Dalton Bogel  
*Director of Asset Management*  
Focus Property Group LLC  
2737 Larimer Street, #C  
Denver, CO 80205  
T 303.296.7550 x 21  
[daltonb@focuspropertygroup.net](mailto:daltonb@focuspropertygroup.net)

To Councilwoman Montero and the Denver Planning Board:

We are landowners in Denargo Market, with the recently developed Greenbox projects on Denargo Street and Brighton Boulevard. We are writing to you to express our support for the requested zoning on the property formerly owned by Leland Kritt, located at 3325 Denargo Street. We are quite pleased to see the property change hands, and we believe that a high density mixed-use project with tall buildings up to 20 stories, would be very beneficial to the image of Denargo Market and its future growth and development. A project of this nature with a CMX-20 flavor, would be catalytic for the entire River North neighborhood, and with its strategic location on the river, it could shorten the amount of time necessary to implement the general development plan for Denargo Market and create the future Denargo Park that is part of it. Tall buildings are already an approved use in Denargo, and we're hopeful that one will be built soon, so as to increase the presence and distinctive identity of Denargo Market and River North into our downtown fabric. And it's also appropriate to put our rapidly depleting downtown land to its highest and best use.

Therefore, we would support this proposed zoning by the applicant and recommend your approval of it.

Sincerely,

Dalton Bogel  
*Director of Asset Management*  
Focus Property Group, LLC

September 24, 2014

Councilwoman Judy Montero  
3457 Ringsby Court, No. 215  
Denver, CO 80202

Via E-mail: [judy.montero@denvergov.org](mailto:judy.montero@denvergov.org)

RE: Rezoning of 3325 Denargo Street, Denver, CO 80216

Dear Councilwoman Montero:

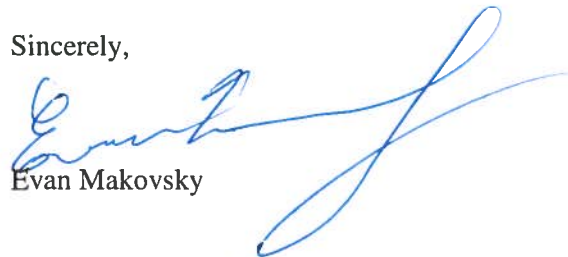
I'm writing this letter to demonstrate my support for the rezoning of 3325 Denargo Street (the "Property") to PUD-G from I-B UO-2. My support for this rezoning is based on the complete redevelopment and revitalization of the immediate area surrounding the Property that is zoned similarly in order to develop residential units and a welcoming community in the now vibrant River North neighborhood.

The area directly across the street from the Property known as Denargo Market is currently under construction and being completely transformed from an industrial manufacturing work zone into a unique residential and commercial neighborhood. The Property and its future plans are in alignment with the Denargo Market and should have the same zoning to continue to enhance the community as a whole.

I understand that the potential issue of concern is the height of 20 stories or more in the neighborhood and along the South Platte River that might not be appealing to the overall aesthetics of the neighborhood. However, I believe that it is not an issue but instead will add character and creativity to the neighborhood. By allowing taller buildings it will promote more critical and creative design for the structures and be more appealing to the onlookers from Brighton Boulevard and the South Platte River parks and bike trails.

Rezoning 3325 Denargo with similar zoning as its neighbors will create cohesiveness in the neighborhood and the existing and future plans for River North. Creating these new types of communities around Downtown is essential to the future growth and economics of the city's core. I look forward to seeing these developments come to life and the opportunities they will create for the City of Denver.

Sincerely,



Evan Makovsky

cc: Steve Nalley  
Bob Gollick  
Curt LeRossignol  
Dana Crawford



Just off Park Avenue West near Coors Field

# LoDo Self-Storage™

Conventional & Heated/Air Conditioned Storage

Thursday, September 25, 2014

Councilwoman Judy Montero  
3457 Ringsby Court, No. 215  
Denver, CO 80202

Sent this date to [judy.montero@denvergov.org](mailto:judy.montero@denvergov.org)

cc: Steve Nalley [steve.nalley@denvergov.org](mailto:steve.nalley@denvergov.org)  
Bob Gollick [bgollick@comcast.net](mailto:bgollick@comcast.net)

Re: 3325 Denargo St., Denver, CO  
Case # 20141-00049

Dear Councilwoman Montero,

I am the owner's representative for LoDo Self Storage LLC which has been doing business on Denargo Street since the year 2000.

I fully support the PUD rezoning application being put forth by Project Rino, LLC. I believe that it will be a welcome addition to the neighborhood & a significant upgrade from what has always been known as the "Kritt property".

I urge approval for this application.

If there are any questions I can always be reached at our property.

Sincerely,

Minor M Scott III  
President AFTCO, Inc.  
Manager for LoDo Self Storage LLC



"Hablamos Español"  
**Phone: 303-299-9422**  
Fax: 303-297-3759  
3275 Denargo St., Denver, CO 80216





**FOUNDER**  
Joe Shoemaker

**CHAIRMAN**  
Kip Stastny

**VICE CHAIRMAN**  
Bar Chadwick

**SECRETARY**  
John Moran

Brent Applebaum  
Jon Bridges  
Larry Elrod  
Katie Navin  
Lesley Roper  
Paula Sandoval  
Pete West

**EXECUTIVE DIRECTOR**  
Jeff Shoemaker

**ASSOCIATE DIRECTOR**  
Jolon Clark

**TO: Councilwoman Judy Montero**  
**FROM: Jeff Shoemaker, Executive Director**  
**RE: Rezoning of Former Kritt Property**  
**DATE: September 19, 2014**

**I'm reaching out to you today in support of the rezoning application for the property formerly known as the Kritt property at the juncture of Denargo Street and Arkins Court to a PUD G designation.**

**The development plan for the property, formerly owned by the Kritt family is, as you know, now owned by Bill Parkhill, Curt Le Rossignol and Dana Crawford. I have had numerous conversations with the new owners and am confident that their development will be designed and constructed in a manner that respects, engages and enhances the South Platte River within this catalytic area of our great city. The project's physical attributes will step back from the park and include residential uses, galleries and studios as well as selected retail opportunities, all focused on complementing and increasing the natural assets of the River.**

**I encourage that you support the rezoning application so that the evolution of the RiNo neighborhood and, therefore, the South Platte River can continue.**

**Sincerely;**

**Jeff Shoemaker**  
**Executive Director**

**"A RIVER IS MORE THAN AN AMENITY, IT IS A TREASURE" - JUSTICE OLIVER WENDELL HOLMES**

The Greenway Foundation is supported in part by a gift from the Estate of Robert V. and Billie Mae Behrent.

1855 S. Pearl St, Suite 40, Denver, CO, 80210 - (303) 455-7109 - [www.greenwayfoundation.org](http://www.greenwayfoundation.org)



September 25, 2014

Councilwomen Judy Montero  
3757 Ringsby Court, 215  
Denver, CO 80202

Judy,

I understand that Dana Crawford has submitted an Application for Zone Map Amendment for her Denargo Market property.

I want you to know that I believe that amending the current zoning and allowing more height and density in this emerging neighborhood is appropriate for a number of reasons.

The height proposed is consistent with height allowed on adjacent properties and the added concentration of people and activity is good for both the neighborhood for the River. For the Denargo neighborhood to prosper there must be a critical mass of people living and working. And the more people we can locate near the Platte River Greenway the better.

Everything about this proposed zoning is consistent with all of your and so many others efforts to make land use decisions which allow the kind of development consistent with making a great city!

On another subject, I hope you are watching the construction of the small office on Platte Street adjacent to the 19<sup>th</sup> Street Bridge. Even with only the steel frame in place we are getting some very positive feedback. Thanks again for your support of the re-zoning which made it possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anthony N. Shear'.

Shears Adkins Rockmore Architects

# Havey productions

September 24, 2014

Councilwoman Judy Montero  
3457 Ringsby Court, No. 215  
Denver, Colorado 80202

Dear Councilwoman Montero,

I am writing to express my support for the development in the Denargo Market area that Dana Crawford and others are proposing. Given Ms. Crawford's amazing track record and execution, I am confident that her vision with this project will greatly benefit the city of Denver.

As a long time business owner in LoDo, I have witnessed first hand the benefit of mixed-use development and carefully planned 'place-making' that make this city special and unique. Ms. Crawford's proposed project will support and enhance the revitalization of a once forgotten area of our city.

This project is also consistent with the goals of Blueprint Denver in its intention to make a positive contribution to neighborhood character while improving the transition between the Platte River and Brighton Boulevard. Beautiful and functional open space will result, providing a delightful urban experience for residents, visitors, pedestrians and cyclists.

Thank you for your consideration of this most important project. I'm excited for what is ahead for River North and Denver.

Sincerely,



Jim Havey

## GLOBEVILLE CIVIC ASSOCIATION # 1

To the Members of the Denver Planning Board:

We are writing to you in regard to the proposed zoning change of the property located at 3325 Denargo Street in Denargo Market. It is understood that the new requested zoning allows for building up to 20 stories high and that there will be reduced height limitation of 8 stories in the area closer to the river.

Back in about 2008 the Globeville Civic Association #1 supported the rezoning of the Denargo Market to the existing General Development Plan that Cypress requested that is now in place. This GDP allowed for tall buildings as well, of up to over 200' feet high. We are very happy to see now, that the developer has put in new landscaped streets, and has built an attractive project there. It looks much better than it did in all the years past. This land on Denargo Street is directly across the street from this project, has a run-down vacant warehouse on it, and is a prime site on the river. If it is developed properly, it could be a welcome addition to Denargo Market and the City. And we understand that it could also one day accelerate the process of the planned-for park that is contemplated in the Denargo GDP.

We do not have any problem with a 20 story project being developed on this site, as the existing GDP already allows for them, and the River North Plan allows for high density in that part of the river valley as well. We think it would be nice if a tall building was built there one day, as it would have great views and also add to the downtown skyline. As downtown land is being used up, it's a good thing to maximize its use in certain areas – and this Denargo site is one of them. Therefore our Association would approve and be in favor of this new zoning request.

We are also quite pleased to see the River North Plan begin to be implemented, along with the North Denver Cornerstone Collaboration. This is going to bring much needed change and progress to our Globeville neighborhood and we are very much looking forward to that. And the recent announcement of funds being allocated for this project is very welcome news.

Thanks for all your efforts to improve the City and its neighborhoods.

Sincerely,



Dave Oletski

Globeville Civic Association # 1

September 23<sup>rd</sup>, 2014

Dear Judy Montero & the Denver Planning Board,

My name is Ryan Lawless, Principal of Urban Public Companies, a real estate firm that leases office space at 32<sup>nd</sup> & Brighton Boulevard. I am aware of the property owner at 3325 Denargo Street's intentions to apply for a rezone in hopes to allow a high-rise development. As a tenant of RiNo, I cannot begin to explain how supportive I am of the rezone. As you know, this neighborhood – specifically along Brighton Boulevard – is undergoing a massive positive movement of residential, retail and commercial investment and I strongly believe a high-density project will continue to benefit my neighborhood. I am aware of Denargo Market's zoning that allows high-density development and in an era where seemingly every development is the standard 5-6 story box-like structure, please give this neighborhood the ability to allow a tall, distinctively-designed building to be erected. It is important for the future of our city that we use what's left of our downtown land wisely. Consider this re-zone carefully as I completely believe the parcel, as well as the team behind it, will bring tremendous momentum and positive investment dollars to our blossoming neighborhood.

Sincerely,

Ryan Lawless



Principal | Managing

Partner

Urban Public Companies



# *Mrs. Condie's Salad Company, Inc.*

3225 DENARGO ST • DENVER, COLORADO 80216 • (303) 293-2429 • FAX (303) 292-6863

September 24, 2014

To Councilwoman Judy Montero and the Denver Planning Board:

I am the owner of Mrs. Condie's Salad Company, Inc. located at 3225 Denargo Street, and I am writing to express my support for the proposed rezoning of the property formerly owned by Leland Krittr, which is almost right next door to me, just down the street. I am pleased that the property has finally been sold, and I am very much in favor of it being redeveloped into a mixed-use project that could accommodate a 20 story building, as allowed for under the CMX-20 zoning. I'm very pleased to see Denargo Market starting to build out and be improved, and the redevelopment of the Krittr Land will be a very positive event for the neighborhood. I understand that the CMX zoning allows for multiple uses, including residential, retail and commercial – and I'm in favor of all of those in Denargo Market, which is very similar to what Cypress has already been approved for. As land is vanishing quickly in our river valley, I'm in favor of allowing for tall buildings, so as to utilize this finite commodity to achieve maximum density and benefit for the area.

Therefore I would be in favor of the requested zone change, and would urge approval by the planning board.

Sincerely,



Gary Cucarola  
Mrs. Condie's Salad Company, Inc.





Denver Planning Board  
Webb Municipal Office Building  
201 W. Colfax Ave.  
Room 4.F.6 AND 4.G.2  
Denver, CO 80202

RiNo Art District  
3611 Chestnut Place  
Denver, CO 80216  
303-308-9345

The RiNo Art District is a  
Non-Profit Organization

*Board of Directors:*

Tracy Weil – Board Chair  
Rexford Brown – Secretary  
Jonathan Kaplan – Treasurer  
Hadley Hooper – Director  
Lisa Heppner – Director

*Urban Improvement Committee  
Heads:*

Justin Croft – Co Chair  
Andrew Feinstein – Co Chair  
Jonathan Kaplan – Art District  
Liaison

*Neighborhood Design Team  
(RiND) Head:*

Will Kerns, Chair

To Whom It May Concern:

This letter is written in reference to the Planned Unit Development (PUD) application recently submitted for 3325 Denargo Street in Denver's River North district. The RiNo Art District, the neighborhood's Registered Neighborhood Organization, its Urban Improvement Committee (UIC), and its RiNo Neighborhood Design Team (RiND) support all requests associated with the application with one exception. We oppose the request for a 20-story height limit. Given the context of the neighborhood and the land use intensity already determined by the new Zoning Code, the height limit for this PUD should be 12 stories. In addition, no detailed design or plan for the development has been shown to the Art District, UIC, or the RiND other than the information contained in the General Development Plan and a very preliminary concept sketch.

Rezoning parcels from I-A or I-B to C-MX promotes the community's goals as outlined in Blueprint Denver, the 2003 River North Plan, and the 2013 RiNo Visioning Session report. The Art District, however, does not believe that rezoning the parcel to C-MX-20 is consistent with the established and future character of the area as memorialized in the recent update to the Denver Zoning Code. The Brighton Corridor, and most of the River North district, is zoned I-MX or C-MX 3-12. The exception is the Denargo PUD, which was adopted before the new Zoning Code was developed. We believe that the type of mid-rise development as now identified in the Zoning Code is appropriate given the neighborhood's proximity to downtown while accounting for distance to major transit lines, and that it supports the unique mixture of uses that have taken hold in River North.

3325 Denargo is 1.4 miles walking distance to the 41<sup>st</sup> and Fox station, and 1.3 miles to the 38<sup>th</sup> and Blake station. It falls outside of the typical transit node that exists with a ¼ mile radius of a station where higher density is desirable. Therefore, the number of cars that will be required to support a development of this density could have a detrimental effect on the neighborhood. In addition, the Art District and its committees believe that it is unwise to support any rezoning request without a well-developed project to review.

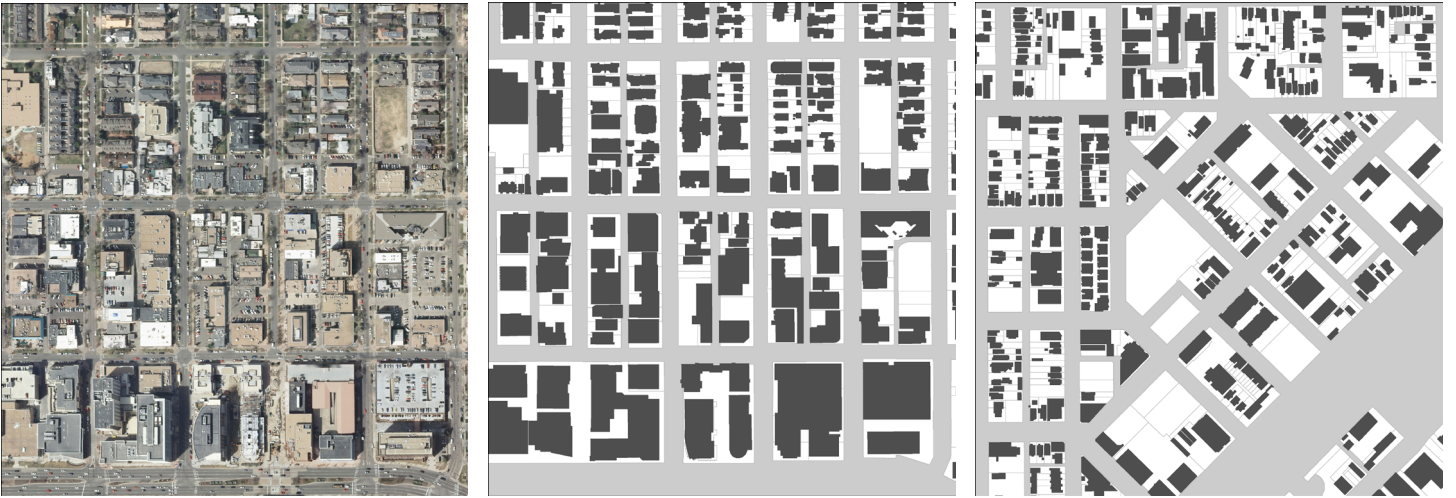
We support the majority of the vision expressed in the 3325 Denargo PUD application, especially promoting active street edges, walkability, and treating the South Platte River as a community resource to be enjoyed. We request, however, that the Board deny the application as currently written, and encourage the applicant to resubmit with a request to rezone the parcel for a 12-story height limit once a specific project has been identified.

Sincerely,

Tracy Weil, RiNo Art District  
Justin Croft, RiNo Art District - Urban Improvement Committee  
Will Kerns, AICP, RiNo Art District - Neighborhood Design Team

# PUD-G 12

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## PLANNING BOARD REVIEW DRAFT #2

**NOVEMBER 19, 2014**

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

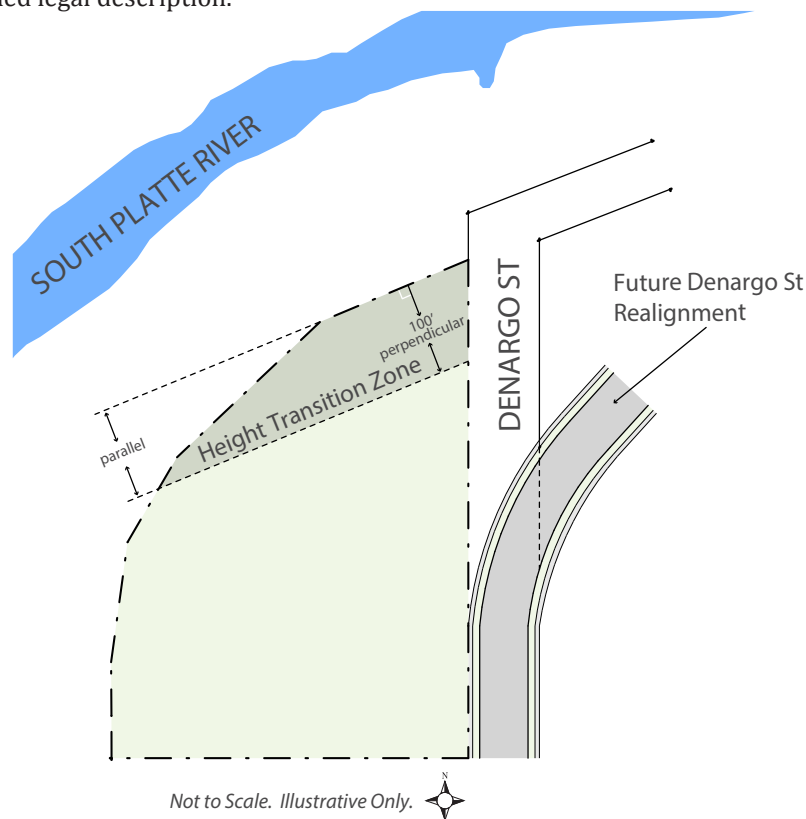
Development in this PUD-G 12 shall comply with the Denver Zoning Code, Division 7.3, Design Standards, as specifically applicable to the C-MX-12 Zone District, and as amended from time to time, with the following modifications and exceptions:

### 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

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 defined specifically in the attached legal description.



#### 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

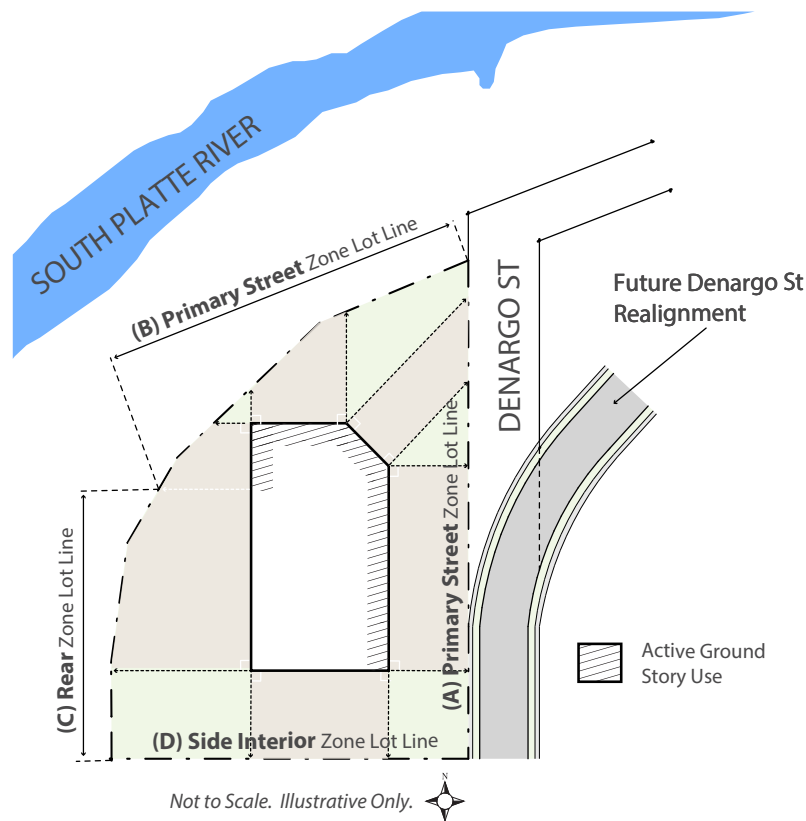
##### A. Ground Story Activation

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 Definitions**

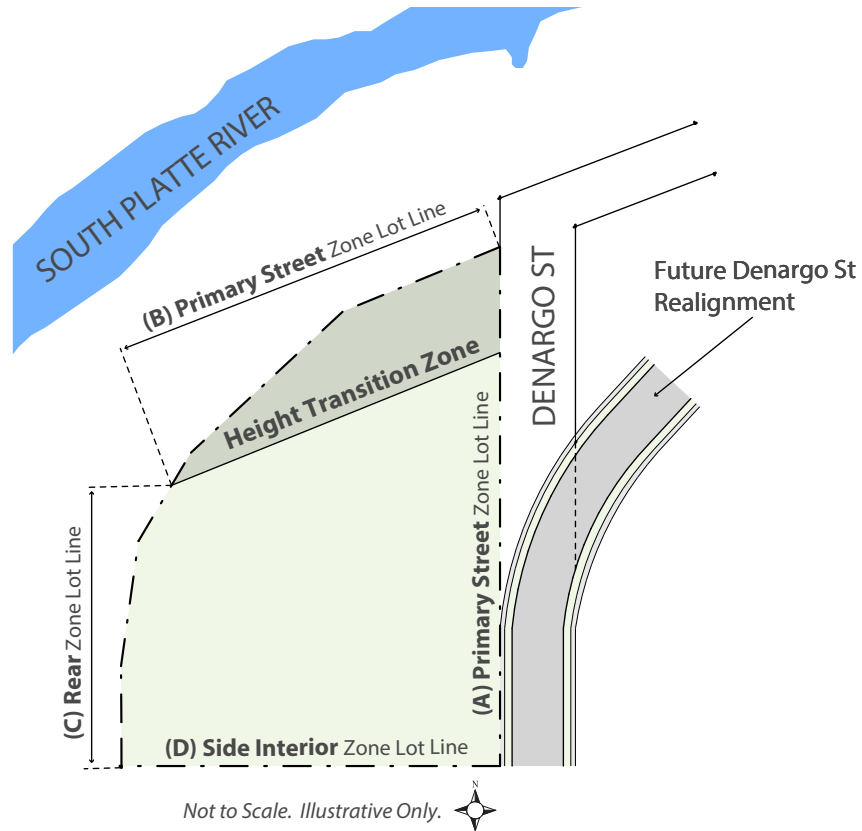
This PUD-G 12 zone district shall be considered a “Mixed Use Commercial Zone District,” as defined in Article 13, as amended from time to time.

### **6.5.3 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. Build-to, 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.



### 6.5.4 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.

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