



DENVER
THE MILE HIGH CITY

Community Planning and Development
Planning Services
Plan Implementation

201 W Colfax Ave, Dept 205
Denver, CO 80202
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TO: Denver City Council
FROM: Chris Gleissner, Senior City Planner
DATE: January 3, 2011
RE: Zoning Map Amendment Application #2010I-00003
210 Saint Paul Street
Rezoning from PUD #269 to General PUD

Staff Report and Recommendation

Based on the criteria for review including legal basis evaluation and compliance with adopted City plans, Staff recommends approval for Application #2010I-00003 for a rezoning from PUD #269 to General PUD.

I. Scope of Rezoning

Application:	#2010I-00003
Address:	210 Saint Paul Street
Neighborhood/Council District:	Cherry Creek / Council District #10
RNOs:	Capitol Hill United Neighborhoods, Inc.; Cherry Creek North Business Improvement District; Cherry Creek North Neighborhood Association; Cherry Creek Steering Committee; Harman Neighborhood Association, Inc.; Inter-Neighborhood Cooperation
Area of Property:	0.57 acres / 25,005 square feet
Current Zoning:	PUD #269
Proposed Zoning:	General PUD
Applicant/Owner:	Larry Hanson
Contact Person:	Bob Gollick

II. Summary of Proposal

The subject site is located at the northeast corner of the intersection of 2nd Avenue and Saint Paul Street. The site is on the block bounded on the north by 3rd Avenue, the east by Steele Street, the south by 2nd Avenue and the west by Saint Paul Street.

The site is located within the Cherry Creek Shopping District, with the Cherry Creek Mall located to the south, and a mix of residential and commercial structures to the north and east.

The applicant is proposing a multi-story mixed-use building at the corner. Additional floor area will be constructed above the existing structure and will be occupied by residential uses and will maintain the existing active ground floor uses. Parking will be contained within the existing on-site parking structure.

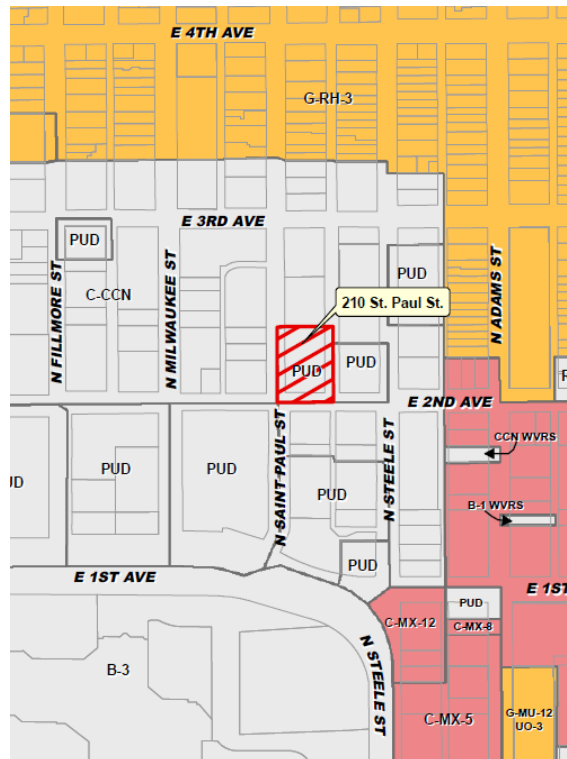




GENERAL PUD Proposal	
Allowable land uses	All uses included within the CCN Zone District and Live/Work residential
Maximum density	35 dwelling units per acre (19 residential units)
Parking	Utilizes the existing parking structure at the following rates: 1 spaces per residential unit 1 space per 500 SF for retail 1 space per 600 SF for office
Form Standards, Setbacks	0' – North 5' – South (2 nd Avenue) 0' – east (alley) 4' – West (Saint Paul Street) Project is designed to respond to the 55' height limits contained within the CCN Zone District. Additionally, the upper floors have been sculpted to respond to the intent of the CCN bulk plane.
Design Guidelines	This redevelopment will conform with the intent of the Cherry Creek North Design Guidelines.

III. Existing Context

	Existing Zoning	Existing Land Use	Blueprint Denver
Site	PUD	Mixed Use	Area of Change Pedestrian Shopping Corridor
North	C-CCN	Mixed Use	Area of Change Pedestrian Shopping Corridor
South	PUD	Mixed Use	Area of Change Pedestrian Shopping Corridor
West	C-CCN	Mixed Use	Area of Change Pedestrian Shopping Corridor
East	C-CCN	Mixed Use	Area of Change Pedestrian Shopping Corridor



The building is located within the Cherry Creek Shopping District. The surrounding area is identified as an Urban Center with continuous storefronts and wide detached sidewalks. The District continues to evolve as a Mixed-Use district incorporating retail, residential and office uses.



View of the structure looking northeast from the 2nd Avenue and Saint Paul intersection.

IV. Summary of Agency Referral Responses

This rezoning has been reviewed concurrently within the context of the Denver Zoning Code and other applicable City Codes as utilized by the referral agencies listed below.

Asset Management:	Approve – No Comment
Denver Fire Department:	Approve – No Comment
Denver Parks:	Approve – No Comments Received
DES-Surveyor	Approve – No Comment
DES-Transportation:	Approve Rezoning Only - Will require additional information at Site Plan Review
DES-Wastewater:	Approve - The proposed development will be reviewed for compliance to specific wastewater criteria at the time of site plan and/or building permit submittal.

V. Legal Notice, Public Process & Public Comment

The property has been legally posted for a period of 21 days announcing the City Council public meeting, and written notification of the hearing has been sent to all affected registered neighborhood organizations.

The Cherry Creek North Neighborhood Association has submitted a letter of non-opposition for this rezoning application.

V. Legal Justification

Change of Conditions (or) Map Error

The land or surrounding environment has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area. The Cherry Creek Shopping

District continues to evolve into a true Mixed-Use area including retail, residential and commercial uses. The existing PUD does not support the allowable uses or development intensities envisioned for the evolution of the District.

VI. Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application include conformance with adopted regulations, and with the Comprehensive Plan and applicable supplements. Applicable documents are as follows:

- *Denver Comprehensive Plan 2000*
- *Blueprint Denver*
- *Neighborhood Plan if any*
- *Other small area plans / City policy documents*
- *Denver Zoning Code*

A. Denver Comprehensive Plan 2000

The proposal is consistent with and positively addresses many Denver Comprehensive Plan strategies, including:

Objective 1: Citywide Land Use and Transportation Plan

- **Strategy 1-B:** Ensure that the *Citywide Land Use and Transportation Plan* reinforces the cities 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.

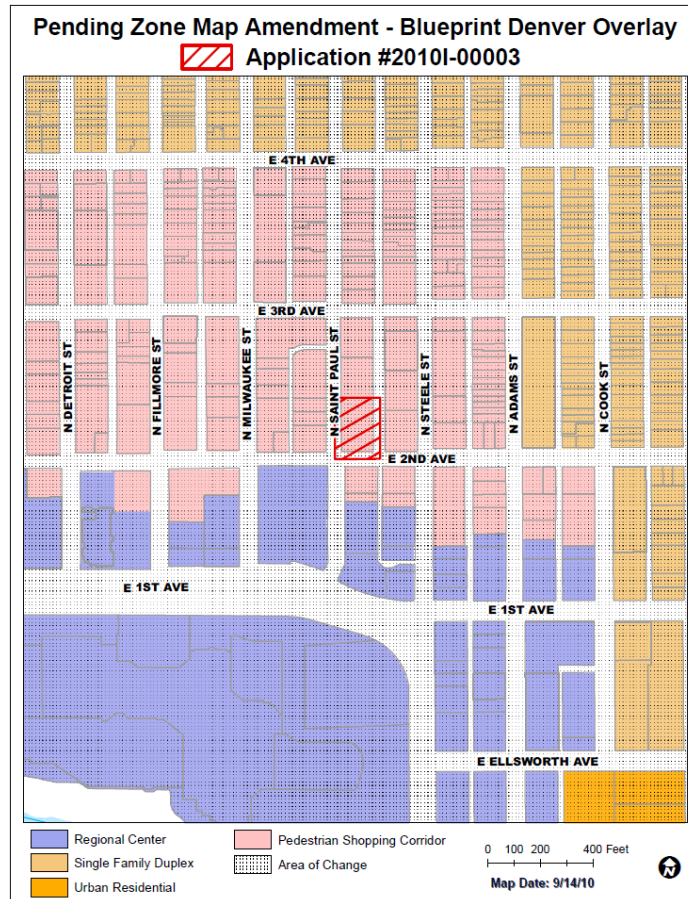
Objective 3: Residential Neighborhoods and Business Centers

- **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.
- **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.

B. Blueprint Denver

Blueprint Denver, the City's Land Use and Transportation Plan, identifies the property as being within an Area of Change with a land use recommendation for Pedestrian Shopping Corridor.

Pedestrian Shopping Corridors are "scaled to be compatible with surrounding residential neighborhoods" with "a continuous street frontage of buildings, wide sidewalks, on-street parking, and shared parking among businesses." St. Paul Street has a Future Street Classification of Undesignated Local, and Second Avenue is classified as a Main Street Collector. A Main Street is designed "to promote walking, bicycling, and transit within an attractive landscaped corridor."



The proposed rezoning application is consistent with the character of the identified Pedestrian Shopping Corridor. A continuation of street level retail with a mix of office and residential uses above will reinforce the pedestrian character within the Cherry Creek Shopping District.

C. Neighborhood Plan: Cherry Creek Area Plan

The site is located within the “Commercial District” of the adopted Cherry Creek Neighborhood Plan. In the Cherry Creek North subdistrict, “The land use is primarily lower intensity, small scale retail, except for the north side of 1st Avenue, where there are higher intensity uses. Residential uses are encouraged.”

Applicable statements from the plan are listed below.

- Broaden the diversity of uses in the Commercial District and, to a lesser extent, in the Alameda Triangle District. In the Commercial District, encourage redevelopment of existing office space, neighborhood-serving retail, and residences. Any nonretail uses in the Commercial District should be compatible with, and secondary in their street presence to retail uses.

- Encourage further integration of a diversity of uses within the Commercial District in a manner that protects the integrity of each use while enhancing the character and livability of the mixed-use districts.
- Maintain and enhance the retail ambiance of the Cherry Creek North District, encourage a mixture of uses, and encourage low-scale, small lot development projects that reinforce and enhance the eclectic, urban architectural character and pedestrian scale of the District.

The proposed rezoning application is consistent with the character of the identified Commercial District within the Cherry Creek Neighborhood Plan. As outlined within the proposed General PUD, the redevelopment of this site will enhance the pedestrian character within the Cherry Creek Shopping District.

D. Denver Zoning Code – Compliance with Map Amendment Criteria in Sec. 12.4.10.15 (Additional Criteria for PUD Rezoning)

In addition to the general review criteria stated above, the following criteria shall be reviewed for PUD rezoning applications:

1. 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 development site is subject to an existing PUD and rezoning to a new PUD District will bring the site closer to conformance with current zoning regulations and adopted plans.
2. 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.
3. 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 the existing building on the site will be utilized and redeveloped. As built, the C-CCN zone district would require waivers to allow the existing condition to continue as a conforming structure.
4. 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 CCN zone district use list to ensure land use compatibility with the surrounding properties.
5. 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 the requirements of the CCN zone district as applicable. This includes upper story setbacks and height limits.

Evaluation of other Zoning Options

Leave Property under existing ZONE-DISTRICT zoning: The existing PUD does not allow residential uses for the site. Rezoning this site to allow the full complement of CCN uses will allow this property to better function within the Cherry Creek Shopping District.

Rezone to Another-Zone-District: This site was initially reviewed for the potential to rezone to the C-CCN zone district. This zone district would be consistent with the majority of properties

surrounding the site, however, the existing built condition necessitates a zone district that captures the current structure and allows for redevelopment of upper floors. The applicant has worked with the neighborhood to ensure the General PUD closely resembles the C-CCN zone district while allowing for necessary modifications to provide for an increased diversity of uses on the site.

VII. Planning Board Recommendation

The Denver Planning Board held a public hearing on Rezoning Application #2010I-00003 at its regularly scheduled meeting on November 3, 2010. Planning Board has authority under RMC Section 12-45(3) to conduct public meetings and advise the manager as to policy options and proposed courses of action. Planning Board voted 9-0 to recommend approval of Rezoning Application #2010I-00003.

VIII. Staff Recommendation

Based on the criteria for review as defined above, Staff recommends **approval** for rezoning the property located at 210 Saint Paul Street (Application #2010I-00003) to General PUD zoning.

Attachments:

1. **Application**
2. **Letters of Support/Opposition received that were not a part of application**
3. **Map Series - Aerial, Zoning, Blueprint Map)**



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APPLICATION FOR ZONE MAP AMENDMENT

Application #	2010I-00003	Date Submitted	3.29.10 Rev: 5.21.10 Rev: 9.2.10	Fee Required	\$1,000	Fee Paid	\$1,000
APPLICANT INFORMATION				CONTACT INFORMATION (Same as Applicant? <input type="checkbox"/>)			
Applicant Name	Larry Hanson			Contact Name	Robert J. Gollick, Inc (Bob Gollick)		
Address	210 St. Paul Street			Address	609 South Gaylord Street		
City, State, Zip	Denver, Colorado 80206			City, State, Zip	Denver, Colorado 80209		
Telephone / Fax	303 / 722-8771			Telephone / Fax	303 / 722-8771		
Email				Email	bgollick@comcast.net		
Subject Property Location [Please Include Assessor's Parcel Number(s)]							
<p>The subject property is addressed as and described as follows: 210 St. Paul Street (Cherry Creek North Neighborhood) North boundary: Property line South boundary: Second Avenue West boundary: St. Paul Street East boundary Alley ROW</p>							
Legal Description of Subject Property							
<p>Plots 1 and 2, Block 57, Harmons Sub-Division City and County of Denver, State of Colorado Refer to the attachment at the end of this document</p>							
Area of Subject Property (Acres/Sq Ft)		Present Zone District		Proposed Zone District (Waivers and Conditions Require Separate form)			
25,005± sq. ft. or 0.57± acres		PUD No. 269		PUD			
Describe the nature and effect of the proposed Zone Map Amendment							
<p>The nature of the proposed PUD map amendment is to permit redevelopment of the existing structure along with the addition of residential dwelling units. The redevelopment will enhance the existing structure with renovated commercial space, office space and residential uses throughout the existing structure as well as within the addition of upper levels.</p> <p>Cherry Creek is a true neighborhood where knowing your neighbors and socializing with them is part of the fabric that defines the area. The proposed uses respond to the character of the adjacent neighborhood and will attract residents to the retail area to shop or work in the office space. It will also add living units within the commercial area to bring more residents into the heart of Cherry Creek. This will be a truly mixed-use development within one of Denver's most desirable neighborhoods.</p>							

A significant aspect of the proposed map amendment is that the proposed PUD is reflective of the existing CCN zoning that is in effect throughout Cherry Creek and appropriate for this edge area of the neighborhood. The proposed uses and maximum building height both are in conformance with the requirements of the CCN zoning. However, the necessity for a PUD comes from the increase (from CCN) in proposed density as well as the setbacks for the existing structure does not meet CCN requirements. Section 59-12 of the DRMC states that a PUD district is specifically intended to encourage diversification in the use of land and flexibility in site design with respect to setbacks of buildings and densities, among other design considerations. A PUD is necessary for this map amendment due to both setbacks and proposed density. There is no alternative zone district, either existing or proposed, that would permit the proposed development along with the existing structure.

The effect of the proposed amendment will be immediate and positive. Redevelopment of the property will provide employment opportunities, with high quality residential uses, along with commercial and office development. The proposed map amendment is in conformance with the Cherry Creek Neighborhood Plan, District Wide

Recommended policies that follow:

- Reinforce Cherry Creek as both a regional and town center,
- Broaden and balance the mixture of uses,
- Create permanent quality,
- Encourage private investment,
- Enhance the neighborhood character,
- Enhance the cohesiveness of the district,
- Reinforce street edges,
- Improve the streetscape and infrastructure,
- Create project scale and quality that promote activity at street level.

The anticipated development will, at a minimum, meet these goals and utilize the recommendations. The effect of the proposed zoning will be immediate and very positive. All of the permitted uses are appropriate for this urban setting and will add to the vitality and life to this area.

Select Legal Basis for the Zone Map Amendment and explain in detail	Error in the map as approved by City Council	<input type="checkbox"/>
	Changed or Changing Conditions that make a Zone Map Amendment Necessary	<input checked="" type="checkbox"/>

The proposed map amendment is in response to the changed and changing conditions in the Cherry Creek area. The redevelopment of the Cherry Creek Mall several years ago was the catalyst for development to occur throughout the Cherry Creek neighborhood. Numerous residential developments along with several commercial and retail projects have changed Cherry Creek into one of Denver’s finest neighborhoods in which to live, work and shop. The public interest for the citizens of Denver is best served by adoption of this map amendment, which will provide the services, amenities, employment opportunities and development necessary for positive planned growth to occur. A few examples of the changed conditions are as follows:

- The adoption by City Council of “Blueprint Denver”,
- Approval of the site as an “**Area of Change**” for a **Mixed-Use** within “Blueprint Denver”,

- Successful development of Clayton Lane including the J.W. Marriot Hotel and the Janus Building,
- Recent development by “Western Development” of North Cherry Creek, a mixed-use project a few blocks from this site
- The approval of the Filmore Street Plaza PUD 617, and

The need for additional residential dwelling units is consistent with the development patterns that the neighborhood has experienced. The area conditions have changed significantly, providing the legal basis for this zone change request and make the proposed amendment reasonably necessary to the promotion of the public health, safety and general welfare.

Conditions have further changed with regard to the type of development proposed on the subject property. Specifically, the adoption of the Denver Comprehensive Plan 2000, and the desire to implement the applicable City policies on this property and its proposed development and providing additional legal basis for this proposed map amendment.

Further explanations of the changed conditions that justify this map amendment request are contained in Denver Comprehensive Plan 2000. Several of the objectives and resulting strategies that support the zoning request are listed as below. They are extracted from the Land Use Chapter, Housing Chapter and Neighborhood Chapter of Denver 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 cities 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.

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 3 Compact Urban Development

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

Economic Activity Chapter

Objective 3: Expand Economic Opportunity

Business Centers 4-B Enhance existing business centers and establishes new business centers in a manner that offers a variety of high-quality uses that support Denver’s business environment, complements neighboring residential areas, generates public revenue, and creates jobs.

Environmental Sustainability Chapter

Strategy 2-F Conserve land by:

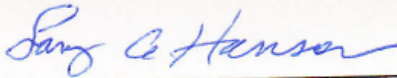
- Promoting infill development within Denver at sites where services and infrastructure are already in place.
- Designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods.

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.

State the land use and the development proposed for the subject property. Include the time schedule (if any) for development

The land uses and development proposed for the property will primarily be a mixed-use development incorporating residential, commercial and retail uses. The proposed PUD will allow a mix of uses appropriate for this area. The proposed land use will include one or more of those permitted use(s).

The anticipated time schedule is contingent upon approval of this zoning request, site plan approval, market conditions and project financing.

Required Exhibits		Additional Exhibits	
Applicant & Owner Information Sheet	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> • PUD application • Existing Conditions Map • Proposed District Plan • Letters of support from area RNOs. 	
Maps – Required for Final Submissions	<input type="checkbox"/>		
Signature		Date	
 <hr style="border: 0.5px solid black;"/> <p>Mr. Larry Hanson Managing Member BLABK, LLC</p>			

APPLICANT & OWNER INFORMATION SHEET

[1] Section 59-648(c) of the Denver Revised Municipal Code requires that an applicant for rezoning provide the applicant's name, address, and respective ownership interest, if any, on the application. In addition, unless subject to paragraph [2] below, the applicant must provide, in the space provided on this form, a list of all the owners of the property and the holders of deeds of trust, identifying which owners and holders of deeds of trust are represented by the applicant.

[2] If the application is for designation of an area as B-2, B-3, R-X or PUD zone district, the applicant must submit the concurrence of the owners and holders of deeds of trust of the entire land area to be included in the proposed district (and any structures thereon). In such cases, this form must be completed for each individual owner, together with sufficient evidence of ownership for each owner and holder of a deed of trust. Documentation verifying ownership interest may include (but is not limited to): Copies of deeds, powers of attorney, and corporate/partnership registrations filed with the Secretary of State.

Application Number	Applicants Name
2010I-00003	Mr. Larry Hanson, Managing Member BLABK, LLC

Property Address(es)

210 St. Paul Street, Denver, Colorado 80206

Applicant's Address

210 St. Paul Street, Denver, Colorado 80206

NOTE: If application is for rezoning to B-2, B-3, R-X or PUD, and the applicant is not the property owner, this form must be accompanied by a Power of Attorney statement from the property owner.

Indicate as accurately as possible the form of interest in the property, and the amount held by the individual or entity listed as "applicant" above.

Fee Title Owner (Has Deed of Ownership)	All	
	A Portion	<input type="checkbox"/>
Contract Owner	All	<input type="checkbox"/>
	A Portion	<input type="checkbox"/>
Holder of a Security Interest	All	<input type="checkbox"/>
	A Portion	<input type="checkbox"/>

List the names and addresses of all owners and holders of Deeds of Trust for the property, if any, and indicate which owners or holders of deeds of trust are represented by the applicant in the space below (please add additional pages, if needed).

EDLCT, LLC., 210 St. Paul Street, Denver, Colorado 80206
 BAH-PLA LLC., 210 St. Paul Street, Denver, Colorado 80206
 BLABK, LLC., 210 St. Paul Street, Denver, Colorado 8020

Signature of Applicants



All LLCs are represented by Mr. Larry Hanson, the applicant.

Mr. Larry Hanson, Managing Member, BLABK, LLC

1. SCHEDULE

- a. Date of pre-application conference **December 23, 2009**
City representative(s) present **Chris Gleissner.**
- b. Submittal date of preliminary application **March 29, 2010.**
- c. Submittal date of completed application **May 21, 2010.**
- d. Application is scheduled for a:
 Planning Board Hearing on _____
 Planning Office Hearing on _____
 Planning Staff Review.

2. DESCRIPTION OF PLANNED UNIT DEVELOPMENT (PUD)

The use of terms “Article” or “Section” refer to portions of the Revised Municipal Code of the City and County of Denver. It is required that the current terms and uses already defined in Section 59-2 of the Zoning Ordinance be used in describing this proposal. Terms like “retail” or “light industrial” require further definition. Gross floor area shall include interior balconies and mezzanines, but shall not include parking garages, any story of a building where at least seventy-five percent (75%) of that floor is occupied by mechanical equipment or any story where the ceiling is less than four (4) feet above grade. Attach additional sheets if necessary.

a. MAXIMUM GROSS FLOOR AREA FOR EACH PROPOSED USE

Note: Any uses permitted in the CCN zone district along with live/work residential shall be uses by right and permitted anywhere on the subject site. The maximum square footage for all uses individually or in aggregate shall not exceed 47,000 square feet.

	Use	Maximum Square Feet
A.	All Uses in the CCN Zone District Shall be Permitted	47,000
B.	Live/Work Residential, permitted in any or all residential units	
C.		
D.		
	Total Square Feet	47,000

MAXIMUM FLOOR AREA RATIO (F.A.R) 1.9 : 1

The floor area ratio is the ratio between the gross floor area of a building to the area of the zone lot on which the building is constructed. NOTE: Land area dedicated for public streets is not included in the area of the zone lot.

MAXIMUM NUMBER OF DWELLING UNITS: **19.**

MAXIMUM NUMBER OF DWELLING UNITS PER ACRE **35 D.U./AC.**

b. LAND COVERAGE BY BUILDINGS AND IMPERVIOUS SURFACES

	SQUARE FT	% OF SITE AREA
Maximum area of building coverage (including garage(s) and all other accessory structures):	19,450	78
Maximum area of drives and parking:	3,226	13
Maximum area of other impervious surfaces:	2,329	9
MAXIMUM TOTAL OF BUILDING AND IMPERVIOUS SURFACES	25,005	100

c. LANDSCAPED AND/OR PERMEABLE AREAS

	SQUARE FEET	% OF SITE AREA.
Minimum area of live or organic landscaped lot coverage:	0	0
Approximate area of non-live material coverage (graveled or other areas with permeable surfaces):	0	0
MINIMUM TOTAL OF LANDSCAPED AND/OR PERMEABLE AREAS:	0	0

d. PROJECT AREA TOTALS (totals of “b” and “c” above)

	SQUARE FEET
Building and impervious surfaces:	25,005
Landscaped and/or permeable areas:	0
TOTAL SITE AREA: (This area must equal the site area listed on page 1)	25,005

e. SETBACKS

The minimum setbacks for buildings are shown on the District Plan. A building envelope may be used to graphically depict the minimum setbacks required.

North:	0 feet	OR	Front:	_____ feet
South:	5 feet		Rear:	_____ feet
East:	0 feet		Side:	_____ feet
West:	4 feet			

The minimum spacing between buildings shall be **N/A** feet

Permitted encroachments into the minimum setbacks for buildings shall conform to Section 59 - **247** of the CCN zone district.

Official Parkway Setback requirements for this P.U.D. are: **N/A** feet for buildings and **N/A** feet for signs.

f. MAXIMUM HEIGHTS OF STRUCTURES

The maximum height of structures shall be **5** stories which shall not exceed a total of **55** feet **NOTE:** The height of a building shall be determined by the vertical distance from the highest point of a pitched roof or the top of parapet around a flat roof to the average elevation of the corners of the proposed building at the finished grade.

Rooftop features (such as solar collectors, antennas, chimneys, flues, vents and air conditioning equipment) may exceed the maximum height of structures by **16** feet.

Bulk plane restrictions shall not be required. If required, bulk plane restrictions shall conform to Section 59 - _____ of the _____ zone district. **NOTE:** Solar collectors and mechanical equipment are not exempted from bulk plane regulations!!

* **N/A**

g. OFF-STREET PARKING

This project shall contain off-street parking spaces at the ratios shown in the following chart. If completed to the maximum floor area, the project shall contain a minimum of **65** off-street parking spaces. Parking for residential uses should be expressed in number of spaces per dwelling unit. **NOTE:** Any floor area utilized by a permitted use listed under 2.a. in a story where the

ceiling is less than four (4) feet above grade shall be calculated into the off-street parking requirement.

Retail: 1 space per 500 square feet of usable floor area
Office, all types: 1 space per 600 square feet of usable floor area
Dwelling, multiple unit and live/work: 1 spaces per unit
All other uses controlled by the parking requirements of the CCN zone district

MINIMUM NUMBER OF OFF-STREET PARKING SPACES FOR PERSONS WITH DISABILITIES: 1

Does this P.U.D. comply with the use and maintenance requirements of Section 59-585(2)-(9)? **Not applicable, parking is existing.**

Do the parking spaces and/or aisles in this P.U.D. comply with the requirements of Section 59-588, Chart No. 1? **No.** If **no** complete the following section:

DRIVING AISLES

Aisle widths 24 feet minimum
 Angle of stalls Varies: 90 degrees to 45 degrees

Will this project contain parking for bicycles? Yes No If yes, bicycle parking requirements shall be _____. Will this (these) bicycle parking area(s) comply with the rules and regulations for dimensional and equipment standards of Section 59-582(e)? Yes No . If not, bicycle parking fixtures and locations shall be approved by the City Bicycle Planner (720-865-2453).

Bicycle parking shall be determined at the site plan review phase

h. OFF-STREET LOADING

This project contains N/A off-street loading space(s). Will this (these) space(s) conform with dimensions required in Section 59-599? Yes No If not, off-street loading space dimension requirements shall be: **Off-Street loading shall be determined at the site plan review phase.**

i. SURFACE DRAINAGE

The rules and regulations of the Wastewater Management Division will require certain design and construction considerations to control surface water runoff. Does the site contain a flood hazard area as identified by the Federal Emergency Management Agency? Yes No Does the site contain wetland areas? Yes No For assistance in answering these questions, contact the Wastewater Management Division at 303-446-3400.

j. INTERIOR STREETS, DRIVES, PARKING AREAS AND WALKWAYS

Interior streets, drives, parking areas and pedestrian walkways within the P.U.D. district, if any, are shown on the District Plan.

k. EASEMENTS

Existing and/or proposed utility and/or access easements are shown on the District Plan or are located as follows: _____.

l. LANDSCAPING AND BUFFERING

Areas to be landscaped must be shown on the District Plan. However, a more detailed landscaping plan may be required by the Planning Office as a part of this application. All foliage shall be maintained in a healthy, growing and safe condition. NOTE: A detailed landscaped plan is required as a part of the site plan review phase after the rezoning is approved.

NUMBER OF EXISTING TREES: 0
 MINIMUM NUMBER OF TREES TO BE PLANTED:

Note: Landscaping shall be detailed at the time of site plan review.

On private property: N/A

On public right of way or in tree lawns: N/A

If street trees are proposed or required in the public right-of-way, such trees shall be installed in accordance with the requirements of the City Forester (303-964-2480). If street tree plantings are required within the right-of-way of a state highway, contact the Colorado Department of Transportation for approval (303-757-9930).

MINIMUM SIZE OF TREES AT TIME OF PLANTING:

Evergreens/Coniferous (height): N/A

Deciduous (caliper): N/A

Ornamental (caliper): N/A

MINIMUM % OF EVERGREEN OR CONIFEROUS TREES: N/A

MINIMUM NUMBER OF SHRUBS TO BE PLANTED ON PRIVATE PROPERTY: N/A

MINIMUM SIZE OF CONTAINER AND HEIGHT AND/OR SPREAD REQUIREMENTS FOR PLANTED SHRUBS: N/A

Does the proposed P.U.D. comply with parking lot parking lot landscaping requirements of Section 59-585(11) **N/A**

All foliage shall be maintained in a healthy, growing and safe condition.

FENCES AND/OR WALLS

Note: Height of fences and/or walls shall be detailed at the time of site plan review.

The height of fences and/or walls which may be built in the P.U.D. district, except for the front setback space, shall be a minimum of 0feet and a maximum of 6feet

The height of fences and/or walls which may be built within the P.U.D. district front setback space shall be a minimum of 0. feet and a maximum of 4. feet

Size and types of materials permitted for such fences and/or walls are shown on the District Plan. Fences and/or walls shall be either solid and view obscuring or open and view permitting as required by the District Plan. **NOTE:** Any fence heights exceeding the preceding requirements shall be subject to Section 59-38(11), Overheight Fences and Walls.

Will earthen berms or mounds be installed? Yes No Such earthen berms or mounds shall be landscaped and shown on the District Plan. The height of earthen berms or mounds shall be a minimum of feet and a maximum of feet.

m. BOAT, CAMPER, TRAILER AND RECREATIONAL VEHICLE STORAGE

Boat, camper, trailer and recreation vehicle storage is not permitted on the property. All such storage facilities shall be shown on the District Plan.

If boat, camper, trailer and recreation vehicle storage areas are permitted, screening fences **are required**. Such fences shall be **solid and view obstructing** Fences shall be a minimum of feet and a maximum of feet in height.

MAXIMUM LENGTH OF BOAT, CAMPER, TRAILER AND/OR RECREATION VEHICLE PERMITTED:

n. DEDICATIONS AND IMPROVEMENTS

The owner understands that City ordinances and agency rules and regulations may require the dedication of additional street right-of-way and the construction of certain public improvements. VACATIONS AND/OR DEDICATIONS MUST BE APPROVED PRIOR TO OR AT THE

PUBLIC HEARING ON THIS PROPOSAL. If this proposal involves the vacation of certain public rights-of-way for incorporation into the project area, contact the Public Works Department at 720-865-3124.

*** No dedications or vacations are required .**

o. EXTERNAL EFFECTS

Vibration, heat, glare, radiation and fumes shall be regulated by Section 59- 92(3) of the **CCN** zone district.

Reflective glass **may not** be used.

Every use, unless expressly exempted, shall be operated within a completely enclosed structure. **X**
Yes **No**

p. NATURAL TERRAIN

The existing grade of the site **will** be altered.

q. UTILITIES

Describe where the utilities (public and private) serving the property are located **Please refer to the Existing Conditions Map**

r. SIGNS

The project is regulated by the following:
Section 59-537, Signs permitted in all districts
Section 59-538, Sign area measurement
Section 59- 248, Sign regulations for the **CCN** zone district.

If no specific regulations are referenced above, please indicate the following:

- MAXIMUM NUMBER OF SIGNS: _____.
- MAXIMUM SIGN AREA: _____.
- TOTAL MAXIMUM SIGN AREA: _____.
- NUMBER OF GROUND SIGNS ALLOWED: _____.
- NUMBER OF JOINT ID SIGNS ALLOWED: _____.
- MAXIMUM SIGN AREA PER JOINT ID SIGN: _____.
- TOTAL MAXIMUM JOINT ID SIGN AREA: _____.
- TEMPORARY SIGNS ALLOWED: _____.
- NUMBER OF CANOPIES AND AWNINGS: _____.
- CANOPIES AND AWNINGS WILL BE BACKLIT? Yes No

NOTE: All ground, monument, and joint ID sign locations and setbacks must be shown on the District Plan.

s. OUTDOOR STORAGE OF PRODUCTS, MATERIALS OR SOLID WASTE

Outdoor storage of products and/or materials is **X** is not permitted. If permitted, what products and/or materials are allowed? _____.

Fences for outdoor storage areas shall be provided. Said fences are solid and shall be a minimum of _____ feet and a maximum of _____ feet in height.

Outdoor storage of solid waste **is not** permitted. If permitted, fences for such outdoor storage areas shall be provided . Said fences shall be solid and shall be a minimum of _____ feet and a maximum of _____ feet in height.

NOTE: All outdoor storage areas must be shown on the District Plan.

t. TRANSPORTATION

The current traffic volumes on streets in or adjacent to the project must be shown on the Existing Conditions Map. These volumes are available for major streets from the Transportation

Engineering Division (720-865-3150), the Community Planning & Development Agency Office (720-865-2915) or may be estimated by the applicant based on a professional traffic study. Streets for which no estimate is available should be so noted on the Existing Conditions Map.

The projected traffic volumes (current traffic volumes on streets in or adjacent to the project + site generated traffic) must be shown on the District Plan. Site generated traffic should be estimated based on the proposed project type, size, and other relevant factors. Ratios for estimating traffic are available in the Institute of Transportation Engineers reference books at the library.

For projects with total daily site generated traffic of more than 200 vehicle trips, or for projects in areas with special problems, a more detailed analysis may be required, and the applicant should contact the Transportation Engineering Division for further guidance.

PUBLIC TRANSPORTATION

The nearest bus stop is located (where?): **First Avenue and St. Paul Street**

u. SCHOOLS

Future school sites **will not** be dedicated as a part of this project.

v. HOME OCCUPATIONS

Home occupations **are** permitted. If so permitted, home occupations shall conform to Section 59-**243** of the **CCN** zone district.

w. USES BY TEMPORARY PERMIT

Uses by temporary permit are regulated by Section 59- **86** of the **CCN** zone district.

x. ACCESSORY USES

Accessory uses are regulated by Section 59- **243** of the **CCN** zone district.

y. INTERIM USES

Prior to the development of this project, the property will be used on an interim basis for the following uses within the existing buildings:

All legally established existing uses may remain.

z. PHASING

Will the project be developed in phases? **Possibly, but yet to be determined.** Yes No
 If yes, specify the phasing and the improvements to be constructed in each phase. _____.

Anticipated starting date **Fall of 2010**
 Anticipated completion date **Fall of 2012**

NOTE: A separate site plan review is required for all P.U.D.'s prior to obtaining zoning or building permits for construction. Contact the Zoning Administration (720-865-3000) for more details. This process may be started after the Planning Board hearing has been completed.

3. WRITTEN STATEMENT

On an attached page a written statement is given generally describing:

- a. The proposed P.U.D. and the market which it is intended to serve.
- b. The proposed P.U.D. and its relationship to the Denver Comprehensive Plan. Where the applicant's objectives are not in substantial conformance with the Denver Comprehensive Plan, the applicant should discuss the changing conditions that justify approval of the proposed P.U.D. District. For help on this contact the Community Planning & Development Agency Office (720-865-2915).
- c. How, the proposed P.U.D. District is to relate to the character of the surrounding neighborhood.

4. EXISTING CONDITIONS MAP

The Existing Conditions Map is attached following the written statement described above.

5. DISTRICT PLAN

The District Plan is attached following the Existing Conditions Map.

This application includes the following listed and attached drawings or renderings:

- architectural concepts
- conceptual building elevations
- facade treatments
- exterior building materials
- and/or other important features (list):

6. ACKNOWLEDGMENT

The applicant for this P.U.D. is the owner or owners of all the property contained within the proposed P.U.D. District or is the agent for the owner or owners of all the property contained within the proposed P.U.D. District. NOTE: Agents must supply proof of agency from the owner or owners of the property at the time of application.

The applicant understands that vested property rights shall be created ninety (90) days after the approval of this District Plan by the Denver City Council. These vested property rights shall remain vested for a period of three (3) years in accordance with Section 59-29.

BLABK, LLC
Mr. Larry Hanson, Managing Member

Print or Type Applicant's Name(s)



Applicant's Signature(s)

PUD SUMMARY SHEET

Application # 2010-00003
Address/Location 210 St Paul Street, Denver, Colorado 80206
Total Land Area 25,005± SF or 0.57± Acres

Permitted Uses	
Use A	All uses in the CCN zone district shall be uses by right without limitation(s)
Use B	Live/Work residential
Use C	

	Proposed Uses			
	Use A	Use B	Use C	Total
Maximum Gross Floor Area (sq. ft.)	47,000 sq. ft.			
Floor Area Ratio (nonresidential uses)	1.9 : 1			
Maximum Number of Dwelling Units	19			
Density (dwelling units per acre)	35			
Land Coverage				
Buildings:	19,450			
Drives and Parking:	3,226			
Other	2,329			
Parking				
Number of Spaces	65			
Ratios (residential):	1 spaces per dwelling unit			
Landscaping, existing				
Area of Live Landscaping (sq. ft.):	0			
Area of Non-Live Landscaping (sq.ft.):				

Building Setbacks					
North	0	Feet	Front		feet
South	5	Feet	Rear		feet
East	0	Feet	Side		feet
West	4	Feet			

Parkway Setbacks					
Buildings		Feet	Signs		feet
Required Separation Between Buildings:					
					feet
Maximum Building Height					
Stories	5		Feet	55	

NOTE: FOR COMPLETE PUD REQUIREMENTS, REFER TO APPLICATION #

Written Statement

a. *The proposed P.U.D. and the market which it is intended to serve.*

The proposed PUD is intended to provide residential units to individuals and couples who desire to live in an established and vibrant neighborhood. It is anticipated that the units may be occupied by couples wishing to “scale down” in unit size and move into the City as well as individuals that work in the Cherry Creek area. The location is ideal for those who enjoy walking to any of the numerous shops, restaurants, cafes or studios that are nearby.

The market for commercial space will improve and it is anticipated that a single tenant will occupy the ground floor space. Cherry Creek has always been the premier location for retail and commercial users and this development will benefit from the location and population demographics.

b. *The proposed P.U.D. and its relationship to the Denver Comprehensive Plan. Where the applicant's objectives are not in substantial conformance with the Denver Comprehensive Plan, the applicant should discuss the changing conditions that justify approval of the proposed P.U.D. District.*

The proposed PUD relates to the *Denver Comprehensive Plan 2000* in several significant ways.

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 cities 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

Accommodating New Development

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 3 Compact Urban Development**

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

Economic Activity Chapter**Objective 3: Expand Economic Opportunity**

Business Centers 4-B Enhance existing business centers and establishes new business centers in a manner that offers a variety of high-quality uses that support Denver's business environment, complements neighboring residential areas, generates public revenue, and creates jobs. Consider the following key strategies as top priorities:

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.

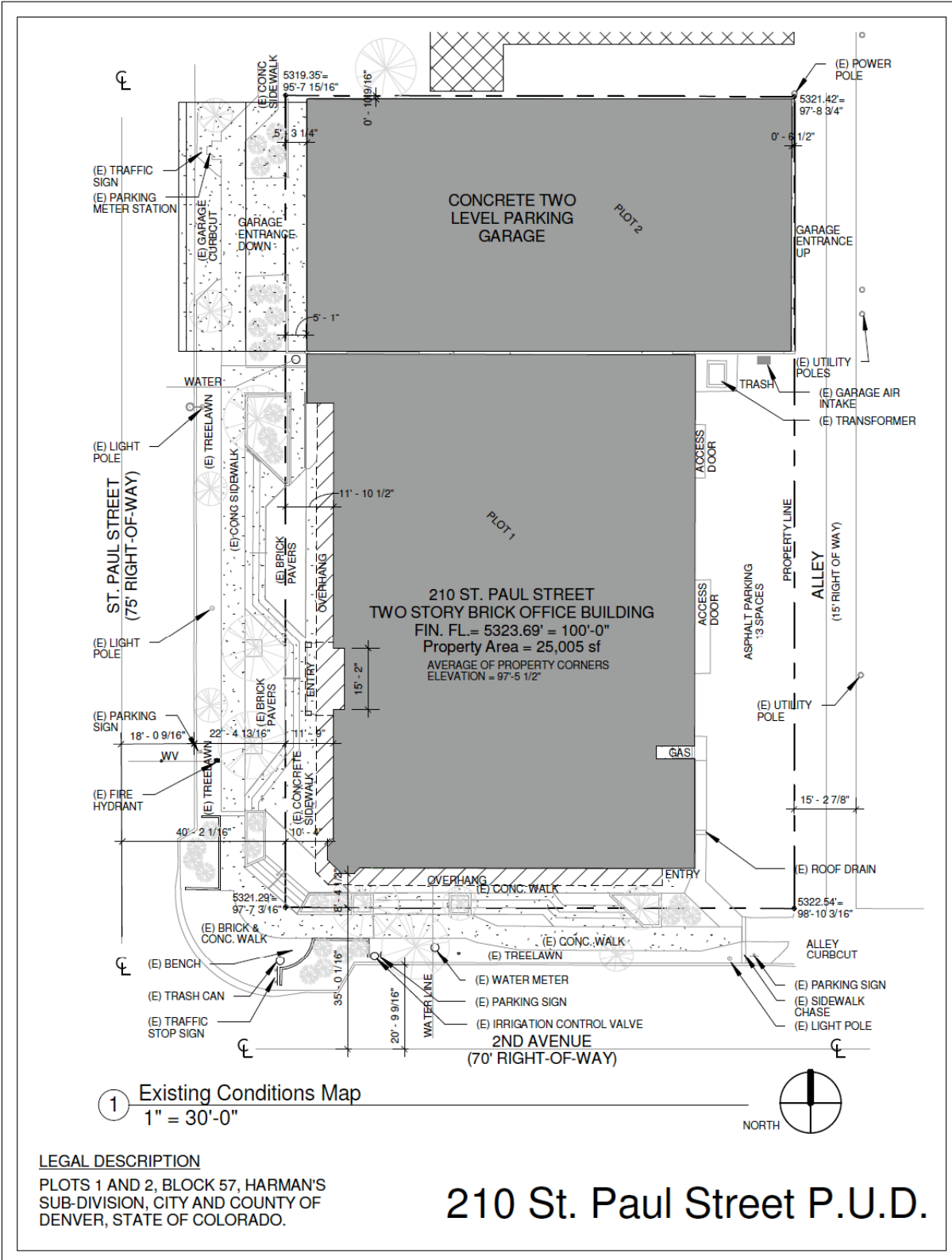
Strategy 4-A Promote the development of sustainable communities and centers of activity where shopping, jobs, recreation and schools are accessible by multiple forms of transportation, providing opportunities for people to live where they work.

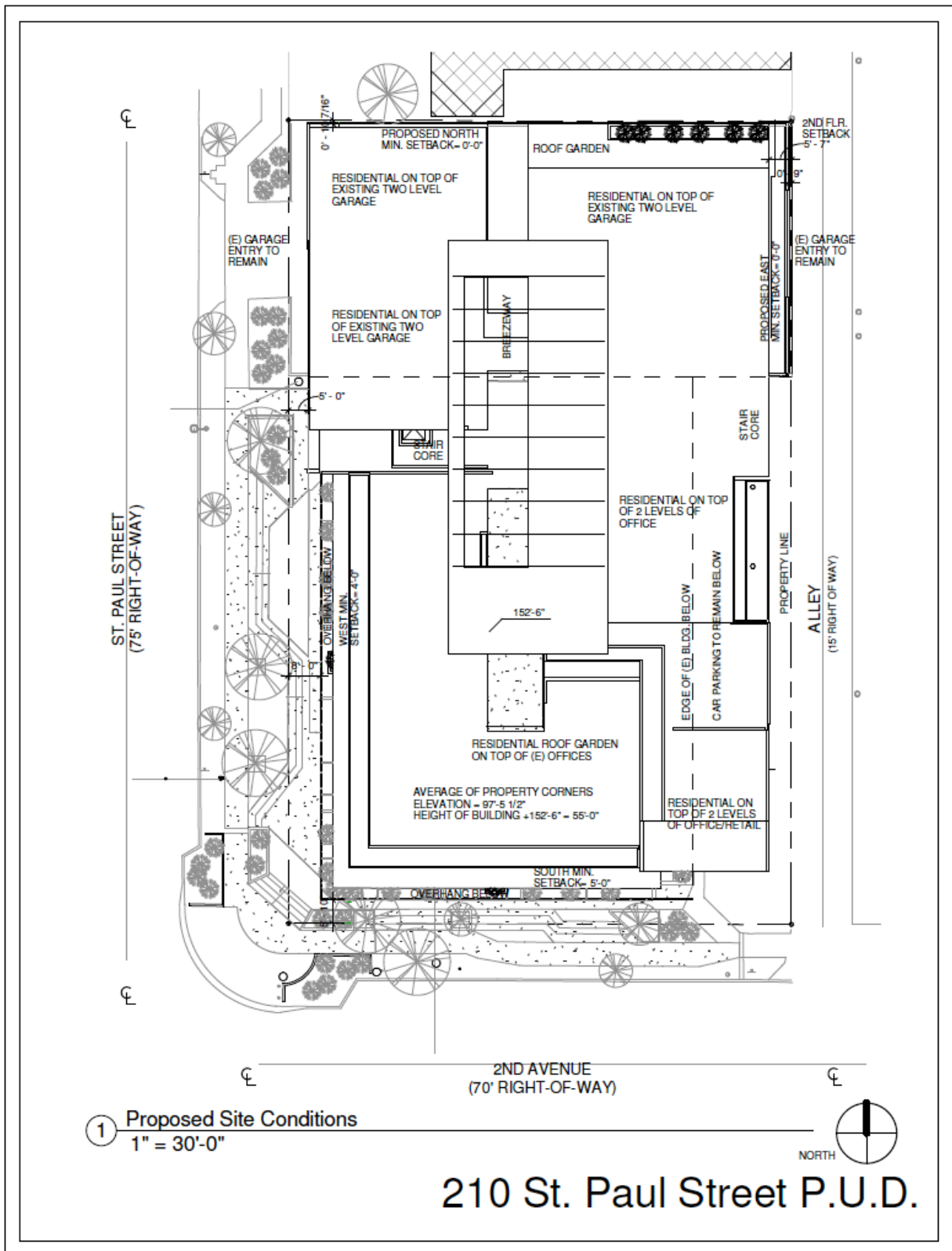
c. *How, the proposed P.U.D. District is to relate to the character of the surrounding neighborhood.*

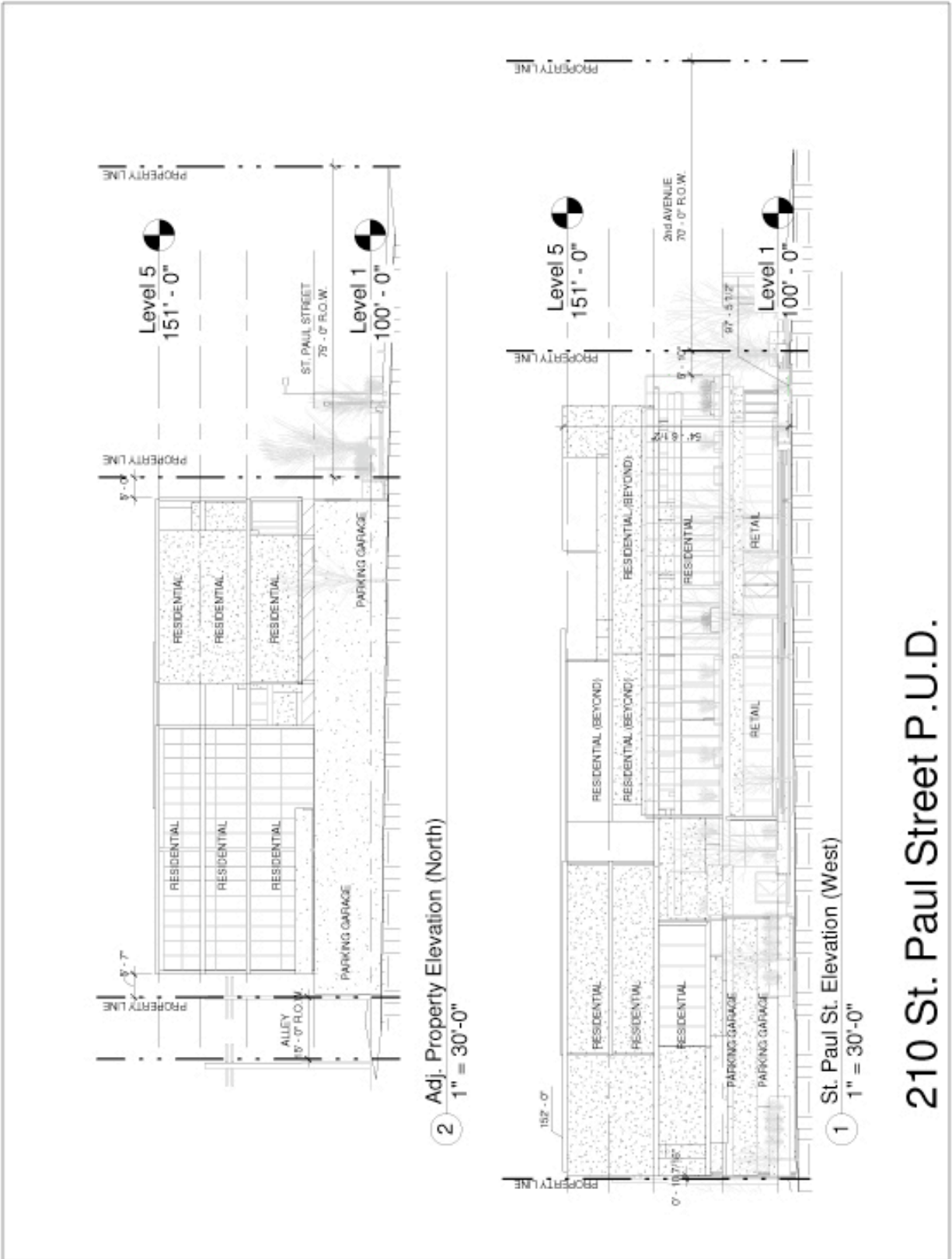
Cherry Creek is a true neighborhood where knowing your neighbors and socializing with them is part of the fabric that defines the area. The proposed uses in the PUD respond to the character of the adjacent neighborhood and will attract residents to the retail area to shop or work in the office space. It will also add living units within the commercial area to bring more residents into the heart of Cherry Creek. This will be a truly mixed-use development within one of Denver's most desirable neighborhoods.

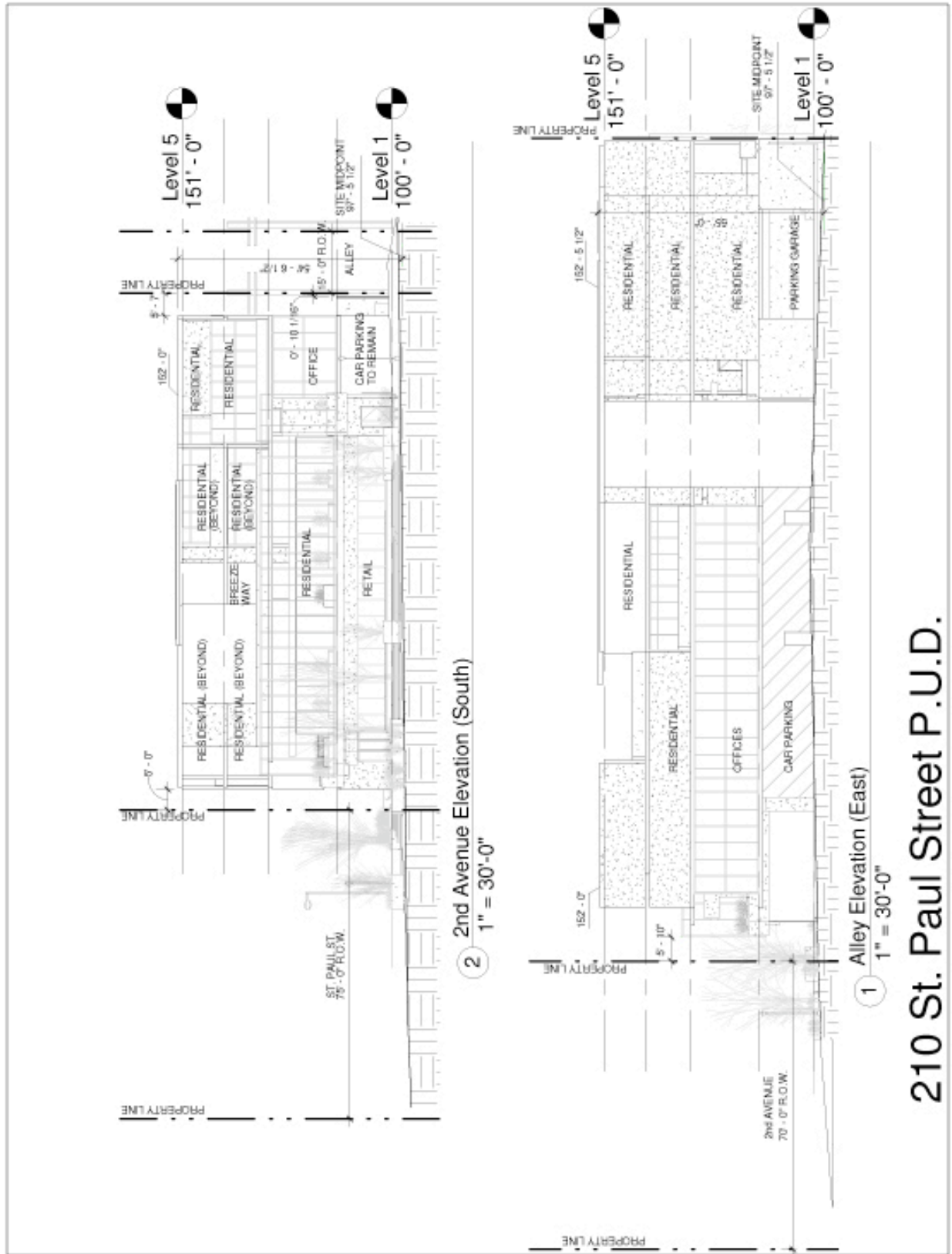
A significant aspect of the proposed map amendment is that the proposed PUD is reflective of the existing CCN zoning that is in effect throughout Cherry Creek and appropriate for this edge area of the neighborhood. The proposed uses and maximum building height both are in conformance with the requirements of the CCN zoning. This will result in the development being of a similar scale and character as the surrounding neighborhood.

The anticipated development will, at a minimum, meet the goals and utilize the recommendations of the Cherry Creek Plan and thus relate in a positive way to the surrounding area. The effect of the proposed zoning will be immediate and very positive. All of the permitted uses are appropriate for this urban setting and will add to the vitality and life to this neighborhood.











July 1, 2010

Larry Hanson
David Morton
210 St. Paul Street
Denver 80206

Dear Larry and David:

The CCNNA Board and its Zoning Committee would like to thank both of you, Bob Gollick, and your architect for the cooperative and constructive conversations on your mixed use development at 210 St. Paul Street. The Committee truly believes that your project conforms to the mixed use development recommendations of the Cherry Creek Neighborhood Plan and will be a valuable addition to the Business Improvement District.

In response to your request for a letter of support related to the PUD needed for the 210 St. Paul Street project, it is the policy of the Cherry Creek North Neighborhood Association that the Association does not provide written letters of support for specific residential or commercial developments in CCN. On the other hand, the CCNNA Board will send a letter of opposition to the appropriate City department(s) if the Board feels that a specific development will be detrimental to the value and quality of life of our residents in Cherry Creek North.

The CCNNA Board would like to inform you that it will not be sending a letter of opposition concerning the PUD zoning change related to your 210 St. Paul Street development project.

The Board would like to thank you for your openness and willingness to share with our Zoning Committee and our residents your plans and vision on your development in CCN, which should have a positive effect on both the business district and the neighborhood.

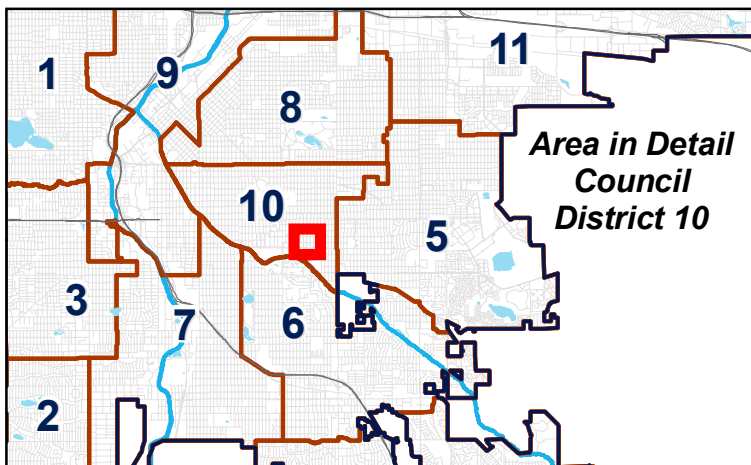
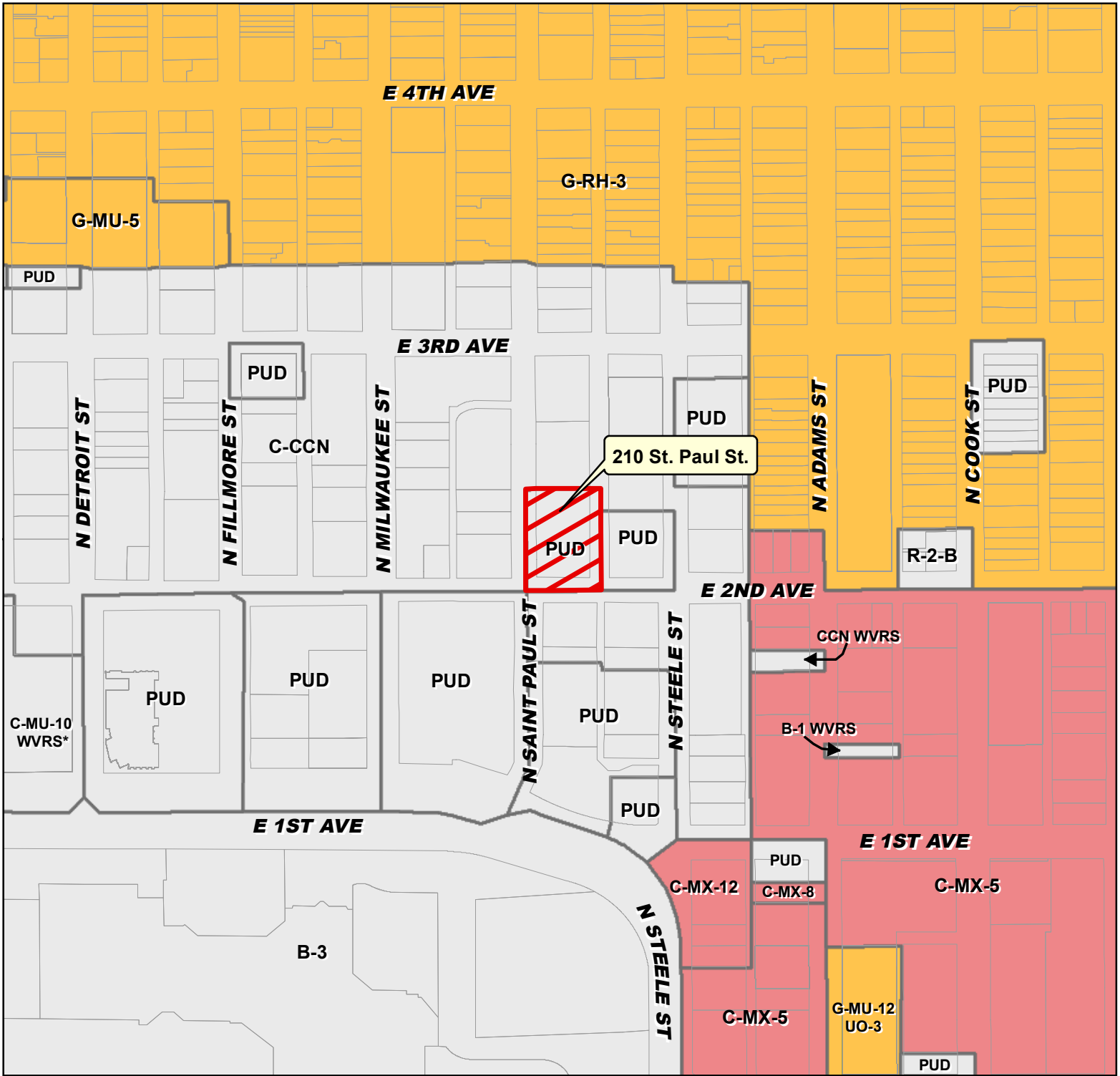
If you should have any questions, please feel free to contact me at 303.333.3243.

Sincerely,


Wayne New
President
Cherry Creek North Neighborhood Association


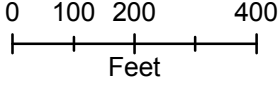
Cc: Chris Gleissner, City Planning and Development
Bob Gollick

Pending Zone Map Amendment #2010I-00003



Application #2010I-00003
Location: 210 St. Paul St.

 **Proposed Rezoning**
From: PUD #269
To: PUD

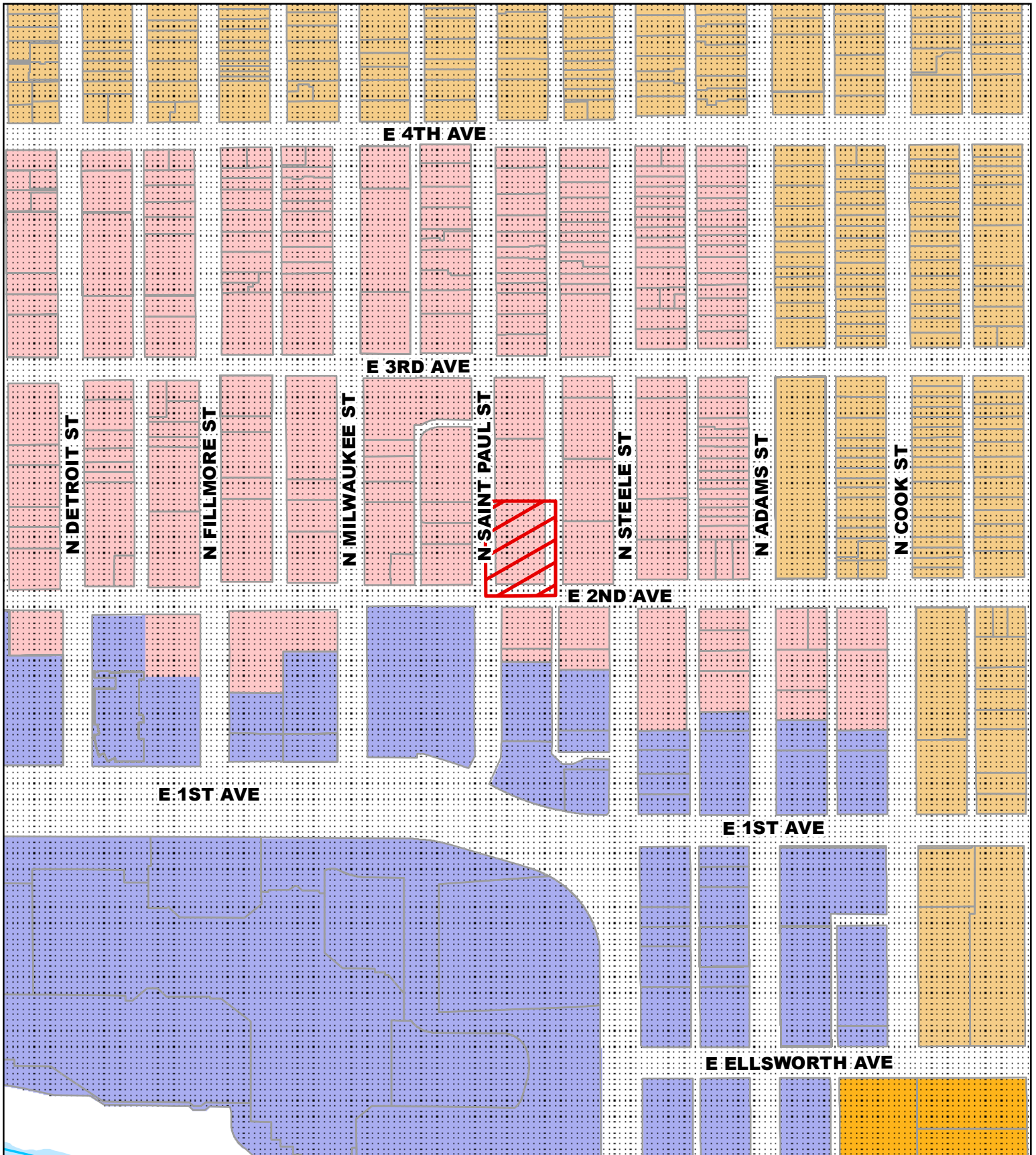
 
0 100 200 400
Feet

Map Date: 9/14/10

Pending Zone Map Amendment - Blueprint Denver Overlay

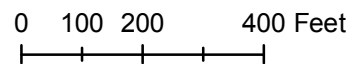


Application #2010I-00003



- Regional Center
- Single Family Duplex
- Urban Residential

- Pedestrian Shopping Corridor
- Area of Change



Map Date: 9/14/10

