



---

# 2524-2660 Larimer St 2609, 2623, 2641 Lawrence St

2021I-00175

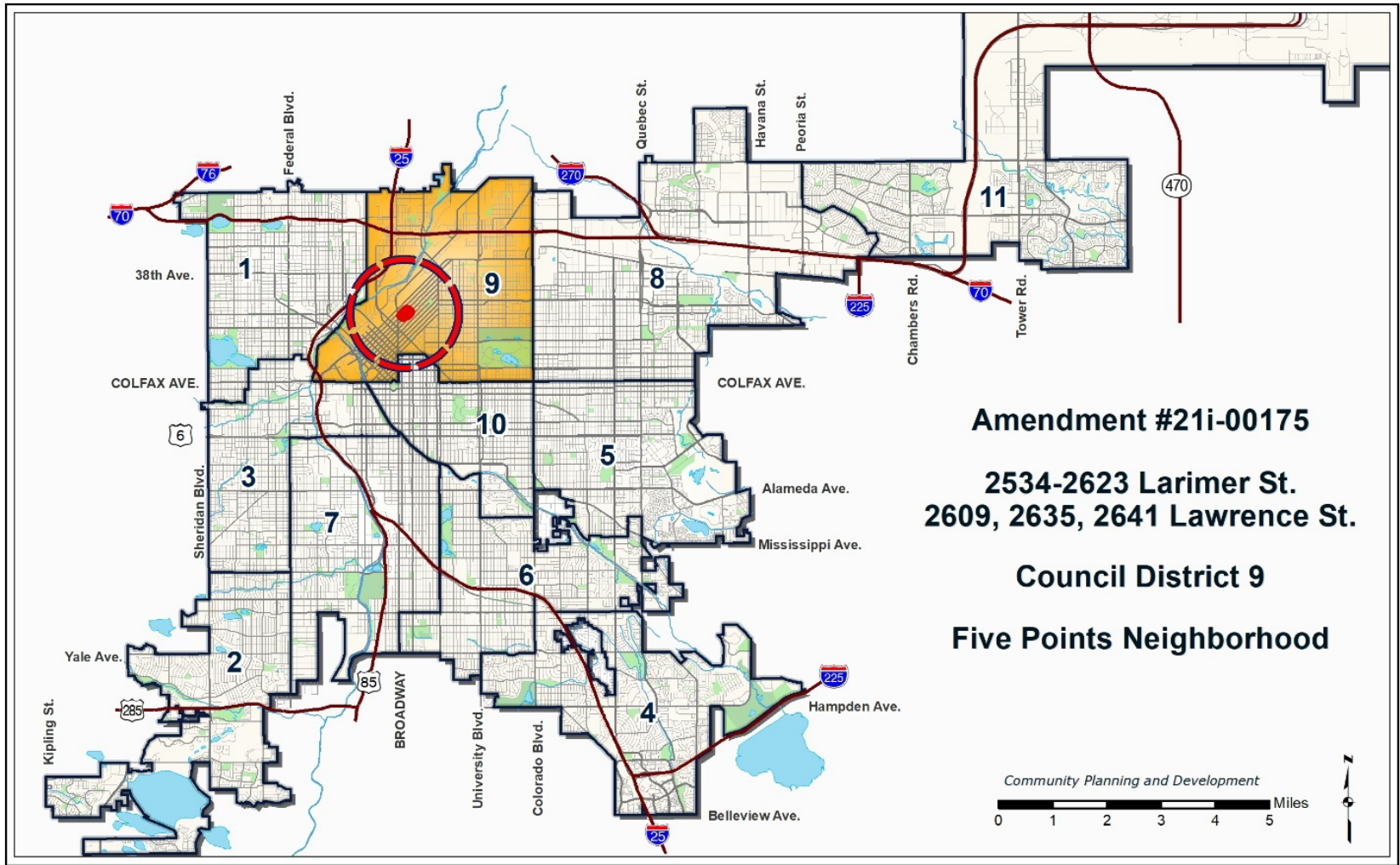
Request: C-MU-30 w/waivers UO-1; I-MX-3, UO-2, DO-7; G-MU-3, UO-3 to PUD-G 28

Denver City Council

Presenter: Andrew Webb

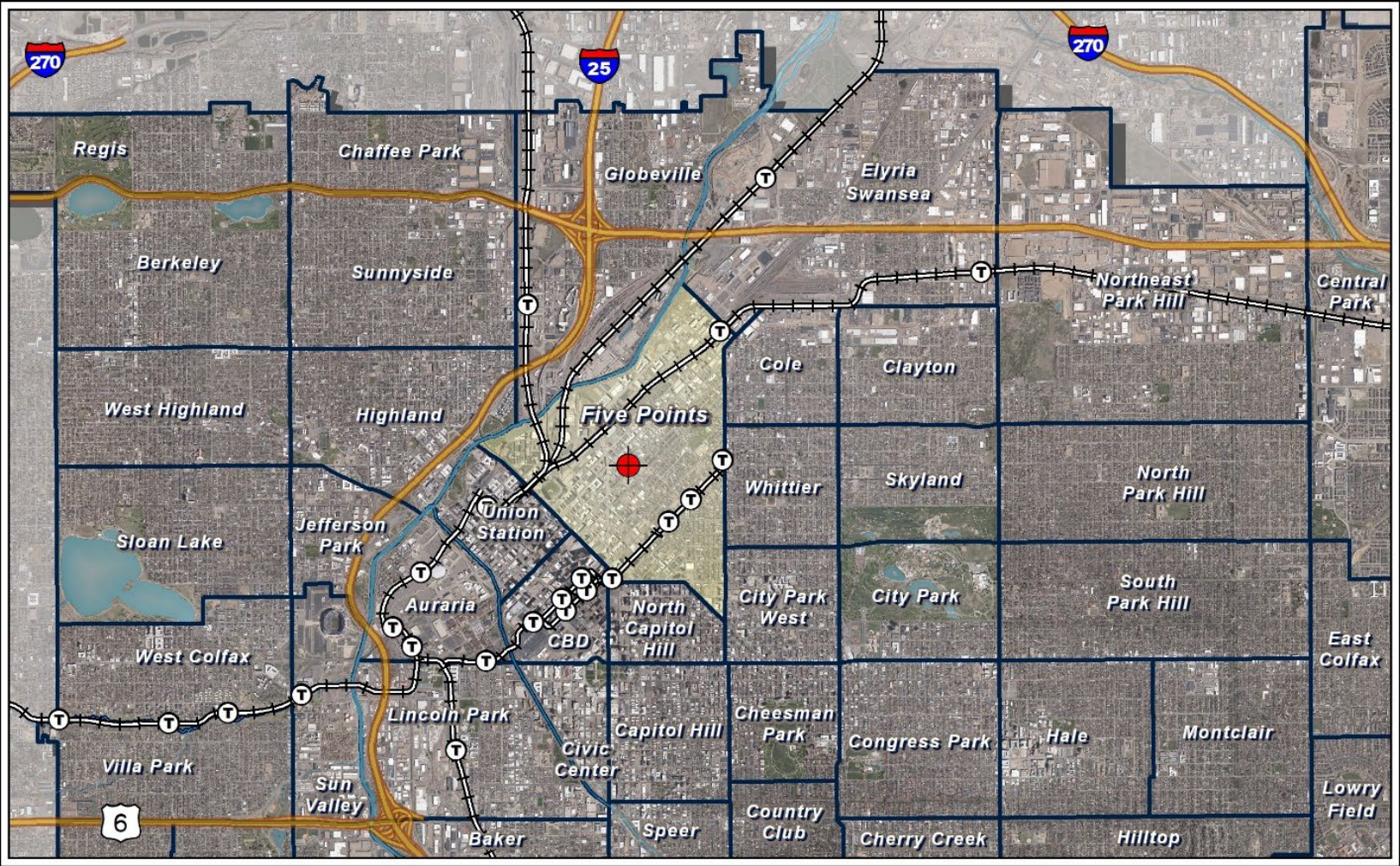
June 20, 2022

# Council District 9 – Councilmember Candi CdeBaca



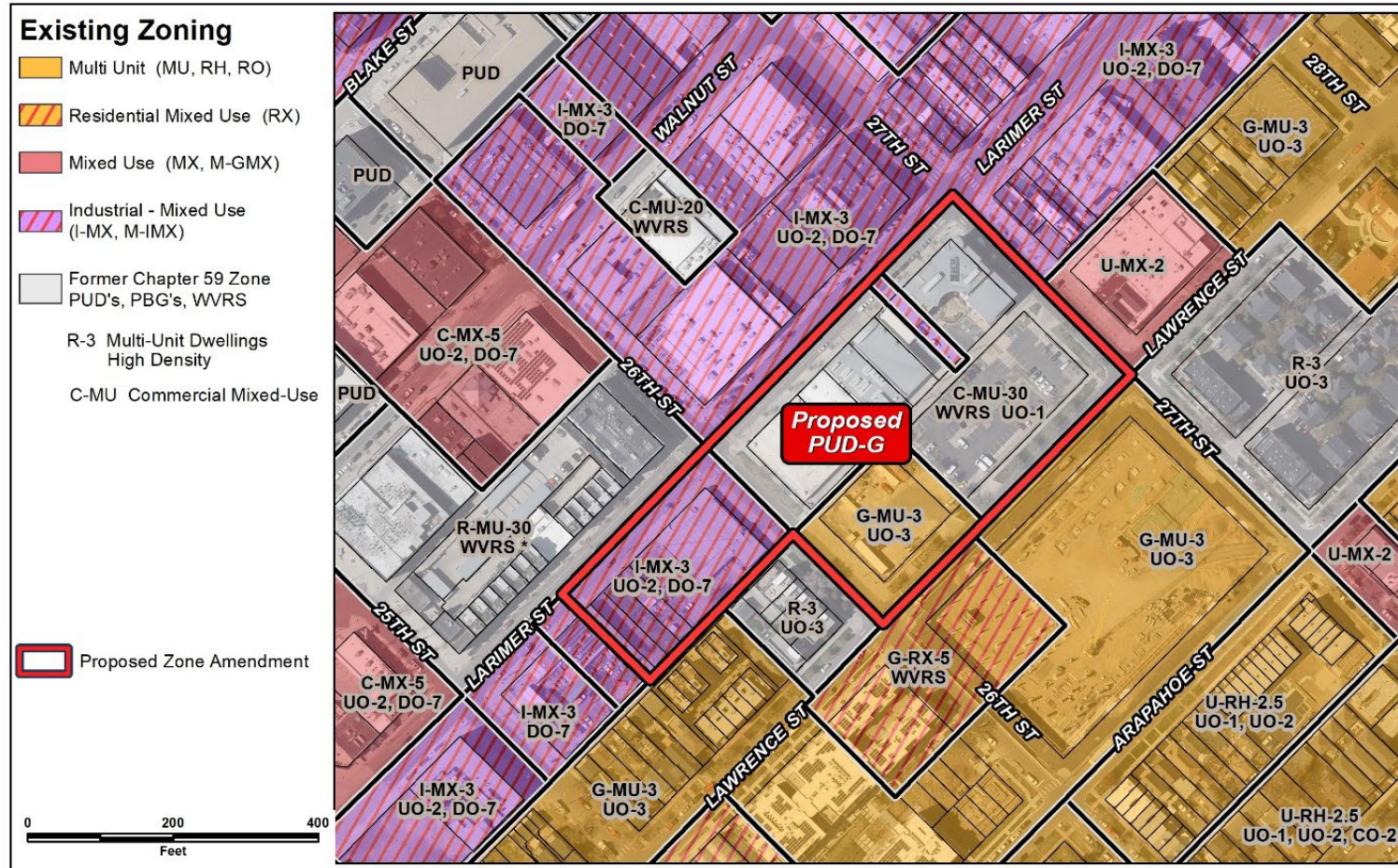


# Five Points Statistical Neighborhood





# Existing Zoning



## Existing Zoning:

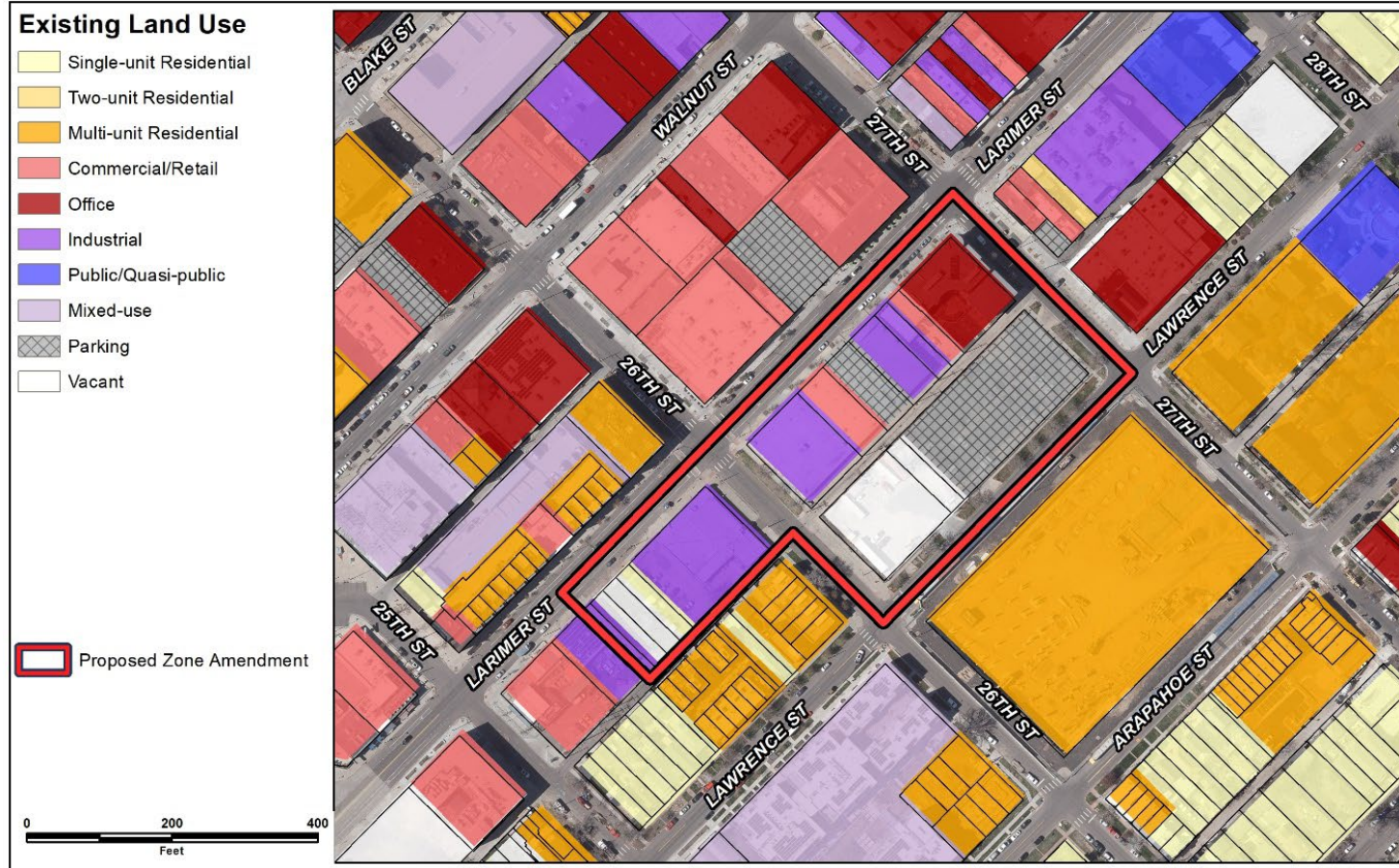
- C-MU-30 w WVRS, UO-1
- I-MX-3, UO-2, DO-7
- G-MU-3, UO-3

## Surrounding Zoning:

- I-MX-3, UO-2, DO-7
- C-MX-5, UO-2, DO-7
- G-RX-5, WVRS
- G-MU-3, UO-3
- U-MX-2
- R-MU-30 w WVRS
- R-3, UO-3



# Existing Land Use



## Existing land uses:

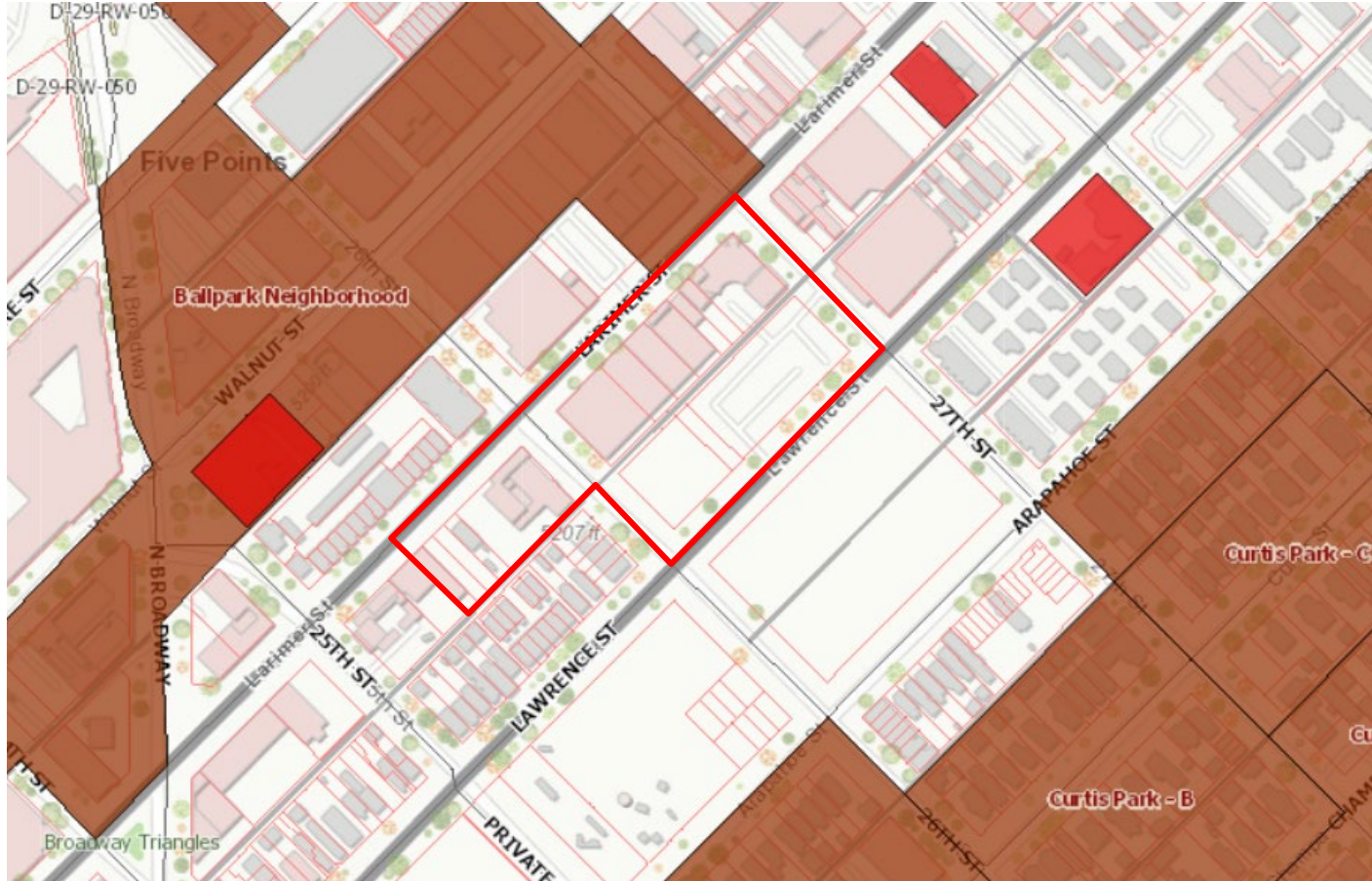
- Parking
- Vacant
- Industrial
- Office
- Commercial/retail

## Surrounding land uses:

- Commercial/retail
- Office
- Multi-unit Residential
- Mixed-use
- Industrial



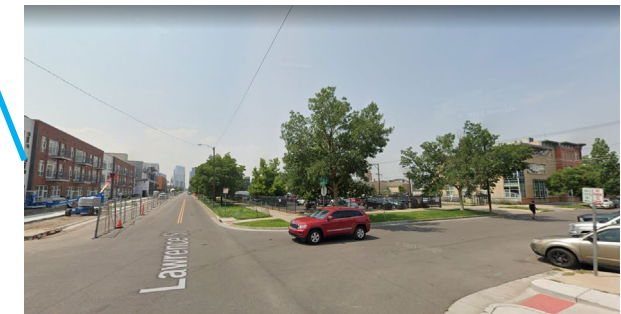
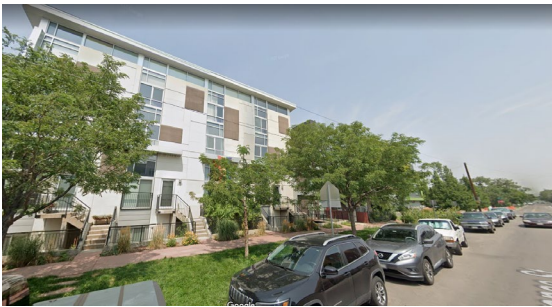
# Nearby Historic Districts



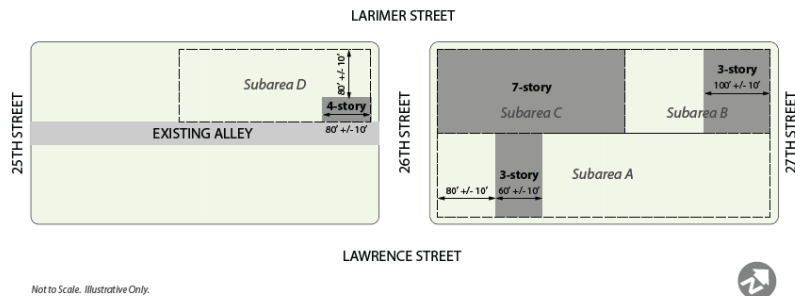
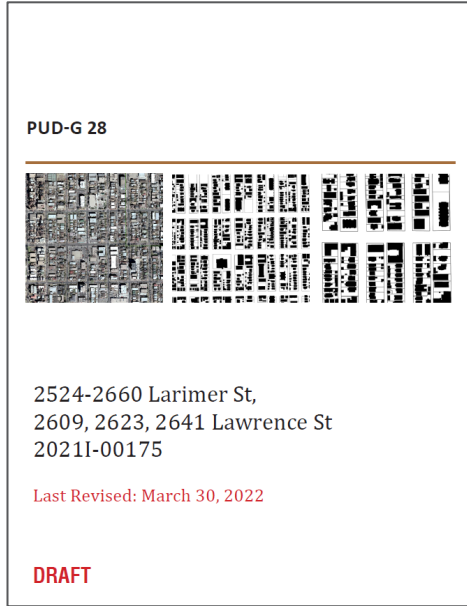
- Ballpark Neighborhood District adjacent at corner of Larimer/27<sup>th</sup>
- Curtis Park District nearby at Arapahoe



# Existing Context – Building Form/Scale



# Request: PUD-G 28



- Permit only the Shopfront building form
- Define different height zones and limit height of roof encroachments
- Require upper story setbacks above the 3<sup>rd</sup> & 5<sup>th</sup> stories on all streets
- Provide 10% publicly accessible open space on the site with pedestrian connections to Lawrence, Larimer, and 26<sup>th</sup>
- Create enhanced build-to requirements on all streets
- Expand build-to ranges to allow more space for public amenities
- Introduce residential setbacks on Lawrence for ground floor units
- Repair and integrate the façade of the Joe's Liquors building
- Incorporate DO-7 requirements (River North Design Overlay)



# Process

- Informational Notice: 2/17/2022
- Planning Board Notice Posted: 4/5/2022
- Planning Board Public Hearing: 4/20/2022
- *LUTI Committee (tentative): 5/3/2022*
- *City Council Public Hearing (tentative): 6/20/2022*
  
- **RNO Comment:** 3 letters in support  
(Curtis Park Neighbors, Heart of Five Points, RiNo Art District/BID)
  
- **Public Comment:** 97 letters/comments, 112 petition signatures in support  
50 letters/comments, 126 petition signatures in opposition

# Applicant Outreach

- 10 presentations to RNOs: Mar 2021 – Feb 2022
- 4 community open houses: Jul 2021 – Apr 2022
- 3 additional HOA/community presentations: Sep 2021 – Apr 2022
- Briefings/written updates to District 9: Mar 2021 – Nov 2021
- Briefings with individuals, businesses, etc.: Mar 2021 – Apr 2022



# Rezoning Review Criteria

## Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

# Rezoning Review Criteria

## Denver Zoning Code Review Criteria

### 1. Consistency with Adopted Plans

- *Comprehensive Plan 2040 (2019)*
- *Blueprint Denver (2019)*
- *Northeast Downtown Neighborhoods Plan (2011)*

### 2. Uniformity of District Regulations

### 3. Further Public Health, Safety and Welfare

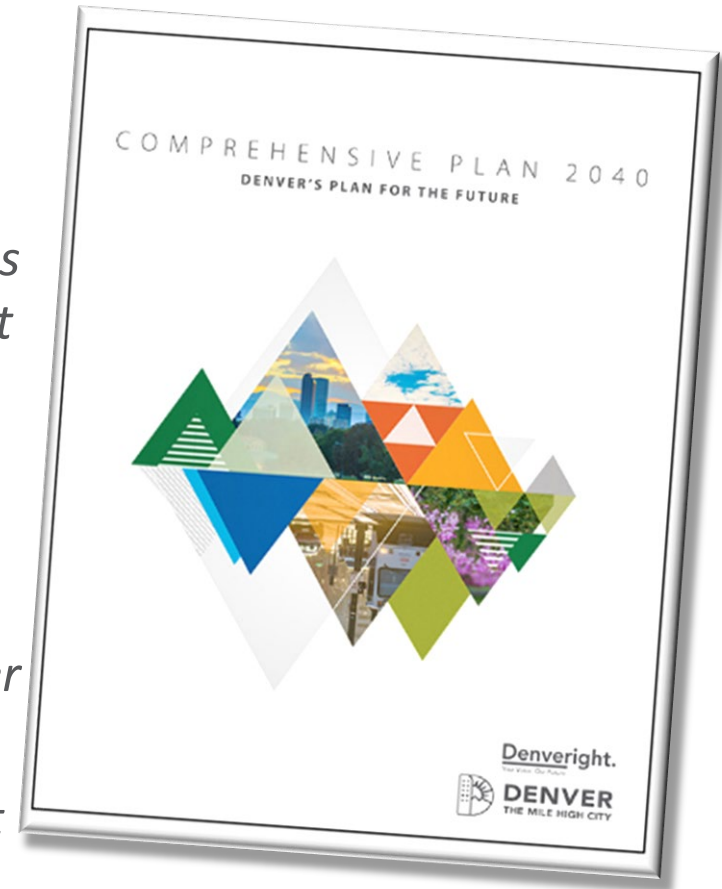
### 4. Justifying Circumstances

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

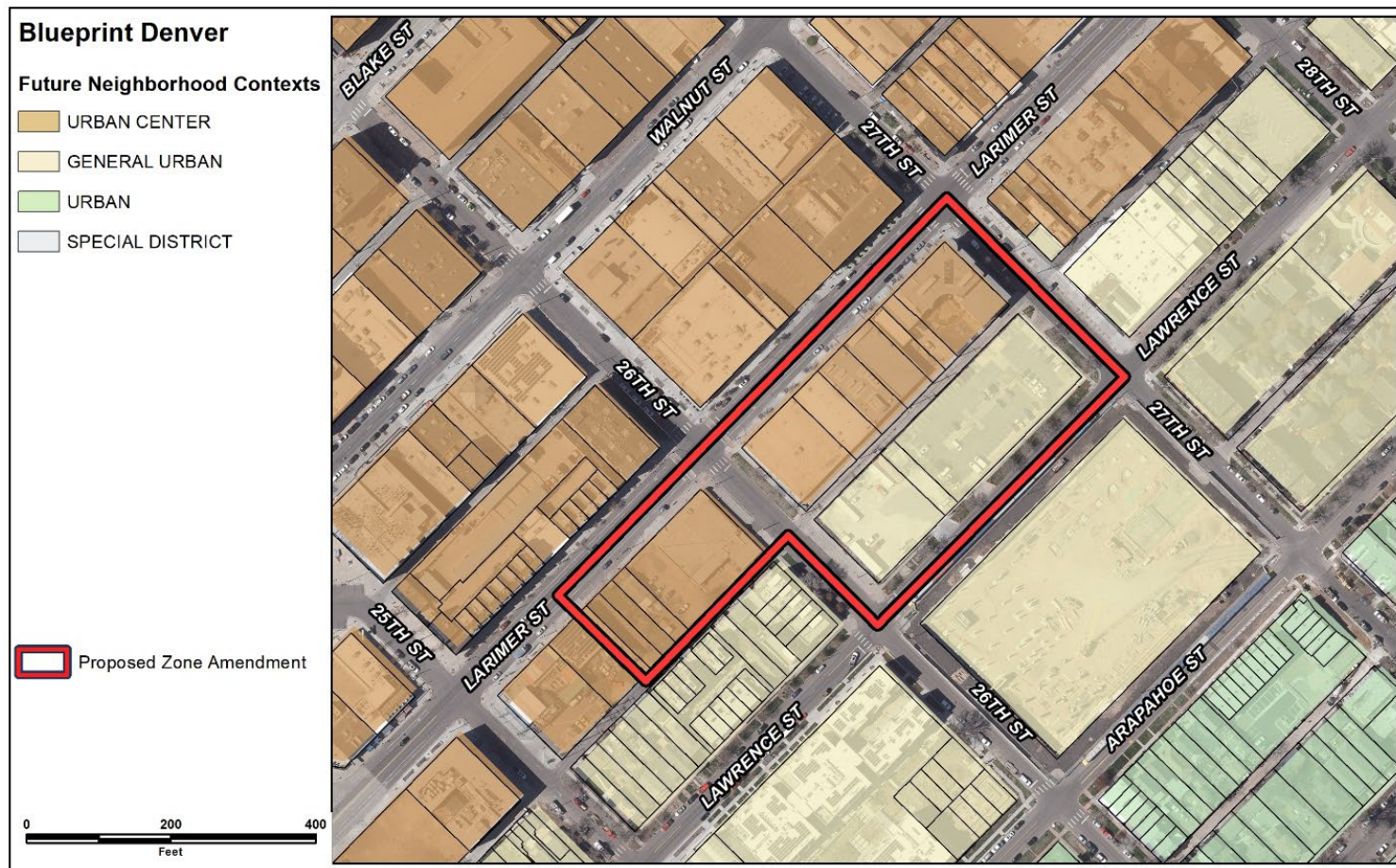


# Comprehensive Plan 2040

- **Equitable, Affordable and Inclusive** Goal 2, Strategy B – *Create a greater mix of housing options in every neighborhood for all individuals and families* (p. 28).
- **Equitable, Affordable and Inclusive** Goal 5, Strategy B – *Stabilize residents and businesses at risk of displacement through programs and policies that help them stay in their existing community* (p. 29).
- **Strong and Authentic Neighborhoods** Goal 4, Strategy A – *Grow and support neighborhood-serving businesses* (p. 35).
- **Economically Diverse and Vibrant** Goal 3, Strategy A – *Promote small, locally-owned businesses and restaurants that reflect the unique character of Denver* (p. 46).
- **Environmentally Resilient** Goal 8, Strategy A - *Promote infill development where infrastructure and services are already in place* (p. 54).



# Blueprint Denver: Future Contexts



## Urban Center

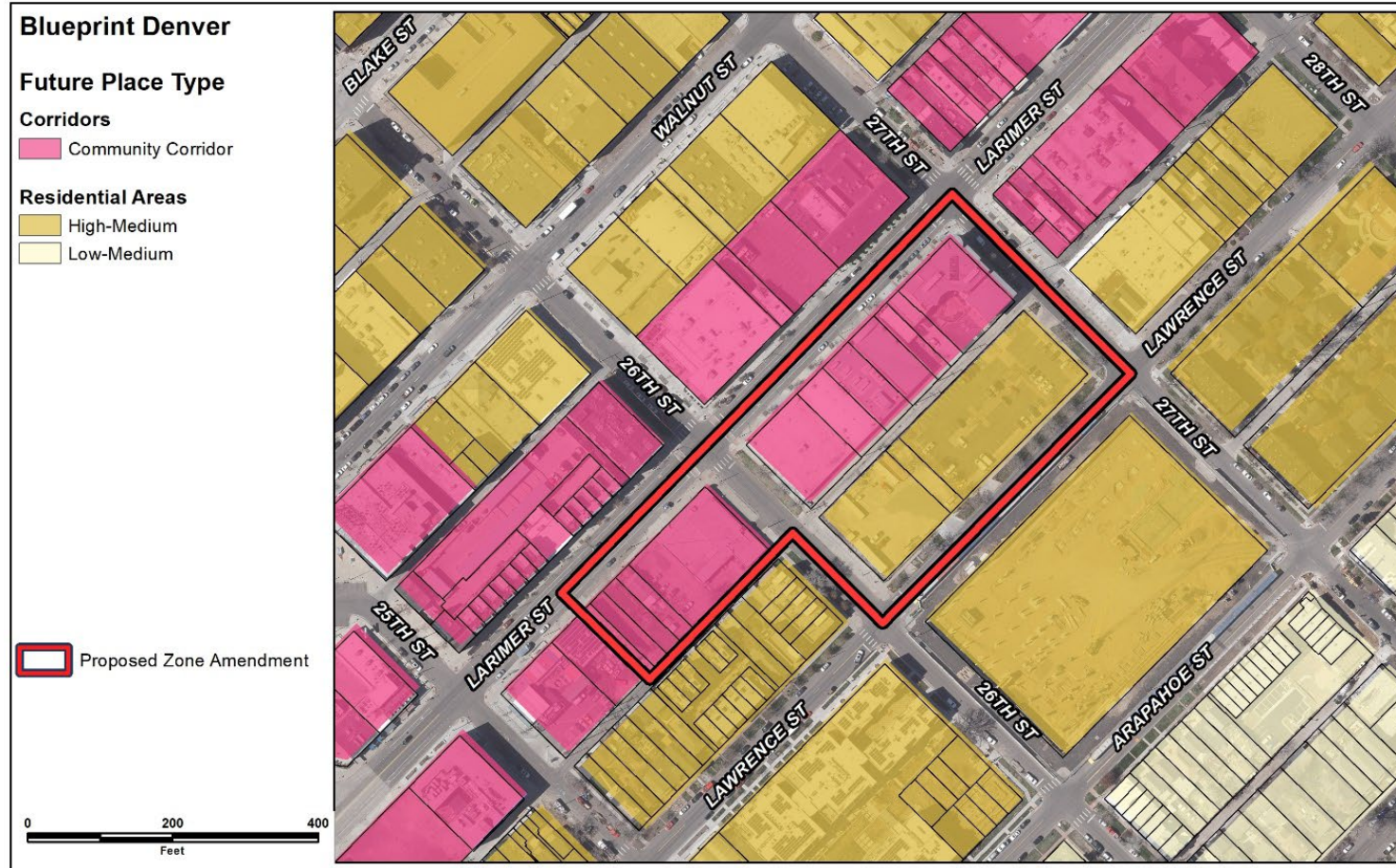
- Dense and vibrant areas
- High intensity residential and significant employment
- High mix of uses with good street activation and connectivity

## General Urban

- Sensitive to the existing neighborhood character and offer residents a mix of uses



# Blueprint Denver: Future Places



## Community Corridor

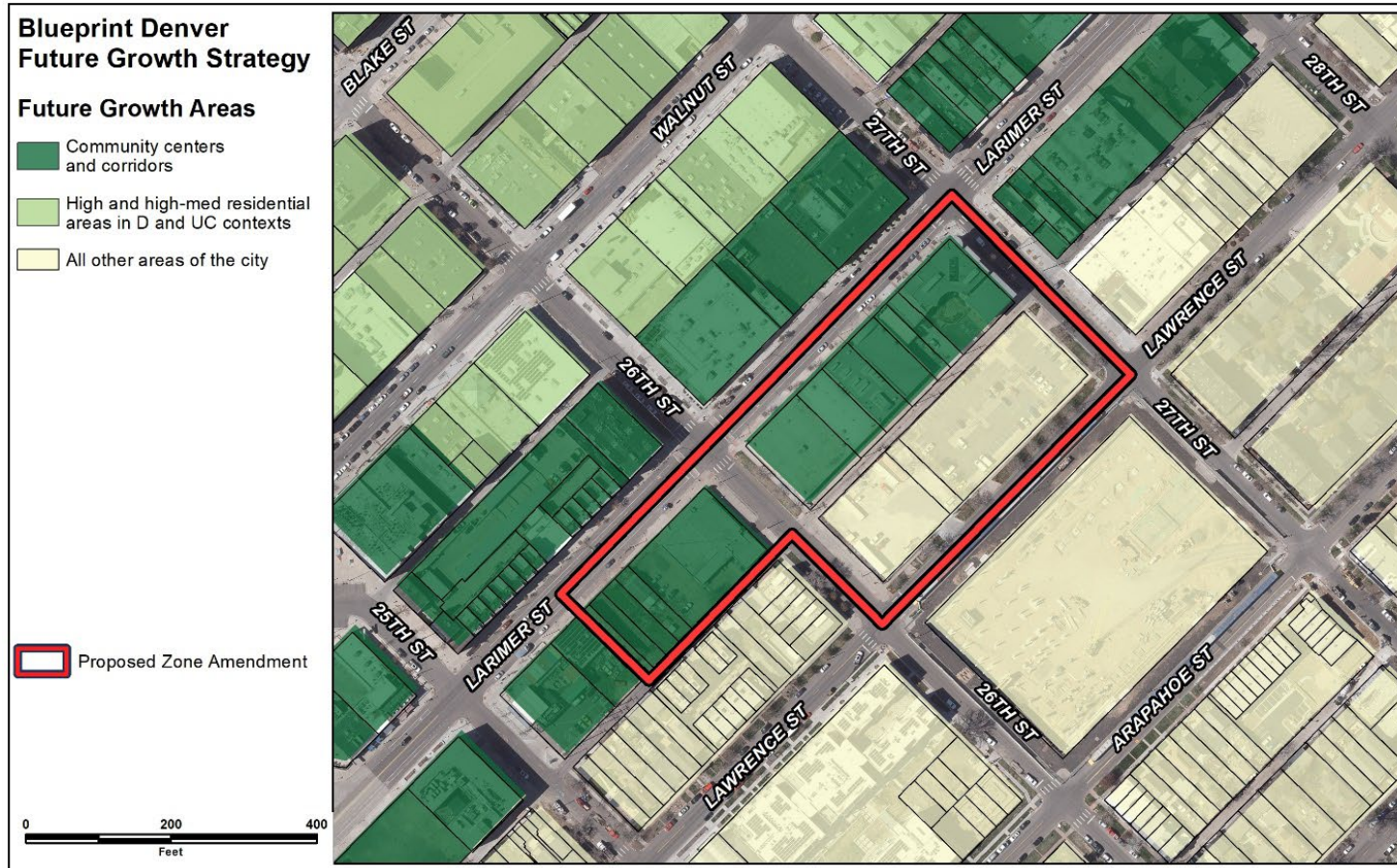
- Wide customer draw of local residents and other parts of the city
- Typically provides a mix of office, commercial and residential uses
- Heights are generally up to 8 stories

## High-Medium Residential

- Mix of low- to medium-scale multi-unit residential uses with some neighborhood-serving mixed-use distributed throughout
- Heights are generally up to 8 stories



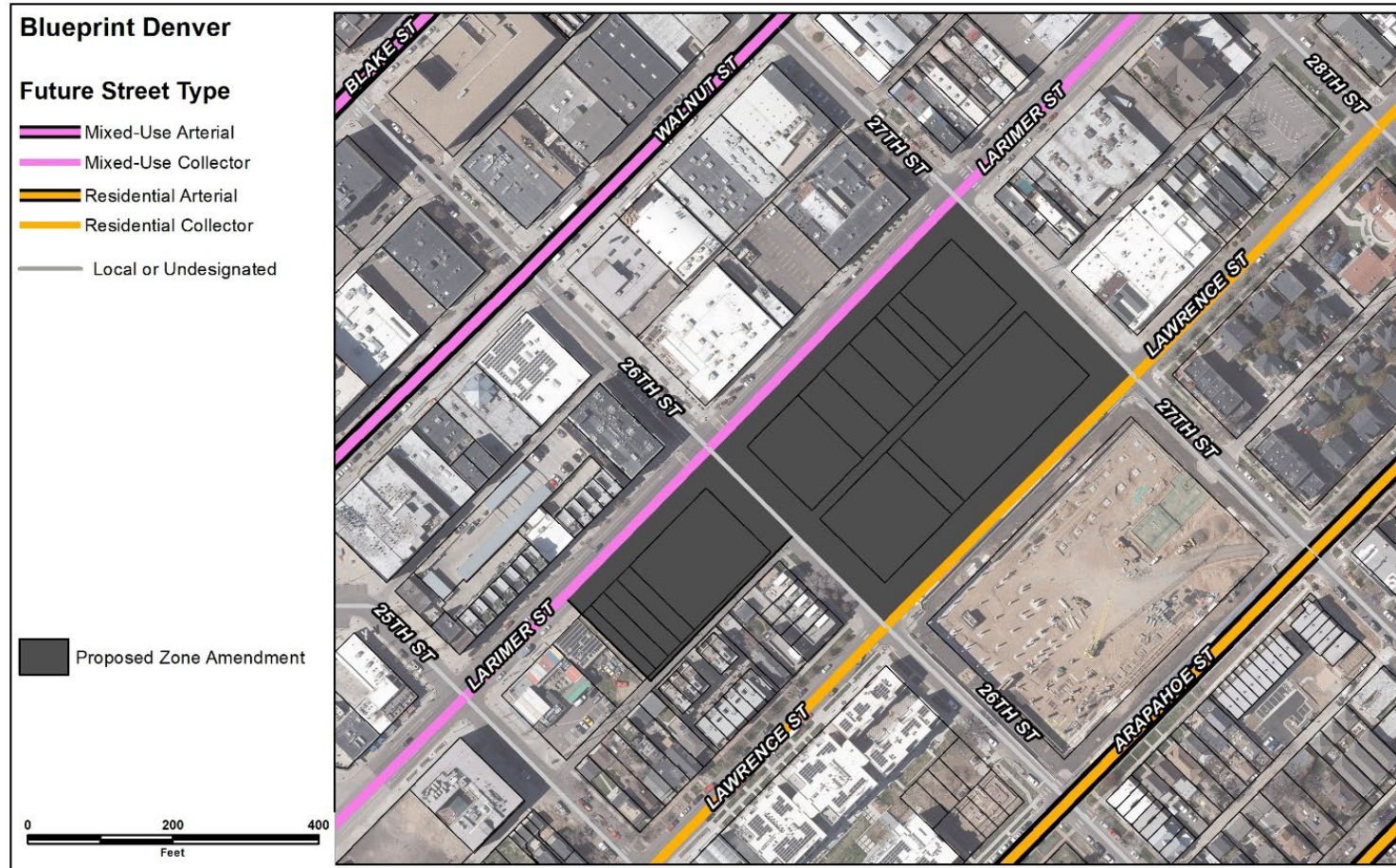
# Blueprint Denver: Growth Strategy



- **Future Growth Areas**
  - Community Centers and Corridors
    - 25% of jobs, 20% of housing
  - All Other Areas of the City
    - 20% of jobs, 10% of housing
- Most growth is guided to regional centers, community centers and corridors, select districts and high and medium-high intensity residential areas in the Urban Center context.



# Blueprint Denver: Future Street Type



- **Mixed Use Collector – Larimer St**
  - Varied mix of uses including retail, office, residential and restaurants
  - Buildings are pedestrian-oriented, typically multi-story
- **Residential Collector – Lawrence St**
  - Primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses.

# Blueprint Denver Recommendations

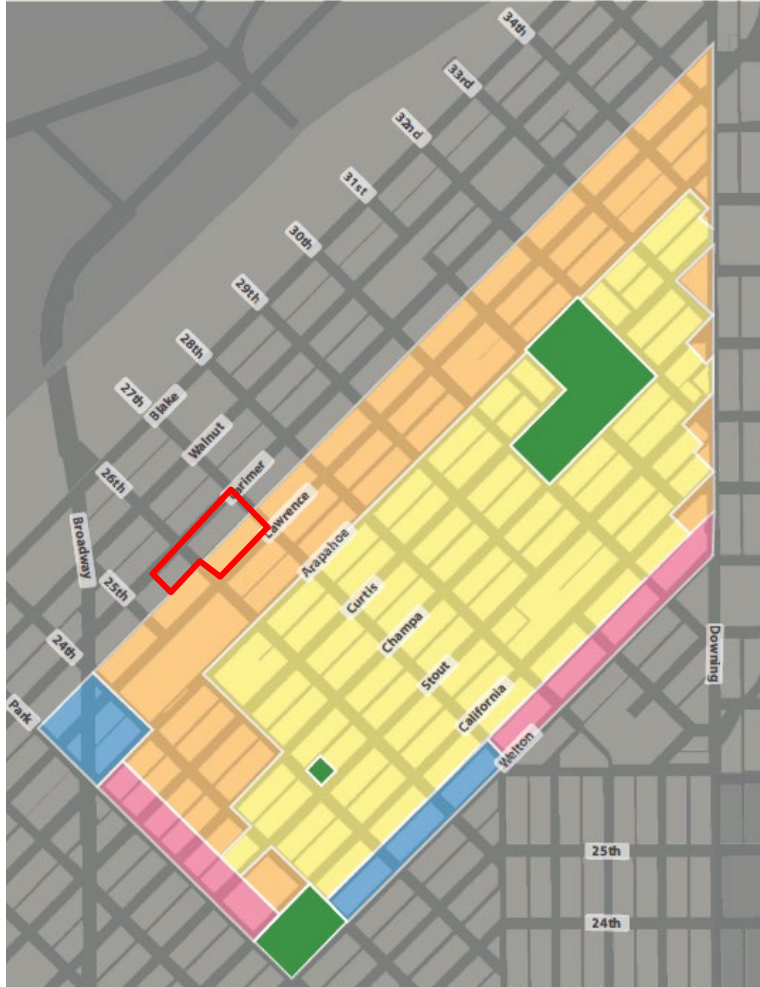
- **Land Use and Built Form – General Policy 5, Strategy B:** Where the potential for involuntary displacement is identified, evaluate and implement methods to mitigate displacement, such as incentives or requirements for on-site income-restricted housing and/or affordable commercial spaces (p. 73).
- **Land Use and Built Form – Housing Policy 6:** Increase the development of affordable housing and mixed-income housing, particularly in areas near transit, services and amenities (p. 85).
- **Land Use and Built Form – Economics Policy 4:** Promote creative industries, maker spaces, artists and small businesses as vital components of Denver’s innovation economy (p.92).
- **Land Use and Built Form – Design Quality and Preservation Policy 3, Strategy F:** Implement additional zoning tools to create appropriate transitions between places, especially for areas where centers and corridors are close to residential places. This may include standards related to height, massing and uses (p. 102).
- **Land Use and Built Form – Design Quality and Preservation Policy 6:** Incentivize the preservation of structures and features that contribute to the established character of an area, even if they are not designated as landmarks or historic districts (p.104).



# Blueprint Denver Recommendations

- Custom Zoning
  - “Limit the use of site-specific, customized zoning tools—such as Planned Unit Developments (PUDs) and waivers/conditions—to unique and extraordinary circumstances. Custom zoning tools are most effective when a standard zone district does not exist to implement the adopted plans for an area” (p. 73).

# Northeast Downtown Neighborhoods Plan



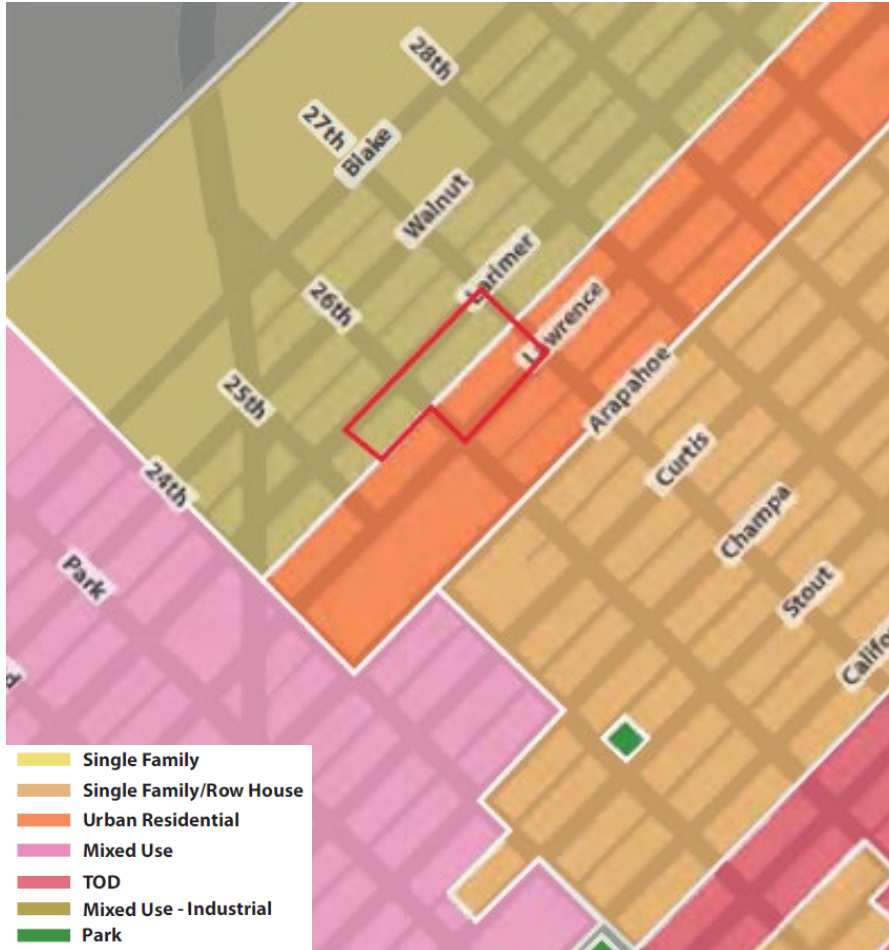
## Curtis Park Neighborhood

- Curtis Park is one of Denver's oldest residential neighborhoods, boasting some of the City's most historic homes as well as the City's first official park, Mestizo-Curtis Park.

## Ballpark, River North Neighborhood

- RiNo has long served as a backbone of the business activities on the edge of Downtown Denver, represents a key opportunity for a true industrial mixed use community, with Larimer emerging as a retail corridor with new shops and restaurants.

# Northeast Downtown Neighborhoods Plan



## Land Use

### Mixed Use – Industrial

- These areas have a sizable employment base as well as a variety of mid-to-high density housing options.

### Urban Residential

- Higher density and primarily residential but may include a noteworthy number of complementary commercial uses.
- A mixture of housing types is present, including historic single-family houses, townhouses, small multi-family apartments and sometimes mid to high-rise residential structures.



# NE Downtown Neighborhoods Plan Recommendations

- **A.2 Moderate Intensity Development Transitioning to Residential Neighborhoods (p. 18)**
  - Allow a moderate and mixed scale of general, shopfront, apartment and rowhouse building forms.
  - Make use of design elements, such as upper story setbacks, to minimize massing adjacent to residential areas.
  - Allow a mix of uses within the area and within buildings.
- **A.4 Adaptive Reuse and Historic Preservation (p. 21)**
  - Promote the reuse of existing buildings. Existing buildings, whether historic or not, are important character-defining elements .
- **C.1 Strengthen Retail Corridors (p. 32)**
  - Strengthen these corridors (Larimer) by developing viable retail clusters, tenant mix and product and service offerings for those who live, work and visit the area.

# Northeast Downtown Neighborhoods Plan



## Concept Height Map

- 3 stories



# Northeast Downtown Neighborhoods Plan



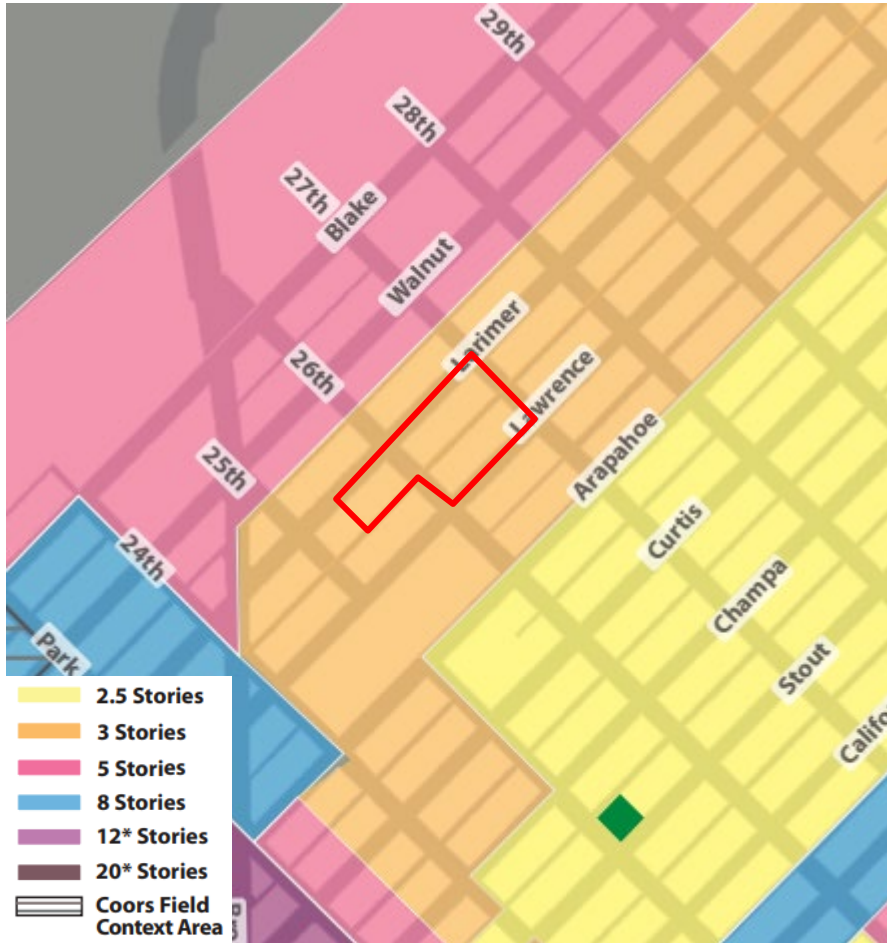
## Concept Height Map

- 3 stories

*Blueprint Denver* establishes building heights to provide a general sense of scale. If there is conflicting guidance, factors to be considered in rezonings should include:

- Guidance from a current small area plan
- Surrounding context including existing and planned building height
- Achieving community benefits like affordable housing
- Furthering urban design goals

# Northeast Downtown Neighborhoods Plan



## Small Area Plan Guidance

### Mixed Use – Industrial

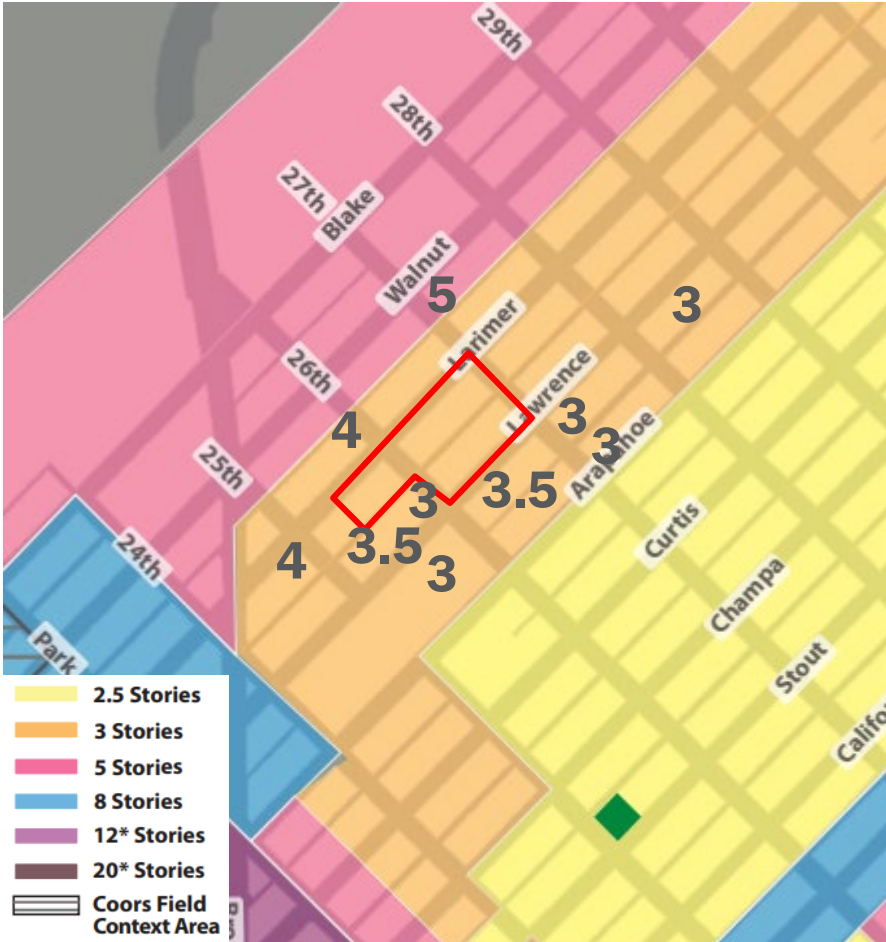
- These areas have a sizable employment base as well as a *variety of mid-to-high density housing options.*

### Urban Residential

- *Higher density* and primarily residential but may include a *noteworthy number of complementary commercial uses.*
- A mixture of housing types is present, including historic single-family houses, townhouses, small multi-family apartments *and sometimes mid to high-rise residential structures.*



# Northeast Downtown Neighborhoods Plan



## Surrounding Existing/Planned Height

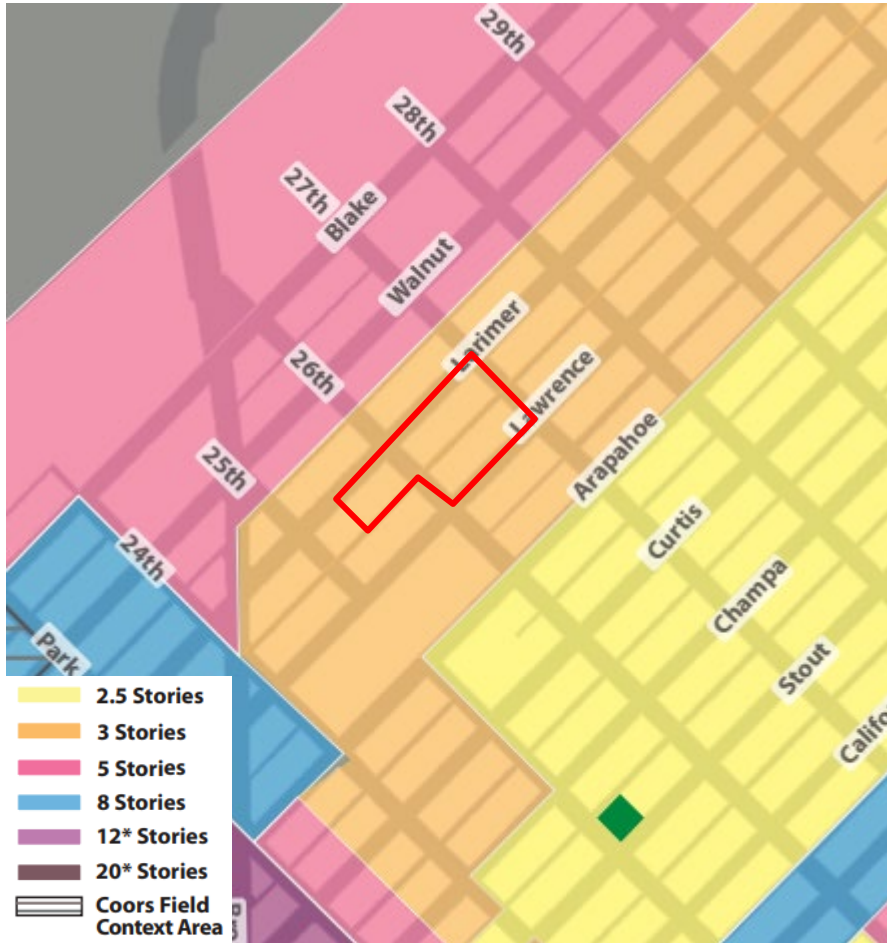
# Existing

- Transitions to several existing 3, 4, and 5-story structures within 1 block

## Planned

- Expanding Housing Affordability height incentives for enhanced affordable housing
  - 3-story zoning + 1 story incentive = 4 stories
  - 5-story zoning + 2 story incentive = 7 stories

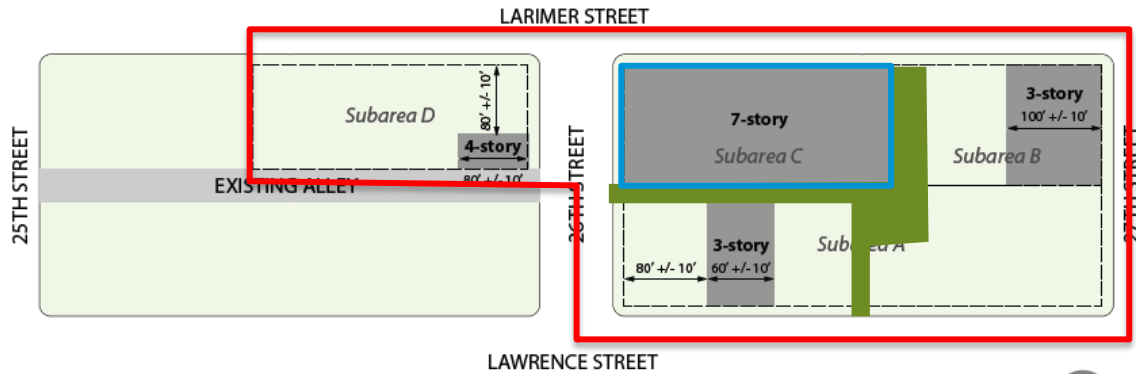
# Northeast Downtown Neighborhoods Plan



## Achieving Community Benefits

- Affordable housing agreement – 10% at 60% AMI (meets proposed EHA enhanced requirements)
- Small business incubators
  - Retail space and live/work units at 50% market rent
  - Commissary kitchen at 50% market rent
  - Artist in residence/exchange program (paid expenses and stipend for artists in Denver, Dallas, Houston)
- RiNo Art District design review process
- Covenant restriction on liquor license types on Lawrence (bars, taverns, etc.)
- Maintains 100-year VOA presence on Larimer

# Northeast Downtown Neighborhoods Plan



Not to Scale. Illustrative Only.



## Furthering Urban Design Goals

- 7-story area is restricted to 26<sup>th</sup>/Larimer (less than 25% of site area)
- Height limits/transitions at key locations
- New upper story setbacks on all streets and residential setbacks along Lawrence
- 10% publicly accessible open space with pedestrian connections
- Mix of uses serving residents and visitors
- Maintain existing VOA building and tenancy
- Repair and integrate Joe's Liquor façade



# Review Criteria

## Denver Zoning Code Review Criteria

### 1. Consistency with Adopted Plans

### 2. Uniformity of District Regulations

- *Proposed rezoning will result in uniform application of zone district building form, use, and design regulations (PUD is based on C-MX-8, C-MX-5, G-RX-5, and DO-7 zone districts)*

### 3. Further Public Health, Safety and Welfare

- *Implements adopted plans*
- *Enhanced design standards, open space amenities, pedestrian connections and placemaking*

### 4. Justifying Circumstances

- *Significant change and development around the rezoning area*
- *City adopted plans focusing residents and businesses along key community corridors*

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

- *PUD uses C-MX-8, C-MX-5, G-RX-5, and DO-7 zone districts as a base with tailoring to ensure neighborhood compatibility*

# PUD Review Criteria

- A. The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of the Zoning Code;
- B. The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in Division 9.6;
- C. 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;
- D. The PUD District and the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property; and
- E. The PUD District and 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

# PUD Review Criteria

## A. The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of the Zoning Code;

- *Customized zoning approach is necessary to achieve a successful, phased development that includes public open space, integration of existing structures, and unique building height/massing transitions*
- *Customized zoning approach is necessary to respect the context of the Ballpark and Curtis Historic Districts*
- *PUD utilizes Denver Zoning Code base and overlay districts to replace Former Chapter 59 zoning and address the site's unique circumstances*



# PUD Review Criteria

- Not intended solely as a vehicle to develop a site inconsistent with the applicable neighborhood context or enhance economic feasibility
  - *PUD-G 28 is consistent with the Urban Center and General Urban neighborhood context and character.*
  - *PUD-G 28 is intended as a mechanism to ensure that development is consistent with adopted plans.*
- **Significant public benefit**
  - *Affordable housing*
  - *Small business incubators*
  - *Design review via RiNo Art District*
  - *Use covenants along Lawrence*
  - *10% publicly-accessible open space*

# PUD Review Criteria

## B. The PUD complies with all applicable standards and criteria for PUDs

- *The PUD complies with all standards and criteria stated in Division 9.6.*

## C. 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

- *The PUD is necessary because there is no standard zone district, or combination of zone districts, available that address the site's unique circumstances with regard to phasing of development, transitions to neighboring areas, and creation of open space without multiple variances, waivers, or conditions.*

## D. The PUD establishes permitted uses that are compatible with existing land uses adjacent to the subject property

- *No use-related changes proposed to C-MX or G-RX zone districts.*

# PUD Review Criteria

E. The PUD establishes permitted building forms that are compatible with adjacent existing building forms.

- *The PUD allows the Shopfront building form only and provides tailored standards to directly address appropriate transitions to neighboring properties and areas.*



# CPD Recommendation

CPD recommends **approval**, based on finding that all review criteria have been met

## Standard Rezoning Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

## PUD-Specific Rezoning Criteria

- A. The PUD is consistent with the intent and purpose of PUDs;
- B. The PUD complies with all applicable standards and criteria for PUDs;
- C. 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;
- D. The PUD establishes permitted uses that are compatible with existing land uses adjacent to the subject property; and
- E. The PUD establishes permitted building forms that are compatible with adjacent existing building forms.