

3700 W 17th Avenue

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PUD-G 21

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CHAPTER 1. ESTABLISHMENT AND INTENT

SECTION 1.1 PUD-G 21 ESTABLISHED

The provisions of this PUD-G 21 apply to the land depicted on the Official Zoning Map with the label PUD-G 21, and more generally described as approximately 5.2 acres of land in Section 31, Township 3 South Range 68 West, City and County of Denver.

1.1.1 Subareas Established

The following subareas are hereby established within PUD-G 21 for the purpose of applying the zoning standards contained herein. All subareas established are shown generally on Figure 1-1 below and described legally as follows:

A. Subarea A Legal Description

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN;
COMMENCING AT THE NORTHWEST CORNER OF BLOCK 3, PIERSONS ADDITION; THENCE ALONG THE NORTH LINE AND ITS PROLONGATION THEREOF N89°48'05"E, A DISTANCE OF 284.00 FEET;
THENCE S00°19'08"E PARALLEL WITH THE WEST LINE OF SAID BLOCK 3, A DISTANCE OF 134.04 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING ON A LINE THAT IS 228.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID BLOCK 3;
THENCE ALONG SAID PARALLEL LINE S89°47'18"W, A DISTANCE OF 210.00 FEET;
THENCE PARALLEL TO THE WEST LINE OF SAID BLOCK 3 S00°19'08"E, A DISTANCE OF 90.00 FEET TO A POINT ON A LINE THAT IS 138.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID BLOCK 3;
THENCE ALONG SAID PARALLEL LINE N89°47'18"E, A DISTANCE OF 210.00 FEET;
THENCE PARALLEL TO THE WEST LINE OF SAID BLOCK 3 N00°19'08"W, A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 18,900 SQUARE FEET OR 0.434 ACRES, MORE OR LESS.

BASIS OF BEARINGS IS THE EAST LINE OF BLOCK 2 PIERSON'S ADDITION BEING N00°19'08" W BETWEEN THE FOUND 2.75' BY 4.0' OFFSET CROSSES AT THE NE AND SE ENDS OF THE BLOCK.

B. Subarea B Legal Description

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN;
COMMENCING AT THE NORTHWEST CORNER OF BLOCK 3, PIERSONS ADDITION; THENCE ALONG THE NORTH LINE AND ITS PROLONGATION THEREOF N89°48'05"E, A DISTANCE OF 284.00 FEET;
THENCE S00°19'08"E PARALLEL WITH THE WEST LINE OF SAID BLOCK 3, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING;

THENCE PARALLEL WITH THE SAID NORTH LINE OF BLOCK 3 S89°48'05"W, A DISTANCE OF 90.00 FEET;
THENCE S00°19'08"E, A DISTANCE OF 104.06 FEET TO A POINT ON A LINE THAT IS 228.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID BLOCK 3;
THENCE ALONG SAID PARALLEL LINE N89°47'18"E, A DISTANCE OF 90.00 FEET;
THENCE N00°19'08"W, A DISTANCE OF 104.04 FEET TO THE POINT OF BEGINNING.

CONTAINING 9,365 SQUARE FEET OR 0.215 ACRES, MORE OR LESS.

BASIS OF BEARINGS IS THE EAST LINE OF BLOCK 2 PIERSON'S ADDITION BEING N00°19'08"W BETWEEN THE FOUND 2.75' BY 4.0' OFFSET CROSSES AT THE NE AND SE ENDS OF THE BLOCK.

C. Subarea C Legal Description

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN;
COMMENCING AT THE SOUTHWEST CORNER OF BLOCK 3, PIERSONS ADDITION; THENCE ALONG THE WEST LINE OF SAID BLOCK 3 N00°12'42"W, A DISTANCE OF 138.00 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING N00°19'08"W, A DISTANCE OF 224.11 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 3;
THENCE ALONG THE SAID NORTH LINE AND IT'S PROLONGATION THEREOF N89°48'05"E, A DISTANCE OF 284.00 FEET;
THENCE S00°19'08"E, A DISTANCE OF 30.00 FEET;
THENCE PARALLEL WITH THE SAID NORTH LINE OF BLOCK 3 S89°48'05"W, A DISTANCE OF 90.00 FEET;
THENCE S00°19'08"E, A DISTANCE OF 104.06 FEET TO A POINT ON A LINE THAT IS 228.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID BLOCK 3;
THENCE ALONG SAID PARALLEL LINE S89°47'18"W, A DISTANCE OF 120.00 FEET;
THENCE S00°19'08"E, A DISTANCE OF 90.00 FEET;
THENCE S89°47'18"W, A DISTANCE OF 74.00 FEET TO THE WEST LINE OF SAID BLOCK 3, ALSO BEING THE POINT OF BEGINNING.

CONTAINING 35,372 SQUARE FEET OR 0.812 ACRES, MORE OR LESS.

BASIS OF BEARINGS IS THE EAST LINE OF BLOCK 2 PIERSON'S ADDITION BEING N00°19'08"W BETWEEN THE FOUND 2.75' BY 4.0' OFFSET CROSSES AT THE NE AND SE ENDS OF THE BLOCK.

D. Subarea D Legal Description

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN;
BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 3, PIERSONS ADDITION;
THENCE ALONG THE WEST LINE OF SAID BLOCK 3 N00°19'08"W, A DISTANCE OF 138.00 FEET;
THENCE N89°47'18"E PARALLEL WITH THE SOUTH LINE OF SAID BLOCK 3, A DISTANCE OF 284.00 FEET;
THENCE S00°19'08"E, A DISTANCE OF 138.00 FEET TO THE SOUTH LINE OF SAID BLOCK 3;
THENCE ALONG SAID SOUTH LINE S89°47'18"W, A DISTANCE OF 284.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 39,192 SQUARE FEET OR 0.900 ACRES, MORE OR LESS.

BASIS OF BEARINGS IS THE EAST LINE OF BLOCK 2 PIERSON'S ADDITION BEING N00°19'08"W BETWEEN THE FOUND 2.75' BY 4.0' OFFSET CROSSES AT THE NE AND SE ENDS OF THE BLOCK.

E. Subarea E Legal Description

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN;
BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 4, PIERSONS ADDITION;
THENCE ALONG THE WEST LINE OF SAID BLOCK 4 N00°19'08"W, A DISTANCE OF 212.00 FEET;
THENCE N89°47'18"E, A DISTANCE OF 139.00 FEET;
THENCE S00°19'08"E, A DISTANCE OF 212.00 FEET TO THE SOUTH LINE OF SAID BLOCK 4;

THENCE ALONG SAID SOUTH LINE S89°47'18"W, A DISTANCE OF 139.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 29,468 SQUARE FEET OR 0.676 ACRES, MORE OR LESS.

BASIS OF BEARINGS IS THE EAST LINE OF BLOCK 2 PIERSON'S ADDITION BEING N00°19'08"W BETWEEN THE FOUND 2.75' BY 4.0' OFFSET CROSSES AT THE NE AND SE ENDS OF THE BLOCK.

F. Subarea F Legal Description

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN;
COMMENCING AT THE NORTHWEST CORNER OF BLOCK 3, PIERSONS ADDITION; THENCE ALONG THE NORTH LINE AND ITS PROLONGATION THEREOF N89°48'05"E, A DISTANCE OF 284.00 FEET TO THE POINT OF BEGINNING;

THENCE N89°48'05"E, A DISTANCE OF 315.02 FEET TO THE NORTHEAST CORNER OF SAID BLOCK 4, PIERSONS'S ADDITION;
THENCE ALONG THE EAST LINE AND ITS PROLONGATION THEREOF OF SAID BLOCK 4 S00°18'22"E, A DISTANCE OF 395.97 FEET TO A POINT ON A LINE THAT IS 34.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID BLOCK 4;
THENCE ALONG SAID LINE S89°47'18"W, A DISTANCE OF 145.12 FEET TO THE EASTERLY LINE OF VACATED NORTH HALF OF 16TH AVENUE;
THENCE ALONG SAID LINE S00°19'08"E, A DISTANCE OF 6.00 FEET TO THE SOUTH LINE OF VACATED NORTH 16TH AVENUE;
THENCE ALONG SAID EASTERLY LINE S89°47'18"W, A DISTANCE OF 124.81 FEET TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF SAID BLOCK 4;
THENCE ALONG SAID PROLONGATION N00°19'08"W, A DISTANCE OF 40.00 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 4;
THENCE ALONG THE SOUTH LINE OF SAID BLOCK 4 N89°47'18"E, A DISTANCE OF 139.00 FEET;
THENCE N00°19'08"W, A DISTANCE OF 212.00 FEET;
THENCE S89°47'18"W, A DISTANCE OF 139.00 FEET;
THENCE S00°18'01"E, A DISTANCE OF 212.00 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 4;
THENCE S89°47'18"W, A DISTANCE OF 45.00 FEET;
THENCE N00°19'08"W, A DISTANCE OF 362.04 FEET TO THE POINT OF BEGINNING.
CONTAINING 94,476 SQUARE FEET OR 2.169 ACRES, MORE OR LESS.

BASIS OF BEARINGS IS THE EAST LINE OF BLOCK 2 PIERSON'S ADDITION BEING N00°19'08"W BETWEEN THE FOUND 2.75' BY 4.0' OFFSET CROSSES AT THE NE AND SE ENDS OF THE BLOCK.

Figure 1-1

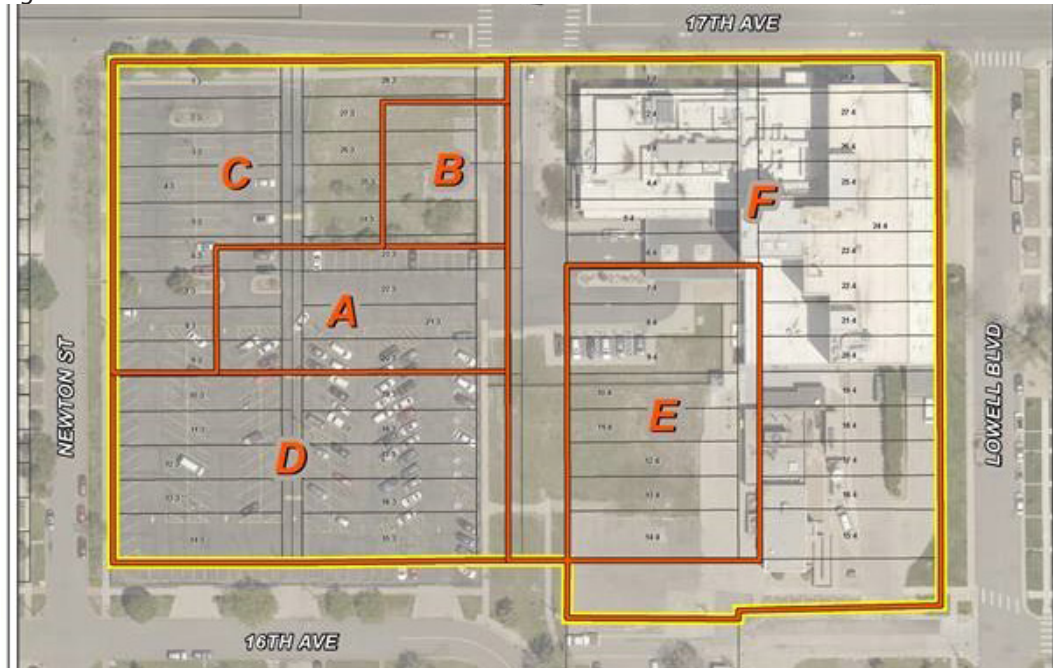


Figure 1-1. Subareas Established within PUD-G 21

SECTION 1.2 PUD-G 21 GENERAL PURPOSE

The general purpose of PUD-G 21 is to:

- 1.2.1 Facilitate redevelopment of the site with mixed residential and commercial uses and amenities.
- 1.2.2 Maximize a Residential Growth Opportunity Area, as identified in the West Colfax Plan, where existing housing stock is dated and declining and may be appropriate for redevelopment to encourage revitalization and reinvestment.
- 1.2.3 Create a Neighborhood Focal Point at 17th & Newton, as identified in the West Colfax Plan.
- 1.2.4 Remain compatible with surrounding area Urban, Urban Center, and General Urban Contexts
- 1.2.5 Accommodate the preservation of existing Medical uses and their buildings
- 1.2.6 Update and replace an outdated planned unit development

SECTION 1.3 PUD-G 21 SPECIFIC INTENT

More specifically, PUD-G 21 is intended to:

- 1.3.1 Allow mixed use development of sufficient density to facilitate the development of for-sale and for-rent housing opportunities for households of different income brackets
- 1.3.2 Facilitate compatible development through the use of appropriate building form and design that provide a mix of residential and commercial uses and amenities that respond to the surrounding Urban, Urban Center, and General Urban Contexts and contribute to the vibrancy of the neighborhood
- 1.3.3 Encourage pedestrian-activated spaces as envisioned in the City's adopted plans
- 1.3.4 Ensure quality, human-scaled building design, particularly along 17th Avenue and Newton Streets.

CHAPTER 2. NEIGHBORHOOD CONTEXT DESCRIPTION

SECTION 2.1 URBAN CENTER CONTEXT DESCRIPTION

All development within PUD-G 21 shall conform to the Denver Zoning Code, Division 7.1, Urban Center Neighborhood Context Description, as amended from time to time, except as modified in this PUD-G 21.

CHAPTER 3. DISTRICTS

All development within PUD-G 21 shall conform to the Denver Zoning Code, Division 7.1, Urban Center Neighborhood Context Description, as specifically applicable to the C-MX-8 Zone District, as amended from time to time, and except as modified in this PUD-G 21.

CHAPTER 4. DESIGN STANDARDS

Development in the PUD-G 21 shall comply with the Denver Zoning Code, Article 10, General Design Standards, and Division 7.3 Design Standards, as specifically applicable to the C-MX-8 Zone District, as amended from time to time, with the following modifications and exceptions.

SECTION 4.1 PRIMARY BUILDING FORM STANDARDS

Development in this PUD-G 21 shall comply with the General building form standards in Section 7.3.3 of the Denver Zoning Code, as amended from time to time, with the following exceptions, additions, and modifications set forth below.

4.1.1 Building Height

The maximum permitted building height for the General building form shall vary from the standards set forth in Division 7.3 Design Standards, as specifically applicable to the C-MX-8 Zone District, and shall instead be as outlined in the table 4.1 below:

TABLE 4.1

HEIGHT	Subarea A	Subarea B	Subarea C	Subarea D	Subarea E	Subarea F
Stories (max)	16	10	3	5	6	8
Feet (max), including within 175' of Protected District	180'	120'	50'	65'	70'	110'

SECTION 4.2 DESIGN ELEMENTS

4.2.1 Building Configuration

Development in this PUD-G 21 under all building forms shall conform to all applicable Building Configuration standards as required in Division 7.3 Design Standards, as specifically applicable to the C-MX-8 Zone District, with the following modification:

- A. Upper Story Setback above 27', adjacent to Protected District shall not be required
- B. Upper Story Setback above 51', adjacent to Protected District shall not be required

4.2.2 Street Level Activation

Development in this PUD-G 21 under all building forms shall conform to all applicable Street Level Activation standards as required in Division 7.3 Design Standards, as specifically applicable to the C-MX-8 Zone District, with the following modification:

- A. Along the 17th Avenue street frontage, Transparency shall have a minimum requirement of 50%.

4.2.3 Limitation on Visible Parking Above Street Level

A. Intent

To promote structured parking designs that are compatible with the character and quality of the overall building facade and adjacent building facades. Facade areas with Visible Structured Parking should be designed to limit the view of parked cars and angled ramps from the public realm.

B. Standards

Section 8.8.5.2, of the Denver Zoning Code, Limitation on Visible Parking Above Street Level in the D-AS-12+ and D-AS-20+ Zone Districts, as amended from time to time, shall apply to all building forms within PUD-G 21 as modified below:

1. The Limitation shall apply to 70% of the width of the zone lot lines abutting both 17th Avenue and Newton Street.
2. Where 100% of a street-facing building facade containing structured parking meets the standards set forth below in Sections 4.2.3.B.3 and 4.2.3.B.4 of this PUD, the resulting integrated facade design may be used as an alternative to compliance with the standards applicable to the Limitation on Visible Parking Above Street Level.
3. Where the alternative is used, facades containing Visible Structured Parking shall be integrated into the overall facade design through use of design techniques including, but not limited to:
 - a. Continuing similar building materials across facade areas with Visible Structured Parking;
 - b. Continuing vertical and horizontal articulation across facade areas with Visible Structured Parking;
 - c. Using similar opening proportions to those on the non-parking portions of the facade; and/or
 - d. Aligning openings with those on adjacent buildings or facade areas.
4. Where the alternative is used, facades containing Visible Structured Parking shall be designed to minimize the off-site visual impacts of security lighting and headlights through the use of design techniques including, but not limited to:
 - a. Use of non-transparent materials for approximately the first 36 to 48 inches of the facade to block the view of headlights;
 - b. Architectural features that block the view of ceiling and security lighting; and/or
 - c. Use of fully-shielded LED or other lighting not exceeding approximately 6,500 lumens.
5. Use of the design techniques in Sections 4.2.3.B.3 and 4.2.3.B.4 of this PUD must be found to be consistent with the intent stated in Section 4.2.3.A of this PUD, as determined by the Zoning Administrator.

CHAPTER 5. USES AND REQUIRED MINIMUM PARKING

SECTION 5.1 USES

5.1.1 Uses in Subareas A, B, C, D

In Subareas A, B, C, and D, Primary, accessory and temporary uses allowed in this PUD-G 21 shall be those same uses allowed in the C-MX-8 zone district, as stated in the Denver Zoning Code, Section 7.4, Uses and Required Minimum Parking, as amended from time to time

5.1.2 Uses in Subareas E, F

In Subareas E and F, Primary, accessory and temporary uses allowed in this PUD-G 21 shall be those same uses allowed in the C-MX-8 zone district, as stated in the Denver Zoning Code, Section 7.4, Uses and Required Minimum Parking, as amended from time to time, with the following exceptions, additions, and modifications:

- A. "Hospital" as defined in Section 11.12.3.2.B.6 of the Denver Zoning Code shall be a Permitted Use with a Zoning Permit (P-ZP) as a Primary Use.
- B. "Emergency Vehicle Access Point" as defined in Section 11.12.9.7 of the Denver Zoning Code shall be a Permitted Use Subject to Zoning Permit with Special Exception Review (P-ZPSE) as an Accessory to a Primary Non-Residential Use

SECTION 5.2 REQUIRED MINIMUM PARKING

Except as modified in Table 5.2 below, all uses established in this PUD-G 21 shall comply with the required minimum parking standards for the C-MX-8 Zone District, as stated in the Denver Zoning Code, Section 7.4. Table 5.2 below shall replace the parking requirements for the uses specified therein:

TABLE 5.2	
PARKING CATEGORY	VEHICLE PARKING REQUIREMENT
Dental/Medical Office or Clinic	1/1000 sf GFA
Hospital	1/1000 sf GFA
Eating or Drinking Establishments	1/1000 sf GFA

CHAPTER 6. ADDITIONAL STANDARDS

SECTION 6.1 ARTICLE 1 OF THE DENVER ZONING CODE

Development in this PUD-G 21 shall conform to Article 1, General Provisions of the Denver Zoning Code, as amended from time to time.

SECTION 6.2 ARTICLE 2 OF THE DENVER ZONING CODE

Development in this PUD-G 21 shall conform to Article 2, Using the Code, as amended from time to time.

SECTION 6.3 ARTICLE 9 OF THE DENVER ZONING CODE

Development in this PUD-G 21 shall conform to Article 9, Special Districts of the Denver Zoning Code, as amended from time to time, with the following exceptions:

6.3.1 Amendments to Approved PUD District Plans

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

SECTION 6.4 ARTICLE 10 OF THE DENVER ZONING CODE

Development in this PUD-G 21 shall conform to Article 10, General Design Standards, of the Denver Zoning Code as specifically applicable to the C-MX-8 Zone District and as amended from time to time.

SECTION 6.5 ARTICLE 11 OF THE DENVER ZONING CODE

Development in this PUD-G 21 shall conform to Article 11, Use Limitations and Definitions, as specifically applicable to the C-MX-8 Zone District, as amended from time to time.

SECTION 6.6 ARTICLE 12 OF THE DENVER ZONING CODE

Development in this PUD-G 21 shall conform to Article 12, Zoning Procedures and Enforcement, of the Denver Zoning Code, as amended from time to time.

SECTION 6.7 ARTICLE 13 OF THE DENVER ZONING CODE

Development in this PUD-G 21 shall conform to Article 13, Rules of Measurement and Definitions, of the Denver Zoning Code, as amended from time to time.

CHAPTER 7. RULES OF INTERPRETATION

Whenever a section of the Denver Zoning Code is referred to in this PUD-G 21, that reference shall extend and apply to the section referred to as subsequently amended, recodified, or renumbered; provided, however, if a section of the Denver Zoning Code, as subsequently amended, recodified, or renumbered conflicts with a provision of this PUD-G 21, this PUD-G 21 shall control.

CHAPTER 8. VESTED RIGHTS

The property rights vested through approval of this PUD-G 21 shall remain vested for a period of 3 years and shall include the right to commence and complete development of and the right to use the site in accordance with the intent, standards, and uses set forth herein. Notwithstanding the foregoing, any intent, standard, or use described or required by Denver Zoning Code, as amended from time to time, not expressly modified by this PUD-G 21, shall be adhered to at all times.