



**TO:** Denver City Council  
**FROM:** Brandon Shaver, Senior City Planner  
**DATE:** October 7, 2021  
**RE:** Official Zoning Map Amendment Application #2020I-00008  
1901 Wazee St, 1600 20<sup>th</sup> St & 1601 19<sup>th</sup> St  
Rezoning from PUD-G 19 to PUD-G 26

### Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2020I-00008.

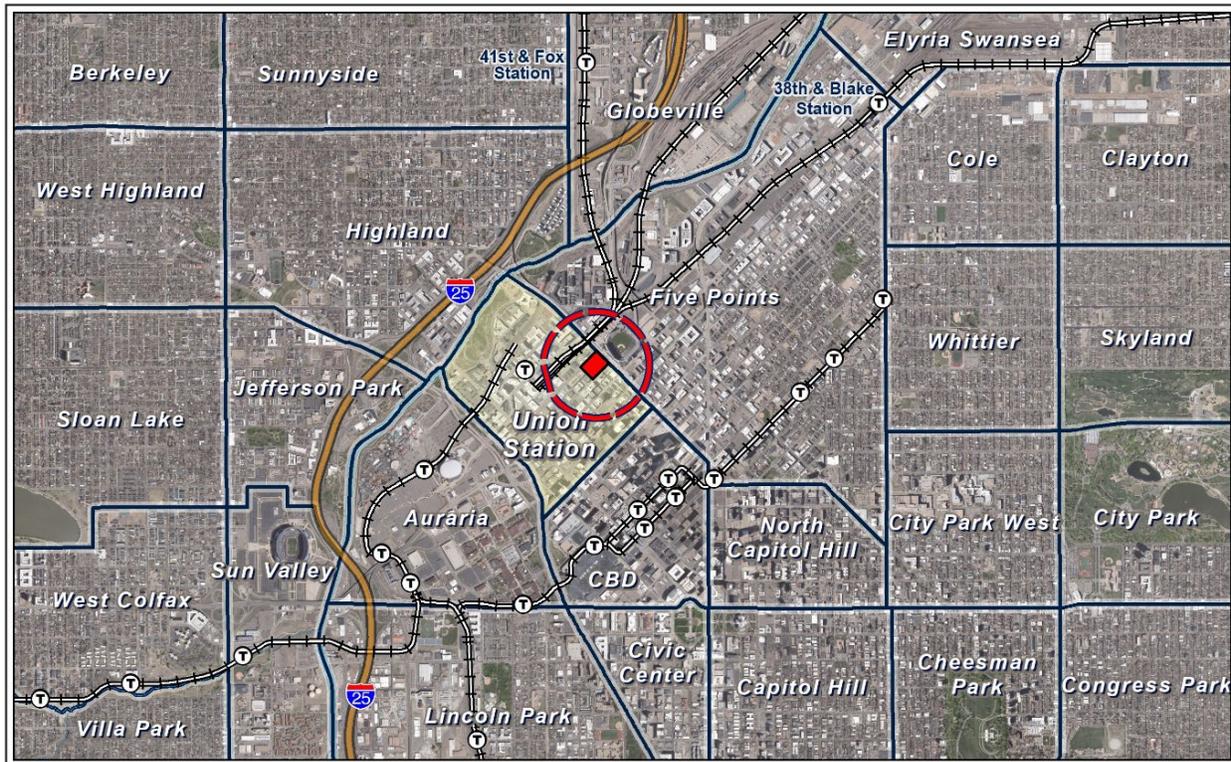
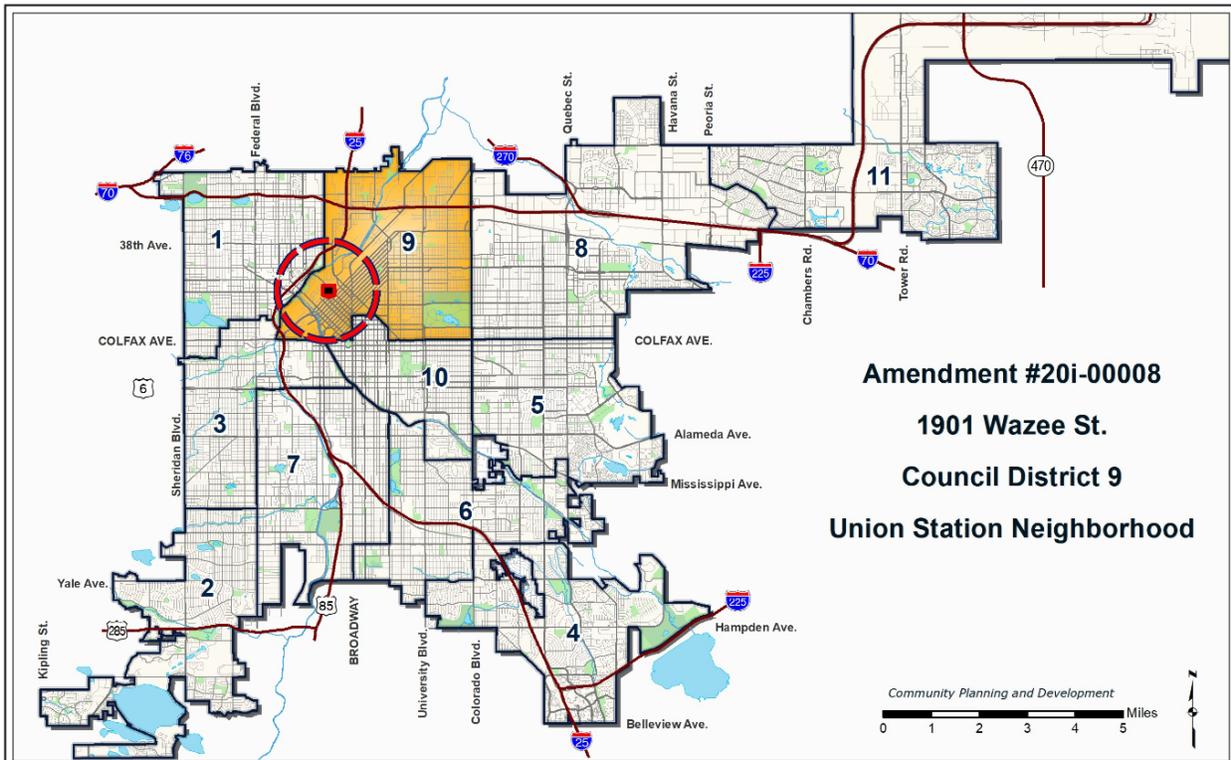
### Request for Rezoning

Address: 1901 Wazee St, 1600 20<sup>th</sup> St & 1601 19<sup>th</sup> St  
Neighborhood/Council District: Union Station / Council District 9  
RNOs: Inter-Neighborhood Cooperation (INC), Center City Denver Residents Organization, Downtown Denver Business Improvement District, Lower Downtown Neighborhood Association, Neighborhood Coalitions of Denver, Inc., Ballpark Collective, Rio Norte, UCAN, United Neighbors of Northeast Denver, District 9 Neighborhood Coalition, Inc.  
Area of Property: 131,694 square feet or 3.023 acres  
Current Zoning: PUD-G 19  
Proposed Zoning: PUD-G 26  
Property Owner(s): West Lot LLC  
Owner Representative: Hal Roth

### Summary of Rezoning Request

- The subject property is in the Union Station statistical neighborhood at the northwest corner of 19<sup>th</sup> and Blake streets.
- The property, owned by West Lot LLC, is currently occupied by three mixed-use buildings ranging from 11 to 13 stories in height surrounding a central plaza known as McGregor Square.
- The applicant is requesting a Planned Unit Development (PUD) based on the D-AS-12+ zone district, with variations that address the site's location within the Downtown neighborhood context; it's adjacency to Lower Downtown and Coors Field; it's unique site configuration and the applicants' desire for flexibility in signage, including limited allowance for off-site advertising.
- The Comprehensive Sign Plan (CSP) under development will provide greater detail and regulations on new signage types and will come before the Denver Planning Board shortly after adoption of the PUD by City Council.
- Aside from additional signage, all other regulations in PUD-G 26 would remain the same as the current PUD-G 19 which was adopted in 2018. All changes can be found in sections 6.3 and 6.64.

## Existing Context



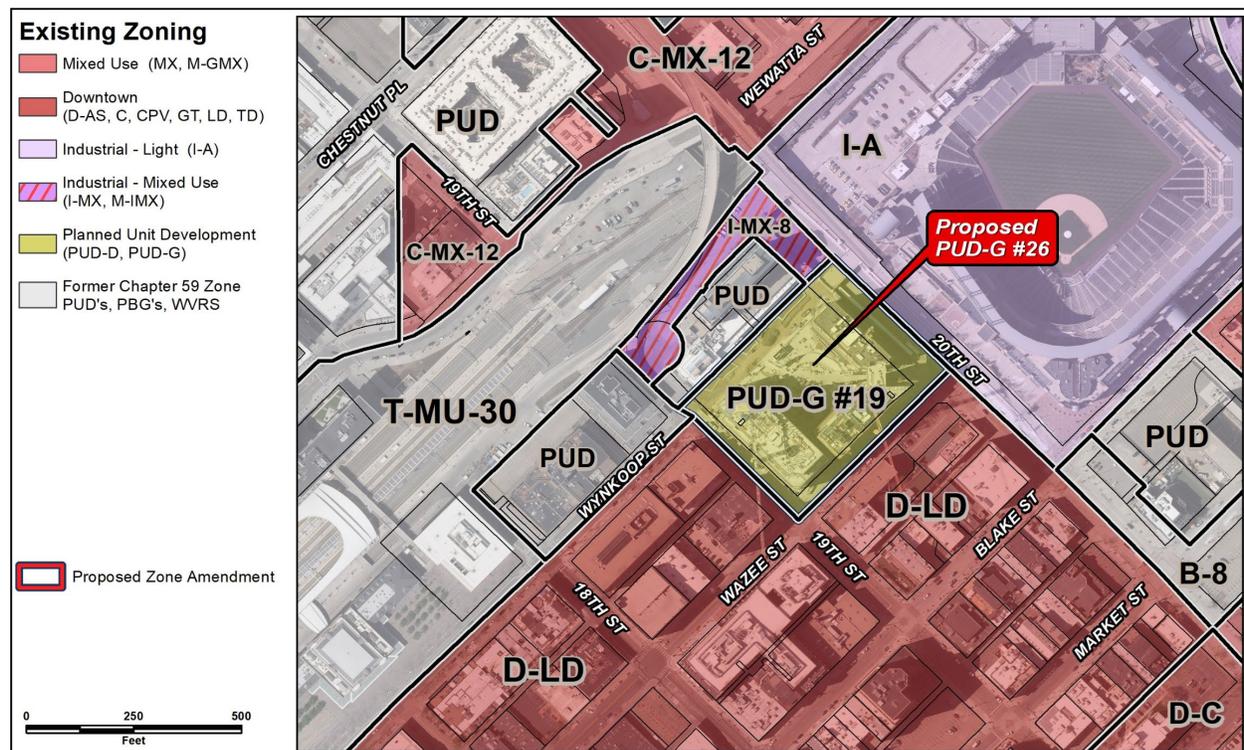


The subject property is located within the Union Station neighborhood and occupies the entire eastern half of the block bounded by 19<sup>th</sup> Street, Wazee Street, 20<sup>th</sup> Street and RTD commuter rail lines. The surrounding area includes a mix of uses, including Coors Field, multi-unit residential, office, retail, hotel, parking and transportation uses. The RTD Free MetroRide, with connections to Civic Center Station, also operates to the south and east of the site along 18<sup>th</sup> and 19<sup>th</sup> streets.

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

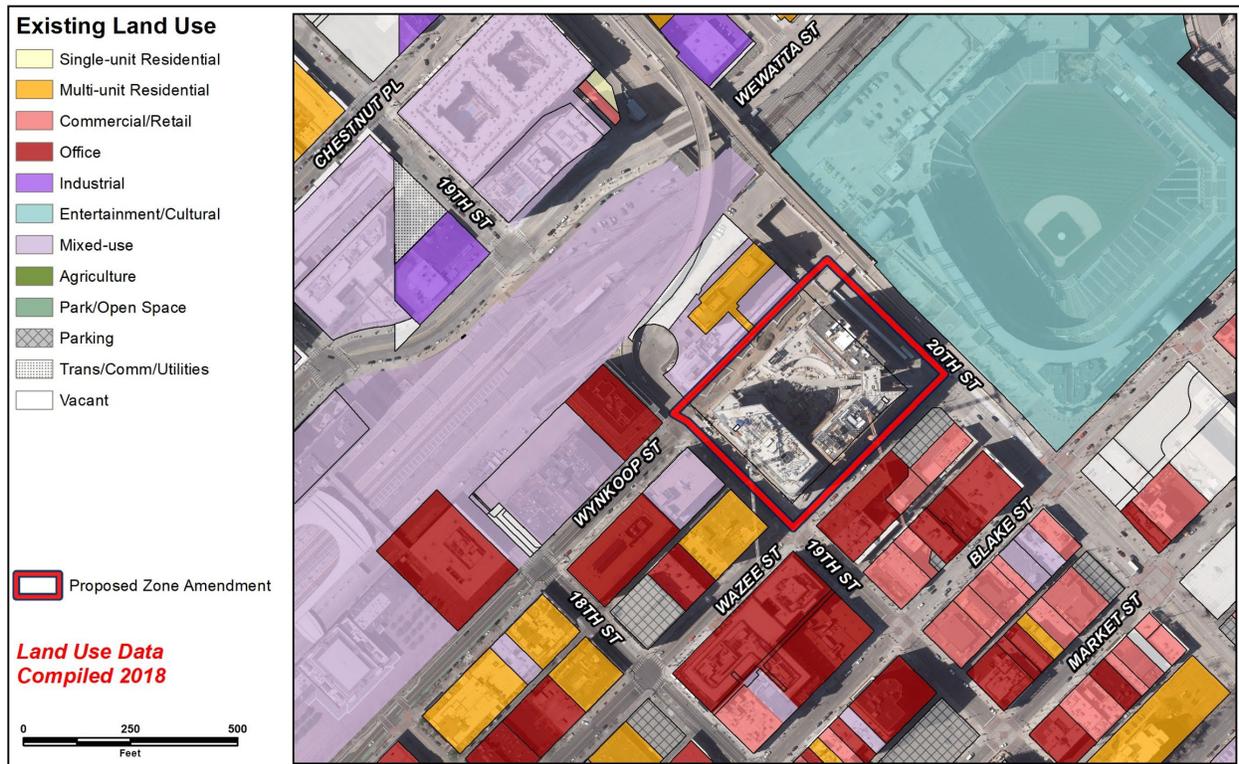
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	PUD-G 19	Multi-unit residential, Mixed-use & Office (shown as vacant in 2018 land use map)	Three 11-13 story buildings with frontage along the public streets and Wynkoop Promenade oriented around a circular central plaza	The surrounding neighborhood generally consists of a regular pattern of rectangular block shapes in an orthogonal grid with alley access. The street grid connectivity is interrupted by rail lines, the lack of a through connection on Wynkoop Street between 19 <sup>th</sup> and 20 <sup>th</sup> streets and Coors Field.
Northeast	I-A, UO-2	Baseball Stadium	The baseball stadium and associated parking. The stadium reaches a height of approximately 130-145'	
Southeast	D-LD, UO-1	Commercial/retail, Office and Parking	3-story brick building and surface parking	
Southwest	D-LD, UO-1; PUD 414	Multi-unit residential & Mixed-use	6-9 story buildings with large footprints	
Northwest	PUD 367	Multi-unit residential & Mixed-use	2-story building on the eastern portion of the property and a 7-story building at the northwestern portion of the property	

### 1. Existing Zoning



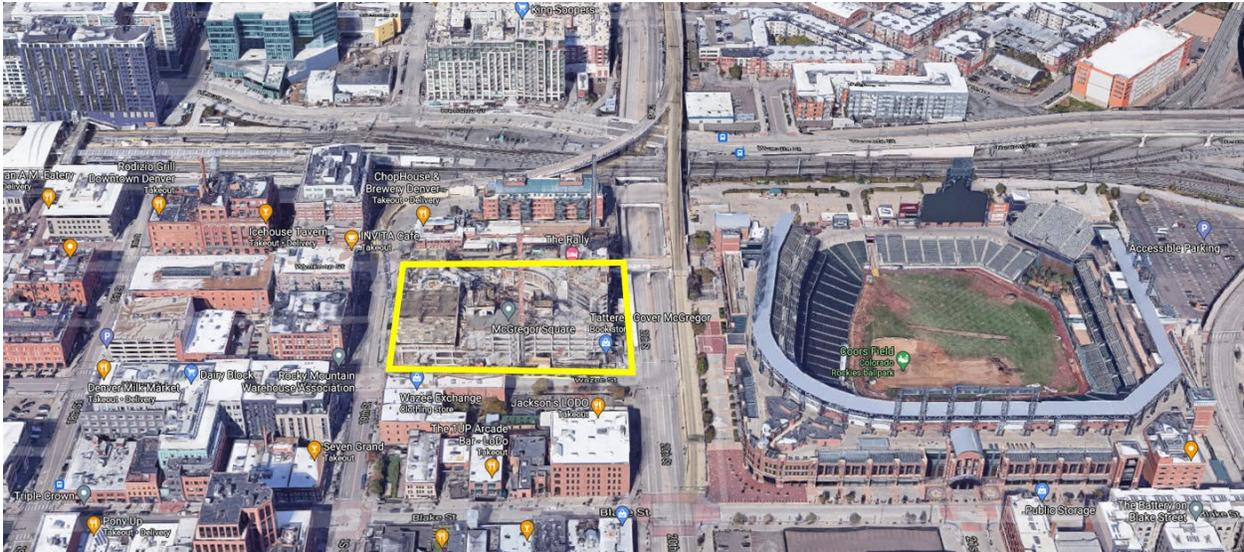
The existing zoning on the subject property, approved in 2018, is PUD-G 19. This custom zone district is very prescriptive and tailored to the McGregor Square development. Given the site's unique conditions, the PUD uses D-AS-12+ as the base district, with tailoring and incorporation of C-MX-12 regulations as appropriate. Key elements of the PUD include revised primary building form standards, alternatives and exceptions, establishment of primary and side street zone lot lines, provision of Wynkoop Promenade, provision of 20% private open space, design standards and guidelines and maximum vehicle parking. A complete list of requirements can be found in PUD-G 19 attached to this staff report.

## 2. Existing Land Use Map



Note: The subject site is shown as having a vacant land use as this data was last compiled in 2018, before development of the surface parking lot began.

### 3. Existing Building Form and Scale



Site - Aerial view, looking northwest (Source: Google Maps)



Site - from Wazee Street (Source: Google Maps)



Site – from 19<sup>th</sup> Street (Source: Google Maps)



Site – from 20<sup>th</sup> Street (Source: Google Maps)



**Northwest** – from Wynkoop Promenade (Source: Google Maps)



**Southeast** – from Wazee Street (Source: Google Maps)



**Southwest** – from Wynkoop Street (Source: Google Maps)



**Northeast** – from Wazee Street (Source: Google Maps)

### **Summary of PUD Request**

The applicant requests to rezone to PUD-G 26 per Denver Zoning Code Section 9.6.1. The purpose of a PUD district is to provide an alternative to conventional land use regulations, combining use, density, site plan and building form considerations into a single process, and submitting procedural protections for the more prescriptive requirements in the Code. The PUD district is intended to respond to unique

and extraordinary circumstances, where more flexible zoning than what is achievable through a standard zone district is desirable and multiple variances, waivers and conditions can be avoided.

The intent of the proposed PUD is to continue the allowances set forth in the current PUD and contribute to the vibrancy of Downtown and the surrounding neighborhoods while respecting the adjacency to the Lower Downtown Historic District through the inclusion of additional sign types, including the display of Public Art, Screen Share and limited off-site advertising. Key elements of PUD-G 26 include:

- *Additional sign types and locations*  
The PUD allows for two additional sign types including a Content Plaza Canopy Screen (in the central plaza area) and Dynamic Banner Ground signs (along the Wynkoop Promenade).
- *Restrictions on sign content and sizes*  
The PUD does not allow signs that flash, blink, fluctuate or contain off-site advertising on face blocks abutting the Lower Downtown Historic District. Dynamic Banner Ground signs along Wynkoop Promenade are limited to an individual sign area of 33 square feet and 13.75 square feet of motion graphics within 50 feet of the historic district boundary.
- *Inclusion of Public Art and Screen Share*  
The PUD requires minimum percentages of Public Art and Screen Share to be displayed during hours of operation for the additional sign types. The Content Plaza Screen shall display Public Art and Screen Share at minimum of 15% and Dynamic Banner Ground signs at a minimum of 30%. On Game Days and Event Days, Public Art and Screen Share shall be displayed at a minimum of 15% on both the Content Plaza Screen and the Dynamic Banner Ground signs.
- *Enhanced Comprehensive Sign Plan requirements*  
The CSP shall include a description and defining characteristics of Public Art and Screen Share and a reporting mechanism to demonstrate compliance with the requirements of PUD-G 26 in addition to the general requirements found in DZC Section 10.10.3.3.

## **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:

**Assessor:** Approved – No response

**Asset Management:** Approved – No response

**Denver Public Schools:** Approved – No response

**Department of Public Health and Environment:** Approved – No response

**Denver Parks and Recreation:** Approved – No response

**Public Works – R.O.W. - City Surveyor:** Approved – See comments below

Use the description included with my comments.  
 Made a minor modification to the description to match the description from the SDP.  
 I modified the format so it is more legible.

**Development Services - Transportation:** Approved – No response

**Development Services – Wastewater:** Approved – See comments below

DES Wastewater approves the subject zoning change. The applicant should note that redevelopment of this site may require additional engineering including preparation of drainage reports, construction documents, and erosion control plans. Redevelopment may require construction of water quality and detention basins, public and private sanitary and storm sewer mains, and other storm or sanitary sewer improvements. Redevelopment may also require other items such as conveyance of utility, construction, and maintenance easements. The extent of the required design, improvements and easements will be determined during the redevelopment process. Please note that no commitment for any new sewer service will be given prior to issuance of an approved SUDP from Development Services.

**Development Services – Project Coordination:** Approved – No response

**Development Services – Fire Prevention:** Approved – No comments

**Public Review Process**

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	<b>3/5/21</b>
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	<b>7/6/21</b>
Planning Board Public Hearing:	<b>7/21/21</b>
Planning Board Public Hearing (continued) voted 8 to 1 to recommend approval:	<b>8/18/21</b>
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:	<b>8/9/21</b>
Land Use, Transportation and Infrastructure Committee of the City Council meeting:	<b>8/24/21</b>
Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations:	<b>9/20/21</b>
City Council Public Hearing:	<b>10/11/21</b>

### **Public Outreach and Input**

- **Registered Neighborhood Organizations (RNOs)**  
As of the date of this report, staff has received one written comment from an RNO pertaining to this application.
  - One letter in support of the PUD application was submitted by the LoDo District RNO. The letter is attached to this staff report.
- **Other Public Comment**  
As of the date of this report, staff has received one written public comment pertaining to this application.
  - One letter in support of the temporary use permit was submitted by the One Wynkoop Plaza Condominium Homeowners Association. The letter is attached to this staff report.

### **Planning Board Public Hearing**

At the July 21<sup>st</sup> public hearing, Planning board voted to continue the public hearing on a date certain (8/18/21) to provide time for the applicants to respond to questions and concerns raised during that hearing. Following this decision, the applicant updated the application narrative, revised the PUD language with CPD staff review and drafted a letter to the Planning Board to respond to concerns raised. The following bullet points highlight key issues raised by the Planning Board, with a summary of the applicants' responses and/or changes to the PUD draft.

- *PUD should include more details and set expectations for forthcoming Comprehensive Sign Plan (CSP)*
  - Added clarity on requirements for CSP – Section 6.3.3.C.1.a.i “The comprehensive sign plan shall outline the content requirements (percentages, process and standards for Public Art and Screen Share) to ensure that off-site advertising is appropriately managed, particularly on signs that are visible from public right-of-way.”
  - Added clarity on addition CSP submittal requirements – Section 6.3.3.C.11.a.iii “Minimum percentage of time during which the sign will display artistic content and shall include additional information about the process and standards for allocating Public Art and Screen Share.”
  - Added screen share definition – Section 6.6.4 “Signs, which may include illumination, flashing animation or similar technology, used to promote local businesses, local events and local community organizations. Details regarding the management of the Screen Share program shall be provided in the comprehensive sign plan.”
- *PUD should be more specific about how much time is given to programming, art and promotion of events versus off-site advertising*
  - Increased public art and screen share minimums – Section 6.3.3.C.13.a “Content Plaza Canopy Screen signs allowed by this Section 6.3.3 shall be utilized to display Public Art and Screen Share at a minimum of 15% during the hours of

operation on a weekly basis.”

- Increased public art and screen share minimums – Section 6.3.3.C.13.b “Dynamic Banner Ground signs allowed by this Section 6.3.3 shall be utilized to display Public Art and Screen Share at a minimum of 30% during the hours of operation on a weekly basis and will display Public Art and Screen Share at a minimum of 15% on Game Days and Event Days.”
- *Off-site advertising may be more appropriate for internal facing signs than signs visible from rights-of-way*
  - Removed off-site advertising allowance on Tower Bridge Projection at 20<sup>th</sup> and Wazee streets. All references and figures related to the Tower Bridge Projection sign have been removed from the PUD.
- *Applicant’s narrative should more clearly outline plan support for flashing, illuminated and animated signs and off-site advertising*
  - Updated narrative provided by applicant (in Planning Board follow-up letter) to better address plan consistency.

## **Criteria for Review / Staff Evaluation**

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7, 12.4.10.8 and 12.4.10.9 as follows:

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements
6. Additional Review Criteria for Rezoning to PUD District
  - 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 this 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 the adjacent 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.

## 1. Consistency with Adopted Plans

The following adopted plans currently apply to this property:

- *Denver Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Downtown Area Plan (2007)*
- *Central Platte Valley Comprehensive Plan Amendment (1991)*

### ***Denver Comprehensive Plan 2040***

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, which are organized by vision element.

The proposed rezoning would allow for improved access to amenities within an established neighborhood by allowing a broader range of dynamic sign types infused with public art, consistent with the following strategy in the Equitable, Affordable and Inclusive vision element:

- *Equitable, Affordable and Inclusive Goal 1, Strategy C – Improve equitable access to resources that improve quality of life, including cultural and natural amenities, health care, education, parks, recreation, nutritious food and the arts (p. 28).*

The proposed rezoning would enable enhanced place-making opportunities at an intensity consistent with the desire for urban, walkable, mixed-use neighborhoods around transit and cultural amenities, and is therefore consistent with the following strategies in the Strong and Authentic Neighborhoods vision element:

- *Strong and Authentic Neighborhoods Goal 1, Strategy D – Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities (p. 34).*
- *Strong and Authentic Neighborhoods Goal 2, Strategy D – Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture and quality of life (p. 34).*
- *Strong and Authentic Neighborhoods Goal 4, Strategy A – Grow and support neighborhood-serving businesses (p. 35).*

Similarly, the land use pattern detailed in the previous paragraph is also consistent with the following strategies in the Environmentally Resilient vision element:

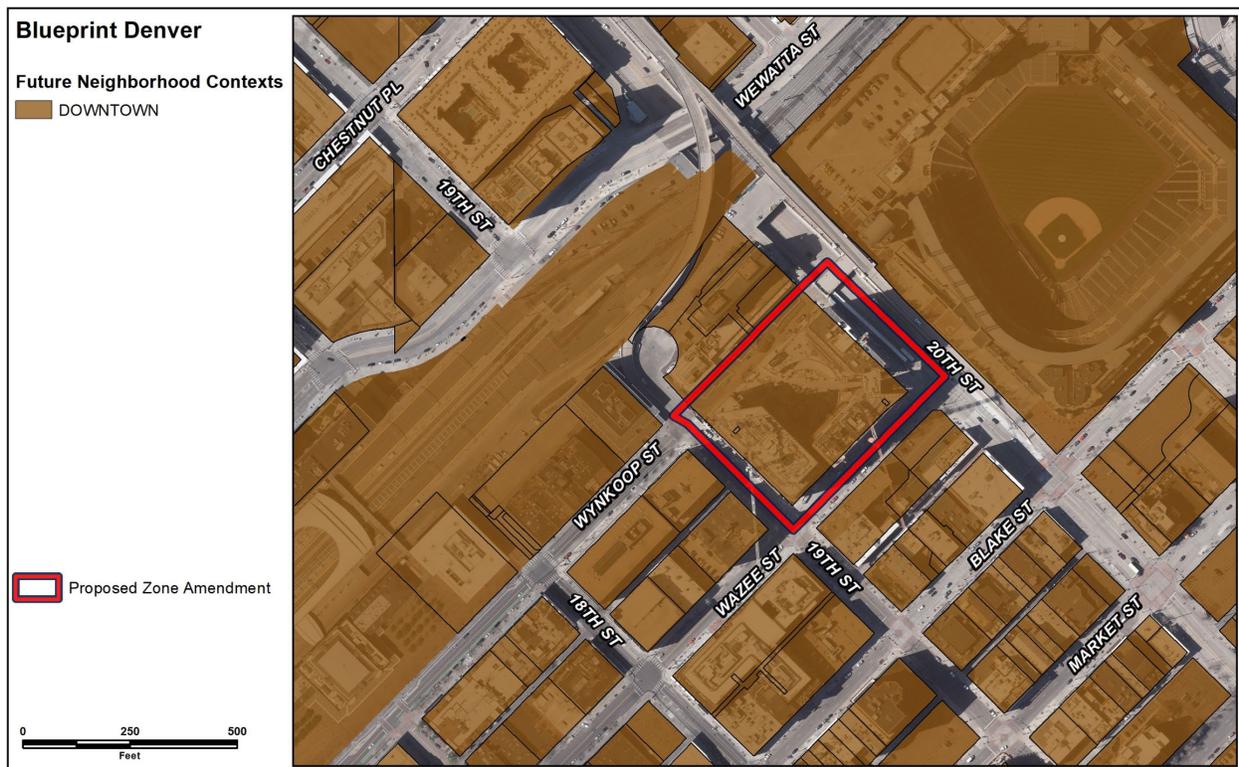
- *Environmentally Resilient Goal 8, Strategy A - Promote infill development where infrastructure and services are already in place (p. 54).*
- *Environmentally Resilient Goal 8, Strategy B - Encourage mixed-use communities where residents can live, work and play in their own neighborhoods (p. 54).*
- *Environmentally Resilient Goal 8, Strategy C – Focus growth by transit stations and along high and medium-capacity transit corridors (p. 54).*

The requested map amendment will capitalize on the McGregor Square mixed-use development, an infill location where infrastructure is already in place. The requested PUD zone district will increase the vibrancy of Downtown and enhance the user experience around Coors Field, allowing residents and visitors to live, work and play in the area, therefore the rezoning is consistent with *Denver Comprehensive Plan 2040* recommendations.

### ***Blueprint Denver (2019)***

*Blueprint Denver* was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city's land use and transportation decisions. *Blueprint Denver* identifies the subject property as part of a High Residential Area within the Downtown Neighborhood Context and provides guidance from the future growth strategy for the city.

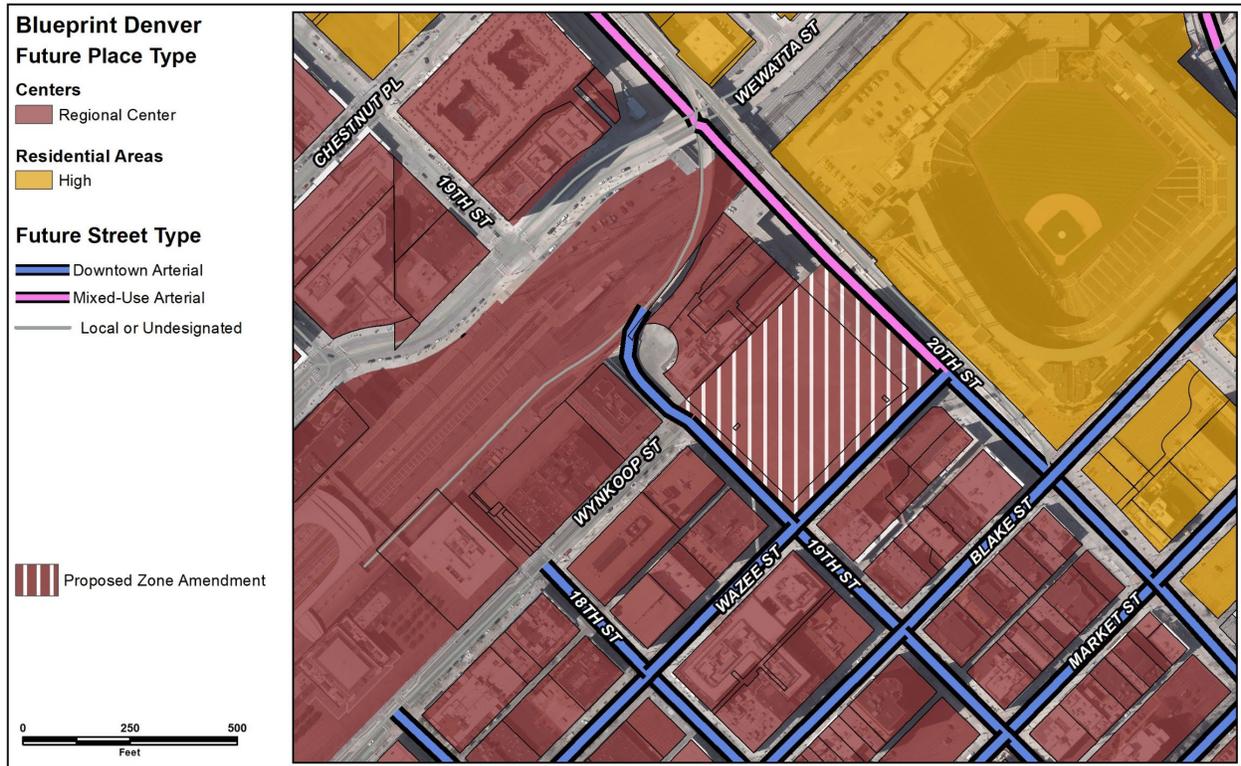
### ***Blueprint Denver Future Neighborhood Context***



In *Blueprint Denver*, future neighborhood contexts are used to help understand differences in land use and built form and mobility options at a higher scale, between neighborhoods. The subject property is within the Downtown Neighborhood Context. “This context is the densest and most active. It contains the highest intensity residential and includes the largest employment center in Denver” (p. 265). The proposed PUD is based on the D-AS-12+ zone district which is part of the Downtown context and “gives prominence to the pedestrian realm as a defining element of neighborhood character” (DZC 8.8.1).

As the subject property is adjacent to downtown Denver with good access to transit, the requested zone district is appropriate and consistent with the intent of the neighborhood contexts map in the plan.

**Blueprint Denver Future Places**



The Future Places map shows the subject property as part of a “Regional Center”. *Blueprint Denver* describes these areas as having the “widest customer draw of all places with a 24/7 live, work and play environment attractive to locals and visitors. Large-scale mixed-use buildings are common. Structures should respond in form and mass to the streets and public spaces around them. High degree of urbanism paired with a strong pedestrian realm. Continuous building frontages and distinct streetscape elements that define the public realm. Tall building heights are common and transitions to adjacent places are minimal except when close to lower scale residential places” (p. 270).

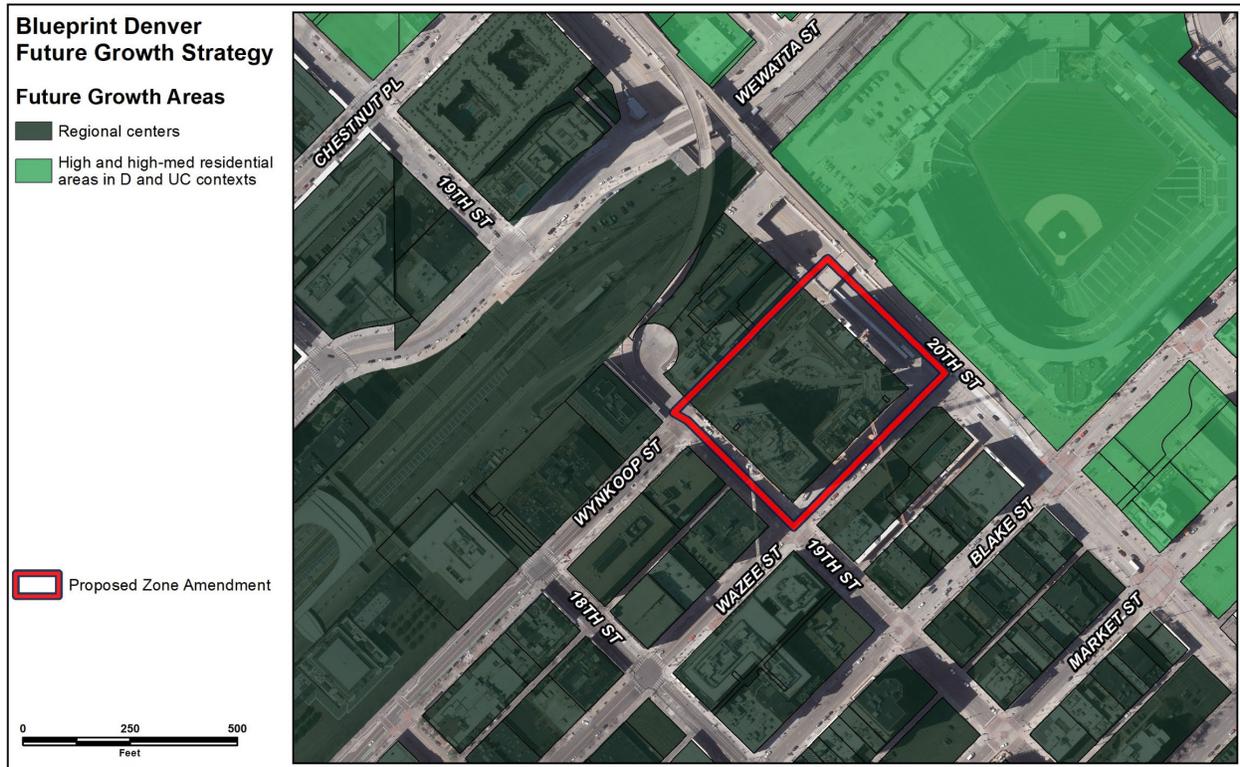
The proposed rezoning to PUD-G 26 is appropriate and consistent with the “Regional Center” plan direction and will foster a better balance of distinct streetscape elements that compliment a strong pedestrian realm than the current zoning allows.

**Street Types**

Blueprint Denver 2019 classifies both 19<sup>th</sup> and Wazee streets as Downtown Arterials and 20<sup>th</sup> Street as a Mixed-Use Arterial. These streets are “surrounded by the most intense land uses including hotels, street level retail and office, residential and mixed-use towers with a high focus on pedestrian and bike connectivity” (p. 158). Arterial streets are designed for the highest degree of through movement. The

proposed PUD zone district allows a broad range of residential and commercial land uses with a shallow front setback and allows the intense land uses anticipated for this street type. Therefore, the district is consistent with the downtown and mixed-use arterial street types at this location.

### **Growth Strategy**



Blueprint Denver designates the subject property as part of a regional center. These areas are anticipated to see 30% of new housing growth and 50% of new employment growth by 2040 (p. 50 - 51). Focusing growth in these areas helps to provide a variety of housing, jobs and entertainment options within a comfortable distance to all Denverites and is a key element of building complete neighborhoods throughout Denver” (p. 49). The proposed map amendment to PUD-G 26 will allow for continued employment and residential growth in a Regional Center where it has been determined to be most appropriate. Therefore, the proposed rezoning is consistent with the Blueprint Denver growth strategy.

### **Additional Applicable Strategies**

The proposed rezoning is also consistent with the following strategies from *Blueprint Denver*:

- Land Use and Built Form – General Policy 3, Strategy D – *Update the zoning code sign regulations to recognize changing technologies and best practices* (p. 73).

The proposed map amendment is consistent with this strategy as it would allow for the introduction of new sign types and locations infused with public art, while also mitigating potential adverse impacts on surrounding properties and the Lower Downtown Historic District.

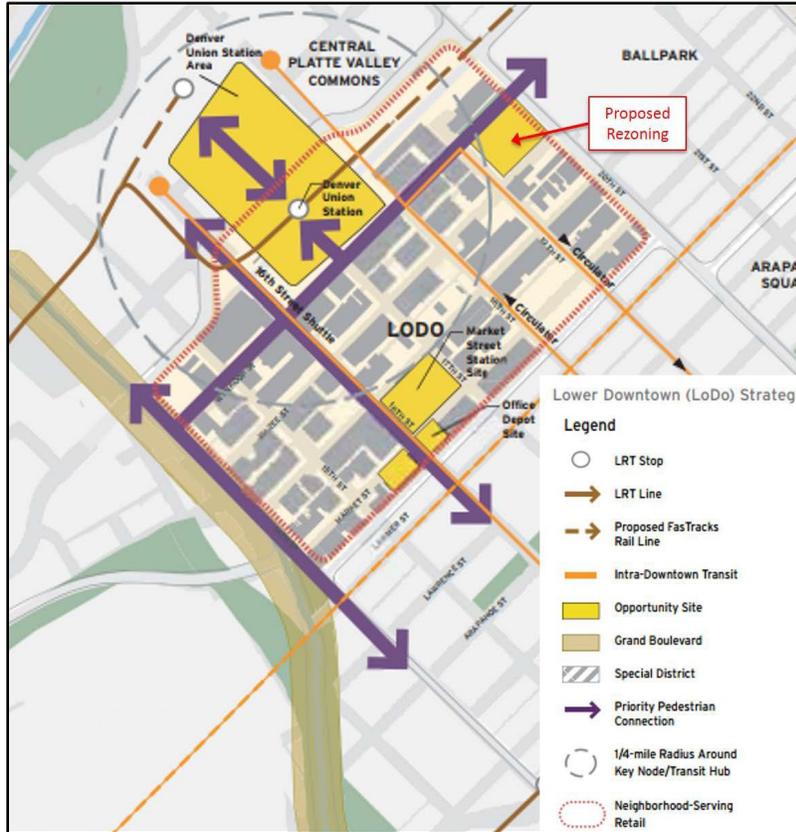
### **Custom Zoning**

Blueprint Denver provides the following direction on how to limit the use of custom zoning including PUDs: “Limit the use of site-specific, customized zoning tools—such as Planned Unit Developments (PUDs) and waivers/conditions—to unique and extraordinary circumstances. The zoning code offers a wide variety of zone districts that cover the diverse contexts and places of Denver. Custom zoning tools are most effective when a standard zone district does not exist to implement the adopted plans for an area” (p. 73). More detail on the challenges of custom zoning is provided on page 73 of the plan. Due to the specific challenges of the property, with the multi-building development oriented toward a central plaza, access to Coors Field via the Wynkoop Promenade, desire for enhanced signage less visible from public rights-of-way and adjacency to the Lower Downtown Historic District, there is no standard zone district that can address this site’s unique and extraordinary circumstances. Therefore, the use of a PUD is consistent with the recommendations of Blueprint Denver.

### ***Downtown Area Plan (2007)***

The Downtown Area Plan, adopted in 2007, identifies several strategies and objectives to serve as a “tool to help community leaders, decision makers, and citizens build upon Downtown’s assets and guide future development” (page 1). The long-term vision seeks to “achieve a vibrant, economically healthy, growing and vital downtown through a sustained effort in each of these elements: Prosperous, Walkable, Diverse, Distinctive and Green” (page 12).

As specified within the Downtown Area Plan, the subject site is located within the Lower Downtown district. Lower Downtown is generally defined in the Downtown Area Plan as the area encompassing west of the alley between Larimer Street and Market Street, east of the RTD commuter rail line, south of 20th Street, and north of 14th Street (as shown on the map below). The boundary roughly aligns with the Lower Downtown Historic District, while also capturing the subject site, Union Station, and sites on the west side of Wynkoop between 18th and 20th Streets. The description of the district largely focuses on the character of the historic district as a mixed-use hub of housing, retail, office and entertainment that predominantly consists of two-to-six story buildings with ground floor commercial uses and office or residential above. The subject site is identified as an opportunity site, and a priority pedestrian connection is shown extending through the site generally following the alignment of Wynkoop Street. The plan states that these high-quality pedestrian connections are essential to linking the Downtown core to the rest of the study area (p. 10).



The Downtown Area Plan also generally recommends prioritizing pedestrians, strengthening connections to surrounding neighborhoods, encouraging neighborhood-serving retail and active ground floor uses, and expanded housing opportunities. The plan also recommends using features such as transit stations, changes in grid, terminating vistas, grand boulevards, character of existing buildings, and relationship to adjacent districts and neighborhoods to influence zone district form requirements including the intensity of development, height of buildings, ground floor activity, and mix of uses (p. 33). The plan's open space strategy includes a goal of enhancing the public realm to provide venues for outdoor activity and Wynkoop Promenade is shown as a green connection through the subject site (p. 37).

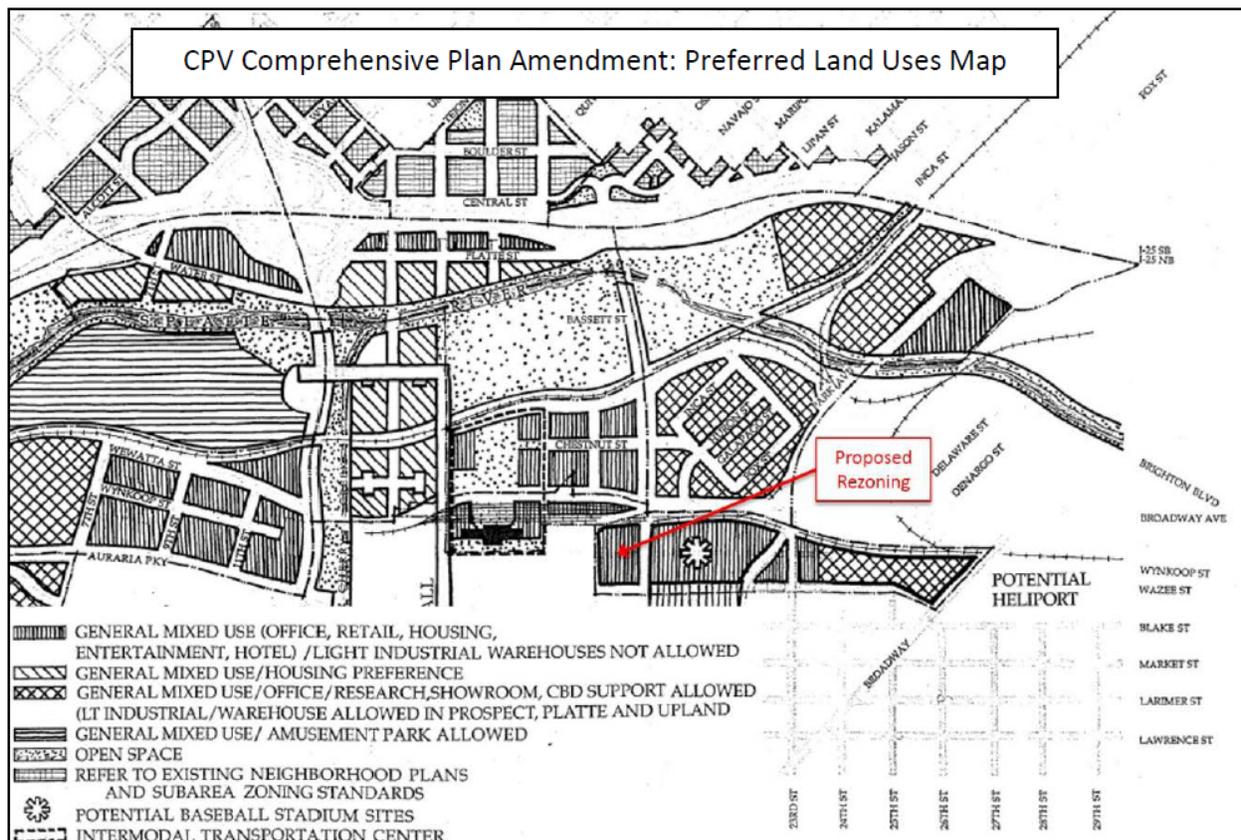
The proposed rezoning is consistent with the Downtown Area Plan as it will encourage more activity with a mix of uses and preservation and upgrades to a key pedestrian connection. It will also result in building form and design that is pedestrian-friendly and transitions appropriately from Lower Downtown, and open space that is designed to support public use and activity. Finally, this rezoning is consistent with the intent of developing opportunity sites identified in the Plan to help create a more dynamic, connected and walkable Downtown Denver.

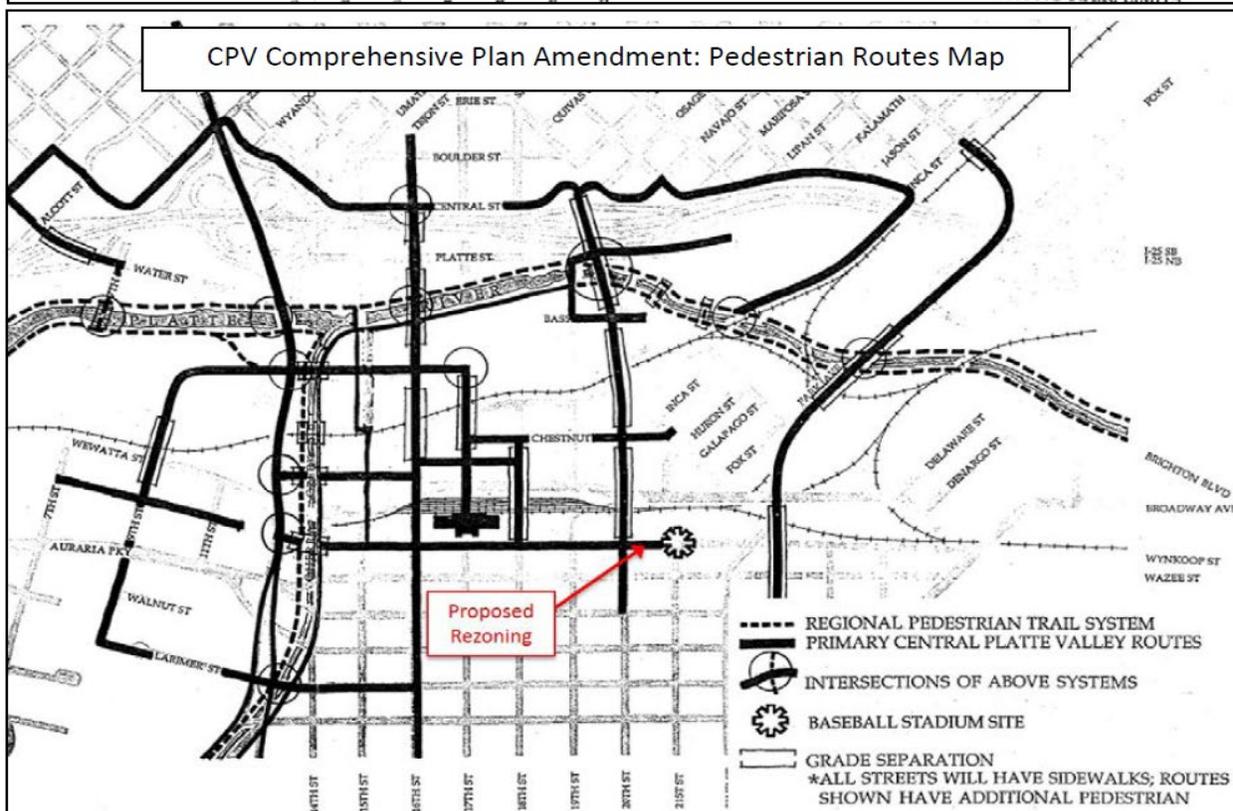
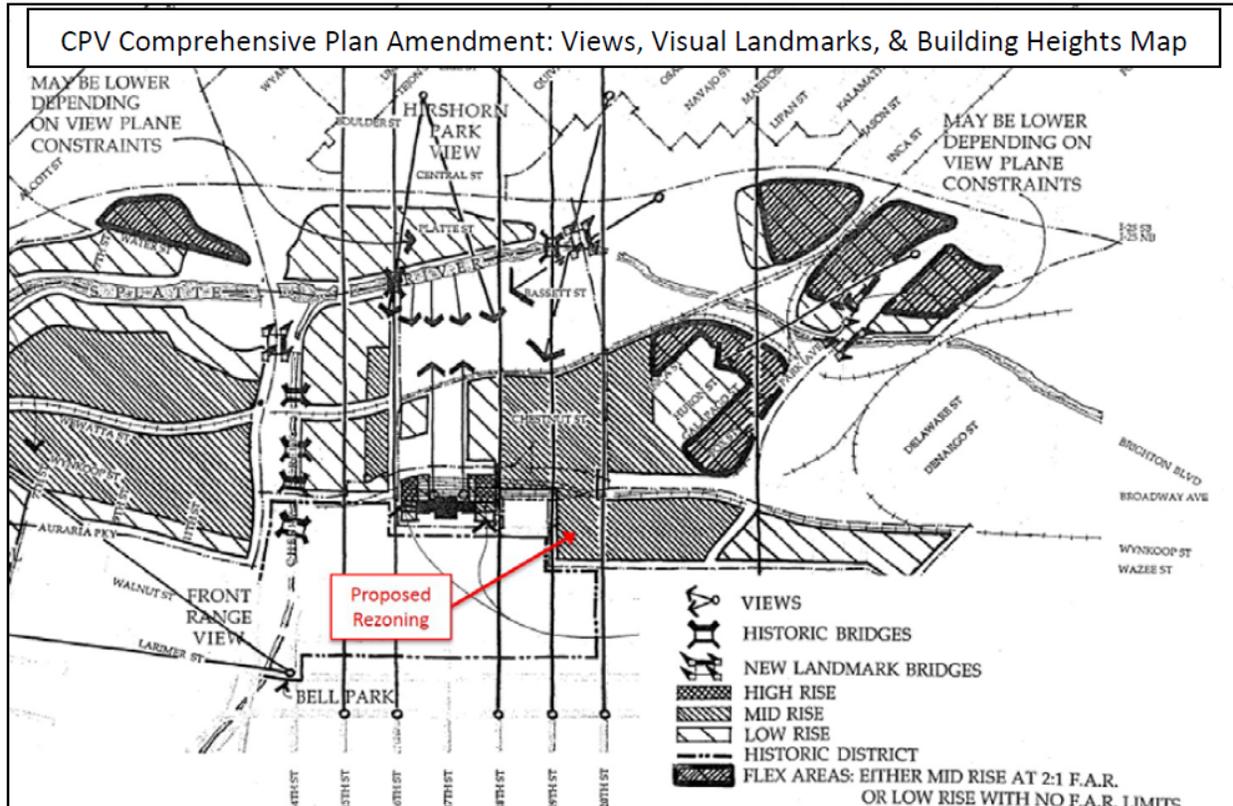
### ***Central Platte Valley Comprehensive Plan Amendment (1991)***

The Central Platte Valley (CPV) Comprehensive Plan Amendment was adopted in 1991 and guides redevelopment of the Valley into a neighborhood with a mix of uses; open space and pedestrian

network; strong connections to Downtown; and a unique character that complements Downtown. It further provides policy direction to guide the transformation of Union Station.

The subject site is identified in the preferred land uses plan as General Mixed Use, which includes office, retail, housing, entertainment, and hotel while specifically stating that light industrial uses are not allowed. Further, the plan recommends “mid-rise” building heights as appropriate for the area in which the subject site is located. Mid-rise heights are not defined in the plan; instead the plan references an appendix where height values assumed by the Steering Committee during the plan process are provided. The appendix states that the Steering Committee assumed a height of about 140 feet for mid-rise areas. Further, the plan identifies a primary pedestrian route across the site at the location of Wynkoop Promenade.





The plan also provides guidance for sub-areas. The subject site is within the Upland Sub-Area between Wewatta and Wazee Streets, Union Station, and Broadway. Guidelines for this sub-area include:

- The UP Head-house, the scale and character of Lower Downtown, and other historic buildings adjacent to this sub-area set a precedent for the scale and quality of future development.
- Pedestrian and bicycle access to Lower Downtown should be provided by extension of Wynkoop at or near grade over depressed 20th Street.
- A small public open space should be identified and dedicated at a location convenient for most future occupants.
- Property between 19th and 20th Street should be developed for uses which complement and strengthen the prevailing Lower Downtown mix of office, retail, housing and galleries.
- If a baseball stadium is sited in this area, a set of additional guidelines should be followed. These guidelines should include pedestrian access between Lower Downtown and the stadium should be provided along Wynkoop, Wazee, and Blake Streets.

The proposed rezoning is consistent with the Central Platte Valley Comprehensive Plan Amendment for the following reasons:

- The uses allowed by the PUD district implement the land uses recommended in the plan;
- The PUD will facilitate compatible building form and design as recommended in the plan;
- The PUD provides a height transition from 110' to 165', which is generally consistent with the mid-rise height envisioned in the plan;
- The PUD requires the pedestrian connection recommended in the plan; and
- The 20% open space requirement in the PUD, coupled with the design standards and guidelines, will ensure quality open space.
- The expanded signage allowances create an enhanced pedestrian realm along Wynkoop Promenade, increase activity in the central plaza and do not detract from the character of the Lower Downtown Historic District.

## **2. Uniformity of District Regulations and Restrictions**

The proposed map amendment will result in the uniform application of zone district building form, use and design regulations across the site. The PUD is based on the D-AS-12+ zone district, with customization to address the unique location and features of the site.

## **3. Public Health, Safety and General Welfare**

The proposed official map amendment furthers the public health, safety, and general welfare through implementation of the city's adopted land use plan. Additionally, it furthers public health, safety and general welfare by establishing site design requirements that enhance walkability and increase place-making opportunities while minimizing adverse impacts to the surrounding neighborhoods.

## **4. Justifying Circumstance**

The application is justified by DZC section 12.4.10.8.A.4, "Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest." The Union Station neighborhood and the Downtown area has evolved significantly since the

current PUD was adopted. Since that time, several mixed-use developments, including Dairy Block and Market Station have been built and integrate a large public art component. Additionally, the City has adopted plans that call for a larger concentration of residents and visitors in the downtown area with a heightened focus on high-quality pedestrian experiences. Examples include 5280 Trail Plan, Game Plan, Blueprint Denver and Comprehensive Plan 2040. The proposed flexibility in signage are in keeping with the adopted policy guidance for the area and are appropriate justifying circumstances.

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

The requested zone district is PUD-G 26, which is based on the D-AS-12+ zone district. The requested zone district is in the Downtown Neighborhood Context, which is primarily characterized by a mix of multi-unit residential, commercial, office, civic, institutional, and entertainment uses in large buildings containing one or more uses. The context consists of a regular pattern of block shapes, and buildings typically have shallow front setbacks or build-to lines and vary in height depending on the district. Streets are multi-modal and priority is given to pedestrians.

PUD-G 26 is consistent with the Downtown Neighborhood context because it uses the D-AS-12+ zone district as a base, providing for a pedestrian-activated building form, upper story setbacks, and minimizing the visual impacts of parking areas. The tailoring in the PUD ensures that development will be consistent with the neighborhood context and appropriately transition from the adjacent D-LD district. For analysis on consistency of this rezoning with the PUD zone district purpose and intent statements, see below.

## **6. Additional Review Criteria for Rezoning to a PUD District (12.4.10.9)**

### **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 this Code***

- Denver Zoning Code Section 9.6.1.1 states that the general purpose of a PUD District is to provide an alternative to conventional land use regulations, combining use, density, site plan and building form considerations into a single process, and substituting procedural protections. A PUD is intended to respond to unique and extraordinary circumstances, where more flexible zoning than what is achievable through a standard zone district is desirable and multiple variances, waivers, and conditions can be avoided.

PUD-G 26 is consistent with the intent and purpose of PUD districts because the subject site has special locational and physical characteristics. The subject site is at the northwest edge of Downtown and serves as a transition point between Lower Downtown and Coors Field. The site is within the Downtown context in Blueprint Denver and within the boundary of the Downtown Area Plan. However, there is not an appropriate Downtown zone district to apply to this site. DZC Section 12.4.10.3 prohibits rezoning to a Downtown zone district when the site is not adjacent to the same zone district. The site is adjacent to the D-LD zone district to the south and east, but it is not within the Lower Downtown Historic District and, therefore, this is not an appropriate zone district for the site. Based on this context and the DZC requirements, C-MX-12 would be the closest fit in terms of an appropriate zone district for the site.

However, the C-MX-12 zone district would not address some of the unique conditions of the site, including:

- The lack of a public right-of-way through the site as an extension of Wynkoop Street
- The site's location within Downtown and the regulations in place in other downtown districts, such as those for parking, uses, and design standards and guidelines.
- The site's immediate context of the Lower Downtown Historic District and Coors Field
- The lack of an alley and the significant grade change along 20th Street that limits service and parking access to the site

To address the unique circumstances, the proposed PUD district uses the D-AS-12+ zone district as a base zone district while also using some C-MX-12 regulations (e.g., side street provisions). Thereby, the PUD utilizes DZC's most modern Downtown regulations (created since the update of the Denver Zoning Code in 2010) together with Urban Center regulations as appropriate to address the site's unique features.

- DZC Section 9.6.1.1.C states that a PUD District is not intended as either a vehicle to develop a site inconsistent with the applicable neighborhood context and character, or solely as a vehicle to enhance a proposed development's economic feasibility.

PUD-G 19 is consistent with the Downtown neighborhood context and character as noted above. The PUD is intended as a mechanism to ensure that development is consistent with adopted plans, not as a vehicle to enhance a proposed development's economic feasibility.

- According to DZC Section 9.6.1.1.D., in return for the flexibility in site design a PUD District should provide significant public benefit not achievable through application of a standard zone district, including but not limited to diversification in the use of land; innovation in development; more efficient use of land and energy; exemplary pedestrian connections, amenities, and considerations; and development patterns compatible in character and design with nearby areas and with the goals and objectives of the Comprehensive Plan.

The PUD District provides significant public benefit not achievable through application of a standard zone district, including:

- Provision of Wynkoop Promenade, which is prioritized as a pedestrian connection in both the Downtown Area Plan and the Central Platte Valley Comprehensive Plan Amendment but is not a public right-of-way. The PUD requires a minimum 15-foot pedestrian walkway and treats Wynkoop as a primary street in terms of build-to, transparency, and street level active uses.
- A height transition from 19<sup>th</sup> Street adjacent to Lower Downtown towards 20<sup>th</sup> Street and Coors Field. This is consistent with the Central Platte Valley Comprehensive Plan Amendment recommendation that new buildings should complement and strengthen Lower Downtown and the historic building context.
- Pedestrian-friendly design and building forms compatible with Downtown generally and Lower Downtown specifically, achieved through building form standards and administrative design guidelines and standards. This is also consistent with the Central Platte Valley Comprehensive Plan Amendment

recommendation that new buildings should complement and strengthen Lower Downtown and the historic building context. Further, it supports the pedestrian activation recommendations of the Downtown Area Plan and Blueprint guidance regarding the use of supplemental design standards and guidelines in Downtown.

- The provision of 20% private open space, subject to administrative design standards and guidelines that will ensure the spaces are pedestrian-friendly, activated and support year-round use. This is consistent with the Downtown Area Plan recommendation to enhance the public realm to provide venues for more outdoor activity.
- Maximum vehicle parking requirements, consistent with adopted plan guidance to promote transit-supportive development, encourage alternative travel modes, and discourage vehicle trips.
- Limitations on the percentage of time off-site advertising can occur on additional sign types as well as further restrictions on signs abutting the Lower Downtown Historic District.

**b. *The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in Division 9.6***

The PUD District 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 District is necessary because there is no standard zone district available that applies Downtown-appropriate standards to this unique location or addresses the site's unique configuration regarding Wynkoop Promenade, 20<sup>th</sup> Street and the requested flexibility in signage. An unreasonable number of variances or waivers and conditions would be required to achieve the tailored approach in the PUD.

**d. *The PUD District and the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property***

The PUD District establishes permitted uses in accordance with the D-AS-12+ zone district, with no use-related changes proposed. The D-AS-12+ zone district allows a mix of office, residential, and retail uses, consistent with the Downtown context.

**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 (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.)***

The PUD provides tailored building form standards, largely based on the D-AS-12+ General with Height Incentive Building Form and C-MX-12 General Building Form, with tailoring to vary the heights from 19<sup>th</sup> Street to 20<sup>th</sup> Street and apply standards to the west zone lot line (the Wynkoop Promenade). Further, the PUD incorporates administrative design standards and guidelines, based on the Arapahoe Square Design Standards and Guidelines for buildings and site design and tailored to address the subject site's adjacency to Lower Downtown, Wynkoop Promenade, and the open space requirement. The PUD therefore

establishes permitted building forms that are compatible with adjacent existing building forms through appropriate transitions and design standards and guidelines.

### **Attachments**

1. Rezoning application
2. Planning Board follow-up letter
3. PUD-G 19
4. PUD-G 26 (8/10/21 Draft)
5. Public comments



## Zone Map Amendment (Rezoning) for PUD - Application

PROPERTY OWNER INFORMATION*	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	
Address	
City, State, Zip	
Telephone	
Email	
*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	
Address	
City, State, Zip	
Telephone	
Email	
**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):	
Assessor's Parcel Numbers:	
Area in Acres or Square Feet:	
Current Zone District(s):	

### PROPOSAL

Proposed Zone District:	<input type="checkbox"/> General PUD	<input type="checkbox"/> Detailed PUD
Proposing SubAreas:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Intent of PUD:		
Standard Zone District: Please list the zone district(s) on which the PUD will be based:		
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

Last updated: September 29, 2015

Return completed form to [rezoning@denvergov.org](mailto:rezoning@denvergov.org)



For Office Use Only:

Date \_\_\_\_\_ Fee \_\_\_\_\_

201 W. Colfax Ave., Dept. 205

Denver, CO 80202

720-865-2974 • [rezoning@denvergov.org](mailto:rezoning@denvergov.org)

REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<p><input 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 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 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. 12.4.10.8</p>	<p><b>Justifying Circumstances - One of the following circumstances exists:</b></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 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 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. 12.4.10.9</p>	<p><input 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 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 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 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 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>

### REQUIRED ATTACHMENTS

Please ensure the following required attachments are submitted with this application:

- Legal Description (required to be attached as a Microsoft Word document)
- Proof of Ownership Document(s)
- Review Criteria

### ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application: **N/A**

- Written Authorization to Represent Property Owner(s)
- Deviations from Standard Zone District

Please list any additional attachments:

**N/A**

### 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 ap- proved	Property owner representative written authori- zation? (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
Denver Metropolitan Major League Baseball Stadium District by Robert Lee - Chair	1901 Wazee Street Denver, CO 80202 (303) 292-0200	100%	<i>Robert Lee</i>	02/19/21	(A)	YES

PARCEL DESCRIPTION BASEBALL PARCEL A: (PARKING LOT + WALKWAY)

A PARCEL OF LAND SITUATED IN A PORTION OF BLOCK C, EAST DENVER, AND BLOCK 1, HOYT & ROBINSONS ADDITION TO DENVER, BEING A PORTION OF THE SOUTHWEST ONE-QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID BLOCK C, EAST DENVER, SAID POINT ALSO BEING AT THE NORTHEASTERLY RIGHT OF WAY INTERSECTION OF 19TH STREET AND WAZEE STREET, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 45 DEGREES 26 MINUTES 17 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK C, EAST DENVER AND EXTENSION THEREOF AND THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID 19TH STREET A DISTANCE OF 326.09 FEET TO A POINT ON THE NORTHEASTERLY EXTENSION OF THE WYNKOOP STREET 20.00 FOOT RANGE LINE; THENCE NORTH 45 DEGREES 26 MINUTES 37 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK 1, HOYT & ROBINSONS ADDITION TO DENVER AND EXTENSION THEREOF AND THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID 19TH STREET A DISTANCE OF 19.40 FEET TO THE SOUTHEASTERLY CORNER OF A PARCEL OF LAND CONVEYED TO THERMO HEAD HOUSE, L.L.C. BY SPECIAL WARRANTY DEED RECORDED OCTOBER 13, 1994 AT RECEPTION NO. 9400156352; THENCE NORTH 44 DEGREES 21 MINUTES 17 SECONDS EAST ALONG SAID SOUTHEASTERLY LINE OF RECEPTION NO. 9400156352, A DISTANCE OF 375.95 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF ACQUISITION PARCEL TK 2279-00-005 REV. 1, CONVEYED TO THE CITY AND COUNTY OF DENVER BY SPECIAL WARRANTY DEED RECORDED APRIL 07, 1993 AT RECEPTION NO. R-93-0043076 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE; THENCE SOUTH 46 DEGREES 55 MINUTES 34 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE OF RECEPTION NO. R-93-0043076, A DISTANCE OF 281.08 FEET; THENCE CONTINUING ALONG SAID SOUTHWESTERLY LINE OF RECEPTION NO. R-93-0043076, SOUTH 45 DEGREES 29 MINUTES 38 SECONDS EAST A DISTANCE OF 66.09 FEET TO A POINT ON THE EXTENSION OF THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID WAZEE STREET; THENCE SOUTH 44 DEGREES 35 MINUTES 38 SECONDS WEST ALONG THE EXTENSION OF THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID WAZEE STREET AND THE SOUTHEASTERLY LINE OF SAID BLOCK C, EAST DENVER AND THE EXTENSION THEREOF A DISTANCE OF 383.31 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING 131,694 SQUARE FEET OR 3.023 ACRES MORE OR LESS.

# 1901 WAZEE ST

<b>Owner</b>	DENVER METROPOLITAN MAJOR LEAGUE BASEBALL STADIUM DIST 2195 BLAKE ST DENVER, CO 80205-2010
<b>Schedule Number</b>	02279-16-056-000
<b>Legal Description</b>	T3 R68 SE/4 S28 & SW/4 S27 & NW/4 S34 & NE/4 S33 BEG S COR"BLK ""C"" EAST DENVER DAF T3 R68 SE/4 OF S28 & SW/4 OF S27 & ""NW/4 OF S34 & NE/4 OF S33 BEG S COR B""C"" EAST DENVER TH NW"326.19FT NWLY 19.4FT NE 375.95ET SE 281.07ET SELY 66.09FT SW376.03FT TPOB EXC PT COM SE COR BLK C TH N44.5525E RESIDENTIAL-MULTI UNIT APTS
<b>Property Type</b>	319.59FTN45.4518W 7.67FT TPOB TH N45.4518W 16FT N45.2108E 8.5FT
<b>Tax District</b>	DENVER

**Print Summary**

Property Description			
<b>Style:</b>	OTHER	<b>Building Sqr. Foot:</b>	132266
<b>Bedrooms:</b>		<b>Baths Full/Half:</b>	0/0
<b>Effective Year Built:</b>	2019	<b>Basement/Finish:</b>	0/0
<b>Lot Size:</b>	0	<b>Zoned As:</b>	I-MX-8

**Note:** Valuation zoning may be different from City's new zoning code.

Current Year			
	Actual	Assessed	Exempt
Land		\$0	\$0
Improvements		\$10,663,000	\$762,410
<b>Total</b>		<b>\$10,663,000</b>	<b>\$762,410</b>

Prior Year			
	Actual	Assessed	Exempt
Land		\$0	\$0
Improvements		\$0	\$0
<b>Total</b>		<b>\$0</b>	<b>\$0</b>

## Real Estates Property Taxes for current tax year

Mill Levy \* 74.195 \*

Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

	Installment 1 (Feb 28 Feb 29 in Leap Years)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)
<b>Date Paid</b>			
<b>Original Tax Levy</b>	\$28,283.49	\$28,283.52	\$56,567.01
<b>Liens/Fees</b>	\$0.00	\$0.00	\$0.00
<b>Interest</b>	\$0.00	\$0.00	\$0.00
<b>Paid</b>	\$0.00	\$0.00	\$0.00
<b>Due</b>	\$28,283.49	\$28,283.52	\$56,567.01

## Additional Information

Note: If "Y" is shown below, there is a special situation pertaining to this parcel. For additional information about this, click on the name to take you to an explanation.

<b>Additional Assessment</b> ⓘ	N	<b>Prior Year Delinquency</b> ⓘ	N
<b>Additional Owner(s)</b> ⓘ	N	<b>Scheduled to be Paid by Mortgage Company</b> ⓘ	N
<b>Adjustments</b> ⓘ	N	<b>Sewer/Storm Drainage Liens</b> ⓘ	N
<b>Local Improvement Assessment</b> ⓘ	N	<b>Tax Lien Sale</b> ⓘ	N
<b>Maintenance District</b> ⓘ	N	<b>Treasurer's Deed</b> ⓘ	N
<b>Pending Local Improvement</b> ⓘ	N		

Real estate property taxes paid for prior tax year: **\$0.00**

## Assessed Value for the current tax year

<b>Assessed Land</b>	\$0.00	<b>Assessed Improvements</b>	\$762,410.00
<b>Exemption</b>	\$0.00	<b>Total Assessed Value</b>	\$762,410.00

STATEMENT OF OWNER

I, Raymond T. Baker, as the Chair of the Board of Directors, the authorized representative of DENVER METROPOLITAN MAJOR LEAGUE BASEBALL STADIUM DISTRICT, a body corporate and politic and a political subdivision of the State of Colorado ("Owner"), the owner of the real property legally described on Exhibit A attached hereto (the "Property"), hereby authorizes COLORADO ROCKIES BASEBALL CLUB, LTD., a Colorado limited partnership (the "Applicant"), and its agents, attorneys, architects, or engineers (collectively, "Agents") to submit all submittals and applications necessary to obtain approval by the City and County of Denver, Colorado of the "Site Development Plan" and the "Rezoning" (as defined below) for the Property, including without limitation any concept plan, site development plan, civil construction plans, zoning permit, building permit, and zone lot(s) for redevelopment and use of the Property (collectively, "Applications"); provided, however, that the Applications shall not include any other rezoning of any portion of the Property without the express written consent of Owner.

By providing this consent, Owner acknowledges that it has been provided with a copy of, and has approved, the initial submittal for the Site Development Plan and the initial submittal for the Rezoning pursuant to Section 5 of the Ground Lease dated March 31, 2017 and pursuant to the User Agreement, Lease, and Management Agreement dated March 31, 2017, both by and between Owner and Applicant. Having reviewed and approved the Site Development Plan and Rezoning, Owner hereby further acknowledges and agrees that Applicant and its Agents may make such modifications, amendments, supplements, renewals, terminations, or replacements to the Applications and resulting entitlements, permits, and other approvals as the Applicant desires or as are requested, permitted, or required from time to time by the City or County of Denver ("Modifications"), and Owner's consent shall not be required with respect to any Modification, unless such Modification individually and fundamentally transforms the development program for the Property from the development program contemplated by the initial submittals of the Site Development Plan or Rezoning reviewed and approved by Owner.

As used herein, the "Site Development Plan" means the approvals required under the site development plan process of the City and County of Denver, and the "Rezoning" means the rezoning of the entire Property to PUD-G and approval of a related General PUD District Plan.

Notwithstanding Owner's consent granted in accordance with the terms of this letter, by providing such consent Owner is not a party to, or otherwise a participant in, such Applications or Application processes.

The Owner is fully aware of the request/proposal being made by the Applicant and the actions being initiated on the Property. The Owner understands that the Application must be found to be complete by the City and County of Denver before the request can officially be accepted and the review process initiated. By this acknowledgement, the Owner hereby certifies that the above information is true and correct.

*(signature page follows)*

**OWNER:**

DENVER METROPOLITAN MAJOR LEAGUE  
BASEBALL STADIUM DISTRICT,  
a body corporate and politic and a political  
subdivision of the State of Colorado

By: [Signature]  
Name: Raymond T. Baker  
Title: Chair

Date Executed: May 31, 2018

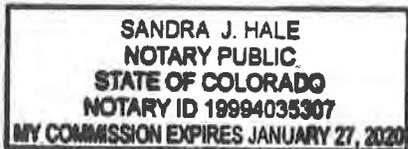
STATE OF Colorado )  
COUNTY OF Denver )

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of May,  
2018, by Raymond J. Baker, as Chair of Denver Metropolitan Major  
League Baseball Stadium District, a body corporate and politic and a political subdivision of the  
State of Colorado.

Witness my hand and official seal.

(SEAL) Sandra J. Hale  
Notary Public

My commission expires: Jan. 27, 2020



PARCEL DESCRIPTION BASEBALL PARCEL A: (PARKING LOT + WALKWAY)

A PARCEL OF LAND SITUATED IN A PORTION OF BLOCK C, EAST DENVER, AND BLOCK 1, HOYT & ROBINSONS ADDITION TO DENVER, BEING A PORTION OF SECTIONS 27, 28, 33 AND 34, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID BLOCK C, EAST DENVER, SAID POINT ALSO BEING AT THE NORTHEASTERLY RIGHT OF WAY INTERSECTION OF 19TH STREET AND WAZEE STREET, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 45 DEGREES 26 MINUTES 17 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK C, EAST DENVER AND EXTENSION THEREOF AND THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID 19TH STREET A DISTANCE OF 326.09 FEET TO A POINT ON THE NORTHEASTERLY EXTENSION OF THE WYNKOOP STREET 20.00 FOOT RANGE LINE;

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THENCE NORTH 44 DEGREES 21 MINUTES 17 SECONDS EAST ALONG SAID SOUTHEASTERLY LINE OF RECEPTION NO. 9400156352, A DISTANCE OF 375.95 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF ACQUISITION PARCEL TK 2279-00-005 REV. 1, CONVEYED TO THE CITY AND COUNTY OF DENVER BY SPECIAL WARRANTY DEED RECORDED APRIL 07, 1993 AT RECEPTION NO. R-93-0043076 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE;

THENCE SOUTH 46 DEGREES 55 MINUTES 34 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE OF RECEPTION NO. R-93- 0043076, A DISTANCE OF 281.08 FEET;

THENCE CONTINUING ALONG SAID SOUTHWESTERLY LINE OF RECEPTION NO. R-93-0043076, SOUTH 45 DEGREES 29 MINUTES 38 SECONDS EAST A DISTANCE OF 66.09 FEET TO A POINT ON THE EXTENSION OF THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID WAZEE STREET;

THENCE SOUTH 44 DEGREES 35 MINUTES 38 SECONDS WEST ALONG THE EXTENSION OF THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID WAZEE STREET AND THE SOUTHEASTERLY LINE OF SAID BLOCK C, EAST DENVER AND THE EXTENSION THEREOF A DISTANCE OF 383.31 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 131,694 SQUARE FEET OR 3.023 ACRES MORE OR LESS.

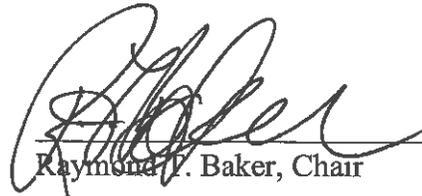
**DENVER METROPOLITAN MAJOR LEAGUE BASEBALL STADIUM DISTRICT**

**RESOLUTION 2-18**

A quorum being present, the following resolution was adopted on a vote of 5 in favor and 0 opposed, with 0 abstentions, on the 19<sup>th</sup> day of March, 2018.

**RESOLVED**, that the Statement of Owner indicating the District's consent to the filing with the City and County of Denver of the Site Development Plan and the Rezoning by the Colorado Rockies Baseball Club, Ltd., (as the Applicant) and consenting to the Applicant being permitted to make certain modifications and future filings as are described in the Statement of Owner is approved, and Raymond T. Baker, as Chair, and each other Director of the District is authorized to execute the Statement of Owner and execute any documents, agreements or certificates related or ancillary thereto, and the Chair, each Director and the staff is authorized to take such other and further action as may be necessary or appropriate to effect the purposes of this resolution.

AUTHENTICATED

  
\_\_\_\_\_  
Raymond T. Baker, Chair

**PARCEL DESCRIPTION** BASEBALL PARCEL A: (PARKING LOT + WALKWAY)

A PARCEL OF LAND SITUATED IN A PORTION OF BLOCK C, EAST DENVER, AND BLOCK 1, HOYT & ROBINSONS ADDITION TO DENVER, BEING A PORTION OF THE SOUTHWEST ONE-QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID BLOCK C, EAST DENVER, SAID POINT ALSO BEING AT THE NORTHEASTERLY RIGHT OF WAY INTERSECTION OF 19TH STREET AND WAZEE STREET, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 45 DEGREES 26 MINUTES 17 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK C, EAST DENVER AND EXTENSION THEREOF AND THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID 19TH STREET A DISTANCE OF 326.09 FEET TO A POINT ON THE NORTHEASTERLY EXTENSION OF THE WYNKOOP STREET 20.00 FOOT RANGE LINE; THENCE NORTH 45 DEGREES 26 MINUTES 37 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK 1, HOYT & ROBINSONS ADDITION TO DENVER AND EXTENSION THEREOF AND THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID 19TH STREET A DISTANCE OF 19.40 FEET TO THE SOUTHEASTERLY CORNER OF A PARCEL OF LAND CONVEYED TO THERMO HEAD HOUSE, L.L.C. BY SPECIAL WARRANTY DEED RECORDED OCTOBER 13, 1994 AT RECEPTION NO. 9400156352; THENCE NORTH 44 DEGREES 21 MINUTES 17 SECONDS EAST ALONG SAID SOUTHEASTERLY LINE OF RECEPTION NO. 9400156352, A DISTANCE OF 375.95 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF ACQUISITION PARCEL TK 2279-00-005 REV. 1, CONVEYED TO THE CITY AND COUNTY OF DENVER BY SPECIAL WARRANTY DEED RECORDED APRIL 07, 1993 AT RECEPTION NO. R-93-0043076 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE; THENCE SOUTH 46 DEGREES 55 MINUTES 34 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE OF RECEPTION NO. R-93-0043076, A DISTANCE OF 281.08 FEET; THENCE CONTINUING ALONG SAID SOUTHWESTERLY LINE OF RECEPTION NO. R-93-0043076, SOUTH 45 DEGREES 29 MINUTES 38 SECONDS EAST A DISTANCE OF 66.09 FEET TO A POINT ON THE EXTENSION OF THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID WAZEE STREET; THENCE SOUTH 44 DEGREES 35 MINUTES 38 SECONDS WEST ALONG THE EXTENSION OF THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID WAZEE STREET AND THE SOUTHEASTERLY LINE OF SAID BLOCK C, EAST DENVER AND THE EXTENSION THEREOF A DISTANCE OF 383.31 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING 131,694 SQUARE FEET OR 3.023 ACRES MORE OR LESS.

I, DEAN O. DANIELSON, A LAND SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

\_\_\_\_\_  
DEAN O. DANIELSON  
P.L.S. NO. 16828

**DENVER METROPOLITAN  
MAJOR LEAGUE BASEBALL**

**DESCRIPTION OF THE LAND**

SCALE: 1"=100'

DATE: MAY 03, 2018

REV:

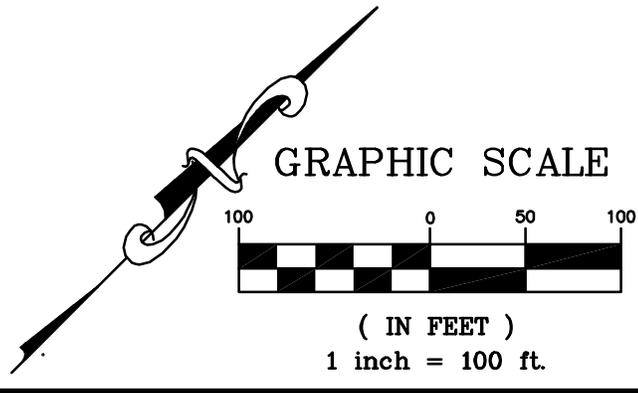
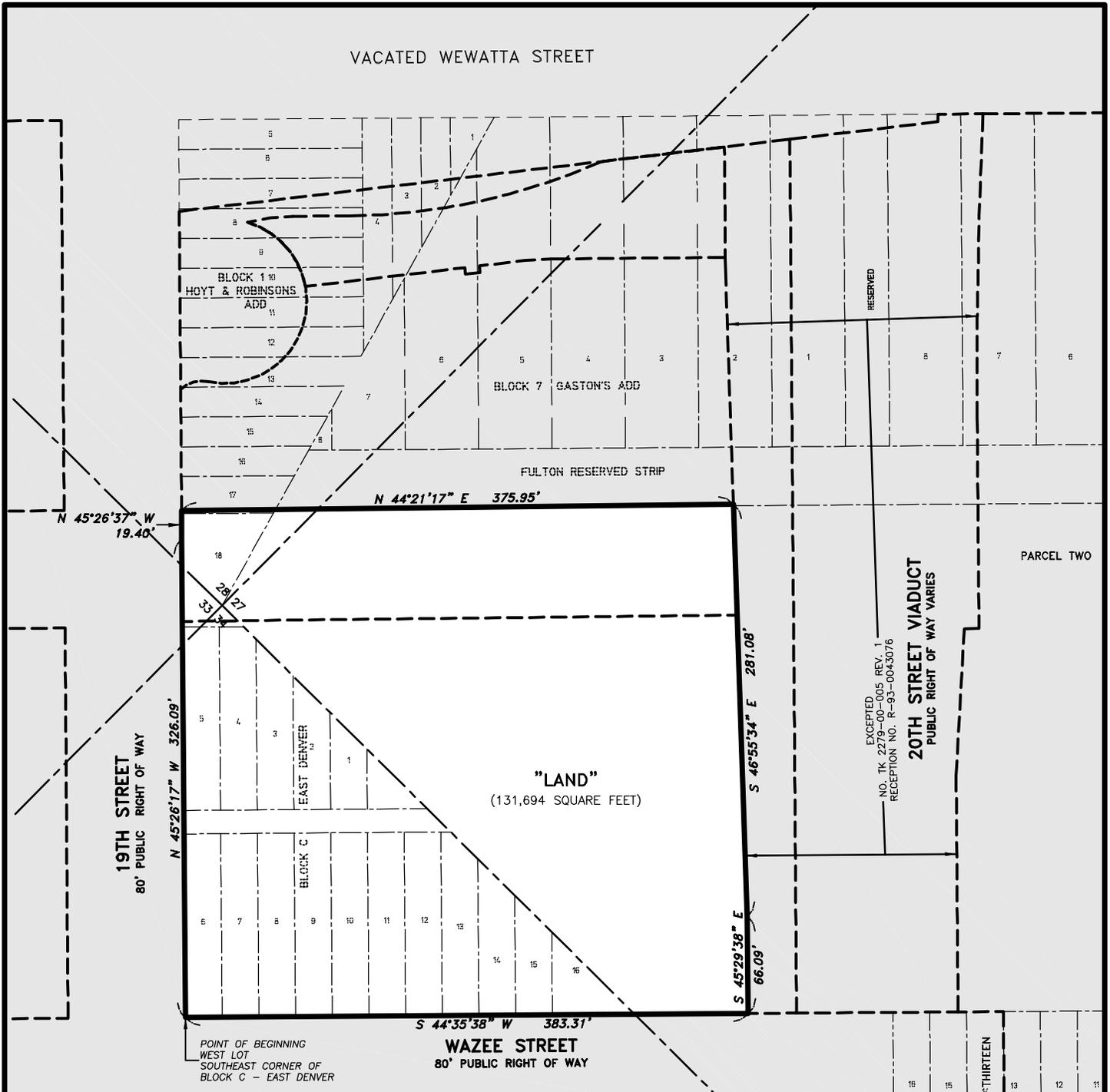
SHEET 1 OF 2 SHEETS

DRN. WB

APPR.

1805-101

THIS DESCRIPTION IS NOT THE RESULT OF A MONUMENTED LAND SURVEY. IT IS INTENDED ONLY TO DEFINE THE AREA DESCRIBED HEREON.



<b>DENVER METROPOLITAN MAJOR LEAGUE BASEBALL</b>		
<b>DESCRIPTION OF THE LAND</b>		
SCALE: 1"=100'	DATE: MAY 03, 2018	
REV:	SHEET 2 OF 2 SHEETS	
DRN. WB	APPR.	1805-101

February 19, 2021

City and County of Denver  
Community Planning and Development  
Attn: Brandon Shaver  
201 W. Colfax Ave., Dept. 205  
Denver, CO 80202

Re: Cover Letter to West Lot PUD Amendment Application

Mr. Shaver:

We represent West Lot LLC, a Colorado limited liability company (“**West Lot LLC**”) with respect to its enclosed application to amend the Planned Unit Development General-19 District Plan (“**PUD-G #19**”) approved by City Council on November 13, 2018 (the “**PUD Amendment**”). PUD-G #19 applies to the approximately 3-acre property generally located at the north corner of 19<sup>th</sup> and Wazee Streets, commonly known as the West Lot and Wynkoop Promenade and more particularly described on the attached Exhibit A (the “**Property**”), in the City and County of Denver, Colorado (the “**City**”). The PUD Amendment is intended to allow for increased flexibility in the size, type, location, and attributes of signs and screens allowed in the PUD-G #19 district. The PUD Amendment is also consistent with the original public benefit outlined in PUD-G #19 and introduces new community benefits through the Signage enhancements. This letter is provided as part of the application for the PUD Amendment and to provide the City with additional information that may aid the City in reviewing and approving the application.

### **BACKGROUND**

West Lot LLC is a subtenant of the Property pursuant to a 96-year Amended and Restated Sublease Agreement, dated November 4, 2019, by and between West Lot LLC and Rockies West Lot, LLC, a Colorado limited liability company (“**Subsidiary Subtenant**”), which Subsidiary Subtenant is a subtenant of the Property pursuant to a 96-year Amended and Restated Sublease Agreement, dated November 4, 2019, by and between Subsidiary Subtenant and Colorado Rockies Baseball Club, Ltd., a Colorado limited partnership (“**Rockies**”), which Rockies are the tenant of the Property pursuant to a 99-year Amended and Restated Ground Lease, dated March 31, 2017, by and between the Rockies and the Denver Metropolitan Major League Baseball District, a body corporate and politic and a political subdivision of the state of Colorado, which is the owner of the entire Property. The Property is directly across 20<sup>th</sup> Street from Coors Field.

In 2018 the Rockies submitted an application to rezone the Property from its zoning as I-MX-8, UO-2 to PUD-G #19, which application was approved by City Council on November 13, 2018 (the “**Initial PUD Application**”). The PUD-G #19 zoning provides for certain standards and guidelines including:

- tailored primary building form standards;
- tailored build-to and transparency alternatives;
- maximum vehicle parking;
- a requirement for Wynkoop Promenade;
- a minimum requirement for private open space;
- establishment of a base plane for measuring building height;
- establishment of primary and side street zone lot lines;
- tailored standards for private open space; and
- design standards and guidelines.

While PUD-G #19 is primarily based on D-AS-12+ zoning, it incorporates elements from other zone districts to create a customized set of standards for the Property.

The Initial PUD Application was motivated by a desire to create a new type of development that would advance a number of City goals, create a sense of vibrancy in a key location/corridor of Downtown and provide a range of public and community benefits. To that end, the Property was rezoned to facilitate development of a mixed-use project generally consisting of a hotel, office building, residential condominiums, ground-floor retail and a large amount of activated public-gathering spaces (the “**Project**”). The mix of uses is intended to serve as a backdrop to a content plaza that will serve as community gathering space and provide year-round events. Overall, the Project is designed to create a unique and distinctive place that will include landscape and amenity enhancements to the existing Wynkoop Promenade and right-of-way, pedestrian and mobility improvements to 20<sup>th</sup>, 19<sup>th</sup>, and Wazee Streets.

The PUD Amendment is necessary for the allowance of Signage (as defined below) that was always considered and presented as part of the overall Project and PUD-G #19. This PUD Amendment is entirely consistent with the original intention of the Initial PUD Application and raises the level of quality and urban design through innovative signage.

### **SIGNAGE DESCRIPTION**

A key element of the Project is a set of screens and a projection that will provide arts and cultural, social, entertainment, advertising, public service messages and sports-themed content that will enhance the Project as a unique destination near Coors Field in Downtown Denver (the “**Signage**”) that is open and accessible to all ages and all members of the community. The purpose of the PUD Amendment is to allow for this Signage. This Signage includes:

- A digital display system in the center of the content plaza (the “**Content Plaza Screen**”). The Content Plaza Screen will measure about 68 feet wide and 22 feet tall and is intended to display art, sports-themed content, promotions, and entertainment. Specifically, content is anticipated to include, but not be limited to, arts and culture, sports and game viewing; events such as concerts, TED Talks, seasonal content, or faith-based assemblies; promotions for other cultural activities and events; sponsored plaza expression; visual art from local and non-local artists, photography, cinema, and live feed events; interactive feed events; e-sports tournaments; and health and wellness content such as yoga classes. The Content Plaza Screen shall not be visible from the public right of way, including vehicular

traffic.

- A projection on the underside of the bridge that spans the diagonal walkway between the two towers at the 11<sup>th</sup> floor (the “**Residential Tower Bridge Projection**”). Content on the Residential Tower Bridge Projection will be heavily geared toward arts and culture, and the brightness (no brighter than a typical smartphone) will be respectful of the nearby rights of way.
- A series of 5 digital banners to be located along the Wynkoop Promenade (the “**Digital Banners**”). The Digital Banners are intended both to serve as streetlight fixtures and to assist pedestrians with wayfinding. They will be about 24 feet tall and about 2.75 feet wide with digital display systems about 12 feet in height on both sides that will provide content that may include, but not be limited to, art from local and non-local artists, sports-themed content, promotions, entertainment, photography, interactive feeds, public service announcements, emergency broadcast messages, and wayfinding information.

Each of the envisioned types of Signage constitutes an “**Outdoor General Advertising Device**” or “**Billboard**” as defined in the Code because the Signage may be used to display content related to products, services or uses not on the same zone lot as the Signage. *See* Code § 13.3. However, for each of these Signage components, the PUD proposes a variety of limitations, such as hours of operation, illumination and requirements for public and arts content. Hours of operation and brightness maximums will be sensitive to uses on adjoining zone lots, and content requirements will ensure that a significant proportion of content on each sign will be geared toward arts and culture and entertaining or informative content. Therefore, while technically the Signage meets the definition of Billboard, with these limitations and in this context, the Signage is really a critical placemaking feature that will promote and advance social and economic vitality in the Lower Downtown area.

### **PUBLIC BENEFIT**

The Project as enhanced by the Signage has been designed to align with the City’s defined land use goals and objectives for a vibrant, engaging public realm and will confer significant public benefit on the surrounding community through vibrant activation, high-quality urban design, friendliness to pedestrians, emphasis on connectivity of downtown destinations and experiences, and their focus on family-friendly activities and arts, cultural and educational programming. West Lot LLC is also committed to entering into a development agreement with the City pursuant to which the West Lot LLC will foster relationships with local artists and art institutions of higher education to create and display high-quality art content on the Signage that supports content creators, and West Lot LLC will work to partner artists with local women-owned, minority-owned and disadvantaged businesses to create content for the Signage that will support those businesses. While we recognize that these benefits do not necessarily correlate to the PUD criteria, nor do we intend to incorporate them into the PUD Amendment itself, it is important context for the City to know that it is the intent of West Lot LLC that the Project be designed to enhance many of the City’s enumerated goals.

The Project and Signage will contribute to the public's enjoyment of a long-standing establishment in Denver: the Colorado Rockies. The Rockies are a Colorado institution and a Denver icon. Moreover, the Project is anticipated to generate \$125 million to be contributed to capital improvements and maintenance funds for Coors Field, which is the premier tourist designation to enjoy the Colorado Rockies and is also a strong generator of revenue for the City.

A particularly remarkable public benefit within the Project is the private open space, which is the largest private open space in the City. The PUD requires a minimum of 20% open space with tailored standards for the open space, and in fact more than 30% of the Project is private open space. City plans such as The Outdoor Downtown Master Plan ("**The Outdoor Downtown**") and the Game Plan for a Healthy City ("**Game Plan**") have demonstrated the City's continuing commitment to outdoor spaces and activities that can be enjoyed by all the residents of Denver. A recurring theme of these plans is that open space should be only a short walk away from any Denver resident. The Project and the Signage further these plans by providing an activated, walkable Downtown outdoor space that serves as a distinctive gateway to the City, an outdoor cultural and educational experience, and place for families and friends to gather.

Additionally, the Signage not only participates in but is on the cutting edge of the City's plans. A major focus in the update to the City's Comprehensive Plan 2040 and to Blueprint Denver has been an emphasis on quality of life infrastructure and complete neighborhoods. A key piece of feedback from the community surrounding the Property was that, with bars and other amenities that cater to ballpark goers as the main amenities in the area, the Ballpark district was not maximally inclusive towards families and people of all ages, interests, and incomes. The area is a popular one—an analysis of rail station activity in May 2019 discovered that about 37,531 riders pass through Union Station on a typical workday, which makes this location perfect to cater to visitors seeking safe, quality entertainment in the area. The Project as enhanced by the Signage is a leap towards characterizing the Ballpark/Lower Downtown area as an area for all ages, where people of all backgrounds and walks of life can mingle and enjoy the outdoor space, attend a community assembly, watch a TED Talk or a movie, participate in an interactive feed event, or do yoga, all facilitated by the programming on the Content Plaza Screen and other Signage. The Signage enhances design standards in the PUD that provide public benefit, including requirements that open spaces and enhanced setbacks incorporate features that provide a sense of comfort and safety for pedestrians and enhance year-round usability. The PUD requires that open spaces be fronted with highly active uses and oriented to provide a visual connection to the street, demonstrating to the public that the Project is maximally inclusive and inviting foot traffic. The Project as enhanced by the Signage in the content plaza and Wynkoop Promenade improvements will contribute to the quality of life infrastructure and complete neighborhoods prioritized in Blueprint Denver.

The City has also recently enhanced its focus on promoting walkability, connectivity, and healthy activity with the creation of multiple City plans such as Denver Moves: Pedestrians and Trails ("**Denver Moves**"), 5280 Trail Vision Plan ("**5280 Trail Plan**"), and the 21<sup>st</sup> and Wynkoop Design Plan. The Project and Signage are poised to further these plans significantly. The existing PUD incorporates walkable outdoor space by requiring that Wynkoop Promenade and the 20<sup>th</sup> Street frontage be designed to accommodate a 15 foot clear path for public pedestrian and bicycle access that must remain publicly accessible and usable at all times. The Signage will further enhance this

pedestrian access with the wayfinding Digital Banners, invite pedestrians with entertaining content on the Content Plaza Screen, and foster repeat traffic that will enhance the pedestrian-friendly nature of the area. The Project will also serve as a key amenity and gathering place along the “**5280 Trail**”, the conceptual 5-mile urban loop that will wind through the communities and landmarks of Downtown districts and surrounding areas to facilitate community gathering, green spaces, and an overall sense of place. The enhancement of Wynkoop Promenade as a portion of the 5280 Trail also will provide a special public space enjoyable by people of all ages, backgrounds, incomes, and interests who may stroll with friends, teach a child to ride a bike, or take a preferred route to lunch.

The Signage and Project as a whole will also contribute to what the 21<sup>st</sup> and Wynkoop Design Plan envisions for Wynkoop Street as “an active plaza-like atmosphere that acknowledges the street as the ‘doorstep’ to the City,” an atmosphere that facilitates pedestrian and bicycle traffic and helps Wynkoop Street overcome identified challenges in accommodating multi-modal transportation. The Digital Banners will help to define Wynkoop Promenade as part of a “signature street” in the neighborhood, and the Content Plaza Street and Residential Tower Bridge Project will “[i]mprove the game day experience for guests to Coors Field” and overall be a significant enhancement to the experience of the public realm. The 21<sup>st</sup> and Wynkoop Design Plan identifies the Property as an area that should be “focused on event activities, but flexible to encourage everyday use.” The Project as enhanced by the Signage is precisely this type of development. The PUD requires that open space be designed to accommodate events such as outdoor concerts where possible and states that open space should be designed to accommodate a variety of activities for all ages with design elements such as interactive play features and seating areas. The Signage fulfills this requirement by allowing sports fans to gather for broadcasts of sporting events on the Content Plaza Screen and also allowing families to gather on a daily basis and enjoy a concert, educational programming, visual art from local and non-local artists, or an interactive feed event.

A key component of the Project and a key source of the community benefit is the Signage and urban design enhancements the Signage brings to the location. The Digital Banners will enhance the pedestrian experience and connectivity of the Project, the Residential Tower Bridge Projection will enhance the quality of the public space, and the Content Plaza Screen will serve as a major draw for nearby residents and their families for daily recreational and educational activities from e-sports tournaments to TED Talks to wellness classes that will increase the quality of the community. The Signage will enhance the existing PUD design standards and guidelines that go beyond base zoning code requirements to respect the character of the adjacent LoDo Historic District and urban character of the area by requiring high quality materials, ground floor activation, and iconic building elements and architectural features. The Project will also include landscape and amenity enhancements to the existing Wynkoop Promenade and right-of-way improvements to 20th, 19th and Wazee Streets. This overall high level of quality is a tangible public benefit especially because of the Project’s relation and adjacency to the LoDo Historic District.

The Signage is designed to emphasize the connectivity among various Downtown and surrounding destinations through creative and educational screens and signs that will encourage interaction and outdoor activity. They will serve as distinctive, iconic figures that will showcase the advanced technology that characterizes the City. The Signage will be associated with the Ballpark district

and will promote sustainable development and economic vitality throughout that district that all people and their families of all ages, backgrounds, and incomes can enjoy together.

### **GOOD NEIGHBOR**

Seamless integration into the surrounding community has been a key concept driving the design of the Project, the PUD, and the Signage. In keeping with our desire to be a good neighbor and for the comfort of the surrounding residents and businesses, we are limiting the hours of operation of the Signage through the approval process for the PUD Amendment and Comprehensive Sign Plan. Also, screens and projectors will be equipped with light sensors and controlled by automatic dimming software to limit luminescence to certain maximum levels defined in the PUD. The dimming software will react to sunrise, sunset, and overcast weather. Although we recognize that the good neighbor policy will not be a part of the PUD Amendment, and therefore not enforceable by the City, the Project team has worked with the neighbors to reach agreements in connection with the original PUD to limit hours of operation and noise for the benefit of the neighborhood as a whole. Throughout the process the Project team has worked with nearby property owners and neighborhood groups to ensure that the Project is compatible with and appropriate for its surroundings. The Content Plaza Screen will have a minimal impact on adjacent residential uses and no impact on vehicular traffic, the Digital Banners will have a minimal impact on vehicular traffic, and the Residential Tower Bridge Projection will only be partially visible from portions of the right of way.

### **NEIGHBORHOOD OUTREACH**

The neighborhood outreach process has been thorough and thoughtful and has consistently revealed enthusiastic, wholehearted support from the surrounding community.

As described in the Initial PUD Application, the Rockies and the Project team have engaged in a lengthy and thorough community outreach process throughout the conception and development of this Project. Throughout the entire process the community has expressed clear support for the Project, including the Signage which was a visible part of our outreach, materials and design presentations all along.

West Lot LLC has throughout the process met with and reached out to RNOs and community groups regarding the PUD amendment for the Signage. Meetings with community groups, RNOs, HOAs and other individuals and businesses were held in advance of the Comprehensive Sign Plan hearing at the Denver Planning Board and have and will continue throughout the process.

Starting as early as August of 2017, the Rockies invited all Registered Neighborhood Organizations (RNOs) surrounding the site and the proximate HOAs and condo associations to attend meetings at Coors Field where the Rockies shared early information and project vision for the Project. The Rockies have also hosted five large community meetings (8/14/17, 8/28/17, 9/25/17, 2/5/18, 5/30/18) for the group of RNOs, HOAs, and interested stakeholders surrounding the site. Sign-in sheets to these meetings have been shared with the CPD case manager. Attendance was strong at each meeting.

In addition to the community meetings where the Rockies distributed project information, updates, and design evolutions, the Rockies have delivered presentations throughout the process to the LoDo District, Lower Downtown Neighborhood Association (LoDoNa), One Wynkoop Plaza HOA, Rocky Mountain Warehouse Lofts HOA, Downtown Denver Partnership (DDP), 5280 Loop project team, and others.

Many of the design components of the Project have evolved in response to the feedback from the community. The community, residents, and business owners surrounding the site have contributed significantly to the Project design and enthusiastically recognized the community benefit it will bring. When the PUD was originally approved, all comment from the surrounding community was in support of the Project. Now more than ever the community recognizes the public benefits of this Project and wants this Project to be developed.

### **ANALYSIS**

An amendment to a PUD is reviewed according to the same procedures and is subject to the same criteria as a new application for rezoning to a PUD. Code, § 12.3.7.2.A.1. Therefore, an application for an amendment to a PUD must satisfy the criteria for approval that apply to zone map amendments, the criteria that apply to non-legislative rezonings, and the criteria that apply to rezonings to PUDs specifically. Code, §§ 12.4.10.7; 12.4.10.8; and 12.4.10.9. The following is an analysis of how the application for the PUD Amendment satisfies each of these criteria.

#### **I. Criteria for Zone Map Amendments**

The City Council may approve a proposed amendment to a PUD if the proposed amendment complies with the specified criteria for an official zone map amendment in Section 12.4.10.7 of the Code. The PUD Amendment complies with those criteria, as explained in detail below.

1. The proposed official map amendment is consistent with the City’s adopted plans, or the proposed rezoning is necessary to meet a community need that was not anticipated at the time of the adoption of the City’s plan.

The PUD Amendment is consistent with the City’s adopted plans and also furthers the goals of many of the other supplemental plans created to enhance the health, walkability, and design of the City.

##### *a. Adopted Plans*

- i. Central Platte Valley Comprehensive Plan Amendment from 1991

The Property is subject to the Central Platte Valley Comprehensive Plan Amendment from 1991 (“**Platte Amendment**”). The PUD Amendment is consistent with the Platte Amendment.

The Platte Amendment, adopted 29 years ago, envisions the Central Platte Valley as “a single interface point for heavy and light rail, inter- and intra-city bus, automobile, and pedestrian activity,” and “the transportation HUB of the region,” though the “predominant character of development in the valley will be an urban mix of office, residential, entertainment, recreational,

and commercial uses.” The Central Platte Valley has undergone substantial change and redevelopment since its adoption, including the construction of Coors Field and redevelopment of Union Station. Nonetheless, the PUD Amendment, like the initial PUD, is still consistent with the Platte Amendment because it would satisfy a number of the goals articulated in the Platte Amendment.

The Platte Amendment establishes Goals, Intent Statements, and Concepts for the future development and redevelopment of the Central Platte Valley. The PUD Amendment furthers many of these Goals, Intent Statements, and Concepts, including:

- Goal 1.1: “Redevelop the Valley in ways that recognize it as a valuable resource to the whole City.”
- Goal 1.2: “Encourage a mix of land uses in the CPV which will support a dense urban character.”
- Goal 1.3: “Provide amenities which will knit Downtown and adjacent neighborhoods together.”
- Goal 1.4: “Encourage a mix of commercial development which will: create new jobs, generate direct and indirect tax revenue, attract new Downtown residents, provide new amenities.”
- Goal 1.5: “Accommodate an appropriate mix of uses and encourage viable development to satisfy both the economic needs of landowners and public needs, including: public open space, economic development, housing, public facilities.”
- Intent Statements, Land Use A: “Capitalize on a unique opportunity to reuse former rail-yard and obsolete industrial land in the heart of Denver.” - noting that the Property was a rail-yard at the time of adoption of the Platte Amendment was adopted.
- Intent Statements, Land Use C: “Redevelop the Valley to help satisfy the needs of the Downtown and the adjoining neighborhoods by making provision for: neighborhood parks and recreation facilities, city-wide parking and recreation facilities, housing to develop a 24-hour Downtown population, housing to reinforce adjoining neighborhoods, increased tax base, support for Downtown retail, hotels, restaurants, and entertainment facilities, Downtown access and parking, increased employment opportunities for residents of adjoining neighborhoods, support for Denver’s cultural, and arts resources, support services for Downtown’s businesses and employees.”
- Goal 2.3: “Provide an orderly, visually pleasing and active environment for: workers, residents, neighbors, visitors.”
- Goal 2.4: “Reinforce desired land use patterns.”
- Goal 2.5: “Enhance amenities for new residential, specialized office, research and development uses.”
- Goal 4.1: “Foster a character for the CPV which is different and distinct from that of Downtown[.]”
- Goal 4.2: “Encourage the individual qualities of each sub-area to be manifest in local urban character; do not generate a single image of the entire CPV.”
- Intent Statement: Character A: “Redevelop the Valley in such a way that it complements the character and functions of Downtown and Lower Downtown, reinforcing them with uses and densities which will rebuild a market for retail, housing, services, hotels, entertainment, and first class office space.”

- Concept L: “Locate public facilities (such as an amusement park, a baseball stadium, an aquarium, and other cultural/recreational facilities), in the Valley. Create more tourist attractions in support of Downtown hotel, retail, and convention center trade.”
- “Pedestrian access between LoDo and the stadium should be provided along Wynkoop, Wazee, and Blake Streets.”
- “Light glare and noise should be confined to the site as much as possible.”

The Project, as enhanced by the Signage, is intended to operate as a new hub for year-round activity that is distinct to the Valley and unique from the remainder of Downtown. As a whole, the PUD allows for development of a mix of uses that will attract new employers, retailers, and patrons, and provide for outdoor spaces and cultural amenities such as the Hall of Fame. The Content Plaza Screen will enhance the use of the content plaza as an open gathering and entertainment center that contributes to the unique feel of the Wynkoop Promenade and complements the nearby amenities of Coors Field. The Digital Banners and Residential Tower Bridge Projection will also contribute to the unique look and feel of the Project. The content and messaging provided by the Signage will also contribute to the unique public character of the central plaza, which will take on some of the characteristics of an outdoor amphitheater.

Additionally, permitting the Signage will support the character of the Central Platte Valley as a dense urban center with outdoor amenities a walkable distance from Coors Field. The Platte Amendment envisions pedestrian connection to Coors Field along Wynkoop, and the Digital Banners help to highlight and facilitate the use of this connection. The Signage as a whole, and the Content Plaza Screen in particular, will offer entertainment and educational and creative content that attracts people of all ages, backgrounds, incomes, and interests from adjacent neighborhoods. Sports programming will attract people from nearby Denver neighborhoods seeking recreation and entertainment, and informational lunch programming will attract pedestrians from surrounding neighborhoods and office workers to gather and enjoy open space and educational content such as TED Talks during the workday. Families can gather for local civic cultural events or a yoga class. The Project will generate direct and indirect tax revenue, and the Signage will entice visitors and new residents to the Project.

The PUD Amendment and the PUD as a whole also comply with design and noise-related guidelines of the Platte Amendment. For example, the Platte Amendment’s guidelines provide that light glare and noise at and near the baseball stadium site should be confined to the site as much as possible, and the PUD Amendment complies by suggesting wayfinding Digital Banners that will guide baseball game attendees to other appropriate venues efficiently and by providing content on the Content Plaza Screen and Residential Tower Bridge Project that is minimally visible from surrounding sites. The Platte Amendment also generally disfavors high rise development and favors development of building heights “consistent with the fabric of Lower Downtown.” Accordingly, the PUD standards were developed with consideration of the building heights and transitions coming from the Lower Downtown Historic District and include standards appropriate for this transitional property located on Wynkoop Promenade between Union Station and Coors Field.

As a former parking lot before the rezoning to PUD-G #19, the Property was underutilized, and the Signage is a key component of redeveloping and reusing the Property. The Platte Amendment

designates the Property as within the Upland Sub-Area and provides that uses within this Sub-Area should be “mixed with a predominance of office uses south of 22nd Street,” and that properties between 19th and 20th Streets “should be developed for uses which complement and strengthen the prevailing Lower Downtown mix of office, retail, housing and galleries.” This fits with the projected future uses for the Property according to the Map of Preferred Land Uses in the Platte Amendment, which depicts the Property as “General Mixed Use (Office, Retail, Housing, Entertainment, Hotel)/Light Industrial Warehouses Not Allowed.” The Project as enhanced by the Signage perfectly fulfills this vision of the Sub-Area. The Signage will support Denver’s cultural and arts resources through culturally-relevant programming on the Content Plaza Screen, Digital Banners, and Residential Tower Bridge Projection. The Signage as a whole is designed to contribute to the “visually pleasing and active character” of the outdoor content plaza. The Digital Banners are designed to contribute to the “orderly” environment as wayfinding markers. Overall, the Content Plaza Screen, Residential Tower Bridge Projection, and Digital Banners will function as cultural amenities that create inclusive natural gathering places for Downtown residents.

The map of Pedestrian Routes in the Platte Amendment depicts both Wynkoop and 20th Streets as “Primary Central Platte Valley Routes,” which should be integrated with the open space system and amenities and designed to “give safe and convenient access to all destinations for those on foot.” Guidelines for the Upland Sub-Area provide that pedestrian and bicycle access “should be provided by extension of Wynkoop at or near grade over depressed 20th Street,” which is of course the current state of Wynkoop Promenade. The PUD is designed to enable the preservation and enhancement of Wynkoop Promenade in keeping with the Platte Amendment’s vision. The Digital Banners will serve as an additional enhancement to Wynkoop Promenade and assist with wayfinding.

Ultimately, the Signage is designed as a new amenity and key attractor to the Project. For the foregoing reasons, the PUD Amendment is consistent with the Platte Amendment.

ii. Comprehensive Plan 2040

At the time of adoption of PUD-G #19, the comprehensive plan in effect for the City was Comprehensive Plan 2000. In May 2019, City Council adopted Comprehensive Plan 2040 (the “**Comprehensive Plan**”), which serves as “a holistic and sustainable vision to guide the future of Denver” and “creates a vision and goals to tie together the City’s plans and policies.” The Comprehensive Plan sets forth a series of vision elements and long-term integrated goals to guide the City’s development. The PUD Amendment is consistent with many of the visions and goals in the Comprehensive Plan, including but not limited to:

- Vision Element 2.2: “Enhance Denver’s neighborhoods through high-quality urban design.”
- Vision Element 2.3: “Preserve the authenticity of Denver’s neighborhoods and celebrate our history, architecture and culture.”
- Vision Element 2.4: “Ensure every neighborhood is economically strong and dynamic.”
- Vision Element 2.7: “Leverage the arts and support creative placemaking to strengthen community.”

- Vision Element 2.8: “Conduct intentional, equitable and measurable neighborhood planning.”
- Vision Element 3.8: “Build and maintain safe bicycle and pedestrian networks.”
- Vision Element 3.8: “Strengthen multimodal connections in mixed-use centers and focus growth near transit.”
- Vision Element 4.7: “Accelerate Denver’s economic vitality through arts, culture, and creativity.”
- Vision Element 4.8: “Expand participation in arts and culture and ensure that arts and culture are accessible to all.”
- Vision Element 4.9: “Stimulate the growth of ideas and innovation.”
- Vision Element 5.1: “Mitigate climate impact by significantly reducing greenhouse gas emissions.”
- Vision Element 5.9: “Protect and improve air quality.”
- Vision Element 6.2: “Provide high-quality parks, recreation facilities and programs that serve all Denver residents.”
- Strong and Authentic Neighborhoods Goal 1.D: “Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities.”
- Strong and Authentic Neighborhoods Goal 2.C: “Create people-oriented places that embrace community character with thoughtful transitions, aspirational design and an engaging public realm.”
- Strong and Authentic Neighborhoods Goal 2.D: “Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture, and quality of life.”
- Strong and Authentic Neighborhoods Goal 3.D: “Expand resources to preserve and enhance neighborhood culture.”
- Healthy and Active Goal 1.C: “Design safe public spaces and recreational areas to serve people of all ages and backgrounds.”
- Denver and the Region Goal 1: “Be a regional leader in smart growth.”
- Denver and Region Goal 1 Strategy A: “Demonstrate the benefits of compact, mixed-use development for the region.”

For the reasons that the PUD Amendment is consistent with the Platte Amendment, the PUD Amendment is also consistent with the Comprehensive Plan. The Signage is intended to enhance the Project as a cultural, sports, recreational, educational, and entertainment center that incorporates high-quality urban design in a mixed-use context and celebrates culture, creativity, ideas, and innovation in a way that is accessible to people of all ages, backgrounds, interests, and incomes. By doing so, the Project contributes to the surrounding strong and authentic neighborhoods, including LoDo and the Ballpark district. LoDo, as Denver’s oldest neighborhood, is a hub of family-friendly attractions and businesses, including some of Denver’s best-known restaurants, galleries, shops and boutiques. Similarly, the Ballpark District provides family-friendly entertainment. The PUD Amendment integrates the Project into these neighborhoods by providing family-friendly activities facilitated by the Content Plaza Screen and Residential Tower Bridge Projection; such activities are complementary to and compatible with the activities and uses in the LoDo and Ballpark District neighborhoods. The PUD Amendment also helps to integrate

these neighborhoods with one another by providing wayfinding Digital Banners that help pedestrians navigate these neighborhoods.

The PUD Amendment also helps to accomplish the City’s sustainability and climate change goals as expressed in the Comprehensive Plan including goals to reduce emissions and improve air quality, by providing Signage that assists with pedestrian wayfinding and thereby encourages repeat-visit pedestrian activity to the Project. Additionally, the PUD Amendment contributes to the health and activity goals of the Comprehensive Plan because the Content Plaza Screen is intended to provide health and wellness programming, such as yoga classes.

The PUD Amendment also contributes to the compatibility of the PUD as a whole with the Comprehensive Plan. As noted above, the PUD as a whole allows for development of a mix of uses that will create natural gathering places for the residents of Downtown. By providing plentiful pedestrian access, design standards for Wynkoop Promenade and the Project as a whole, robust new economic activity, a minimum open space requirement that the Project will exceed, and parking reduction strategies the PUD allows for a Project that will serve as a new hub for year-round activity unique to Downtown. The Project will help Denver be a “regional leader in smart growth” and “demonstrate the benefits of compact, mixed-use development for the region.”

While the PUD Amendment would further many more strategies and recommendations in the Comprehensive Plan, the above list demonstrates the extent to which the PUD Amendment is consistent with the adopted Comprehensive Plan.

iii. Blueprint Denver (2019)

The City’s Blueprint Denver was adopted in 2002 and updated in April 2019. Blueprint serves as a supplement to the Comprehensive Plan that “provides the foundation for citywide policies and recommendations related to land use, transportation, design and growth” and “guides where new jobs and homes should go, how our transportation system will improve, how to strengthen our neighborhoods and where and how we invest in our communities with new infrastructure and amenities.” Blueprint sets a framework for “citywide policies and specific strategies” to achieve the visions of the Comprehensive Plan.

A major theme of Blueprint is a focus on equity, defined as “when everyone, regardless of who they are or where they come from, has the opportunity to thrive. Where there is equity, a person’s identity does not determine their outcome.” The Project and the Signage are intended to significantly advance the value of equity by providing a pedestrian-friendly, inclusive open space that will appeal to people and families of all ages, backgrounds, income levels, and interests with a variety of events from faith-based assemblies to educational programming to e-sports tournaments. The Project and Signage are intended to serve a dense mix of uses in one area, so in addition to the typical project-identifying and tenant-identifying signage that is allowed by D-AS-12+ zoning, the Content Plaza Screen, Residential Tower Bridge Projection, and Digital Banners are necessary as amenities and functional parts of the entertainment to truly create a sense of place. The PUD Amendment makes it possible for the Project to present a wide variety of interactive content that appeals to a diverse range of patrons. Such content can attract and educate a wide variety of people. The PUD Amendment is also necessary to permit the type of Signage that can

be adapted to meet current and future social distancing requirements and provide needed outdoor programming opportunities at a time when people are leery of gathering indoors.

Other major themes in Blueprint are promotion of quality of life and the creation of complete networks and neighborhoods with distinct identities. The Project and Signage are designed to contribute to the unique identity of Denver and the Ballpark and to promote the quality of life of all nearby residents by providing quality outdoor space and entertainment.

The PUD Amendment is consistent with many of the policies and recommendations in Blueprint, including but not limited to:

- Land Use & Built Form: Economics Policy 06: “Ensure Denver and its neighborhoods have a vibrant and authentic retail and hospitality marketplace meeting the full range of experiences and goods demanded by residents and visitors.”
- Land Use & Built Form: Economics Strategy 06(C): “Promote Denver as a destination for healthy living and economic opportunity.”
- Land Use & Built Form: Economics Strategy 06(D): “Build on Denver’s national and regional entertainment options to continue to blend the arts, entertainment, shopping and hospitality into unique Denver experiences.”
- Land Use & Built Form: Design Quality & Preservation Policy 03: “Create exceptional design outcomes in key centers and corridors.”
- Land Use & Built Form: Design Quality & Preservation Policy 04: “Ensure an active and pedestrian-friendly environment that provides a true mixed-use character in centers and corridors.”
- Land Use & Built Form: Design Quality & Preservation Policy 05: “Create design outcomes in suburban and urban edge contexts that promote active, pedestrian-friendly places.”
- Mobility Strategy 01(D): “Increase the number of services and amenities that are available by walking, rolling and biking by integrating more local centers and corridors into residential areas, especially for areas that score low in Access to Opportunity.”
- Mobility Policy 02: “Align the impacts of private development with transportation infrastructure and promote development that creates walkable, transit-friendly communities.”
- Mobility Policy 03: “On all streets, prioritize people walking and rolling over other modes of transportation.”
- Mobility Policy 09: “Improve safety on Denver’s streets and collaborate with city departments on safety programs when developing small area plans.”
- Quality of Life Infrastructure Policy 01: “Expand tools and regulations to ensure high-quality parks and outdoor public spaces keep pace with Denver’s growth.”
- Quality of Life Infrastructure Policy 05: “Ensure attractive streets and outdoor spaces in all centers and corridors, giving priority to pedestrian spaces and amenities.”
- Quality of Life Infrastructure Policy 10: “Work with public and private partners to improve access to shops, restaurants, entertainment, civic uses, services and a variety of daily needs for all Denver residents.”

While the PUD Amendment would further many more strategies and recommendations in Blueprint, the above list demonstrates the extent to which the PUD Amendment and PUD as a whole are consistent with Blueprint.

Blueprint also outlines the following components to consider in any requests for official zone map amendments: (i) the guidance in the neighborhood contexts map, (ii) the guidance in the future places map and place descriptions, and (iii) the growth strategy and related map. The PUD Amendment is consistent with all of these components.

#### A. Neighborhood Contexts Map

Like the Code, Blueprint is organized by “**Neighborhood Contexts**,” which are “a way to understand the differences in land use and built form, mobility options, and quality-of-life infrastructure between different neighborhoods.” The Property is located in the “**Downtown Context**,” which includes the highest mix of uses in the City and “a range of flexible outdoor spaces and hardscaped plazas.” The Downtown Context is also intended to enhance the pedestrian environment.

The Signage is compatible with the Downtown Context because it will enhance and serve the residents and patrons of the mix of residential, office, retail, and eating and drinking uses in the Project and surrounding neighborhoods. The Signage and the requirements of the PUD with respect to open space and the Wynkoop Promenade will contribute to the pedestrian-friendly nature of the Project by creating a heightened pedestrian environment that fosters civic pride. The Digital Banners will provide wayfinding amenities that are located and scaled for pedestrian use and will promote a lively sense of public activity in the Project. Similarly, the Residential Tower Bridge Projection and Content Plaza Screen will activate the surrounding area and provide outdoor entertainment and culture.

#### B. Future Places Map

The Future Places Map places the Property within a “**Regional Center**,” which is intended to serve as the “widest customer draw of all places with a 24/7 live, work and play environment attractive to locals and visitors.” The Regional Center also calls for a “high degree of urbanism paired with a strong pedestrian realm.”

As described elsewhere in this letter, the Signage and PUD as a whole are designed to create a sense of place of the Project as an urban center and attractor of locals and visitors, including pedestrians from nearby residences and nearby Coors Field. The Signage, and particularly the Content Plaza Screen, will benefit different types of users, including sports fans and consumers of artistic and cultural content and entertainment. While the Signage will enhance the experience of games at Coors Field, it is designed pursuant to the existing PUD requirements to facilitate events on a year-round basis. As integrated into the mix of residential, office, restaurant, and retail uses that the PUD permits, the Signage is a key component of the “live, work and play environment” that will draw in customers from nearby neighborhoods and the greater Denver metro area and beyond throughout the year. Therefore the Signage is compatible with Blueprint’s characterization of the Property as within a Regional Center.

### C. Growth Strategy

The Growth Strategy in Blueprint is intended to strengthen existing neighborhoods with strategically planned infill development to enhance the unique character of the City. As a version of the Future Places Map, the Growth Strategy shows the goals for distributing growth in the City. In the Regional Center in which the Property is located, job growth is projected to increase by 50%, and housing is intended to increase by 35%. The Signage enhances the Growth Strategy by contributing to the unique character of the area as a draw for future residents and commerce. The Signage will promote social and economic vitality for the Ballpark district and LoDo.

For the foregoing reasons, the PUD Amendment is consistent with Blueprint.

#### iv. Downtown Area Plan (2007)

The City adopted the Downtown Area Plan (“**Area Plan**”) in 2007 as a supplement to the Comprehensive Plan and as “a tool to help community leaders, decision-makers, and citizens build upon Downtown’s assets and guide future development to reflect the community’s vision of a livable, healthy, sustainable and vibrant Downtown.” As noted in the Initial PUD Application, the Area Plan identifies the Property as a key “Opportunity Site” in LoDo. Opportunity Sites are “vacant or underutilized parcels” in “strategic location[s]” with the “potential to not only shape new development on the site itself, but also catalyze additional development in the surrounding areas.” Development and redevelopment of Opportunity Sites “is essential to creating a dynamic, connected and walkable Downtown Denver.”

The PUD Amendment will allow for the Signage as a key component of the redevelopment of the Property into a mixed-use catalyst for the type of development envisioned in the Area Plan. The Content Plaza Screen and Residential Tower Bridge Projection will create more dynamic space that will be more connected and walkable with the help of the Digital Banners. The Signage and particularly the Content Plaza Screen also will constitute the types of “family-oriented . . . amenities” and “active uses” described in the Area Plan that will “bring liveliness and a sense of comfort and safety” to Downtown. With Signage that takes advantage of movement, light, and interactivity to engage the viewer, the Project stands to provide quality entertainment to all viewers and to draw in a diverse range of persons, from families enjoying art, to athletes practicing yoga, to businesspeople having lunch and enjoying an outdoor TED Talk. Without the Signage, the Project would lose the opportunity to engage nearby viewers with real-time responses and programming geared towards the desires of diverse audiences.

Additionally, the Area Plan calls for the facilitation of pedestrian movement by describing Wynkoop as a “Priority Pedestrian Connection” and identifying a lack of “cohesive pedestrian environments” as a significant challenge facing the City. The Signage will enhance the pedestrian experience along the Wynkoop Promenade that the PUD as a whole fosters with the strategic placement of the wayfinding Digital Banners and ensure that the Wynkoop Promenade is a key amenity along with the 5280 Trail. The Area Plan specifically identifies “undeveloped surface parking lots” and the lack of “cohesive pedestrian environments” as challenges confronting the City. It encourages development of all types of retail downtown and states that parking requirements should be eliminated where appropriate to encourage small retail businesses. The PUD as enhanced by the Signage helps the City overcome these challenges and accomplish these

goals by facilitating the redevelopment of the existing surface parking lot into a pedestrian-friendly mixed-use development with a significant retail presence near Union Station.

The PUD Amendment will also foster compatibility of the Project with LoDo by creating a pedestrian-friendly environment with family-friendly amenities and a diverse variety of opportunities for entertainment, just like the revitalized LoDo. Without mimicking any distinctive developments in LoDo, the Signage will provide a unique entertainment opportunity and a look and feel that is compatible with the look and feel of LoDo as an authentic community of pedestrian scale. This Signage builds on the high quality design elements that exceed the requirements of the base zoning district. The Project will therefore contribute to the safety and cultural opportunities in the area while honoring the grit and authenticity LoDo is known for.

The Area Plan also sets out five “vision elements,” one of which is development of “A Green City.” Part of making Denver a Green City is building “an outdoor downtown.” The Signage will help to build an outdoor Downtown by attracting nearby residents with outdoor entertaining and cultural content and thereby “strengthening connections between existing parks, plaza and recreation areas, and enhance[ing] the public realm to provide venues for outdoor activities throughout Downtown.” The Area Plan states that it is important to “provide venues for residents, workers and visitors to gather, relax and play.” This can be accomplished by hosting events that “promote biking and walking in Downtown,” and by continuing to “cluster world-class sports facilities in Downtown.” The Signage will contribute to an exciting and entertaining space for residents and patrons to gather, relax and play by facilitating the hosting of sporting events and other cultural events.

The Area Plan also sets out five “vision elements,” one of which is development of “A Green City.” Part of making Denver a Green City is building “an outdoor downtown.” This is broadly described as “strengthening connections between existing parks, plaza and recreation areas, and enhance[ing] the public realm to provide venues for outdoor activities throughout Downtown.” The Area Plan states that it is important to “provide venues for residents, workers and visitors to gather, relax and play[.]” This can be accomplished by “adding street trees and landscaping in the public right-of-way, in private open spaces and on rooftops,” by hosting events that “promote biking and walking in Downtown,” and by continuing to “cluster world-class sports facilities in Downtown.”

The PUD, the PUD Amendment, and the Signage will contribute to the development of an outdoor downtown and green city by creating new, landscaped outdoor spaces for residents and patrons to gather, relax, and play. It will rejuvenate Wynkoop Promenade and connect it to the Project and the central plaza. Where there was once a barren surface parking lot, the Project will provide interesting connections open to bikers and pedestrians and landscaped right-of-ways and open space.

For the foregoing reasons, the PUD Amendment is consistent with the Area Plan.

b. *Supplemental Plans*

Not only is the PUD Amendment consistent with the City’s adopted plans, it is also compatible with many of the supplemental plans created for the City.

i. Game Plan for a Healthy City

Game Plan dated May 2019 and adopted as a supplement to the Comprehensive Plan is “a park and recreation plan for Denver’s urban and mountain park systems that proclaims safe and easy access to parks and open space, a healthy lifestyle, and a healthy environment are all basic rights for every resident.”

By providing the largest privately owned open space in the City, the Project and Signage further the following guiding principles and goals of the plan:

- Guiding Principle: “Ensure equity in the distribution of parks and park resources and programming so that all residents have the opportunity to improve their personal health and well-being.”
- Guiding Principle: “Provide parks and programming that reflect Denver’s community and cultural identity.”
- Goal 6: “Ensure that parks, facilities, programs, and staff contribute to a high-quality, safe, and meaningful experience for park users and program participants.”
- Goal 7: “Achieve equitable access for underserved communities to parks and recreation amenities for all members of the community.”
- Goal 8: “Make decisions informed by an understanding of community perspectives.”
- Goal 9: “Provide quality programs and places that respond to Denver’s evolving needs.”
- Goal 13: “Increase the supply of parks, facilities, and resources relative to Denver’s population growth.”
- Goal 15: “Recognize parks and public spaces as vital elements of urban infrastructure for the city.”
- Goal 16: “Protect and enhance Denver’s legacy pathways: its parkways, greenways, and trails.”
- Goal 17: “Highlight and protect the system’s unique historic, social, and cultural resources.”
- Goal 19: “Design parks, facilities, and programs that reflect Denver’s distinct places and neighborhood identities.”
- Goal 20: “Provide opportunities to expand Denver’s healthy, outdoor lifestyle to all.”

For the same reasons that the Project and the Signage further the goals of The Outdoor Downtown, the Project and Signage further the goals of the Game Plan. As a private open space meant to provide outdoor amenities and programming to people of all ages, backgrounds, and incomes, the Project and Signage encapsulate an inclusive approach to enhancing the outdoor experience in Denver.

While the PUD Amendment would further many more goals and priority strategies in Game Plan, the above list demonstrates the extent to which the PUD Amendment is consistent with Game Plan.

ii. Denver Moves: Pedestrians and Trails

Denver Moves is a citywide plan that went into effect in 2017 and focuses on the enhancement of the pedestrian experience in Denver through the completion and improvement of sidewalks, street

crossings, and trails. Denver Moves is not adopted as a supplement to the Comprehensive Plan, and therefore consistency with Denver Moves is not necessary for compliance with the criteria for an official zone map amendment. Nonetheless, because Denver Moves is intended to be used by various City departments to implement the Comprehensive Plan, consistency with Denver Moves helps to further the City's objectives and policies as set forth in the Comprehensive Plan.

The Project and Signage are consistent with and further the following vision statements and goals in Denver Moves:

- “The vision for the pedestrian network of the City and County of Denver is one that provides residents, employees and visitors with a walkable environment that is safe and comfortable for all users and treats all users with dignity;”
- “The pedestrian environment will be well-connected with a complete set of sidewalks and crossings that access key destinations including transit stops and stations, parks and grocery stores;”
- “Walking will be a safe mode of transportation and activity for all ages;”
- “The pedestrian environment will not only create a comfortable walking experience, but serve as a beautiful, clean and well-lit space that promotes healthy living.”
- Goal 2: Connectivity: “A complete, connected sidewalk network without gaps and with frequent pedestrian crossings across barriers.”
- Goal 3: Destination Access: “A complete pedestrian network with sidewalks and crossings that are up to standards and provide direct access to key destinations: transit, grocery stores, parks, schools and health care centers.”
- Goal 6: Safety: “A safe network of pedestrian facilities that enables walking as a comfortable transportation mode and is designed to reduce or eliminate crashes involving pedestrians.”

By creating a family-friendly and inclusive outdoor space, the Project and the Signage will contribute to a highly walkable environment that is safe and comfortable. The Project will contribute uniquely to the Downtown area by creating a family-friendly outdoor location that caters to people of all ages and backgrounds. The Digital Banners will activate the Wynkoop Promenade and encourage pedestrian connections among key destinations, and their wayfinding features and the family-friendly atmosphere created by the Signage will contribute to safety. Through active programming that is accessible by pedestrians, the Content Plaza Screen will promote healthy living. As a walkable link between nearby amenities and transit, the Project and Signage will also promote the goals of connectivity and destination access.

For the foregoing reasons, the PUD Amendment is consistent with Denver Moves.

### iii. 5280 Trail Vision Plan

The 5280 Trail Vision Plan dated August 20, 2019 was developed to set the framework for the 5280 Trail, a proposed urban trail that will unite the downtown districts with surrounding areas, connecting neighborhoods and people. The 5280 Trail as envisioned will incorporate the Wynkoop Promenade and wrap around the northeast side of the Property. The 5280 Trail is intended to be an integration of new park and open spaces that promotes healthy connections between various neighborhoods. The 5280 Trail Vision Plan is not adopted as a supplement to the Comprehensive

Plan, and therefore consistency with the 5280 Trail Vision Plan is not necessary for compliance with the criteria for an official zone map amendment. However, because the 5280 Trail Vision Plan builds on the visionary ideas and goals identified in plans adopted as supplements to the Comprehensive Plan, the 5280 Trail Vision Plan helps to further the City’s goals as set forth in adopted City plans.

The 5280 Trail Plan characterizes Wynkoop Street as “Denver’s Living Room” and sets the intention to complete the “Living Room” with “a shared street that prioritizes pedestrians, gathering and commerce in downtown’s historic center and present day transit hub.” With respect to Wynkoop Promenade specifically, the 5280 Trail Plan states, “A pedestrian plaza creates a terminus and provides a strong connection between Coors Field and Wynkoop Street.” By contributing to the development of the Wynkoop Promenade as a shared pedestrian-friendly space that connects Coors Field with Wynkoop Street, the Project and Signage clearly will help to further this intention.

The 5280 Trail Plan states that wayfinding elements should be located at “key locations” such as major street crossings, major bicycle routes, cultural institutions, and neighborhood gateways. The Digital Banners fulfill this vision by providing attractive wayfinding amenities along Wynkoop Promenade.

Like the Project and the Signage, the 5280 Trail Plan focuses on benefitting a “wide range of users including children, tourists on B-cycles, parents with kids in bike trailers, joggers, roller skaters, wheel chair users and dog walkers.”

For these and other reasons as described herein, the PUD Amendment is consistent with the 5280 Trail Plan.

#### iv. 21<sup>st</sup> and Wynkoop Design Plan

The 21<sup>st</sup> and Wynkoop Design Plan dated July 2016 was created with the goal to “develop a conceptual design of the streets that balances the needs of all users and enhances these corridors as premier destinations in the city.” This plan recommended the creation of the 5280 Trail, then called the “Mile High Loop,” which as described above will incorporate the Wynkoop Promenade and also pass the northeast side of the Property and “extend[] the notion of the trail open space into the City.” The 21<sup>st</sup> and Wynkoop Design Plan is not adopted as a supplement to the Comprehensive Plan, and therefore consistency with the 21<sup>st</sup> and Wynkoop Design Plan is not necessary for compliance with the criteria for an official zone map amendment. Nonetheless, because the 21<sup>st</sup> and Wynkoop Design Plan considered and intends to implement plans such as Blueprint Denver, consistency with the 21<sup>st</sup> and Wynkoop Design Plan helps to further the objectives of the City’s adopted plans.

The 21<sup>st</sup> and Wynkoop Design Plan identified Wynkoop Street as a “missed opportunity to create a signature street” and noted that “the street lacks unity and a multi-modal strategy to comfortably accommodate pedestrian and bicycle traffic.” To overcome these challenges, the 21<sup>st</sup> and Wynkoop Design Plan conceptualized Wynkoop Street as “an active plaza-like atmosphere that acknowledges the street as the ‘doorstep’ to the City.” As noted above, the Project and Signage fit this conceptualization in a unique and Denver-specific way through the creation of a plaza-like

atmosphere with quality entertainment on the Signage that will facilitate and draw in pedestrian and bicycle traffic. In doing so, the Signage and Project as a whole align with the following goals as enumerated in the 21<sup>st</sup> and Wynkoop Design Plan:

- “Help create signature streets within the neighborhood(s)”
- “Improve the game day experience for guests to Coors Field”
- “Connect with other key destinations and the overall public realm experience”
- “Facilitate reinvestment in underutilized properties”
- “Enhance the overall public realm experience”

The installment of the signage will enhance Wynkoop as a “signature” street that connects with other key destinations, facilitate reinvestment in the underutilized Property, and enhance the experience of pedestrians, nearby residents, and tourists. The Project will help to create a “vibrant,” “entertaining,” and “bold” character area that acts as a “gateway[] to the Ballpark” and, as described above, the Project fits entirely into the 21<sup>st</sup> and Wynkoop Design Plan’s vision of the Property as an area “focused on event activities, but flexible to encourage everyday use.”

For these and other reasons described herein, the PUD Amendment is consistent with the 21<sup>st</sup> and Wynkoop Design Plan.

#### v. The Outdoor Downtown

The Outdoor Downtown, adopted in 2017, is a 20-year master plan intended to provide a list of policies and programs that “will make Downtown’s parks and public spaces world-class destinations.” The Outdoor Downtown is not adopted as a supplement to the Comprehensive Plan, and therefore consistency with The Outdoor Downtown is not necessary for compliance with the criteria for an official zone map amendment. However, The Outdoor Downtown is intended to tie in to the City’s ongoing planning initiatives, including Blueprint Denver, and therefore helps to further the objectives of the City’s adopted plans.

A goal of The Outdoor Downtown is to encourage the creation of private open spaces and allocate parks and quality open spaces “within specific walking distance from all Downtown users to ensure that everyone has convenient access to vibrant open space on a daily basis.” The Project as enhanced by the Signage clearly facilitates this goal by providing the largest private open space in the City with entertainment for pedestrians and residents of nearby neighborhoods.

Additionally, the Project’s open space and the Signage align with all of the enumerated goals of The Outdoor Downtown:

- “Celebrate and activate Denver’s Outdoor Downtown”
- “Create a premier Downtown by providing accessible and inviting parks and public spaces that contribute to an economically thriving Downtown”
- “Foster a diverse and livable Downtown”
- “Cultivate Denver’s culture and identity in the outdoor spaces”
- “Provide environmentally and functionally sustainable outdoor spaces”

In addition, the Project and Signage align with and further the following aspirations, recommendations, and policies, projects, and programs in The Outdoor Downtown:

- Aspiration: “To realize the full potential of Downtown’s parks and public spaces by heightening their sense of safety, comfort, usability and excitement.”
- Aspiration: “Downtown parks and public spaces that better support the daily fitness needs of residents and that create novel urban recreational experiences unique to Denver.”
- Recommendation 2.2: “Create a network of various sized parks, public spaces and venues to ensure that all Downtown residents, employees and visitors have access to quality outdoor space within a three minute walk.”
- Policies, Projects & Programs 2.2.1: “Work with public officials and private property owners to develop guidelines to improve the quality and public accessibility of open spaces in private developments, such as private plazas, activated alleys and other open spaces. Include mechanisms to reduce liability for property owners.”
- Policies, Projects & Programs 2.3.2: “Provide infrastructure to support group exercise, games (e.g., chess, Ping-Pong, foosball), court sports (e.g., basketball, futsal, pickle ball), winter activities (e.g., ice skating, hockey, curling), and other active uses in new and existing Downtown Denver parks and public spaces.”
- Recommendation 2.4: “Provide a range of year-round and multi-generational programs and activities that meet the needs of the Downtown population.”
- Aspiration: “To enhance the day-to-day experience of life Downtown by allowing easy and intuitive movement to and through the city and by offering opportunities to explore every corner.”
- Recommendation 3.1: “Coordinate with Denver Moves plans to improve pedestrian, transit and bicycle connections to and through Downtown Denver from surrounding neighborhoods, transit stations and regional trails.”
- Recommendation 3.2: “Create distinct gateways and wayfinding to encourage navigation of Downtown Denver through parks and public spaces.”
- Policies, Projects & Programs 3.2.3: “Provide directional signage and wayfinding at ‘decision points,’ such as transit stations, entries to regional trails, special-use parks and local landmarks.”
- Policies, Projects & Programs 3.4.4: “Work with technology partners to pioneer innovative uses of the public realm, such as smart benches, interactive wayfinding and responsive public art.”
- Aspiration: “The public realm will be an active participant in the cultural life of the city by acting as a stage for expression and by exhibiting the full range of Colorado culture in a condensed urban form.”
- Recommendation 4.2: “Catalyze and support the integration of art and culture into the Outdoor Downtown.”

The Project’s private outdoor space that is accessible by the public will further these goals by providing quality outdoor activities and a sense of place that unites, acknowledges, and respects the diversity of ages, backgrounds, incomes, and interests in the City. The Signage will also integrate art and culture into the outdoor City environment through the display of visual art from local and non-local artists, cinema, and photography on the screen that will be accessible to all.

While the PUD Amendment would further many more aspirations, recommendations, and programs in The Outdoor Downtown, the above list demonstrates the extent to which the PUD Amendment is consistent with The Outdoor Downtown.

Therefore, the PUD Amendment complies with the City's existing plans. For the foregoing reasons, the PUD Amendment satisfies this criterion for approval.

2. 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.

The PUD Amendment does not promulgate regulations or restrictions for buildings in the district, and therefore this criterion does not apply. The underlying PUD fulfills this requirement by drawing upon elements of the C-MX Zone District for design standards, building form, open space, and similar standards and requirements and inherently creating regulations and restrictions specific to the buildings on the Property.

3. The proposed official map amendment furthers the public health, safety and general welfare of the City.

The City has adopted multiple plans in the interest of public health, safety, and the general welfare, including the Platte Amendment, the Comprehensive Plan, Blueprint, the Downtown Area Plan, Denver Moves, 5280 Trail Vision Plan, 21<sup>st</sup> and Wynkoop Design Plan, The Outdoor Downtown, and Game Plan. As described in detail above, the PUD Amendment furthers the goals, policies, and strategies in these City plans, and thus furthers the health, safety, and general welfare of the City.

Additionally, the development surrounding the Project will be positively impacted by the Signage. The surrounding neighborhoods including the Ballpark District and LoDo are urban, pedestrian-scaled places, and the Signage is an integral part of an urban, pedestrian-focused development. The design of the Project is also such that the Signage in general is not visible unless patrons wish to view it, such as by entering the content plaza, walking to the content plaza along the Wynkoop Promenade, or walking beneath the Residential Tower Bridge Projection. The Signage also builds on the requirements of the underlying PUD, which enhances safety with active spaces, transparency requirements and pedestrian scaled lighting.

Therefore, the PUD Amendment satisfies this criterion for approval.

## II. **Criteria for Non-Legislative Rezonings**

In addition to the foregoing criteria, the City Council may approve an amendment to a PUD that the City Attorney has determined is not a legislative rezoning, provided that one of the following circumstances exists:

- a. The existing zoning of the land was the result of an error;

- b. The existing zoning of the land was based on a mistake of fact;
- c. 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;
- d. Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:
  - (i) Change or changing conditions in a particular area, or in the city generally, or
  - (ii) A City adopted plan, or
  - (iii) That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.
- e. 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 the Code.

The PUD Amendment is a non-legislative rezoning and the circumstances described in “d(i)” and “d(ii)” above exist with respect to the Property.

The area surrounding the Property has changed and has continued to change since the adoption of I-MX zoning for the Property in 2010. At that time, the purpose of the Property was to provide surface parking for the nearby Coors Field. Now, the highest purpose of the Property is no longer surface parking but is instead the set of uses envisioned for the Project, as enhanced by the Signage.

Additionally, since the adoption of PUD-G #19 zoning in November 2018, significant development projects have been designed, approved and constructed, or are presently under construction, in the Downtown area. Major new development in 2019 included numerous new condominium projects, various new office buildings, including the World Trade Denver office building and hotel, and mixed use developments such as Train Denver on the north end of RiNo, many of which are still ongoing. As the Denver landscape continues to change and the Downtown area becomes more urban, unique attractions such as the Signage and accompanying amenities have become critical to attract visitors and proactively mold the character of Denver as a City with high-quality pedestrian urban core and a variety of high-quality culture, sports, and entertainment. The Signage is necessary in addition to the signage allowed by D-AS-12+ zoning because in Denver’s urban landscape, the typical project-identifying and tenant-identifying signage that inundates the urban core does not permit opportunities for engagement with pedestrians and creation of a true sense of place to the same degree that the Signage will permit. The PUD Amendment makes it possible for the Project to present a wide variety of unique and novel

interactive content that appeals to a diverse range of patrons. Such content can attract and educate a wide variety of people and further the social justice goals of the Rockies.

Since the adoption of PUD-G #19, the City has also made a shift toward incorporating more and more digital art and advertising into its urban cityscape. For example, in November 2019, the exhibit Night Lights Denver began projecting animated art shows on the clock tower on 16<sup>th</sup> Street at night. Strategic use of digital screens continues to take hold along 16<sup>th</sup> Street Avenue in complement to the computerized electronic sign at the Denver Pavilions commonly known as the iconic “Great Wall.” The Denver Digital Network has placed five large-format screens in major Downtown locations such as the Colorado Convention Center and the 16<sup>th</sup> Street Mall accounting for over 3,350 square feet of digital signage, and the impact of these screens on the Denver cityscape has only truly become clear since the adoption of PUD-G #19. The Denver Theater District has continued to display advertising on its static and LED screens to fund art and cultural activities for the benefit of the public. Near the Project, Coors Field continues to employ its digital screens for entertainment and advertisement for the ultimate benefit of the sports fans it attracts. The Signage as allowed by the PUD Amendment is necessary for the Project to respond to this shift in cityscape and to contribute to the cityscape’s mindful development by adding complementary amenities that promote the City’s unique cityscape and engage the surrounding community with entertaining and interactive content. Revenues from the Signage will fund the content and programming that will contribute to Denver’s position as a cultural and artistic leader, and the Project as a whole contributes to keeping the Rockies at Coors Field.

Additionally, as described previously, multiple major City-adopted plans have changed or been adopted since the approval of the Initial PUD Application in 2018. Comprehensive Plan 2000, the plan in effect at the time of initial approval of PUD-G #19, was replaced with the current Comprehensive Plan in May 2019. Blueprint, originally adopted in 2002, was revised in April 2019. With respect to the former plans that were replaced in 2019, the current Comprehensive Plan acknowledges, “a lot has changed since those plans were adopted.” For example, Comprehensive Plan 2000 was adopted as the Central Platte Valley was transitioning from a former railyard area to a hub for major sports and entertainment venues, with development projects that “set the stage for new development that complements Downtown, Lower Downtown and the adjacent Highlands neighborhood.” The PUD-G #19 District Plan as adopted fit well into this framework. The current Comprehensive Plan was adopted in 2019 with a more regional focus, more nuanced challenges with respect to equity, diversity, and inclusivity, a stronger focus on culture, and an aspiration of creating “authentic neighborhoods reflecting the unique culture and history of the people who live there” and a “world class urban center.” The approval of the Signage is a key step towards accomplishing the more heightened and nuanced goals of the current Comprehensive Plan, acknowledging and shaping the unique characteristics of the Ballpark area as a “world-class urban center.”

Similarly, as described on the “Denverright” City website that describes the updates to the City’s plans, Blueprint’s 2019 revision focused “for the first time” on greater inclusivity and diversity, “considering social equity factors so we can tailor solutions to each neighborhood’s unique needs—so changes that occur can benefit everyone.” The Signage responds to this new focus by providing new pedestrian-friendly, outdoor amenities enjoyable by all residents in nearby neighborhoods and the greater Denver area. Additionally, when describing the revised Blueprint

and its growth strategy, the current Comprehensive Plan states that the revised Blueprint is intended to strengthen neighborhoods “though thoughtful infill development that enhances the city’s unique character.” The Signage is exactly the type of amenity that thoughtfully enhances the uniqueness of the Downtown area.

Game Plan was also updated in 2019 with an emphasis on the role parks and recreation services play in creating “equitable, livable cities” and demonstrating the City’s commitment to open spaces and opportunities for all residents to participate in outdoor activities and programming. The Project will provide the largest privately owned open space in the City and contribute to the equitable and livable nature of the Ballpark district and the City in general, and the Signage will facilitate outdoor activities, educational programming and entertainment that families can enjoy.

In addition to these revisions, a new plan, the 5280 Trail Plan was promulgated in August 2019 to provide the framework for the 5280 Trail and thereby enhance the health, outdoor experience, and inclusivity of the City. By enhancing a portion of the 5280 Trail with wayfinding Digital Banners and providing a content plaza for pedestrians and bicyclists along the way, the Project and Signage further the goals of the 5280 Trail Plan.

Therefore, the PUD Amendment satisfies the criteria for approval of a non-legislative rezoning.

### III. **Criteria for Rezoning to PUD District**

The City Council may approve a PUD Amendment if it complies with the specific criteria for rezoning to a PUD in Section 12.4.10.9 of the Code. The PUD Amendment complies with those criteria, as explained in detail below.

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.

Per Code § 9.6.1.1(A), the purpose of PUD zoning “is to provide an alternative to conventional land use regulations, combining use, density, site plan and building form considerations into a single process.” As described in the Initial PUD Application, the existing PUD-G #19 District Plan accomplished this goal by incorporating elements from existing zone districts into one document that can be reviewed and approved in a single process, and will continue to accomplish this goal if the PUD Amendment is approved.

Section 9.6.1.1(B) of the Code states that PUD zoning is not intended “as either a vehicle to develop a site inconsistent with the applicable neighborhood context and character, or solely as a vehicle to enhance a proposed development’s economic feasibility.” Under the prior zoning, the Property could have been developed from lot line to lot line without preserving any private open space, making any enhancements to Wynkoop Promenade, or providing other amenities. The Project as enhanced by the Signage will elevate the required design and site layout compared to what was allowed under prior zoning. The PUD Amendment is intended to develop a site that is consistent with the surrounding neighborhoods, including the Ballpark area and LoDo. The Project as enhanced by the Signage will act as a entertainment center that complements nearby Coors Field and will serve as a pedestrian-focused amenity with a variety of opportunities for entertainment compatible with LoDo. The Signage is also designed to be minimally visible to surrounding

residential uses, including on-site uses, and to traffic on the nearby rights of way. While the Signage may have a positive effect on the development's economic feasibility, the intent of the PUD Amendment is entirely in keeping with the intent of the original PUD-G #19 rezoning: to ensure that the eventual Project is compatible with the neighborhood context and character by requiring private open space, limiting density, imposing appropriate setbacks, and allowing West Lot LLC to utilize and improve upon the existing Wynkoop Promenade and to connect it to the proposed central plaza on the Property.

The Code also provides that PUD zoning "is intended to respond to unique and extraordinary circumstances, where more flexible zoning than what is achievable through a standard zone district is desirable and multiple variances, waivers, and conditions can be avoided." Code, § 9.6.1.1(A). The Code defines "unique and extraordinary circumstances" that justify a rezoning to PUD to include, without limitation, the following:

- a. Where a development site has special physical characteristics, including but not limited to irregular or odd-shaped lots, or lots with significant topographical barriers to standard development or construction practices;
- b. Where a customized zoning approach is necessary to protect and preserve the character of a Historic Structure or historic district;
- c. Where a 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; or
- d. Where the proposed scale or timing of a development project demands a more customized zoning approach to achieve a successful, phased development.

Because the Initial PUD Application complied with this criterion by demonstrating the unique and extraordinary circumstances described in "a," "c," and "d" above, and because the PUD Amendment does not interfere with the compliance of the PUD-G #19 District Plan with this criterion, the PUD Amendment meets this criterion to the extent that it is applicable. The Initial PUD Application provided protections and enhancements for Wynkoop Promenade that no existing zone district could provide, and the Digital Banners contribute to these enhancements as a wayfinding amenity. The Initial PUD Application also brought the Property closer to conformance with the City's adopted plans by providing important design standards and guidelines that bring the Property closer to conformance with the neighborhood and adjacent Historic District in a way that the existing zoning could not, and the Signage is a key component of the Project's design. Finally, the complexity presented by Wynkoop Promenade, the steep grade on 20<sup>th</sup> Street, and the intent to develop a central plaza that includes the Content Plaza Screen demanded a more customized zoning approach to achieve a successful development.

Per § 9.6.1.1(D), in exchange for the flexibility granted in the PUD, "development under a PUD District should provide significant public benefit not achievable through application of a standard zone district, including but not limited to diversification in the use of land; innovation in development; more efficient use of land and energy; exemplary pedestrian connections, amenities,

and considerations; and development patterns compatible in character and design with nearby areas and with the goals and objectives of the Comprehensive Plan.” As explained in the Initial PUD Amendment, the purpose of the PUD, and the continuing purpose of the PUD Amendment, is to enhance the development program for the eventual Project and to allow for and require the development of amenities that will serve a public benefit. The PUD Amendment is to allow West Lot LLC to develop the central plaza, enhance Wynkoop Promenade, and develop an effective mix of uses. The PUD Amendment allows for a more creative use of the Property that includes private open space, a diversity of compatible uses, and development that is compatible with adjacent properties. The Signage helps to fill the void of family-friendly destinations in the Ballpark neighborhood and will contribute to the resurgence of LoDo initiated by Coors Field and continued and expanded by iconic projects such as Union Station. The Signage contributes to sustainable modes of transportation by enhancing the pedestrian experience along Wynkoop Promenade and will provide amenities accessible by people of a diverse range of backgrounds. The following are examples of interactive amenities the Project could not provide without the enhanced Signage:

- Sports programming and activities
- Real-time digital interactive activities
- Streamed faith-based assemblies
- Streamed TED Talks
- Streamed outdoor yoga on a large scale
- Movies
- Projections of real-time photos from visitors
- Real-time updates on news and current events

Therefore, for the above reasons, the PUD Amendment is consistent with the intent and purpose of PUD districts stated in Article 9, Division 9.6 (Planned Unit Development) of the Code.

2. The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in Division 9.6.

The PUD Amendment and existing PUD comply with all such criteria, as confirmed by City staff. The PUD, as amended, shall continue to specify permitted and accessory uses, and contain detailed design and building form standards, which are based on provisions selected from the base D-AS-12+ Zone District and the C-MX Zone District to aid with consistent interpretation with the Code.

3. 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 only way to permit the Signage is to amend the existing PUD-G #19 zoning. As a use that must be permitted by a zone district, the Signage may not be permitted through a variance, waiver, or condition.

Rezoning the Property to another zone district that allows the Signage as a use by right is not feasible because the PUD-G #19 zoning is necessary for development of the Project as a whole. As detailed in the Initial PUD Application, the Project as a whole would not be feasible under

other zone districts and would otherwise require an unreasonable number of variances or waivers and conditions. Wynkoop Promenade is not a public right-of-way. Therefore, under the Code, in any other zone district than PUD, no regulations specifically govern this interface, and it would not be possible to hold subsequent developers or property owners to the high standards envisioned for the Project. Many of the important form-based and design standards and protections in the PUD (such as proper build-to, transparency, etc.) would not have applied to the site, which created a large gap in standard zoning and put one of the site's most important frontages at risk. No standard zone district fits the unique features and characteristics of the site. Therefore, customized zoning approach was necessary to preserve the high standards envisioned for the Project and the unique street frontages, including the frontage on the Wynkoop Promenade.

4. The PUD District and the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property.

The Project is adjacent to Coors Field, which is an activated and energized space that employs a large variety of digital signage, including outdoor digital advertising. The Project is also adjacent to nearby LoDo and provides complementary entertainment and activities to the pedestrian-friendly, revitalized Historic District. The Signage will extend and build upon this activation and energy and complement the signage in surrounding neighborhoods by allowing for the broadcasting of sporting events or other complementary content. The Digital Banners will also activate the Wynkoop Promenade and serve as a visual link from Union Station to Coors Field. As noted above, the Signage will be subject to a good neighbor policy that limits its luminescence and hours of operation. The Content Plaza screen will not be visible from the right of way and will be minimally visible from surrounding residential uses including on-site uses, and the Digital Banners will be minimally impactful on vehicular traffic. The Residential Tower Bridge Projection is not visible from residences in the Ballpark area and is only partially visible from certain portions of the right of way. Therefore, the Signage is compatible with the uses allowed in the adjacent zone districts.

As described in detail in the Initial PUD Application, the existing PUD will continue to establish office, residential, and retail uses that are compatible with uses on the adjacent properties.

5. 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 (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).

The PUD Amendment does not and is not intended to establish any new permitted building forms, so this criterion does not apply.

The Initial PUD Application was tailored to ensure compatibility with adjacent properties and the LoDo neighborhood by drawing from components of the building form and design standards for D-AS-12+ and C-MX Zone Districts with variations for building height, siting, and design elements related to building configuration, required private open space, street level activation, and visible parking above street level. It also adopted supplemental design standards, design standard

alternatives, and design standard exceptions in D-AS-12+, with some exceptions, additions, and modifications for build-to alternatives, transparency alternatives, and height to apply C-MX-12 standards and allowed for active use of the rooftop at the required upper story setback.

For example, the PUD limits the height of the buildings along 19th Street and requires certain step-backs to mitigate the visual impact of the eventual Project on the street and adjacent properties. This helps to ensure compatibility with, and a smooth transition to, the shorter buildings in nearby LoDo. In recognition of Wynkoop Promenade's unique status and importance, the build-to minimum and maximum range for the zone lot at the west zone lot line have been adjusted, the PUD requires that private open space be visible from either a Primary or Side Street, and (for the purposes of measuring such visibility) the west zone lot line will be designated as a Primary Street. The PUD also requires a pedestrian walkway within 80 feet of the west zone lot line to connect 19th and 20th Streets, again bringing appropriate attention to Wynkoop Promenade and increasing the compatibility of the proposed Project in relation to adjacent properties (including the walkable LoDo area) by providing a pedestrian-accessible transition at the boundary of the Property. The Signage is the next logical step in continuing to develop a Project that is compatible with adjacent neighborhoods, that enhances the open space, and that highlights the Project's pedestrian amenities.

By drawing on components of the building form and design standards for D-AS-12+ and C-MX Zone Districts, with minor variations, the PUD has been tailored to ensure compatibility with adjacent properties and the LoDo neighborhood. Moreover, the eventual Project as enhanced by the Signage will reflect the design discussed in numerous conversations with adjacent property owners, Registered Neighborhood Organizations, HOAs, and similar interested parties.

### CONCLUSION

As discussed in detail above, the PUD Amendment satisfies all of the criteria in the Code for approval of a zone map amendment, a non-legislative rezoning, and a rezoning to a PUD, and thereby satisfies all of the criteria of the Code for an amendment to a PUD. West Lot LLC has worked hand-in-hand with the City, neighbors, and various other interested parties to ensure that the PUD Amendment and resulting Project, as enhanced by the Signage, reflect the best use of the Property and allow for development of a project that will enhance the neighborhood, provide unique amenities, and contribute to the unique character of Downtown Denver. As described throughout this letter, the PUD Amendment will provide significant public benefit and advance innumerable City goals and plan recommendations. Therefore, we respectfully request that the City approve the proposed PUD Amendment.

Sincerely,  
**Brownstein Hyatt Farber Schreck, LLP**



Carolynne C. White, Esq.

Attorney

August 11, 2021

City and County of Denver  
Community Planning and Development  
Attn: Brandon Shaver  
201 W. Colfax Ave., Dept. 205  
Denver, CO 80202

Re: West Lot PUD Amendment Application, Follow Up Response to Planning Board Questions/Comments

Mr. Shaver:

As you know, we represent West Lot LLC, a Colorado limited liability company (“**West Lot LLC**”) with respect to its application to amend the Planned Unit Development General-19 District Plan (“**PUD-G #19**”) approved by City Council on November 13, 2018 (the “**PUD Amendment**”). PUD-G #19 applies to the approximately 3-acre property generally located at the north corner of 19<sup>th</sup> and Wazee Streets, commonly known as the West Lot and Wynkoop Promenade and more particularly described on the attached **Exhibit A** (the “**Property**” or “**McGregor Square**”), in the City and County of Denver, Colorado (the “**City**”). On July 21, 2021, the Planning Board heard presentation and testimony regarding the PUD Amendment, and provided comments and feedback about the PUD Amendment, then continued the hearing to August 18, 2021. This letter is provided to highlight for the Planning Board those minor revisions West Lot LLC proposes to incorporate into the PUD Amendment, and provides some additional information in response to the Planning Board’s questions.

Overall, the effect of these changes is to decrease the opportunities for off-premise advertising; to increase the requirements for Public Art and Screen Share; and to clarify areas of concern or which were unclear. For example, because the Tower Bridge Projection Sign is the only sign with any measurable visibility from public rights of way, it is no longer proposed to utilize off-premise advertising at any time. Rather, the Tower Bridge Projection Sign will be used as it is presently authorized; no additional authorization is sought in the PUD Amendment for the Tower Bridge Projection Sign. Further, Game Days and Event Days are no longer excepted out of minimum Public Art and Screen Share requirements.

## Revisions to PUD Application

The below summarizes the revisions that West Lot LLC proposes to the PUD Amendment to clarify various issues, and address inconsistencies identified through Planning Board review.

1. Section 6.3.3.C.1(a)(i). In this section, the applicant is proposing to add additional language to help clarify content requirements, and fix a typo. While the First Amendment generally imposes limitations on the ways in which the content of signs can be regulated, the PUD can and does delineate the ways in which the PUD proposes to regulate content – namely by requiring that certain percentages of total screen time be devoted to Public Art, Screen Share, and other community purposes.
2. Section 6.3.3.C.1(a)(ii). This section, which had identified certain times when signs higher than 70 feet above finished grade (namely the Tower Bridge Projection Sign) could display off-site advertising, is proposed to be removed. The effect of this is that the Bridge Project sign – or any sign which is later approved that is higher than 70 feet above finished grade – may not display off-premise advertising at any time.
3. Section 6.3.3.C.9(b). In this section, the applicant also proposes to delete the reference to the Bridge Projection, consistent with the above.
4. Figure 6.1. This illustration is revised to remove the Tower Bridge Projection Sign and change banners to Screens B.
5. Section 6.3.3.C.11(a)(iii). This section is revised to provide additional language to clarify that details regarding the process and standards for allocation of Screen Share time will be required to be set forth in the Conceptual Sign Plan (“CSP”).
6. Section 6.3.3.C.13(a). In this section, West Lot LLC is proposing to increase the Public Art/Screen Share time to 15% on Screen A on all days, including Game Days and Event Days. This section is also revised to change the denominator for the percentage calculation from annual to weekly. The combined effect of these two changes (increase percentage and remove exclusion for Game Days and Event Days) will result in overall more time being devoted to Public Art and Screen Share, in response to feedback from the Planning Board.
7. Section 6.3.3.C.13(b). This section is proposed to be deleted, consistent with previous changes to remove the ability to display off-premise advertising on the Tower Bridge Projection Sign.
8. Section 6.3.3.C.13(c). The changes in this section increase Public Art and Screen Share minimum requirements for Screen B to 15% on Game Days and Event Days, and change the denominator for the calculation of percentage from annual to weekly. This will also result in Public Art and Screen Share being presented more of the time.

9. Section 6.6.4. In the “Definitions” section, the Tower Bridge Projection Sign is deleted. Additionally, a definition of Screen Share has been added, to provide additional clarity regarding what is intended for this use of the sign.

### Questions

This section summarizes some of the important questions asked by Planning Board members and provides responses for the Board’s consideration.

- a. “Good Neighbor Policy.” Several Board members had questions about the applicant’s use of this term, and may have been thinking of a “Good Neighbor Agreement” that is sometimes a component of infill development. Unlike in an agreement between private parties, when the agreed-upon limitations are incorporated into the zoning documents, the City has the means and authority to enforce them.

In this case, West Lot LLC has engaged in years of productive dialogue with residents and property owners in the vicinity of the Property, resulting in a package of operational conditions on the use authorized by this PUD Amendment. These conditions are presently incorporated into the CSP, which was approved by the Planning Board on December 16, 2020, and are reproduced below.

#### **HOURS OF OPERATION**

McGregor Square has instituted a good neighbor policy and has agreed to limit the use of all of the Project Screens and projections:

Sunday - Thursday: 8:00 am - 10:30 pm

Friday - Saturday: 7:00 am - 11:59 pm

Official Holidays\*: 7:00 am - 11:59 pm

New Year’s Eve: 7:00 am - 1:00 am

Game or Event Days: 8:00 am - 30 minutes after conclusion of game, if it is a night game.

\* Official Holidays: New Year’s Day, Martin Luther King Day, Valentine’s Day, Presidents Day, St. Patrick’s Day, Colorado Rockies’ Opening Day, Cinco de Mayo, Memorial Day, Independence Day, Labor Day, Halloween, Veterans’ Day, Thanksgiving Day, Christmas Eve and Christmas Day.

#### **ILLUMINATION**

All Project Screens and projectors are to be equipped with light sensors and controlled by automatic dimming software to limit the luminescence to the maximum levels as follows:

Sunrise to Sunset:

Sunny: 6500 nits\*\*

Overcast : 4000 nits  
Sunset to 10:30 p.m. (Sunday- Thursday): 900 nits  
Sunset to 12:00 a.m. (Friday, Saturday & Official Holidays): 900 nits  
Sunset to 1:00 a.m. (New Year's Eve): 900 nits

\*\* Light luminescence is measured in nits, defined as being equal to (1) candela per square meter.

- b. Content Selection. In a related issue, Planning Board members asked about how Public Art and Screen Share content and businesses would be selected. That information is intended to be addressed in the CSP to be submitted following approval of this PUD Amendment. Below is the language as presently drafted in the pending CSP.

**Art Selection:** Developer will establish an “Advisory Committee” to provide knowledge, ideas and to curate content in furtherance of the purposes of this CSP that will consist of (i) a representative of one of Denver’s Arts organizations (DA&V, SCFD, etc), (ii) a representative from a Registered Neighborhood Organization whose boundaries are within 200 feet of the Property, (iii) a representative of local non-profit organizations, (iv) a representative of the Developer, and (v) an at-large member to be chosen by the Developer from categories other than these listed as appropriate for furthering the mission of the program. This Committee will create and establish a set of guidelines and policies to further its purposes.

The applicant has had productive dialogue with several arts-related organizations and stakeholders who can provide valuable input in curating the content of the Public Art component of this project.

- c. Plan Support for PUD Amendment.

For a complete explanation of how the PUD Amendment is consistent with applicable and adopted plans, please see the Cover Letter dated February 19, 2021 accompanying the PUD Amendment. Following is a brief overview of the highlights of these plans and applicable provisions. In order to keep this letter brief, goals and plan provisions which are especially or particularly supported by the PUD Amendment are highlighted in **yellow**.

#### 1.Comprehensive Plan 2040

At the time of adoption of PUD-G #19, the comprehensive plan in effect for the City was Comprehensive Plan 2000. In May 2019, City Council adopted Comprehensive Plan 2040 (the “**Comprehensive Plan**”), which serves as “a holistic and sustainable vision to guide the future of Denver” and “creates a vision and goals to tie together the City’s plans and policies.” The Comprehensive Plan sets forth a series of vision elements and long-term integrated goals to guide the City’s development. The PUD Amendment is consistent with many of the visions and goals in the Comprehensive Plan, including but not limited to:

- Vision Element 2.2: “Enhance Denver’s neighborhoods through high-quality urban design.”
- Vision Element 2.3: “Preserve the authenticity of Denver’s neighborhoods and celebrate our history, architecture and culture.”
- Vision Element 2.4: “Ensure every neighborhood is economically strong and dynamic.”
- Vision Element 2.7: “Leverage the arts and support creative placemaking to strengthen community.”
- Vision Element 2.8: “Conduct intentional, equitable and measurable neighborhood planning.”
- Vision Element 4.7: “Accelerate Denver’s economic vitality through arts, culture, and creativity.”
- Vision Element 4.8: “Expand participation in arts and culture and ensure that arts and culture are accessible to all.”
- Vision Element 4.9: “Stimulate the growth of ideas and innovation.”
- Vision Element 6.2: “Provide high-quality parks, recreation facilities and programs that serve all Denver residents.”
- Strong and Authentic Neighborhoods Goal 2.C: “Create people-oriented places that embrace community character with thoughtful transitions, aspirational design and an engaging public realm.”
- Healthy and Active Goal 1.C: “Design safe public spaces and recreational areas to serve people of all ages and backgrounds.”

While the PUD Amendment would further many more strategies and recommendations in the Comprehensive Plan, the above list demonstrates the extent to which the PUD Amendment is consistent with the adopted Comprehensive Plan.

## 2. Blueprint Denver (2019)

The City’s Blueprint Denver was adopted in 2002 and updated in April 2019. Blueprint serves as a supplement to the Comprehensive Plan that “provides the foundation for citywide policies and recommendations related to land use, transportation, design and growth” and “guides where new jobs and homes should go, how our transportation system will improve, how to strengthen our neighborhoods and where and how we invest in our communities with new infrastructure and amenities.” Blueprint sets a framework for “citywide policies and specific strategies” to achieve the visions of the Comprehensive Plan.

The PUD Amendment is consistent with many of the policies and recommendations in Blueprint, including but not limited to:

- Land Use & Built Form: Economics Strategy 06(D): “Build on Denver’s national and regional entertainment options to continue to **blend the arts, entertainment, shopping and hospitality into unique Denver experiences.**”
- Land Use & Built Form: Design Quality & Preservation Policy 03: “Create exceptional design outcomes in key centers and corridors.”
- Land Use & Built Form: Design Quality & Preservation Policy 04: “Ensure an **active** and pedestrian-friendly environment that provides a true mixed-use character in centers and corridors.”
- Quality of Life Infrastructure Policy 01: “Expand tools and regulations to ensure high-quality parks and outdoor public spaces keep pace with Denver’s growth.”
- Quality of Life Infrastructure Policy 05: “Ensure attractive streets and outdoor spaces in all centers and corridors, giving **priority to pedestrian spaces and amenities.**”
- Quality of Life Infrastructure Policy 10: “Work with public and private partners to improve access to shops, restaurants, entertainment, civic uses, services and a variety of daily needs for all Denver residents.”

While the PUD Amendment would further many more strategies and recommendations in Blueprint, the above list demonstrates the extent to which the PUD Amendment and PUD as a whole are consistent with Blueprint.

Blueprint also outlines the following components to consider in any requests for official zone map amendments: (i) the guidance in the neighborhood contexts map, (ii) the guidance in the future places map and place descriptions, and (iii) the growth strategy and related map. The PUD Amendment is consistent with all of these components.

#### A. Neighborhood Contexts Map

Like the Code, Blueprint is organized by “**Neighborhood Contexts**,” which are “a way to understand the differences in land use and built form, mobility options, and quality-of-life infrastructure between different neighborhoods.” The Property is located in the “**Downtown Context**,” which includes the highest mix of uses in the City and “**a range of flexible outdoor spaces and hardscaped plazas.**” The signage authorized by the PUD Amendment is key to making the plaza area flexible. By changing the programming presented, the usage and feel of the space can be changed from a peaceful yoga class in the morning, to an educational TED talk at lunchtime, to inspiring people to dance with live music broadcasts in the evening.

The Signage is compatible with the Downtown Context because it will enhance and serve the residents and patrons of the mix of residential, office, retail, and eating and drinking uses in the Project and surrounding neighborhoods. The Signage and the requirements of the PUD with respect to open space and the Wynkoop Promenade will contribute to the pedestrian-friendly nature of the Project by creating a heightened pedestrian environment that fosters civic pride. The Digital Banners will provide wayfinding amenities that are located and scaled for pedestrian use and will promote a lively sense of public activity in the Project. Similarly, the Residential Tower

Bridge Projection and Content Plaza Screen will activate the surrounding area and provide outdoor entertainment and culture.

## B. Future Places Map

The Future Places Map places the Property within a “**Regional Center**,” which is intended to serve as the “widest customer draw of all places with a 24/7 live, work and play environment attractive to locals and visitors.” The Regional Center also calls for a “high degree of urbanism paired with a strong pedestrian realm.”

As described elsewhere in this letter, the Signage and PUD as a whole are designed to create a sense of place of the Project as an urban center and attractor of locals and visitors, including pedestrians from nearby residences and nearby Coors Field. The Signage, and particularly the Content Plaza Screen, will benefit different types of users, including sports fans and consumers of artistic and cultural content and entertainment. While the Signage will enhance the experience of games at Coors Field, it is designed pursuant to the existing PUD requirements to facilitate events on a year-round basis. As integrated into the mix of residential, office, restaurant, and retail uses that the PUD permits, the Signage is a key component of the “live, work and play environment” that will draw in customers from nearby neighborhoods and the greater Denver metro area and beyond throughout the year, and, as previously explained, create a flexible and engaging environment with different types of programming for different occasions and audiences. Therefore the Signage is compatible with Blueprint’s characterization of the Property as within a Regional Center.

## C. Growth Strategy

The Growth Strategy in Blueprint is intended to strengthen existing neighborhoods with strategically planned infill development to enhance the unique character of the City. As a version of the Future Places Map, the Growth Strategy shows the goals for distributing growth in the City. In the Regional Center in which the Property is located, job growth is projected to increase by 50%, and housing is intended to increase by 35%. The Signage enhances the Growth Strategy by contributing to the unique character of the area as a draw for future residents and commerce. The Signage will promote social and economic vitality for the Ballpark district and LoDo.

For the foregoing reasons, the PUD Amendment is consistent with Blueprint.

### 3. Downtown Area Plan (2007)

The City adopted the Downtown Area Plan (“**Area Plan**”) in 2007 as a supplement to the Comprehensive Plan and as “a tool to help community leaders, decision-makers, and citizens build upon Downtown’s assets and guide future development to reflect the community’s vision of a livable, healthy, sustainable and vibrant Downtown.” As noted in the Initial PUD Application, the Area Plan identifies the Property as a key “Opportunity Site” in LoDo. Opportunity Sites are “vacant or underutilized parcels” in “strategic location[s]” with the “potential to not only shape new development on the site itself, but also catalyze additional development in the surrounding areas.” Development and redevelopment of Opportunity Sites “is essential to creating a dynamic, connected and walkable Downtown Denver.”

The Signage is a key component that allows the Property to be transformed into a vibrant and dynamic mixed-use catalyst for the type of development envisioned in the Area Plan. The Content Plaza Screen and Residential Tower Bridge Projection will create more active space that will be more connected and walkable with the help of the Digital Banners. **The Signage and particularly the Content Plaza Screen also will constitute the types of “family-oriented . . . amenities” and “active uses” described in the Area Plan that will “bring liveliness and a sense of comfort and safety” to Downtown.** With Signage that takes advantage of movement, light, and interactivity to engage the viewer, the Project stands to provide quality entertainment to all viewers and to draw in a diverse range of persons, from families enjoying art, to athletes practicing yoga, to businesspeople having lunch and enjoying an outdoor TED Talk. Without the Signage, the Project would lose the opportunity to engage nearby viewers with real-time responses and programming geared towards the desires of diverse audiences.

Other key provisions of the Downtown Area Plan include:

- P.9, Strategy Framework, National and Global Trends:
  - Embracing cultural and demographic diversity

*The Signage and the Public Art and culture standards proposed to be incorporated into the PUD Amendment and CSP will ensure that McGregor Square fulfills this goal.*

- Making Downtown event-friendly

*As noted, the Signage will help make this part of Downtown friendly and welcoming to a wide variety of events and audiences, due to its extreme flexibility and customizability.*

- Capitalizing on established attractions

*Coors Field is an established attraction, on which the Signage and McGregor Square generally will capitalize by drawing visitors year round.*

- P.12 of the Downtown Area Plan lays out the 5 Vision Elements and 19 Strategies and Projects (including 7 Transformative Projects). For instance:
  - A. A Prosperous City includes strategies and projects to make Denver the ‘Downtown of the Rocky Mountain Region,’ have a ‘Comprehensive Retail Strategy’ and be ‘Clean and Safe’.
  - B. A Walkable City includes strategies and projects such as ‘An Outstanding Pedestrian Environment’
  - C. A Diverse City includes strategies and projects such as ‘A Family Friendly Place’ and ‘An International Downtown’

**GOAL**

Attract children and their parents to visit, go to school, recreate, explore and live Downtown.

**WHY IT'S IMPORTANT**

Children bring liveliness and a sense of comfort and safety to any neighborhood. Downtown Denver has yet to tap into the economic benefits of family markets. Increased family patronage will help boost retail, entertainment and special events. Family-oriented businesses, housing and amenities offer a variety of development opportunities to stimulate future investment in Downtown.

**POLICIES, PROJECTS AND PROGRAMS**

C2a. Create quality education options for Downtown residents and workers and their families

- Establish a magnet K-8 school in the core
- Provide early childhood education options in Downtown

C2b. Launch a series of events aimed at attracting children and youth to Downtown

C2c. Integrate fun features, such as fountains and play environments, into the 16th Street Mall, streetscapes, and open spaces

C2d. Create and distribute a marketing piece aimed at families living, visiting and shopping Downtown

C2e. Provide transit, bike and pedestrian connections to family attractions



Family-oriented retail options will help keep families with small children Downtown.



Fun events and activities, such as ice skating at Rockefeller Plaza in New York, NY, are vital to attracting families to explore and live in Downtown.

The above screen shot from the Downtown Area Plan truly speaks to the type of precise type of family friendly place that McGregor Square is proposing to create. With the endlessly customizable potential of the Signage proposed by this PUD Amendment, the environment can be focused on family-friendly audiences and adjusted when appropriate for other types of events.

- C.4 An International Downtown includes recommendations to ‘Create and advocate for event-friendly policies to attract and retain events appealing to a variety of cultures

*Event friendly policies certainly would include the type of dynamic signage proposed by this PUD Amendment, to allow for cultural, arts and flexible content and events.*

- E. A Green City includes strategies and projects such as ‘An Outdoor Downtown’.

4. Central Platte Valley Comprehensive Plan Amendment from 1991

Plan Goals:

- Goal 1.5: “Accommodate an appropriate mix of uses and encourage viable development to satisfy both the economic needs of landowners and public needs, including: public open space, economic development, housing, public facilities.”
- Intent Statements, Land Use A: “Capitalize on a unique opportunity to reuse former rail-
- Intent Statements, Land Use C: “Redevelop the Valley to help satisfy the needs of the Downtown and the adjoining neighborhoods by making provision for: neighborhood parks and recreation facilities, city-wide parking and recreation facilities, housing to develop a 24-hour Downtown population, housing to reinforce adjoining neighborhoods, increased tax base, support for Downtown retail, hotels, restaurants, and entertainment facilities, Downtown access and parking, increased employment opportunities for residents of adjoining neighborhoods, support for Denver’s cultural, and arts resources, support services for Downtown’s businesses and employees.”
- Goal 2.3: “Provide an orderly, visually pleasing and active environment for: workers, residents, neighbors, visitors.”
- Goal 4.1: “Foster a character for the CPV which is different and distinct from that of Downtown[.]”
- Concept L: “Locate public facilities (such as an amusement park, a baseball stadium, an aquarium, and other cultural/recreational facilities), in the Valley. Create more tourist attractions in support of Downtown hotel, retail, and convention center trade.”
- “Pedestrian access between LoDo and the stadium should be provided along Wynkoop, Wazee, and Blake Streets.”
- “Light glare and noise should be confined to the site as much as possible.”

The Content Plaza Screen will enhance the use of the content plaza as an open gathering and entertainment center that contributes to the unique feel of the Wynkoop Promenade and complements the nearby amenities of Coors Field. The Digital Banners and Residential Tower Bridge Projection will also contribute to the unique look and feel of the Project. The content and messaging provided by the Signage will also contribute to the unique public character of the central plaza, which will take on some of the characteristics of an outdoor amphitheater.

Additionally, permitting the Signage will support the character of the Central Platte Valley as a dense urban center with outdoor amenities a walkable distance from Coors Field. Sports programming will attract people from nearby Denver neighborhoods seeking recreation and entertainment, and informational lunch programming will attract pedestrians from surrounding neighborhoods and office workers to gather and enjoy open space and educational content such as TED Talks during the workday. Families can gather for local civic cultural events or a yoga class.

The PUD Amendment and the PUD as a whole also comply with design and noise-related guidelines of the Platte Amendment. For example, the Platte Amendment’s guidelines provide that light glare and noise at and near the baseball stadium site should be confined to the site as much as possible, and the PUD Amendment complies by suggesting wayfinding Digital Banners that will guide baseball game attendees to other appropriate venues efficiently and by providing content on the Content Plaza Screen and Residential Tower Bridge Project that is minimally visible from surrounding sites.

## 5. 21<sup>st</sup> and Wynkoop Design Plan

### Plan Goals:

- “an active plaza-like atmosphere that acknowledges the street as the ‘doorstep’ to the City,” an atmosphere that facilitates pedestrian and bicycle traffic and helps Wynkoop Street overcome identified challenges in accommodating multi-modal transportation.
- The 21<sup>st</sup> and Wynkoop Design Plan identifies the Property as an area that should be “focused on event activities, but flexible to encourage everyday use.”
- “[i]mprove the game day experience for guests to Coors Field”

The Digital Banners will help to define Wynkoop Promenade as part of a “signature street” in the neighborhood, and the Content Plaza Street and Residential Tower Bridge Project will enhance the public realm. The Signage fulfills these requirements by, among other activities, allowing sports fans to gather for broadcasts of sporting events on the Content Plaza Screen and also allowing families to gather on a daily basis and enjoy a concert, educational programming, visual art from local and non-local artists, or an interactive feed event.

\* \* \*

In addition to these adopted plans, the PUD Amendment is consistent with several additional planning efforts, into which downtown advocates and community members invested time and ideas, and which the PUD Amendment will help make a reality. These plans are reviewed in more detail in the Cover Letter as noted above. One excellent example, however, highlighted here, is the Outdoor Downtown Plan.

### i. The Outdoor Downtown

The Outdoor Downtown, adopted in 2017, is a 20-year master plan intended to provide a list of policies and programs that “will make Downtown’s parks and public spaces world-class destinations.” The Outdoor Downtown is not adopted as a supplement to the Comprehensive Plan, and therefore consistency with The Outdoor Downtown is not necessary for compliance with the criteria for an official zone map amendment. However, The Outdoor Downtown is intended to tie in to the City’s ongoing planning initiatives, including Blueprint Denver, and therefore helps to further the objectives of the City’s adopted plans.

A goal of The Outdoor Downtown is to encourage the creation of private open spaces and allocate parks and quality open spaces “within specific walking distance from all Downtown users to ensure that everyone has convenient access to vibrant open space on a daily basis.” The Project as enhanced by the Signage clearly facilitates this goal by providing the largest private open space in the City with entertainment for pedestrians and residents of nearby neighborhoods.

Additionally, the Project’s open space and the Signage align with all of the enumerated goals of The Outdoor Downtown:

- “Celebrate and activate Denver’s Outdoor Downtown”

- “Create a premier Downtown by providing accessible and inviting parks and public spaces that contribute to an economically thriving Downtown”
- “Foster a diverse and livable Downtown”
- “Cultivate Denver’s culture and identity in the outdoor spaces”
- “Provide environmentally and functionally sustainable outdoor spaces”

In addition, the Project and Signage align with and further the following aspirations, recommendations, and policies, projects, and programs in The Outdoor Downtown:

- Aspiration: “To realize the full potential of Downtown’s parks and public spaces by heightening their sense of safety, comfort, usability and excitement.”
- Aspiration: “Downtown parks and public spaces that better support the daily fitness needs of residents and that create novel urban recreational experiences unique to Denver.”
- Recommendation 2.2: “Create a network of various sized parks, public spaces and venues to ensure that all Downtown residents, employees and visitors have access to quality outdoor space within a three minute walk.”
- Policies, Projects & Programs 2.2.1: “Work with public officials and private property owners to develop guidelines to improve the quality and public accessibility of open spaces in private developments, such as private plazas, activated alleys and other open spaces. Include mechanisms to reduce liability for property owners.”
- Policies, Projects & Programs 2.3.2: “Provide infrastructure to support group exercise, games (e.g., chess, Ping-Pong, foosball), court sports (e.g., basketball, futsal, pickle ball), winter activities (e.g., ice skating, hockey, curling), and other active uses in new and existing Downtown Denver parks and public spaces.”
- Recommendation 2.4: “Provide a range of year-round and multi-generational programs and activities that meet the needs of the Downtown population.”
- Aspiration: “To enhance the day-to-day experience of life Downtown by allowing easy and intuitive movement to and through the city and by offering opportunities to explore every corner.”
- Recommendation 3.1: “Coordinate with Denver Moves plans to improve pedestrian, transit and bicycle connections to and through Downtown Denver from surrounding neighborhoods, transit stations and regional trails.”
- Recommendation 3.2: “Create distinct gateways and wayfinding to encourage navigation of Downtown Denver through parks and public spaces.”
- Policies, Projects & Programs 3.2.3: “Provide directional signage and wayfinding at ‘decision points,’ such as transit stations, entries to regional trails, special-use parks and local landmarks.”
- Policies, Projects & Programs 3.4.4: “Work with technology partners to pioneer innovative uses of the public realm, such as smart benches, interactive wayfinding and responsive public art.”
- Aspiration: “The public realm will be an active participant in the cultural life of the city by acting as a stage for expression and by exhibiting the full range of Colorado culture in a condensed urban form.”
- Recommendation 4.2: “Catalyze and support the integration of art and culture into the Outdoor Downtown.”

The Project's private outdoor space that is accessible by the public will further these goals by providing quality outdoor activities and a sense of place that unites, acknowledges, and respects the diversity of ages, backgrounds, incomes, and interests in the City. The Signage will also integrate art and culture into the outdoor City environment through the display of visual art from local and non-local artists, cinema, and photography on the screen that will be accessible to all.

While the PUD Amendment would further many more aspirations, recommendations, and programs in The Outdoor Downtown, the above list demonstrates the extent to which the PUD Amendment is consistent with The Outdoor Downtown.

Therefore, the PUD Amendment complies with the City's existing plans. For the foregoing reasons, the PUD Amendment satisfies this criterion for approval.

### **CONCLUSION**

We understand the Planning Board's focus on ensuring that this PUD Amendment is thoughtfully implemented to ensure that it fulfills the City's vision and enhances the community, rather than detracting from it. The unique features of this Property and the Project as designed and executed make it an ideal proving ground for pioneering digital technology. On the one hand, the Property is surrounded by development on all sides, requiring thoughtful and sensitive integration with the existing fabric of downtown. On the other hand, the design of the central plaza allows the Signage to be visible only by those who are affirmatively seeking to interact with it, and has little to no impact on or visibility to anyone else. As a result, this Project and the proposed PUD Amendment are unique in the City.

We ask for the Planning Board's favorable recommendation of the PUD Amendment to the Denver City Council.

Sincerely,  
**Brownstein Hyatt Farber Schreck, LLP**



Carolynne C. White, Esq.  
Attorney

## PUD-G 19

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1901 Wazee Street

2017I-00156

November 13, 2018

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## CHAPTER 1. ESTABLISHMENT AND INTENT

### SECTION 1.1 PUD-G 19 ESTABLISHED

The provisions of this PUD-G 19 apply to the land depicted on the Official Zoning Map with the label PUD-G 19, and legally described as:

A PARCEL OF LAND SITUATED IN A PORTION OF BLOCK C, EAST DENVER, AND BLOCK 1, HOYT & ROBINSONS ADDITION TO DENVER, BEING A PORTION OF THE SOUTHWEST ONE-QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID BLOCK C, EAST DENVER, SAID POINT ALSO BEING AT THE NORTHEASTERLY RIGHT OF WAY INTERSECTION OF 19TH STREET AND WAZEE STREET, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 45 DEGREES 26 MINUTES 17 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK C, EAST DENVER AND EXTENSION THEREOF AND THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID 19TH STREET A DISTANCE OF 326.09 FEET TO A POINT ON THE NORTHEASTERLY EXTENSION OF THE WYNKOOP STREET 20.00 FOOT RANGE LINE; THENCE NORTH 45 DEGREES 26 MINUTES 37 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK 1, HOYT & ROBINSONS ADDITION TO DENVER AND EXTENSION THEREOF AND THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID 19TH STREET A DISTANCE OF 19.40 FEET TO THE SOUTHEASTERLY CORNER OF A PARCEL OF LAND CONVEYED TO THERMO HEAD HOUSE, L.L.C. BY SPECIAL WARRANTY DEED RECORDED OCTOBER 13, 1994 AT RECEPTION NO. 9400156352; THENCE NORTH 44 DEGREES 21 MINUTES 17 SECONDS EAST ALONG SAID SOUTHEASTERLY LINE OF RECEPTION NO. 9400156352, A DISTANCE OF 375.95 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF ACQUISITION PARCEL TK 2279-00-005 REV. 1, CONVEYED TO THE CITY AND COUNTY OF DENVER BY SPECIAL WARRANTY DEED RECORDED APRIL 07, 1993 AT RECEPTION NO. R-93-0043076 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE; THENCE SOUTH 46 DEGREES 55 MINUTES 34 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE OF RECEPTION NO. R-93-0043076, A DISTANCE OF 281.08 FEET; THENCE CONTINUING ALONG SAID SOUTHWESTERLY LINE OF RECEPTION NO. R-93-0043076, SOUTH 45 DEGREES 29 MINUTES 38 SECONDS EAST A DISTANCE OF 66.09 FEET TO A POINT ON THE EXTENSION OF THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID WAZEE STREET; THENCE SOUTH 44 DEGREES 35 MINUTES 38 SECONDS WEST ALONG THE EXTENSION OF THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID WAZEE STREET AND THE SOUTHEASTERLY LINE OF SAID BLOCK C, EAST DENVER AND THE EXTENSION THEREOF A DISTANCE OF 383.31 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING 131,694 SQUARE FEET OR 3.023 ACRES MORE OR LESS.

#### 1.1.1 Subareas Established

The following subareas are hereby established within PUD-G 19 for the purpose of applying the zoning standards contained herein, including building height and upper story setbacks. All subareas established are shown generally on Figure 1.1 below and described as follows:

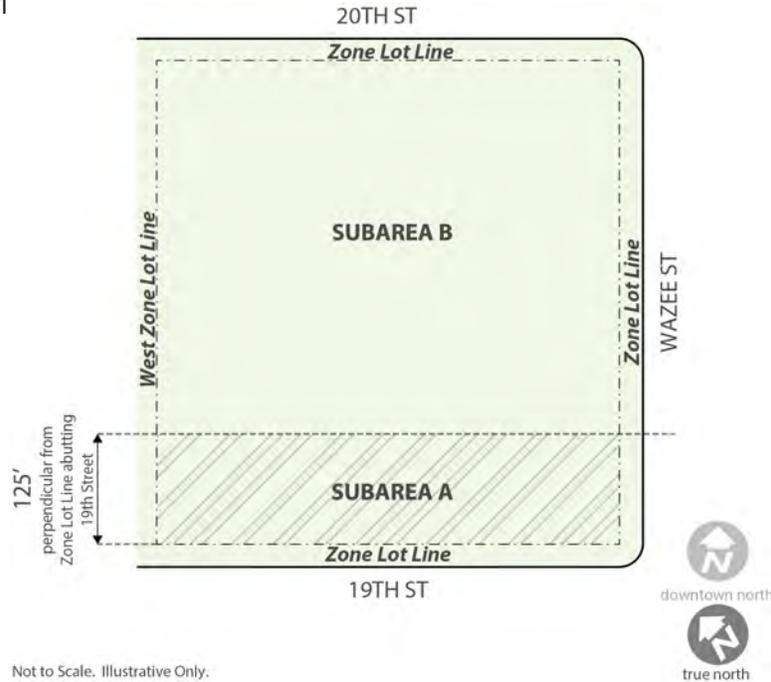
##### A. Subarea A

Subarea A shall be the area of PUD-G 19 within 125 feet of the Zone Lot Line abutting 19th Street as measured perpendicularly from the Zone Lot Line abutting 19th Street.

##### B. Subarea B

Subarea B shall be the area of PUD-G 19 not within Subarea A.

Figure 1.1



## SECTION 1.2 PUD-G 19 GENERAL PURPOSE

The general purpose of PUD-G 19 is to facilitate redevelopment with mixed residential and commercial uses and amenities that are compatible with the surrounding Downtown Context and adjacent Lower Downtown Historic District and contribute to the vibrancy of the Union Station neighborhood.

## SECTION 1.3 PUD-G 19 SPECIFIC INTENT

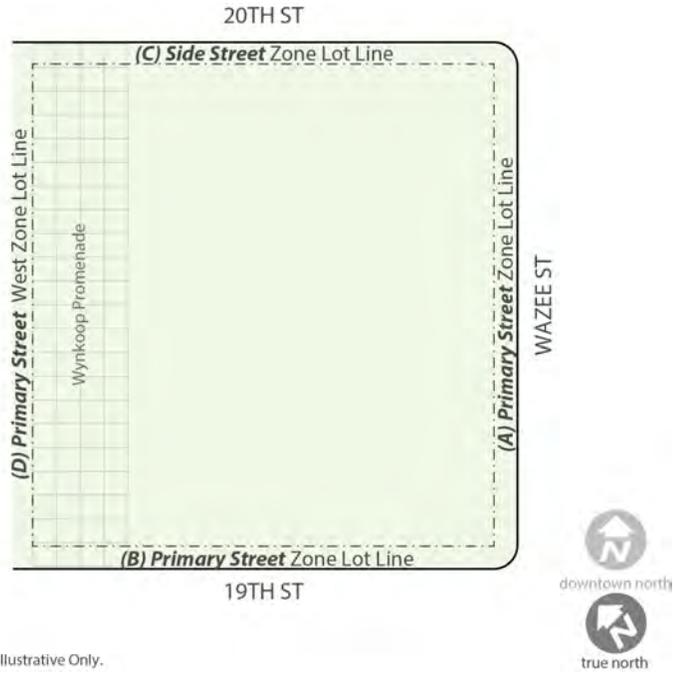
PUD-G 19 is intended to:

- 1.3.1 Allow mixed use development that contributes to the vibrancy of Downtown and the surrounding neighborhoods.
- 1.3.2 Facilitate compatible development through the use of appropriate building form and design standards and guidelines.
- 1.3.3 Encourage pedestrian-activated public spaces as envisioned in the City’s adopted plans, including but not limited to the Downtown Area Plan.
- 1.3.4 Create a key pedestrian and bicycle connection through the site, between 19th Street and 20th Street, herein referenced as “Wynkoop Promenade,” via a requirement for a permanently open and publicly accessible walkway, with building form standards that ensure it operates similarly to Downtown streets.
- 1.3.5 Ensure quality, human-scaled building design.
- 1.3.6 Provide a scale and building form transition from the Lower Downtown Historic District to 20th Street.
- 1.3.7 Address the unique conditions and location of the site, including the lack of a through street connection along the Wynkoop Street alignment and its adjacency to the Lower Downtown Historic District and Colorado Rockies baseball stadium.

### SECTION 1.4 ZONE LOT ESTABLISHED

This PUD-G 19 establishes one zone lot whose boundaries are the same as the boundaries of this PUD-G 19, as shown generally on Figure 1.2 below, and legally described in Section 1.1 of this PUD-G 19. Determination of Primary and Side Street Zone Lot Lines are established in Section 6.6.3.A of this PUD-G 19.

Figure 1.2



Not to Scale. Illustrative Only.

## **CHAPTER 2. DOWNTOWN NEIGHBORHOOD CONTEXT DESCRIPTION**

All development within this PUD-G 19 shall conform to the Denver Zoning Code, Division 8.1, Downtown Neighborhood Context Description, as amended from time to time.

## **CHAPTER 3. DISTRICTS**

Development in this PUD-G 19 shall conform to the Denver Zoning Code, Division 8.2, Districts, as specifically applicable to the D-AS-12+ Zone District, as amended from time to time, except as modified in this PUD-G 19.

## CHAPTER 4. DESIGN STANDARDS

Development in this PUD-G 19 shall comply with the Denver Zoning Code, Division 8.8, Downtown Arapahoe Square 12+ and Downtown Arapahoe Square 20+ Districts, as specifically applicable to the D-AS-12+ Zone District, as amended from time to time, with the following exceptions, additions, and modifications.

### SECTION 4.1 PRIMARY BUILDING FORM STANDARDS

Section 8.8.3 of the Denver Zoning Code, Primary Building Form Standards for Downtown Arapahoe Square 12+ and Downtown Arapahoe Square 20+ Districts, shall not apply. Instead, all development in this PUD-G 19, except detached accessory structures, shall comply with the following primary building form standards.

#### 4.1.1 Intent

##### A. General

1. Address the site's unique location and conditions by applying a combination of Urban Center and Downtown building form standards.
2. Facilitate pedestrian access and activity on the required Wynkoop Promenade by applying Primary Street standards to the West Zone Lot Line.

##### B. Building Height and Upper Story Setbacks

1. Arrange building heights at the edges of PUD-G 19 to provide a transition from the relatively lower heights allowed in the Lower Downtown Historic District.
2. Maintain the general appearance of a predominantly 8-story height near the sidewalk edge along 19th Street by requiring an Upper Story Setback at taller heights.

##### C. Required Private Open Space

1. Encourage the provision of publicly accessible open space that enhances pedestrian and bicycle connections, and creates activated amenity space for users and visitors.

##### D. Limitation on Visible Parking Above the Street Level

1. Promote structured parking designs that are compatible in design, character and quality with adjoining buildings, open spaces, and streetscapes.
2. Reduce the visual prominence of above-ground structured parking by promoting visual interest in the design of upper story building facades.

#### 4.1.2 Applicability

All development, except detached accessory structures, in this PUD-G 19 shall comply with the primary building form standards in this Section 4.1 and Table 4.1 below.

### 4.1.3 District Specific Standards - PUD-G 19 Primary Building Form Standards

**TABLE 4.1: PUD-G 19 PRIMARY BUILDING FORM**

HEIGHT	Subarea A	Subarea B
Stories (max)	11	13
Feet (max)	150'	165'
Height Exceptions	See Section 4.5 of this PUD-G 19	
SITING	All Subareas	
REQUIRED BUILD-TO BY STREET		
West Zone Lot Line (min build-to % within min/max range)	70% 70'/85'	
Wazee Street and 19th Street (min build-to % within min/max range)	70% 0'/10'; Residential only buildings: 70% 0'/15'	
20th Street	No minimum build-to required	
Build-to Exceptions and Alternatives	See Sections 4.4 and 4.5 of this PUD-G 19	
SETBACKS		
Primary Street, Side Street (min)	0'	
PARKING		
Surface Parking between building and Primary Street/Side Street	Not allowed	
Surface parking screening required	See Section 10.5.4.4 of the Denver Zoning Code, Perimeter Surface Parking Lot Landscaping Standards	
Vehicle Access	Shall be determined as part of Site Development Plan Review	
DESIGN ELEMENTS	Subarea A	Subarea B
REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET		
Wazee Street and 19th Street - Upper Story Setback above 110' and 8 stories	15'	No Upper Story Setback required
20th Street and West Zone Lot Line	No Upper Story Setback required	
REQUIRED PRIVATE OPEN SPACE		
Private Open Space (min)	20%	
STREET LEVEL ACTIVATION		
Street Level Transparency, Primary Street (min)	60% Residential only buildings: 40%	
Street Level Transparency, Side Street (min)	25%	
Street Level Transparency Alternatives	See Section 4.4 of this PUD-G 19	
Pedestrian Access, Primary Street	Entrance	
LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL		
Limitation on Visible Parking above Street Level, Primary Street (min % of Primary Street-facing zone lot width)	70%	
USES	All Subareas	
<p>(1) All permitted Primary Uses shall be allowed within this building form. See Chapter 5, Uses and Parking, of this PUD-G 19; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 8.8.5.1 of the Denver Zoning Code, as applicable to the D-AS-12+ district.</p>		

## SECTION 4.2 DETACHED ACCESSORY BUILDING FORM STANDARDS

Development in this PUD-G 19 shall comply with the Detached Accessory Building Form Standards in Section 8.8.4 of the Denver Zoning Code as applicable to the D-AS-12+ Zone District, as amended from time to time.

## SECTION 4.3 SUPPLEMENTAL DESIGN STANDARDS

Development in this PUD-G 19 shall comply with the Supplemental Design Standards for Downtown Arapahoe Square 12+ and Downtown Arapahoe Square 20+ Districts in Section 8.8.5 of the Denver Zoning Code as applicable to the D-AS-12+ Zone District, as amended from time to time, with the following modification:

### 4.3.1 Limitation on Visible Parking Above Street Level

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 the PUD-G 19 Primary Building Form.

## SECTION 4.4 DESIGN STANDARD ALTERNATIVES

Development in this PUD-G 19 shall comply with the Design Standard Alternatives in Section 8.8.6 of the Denver Zoning Code as applicable to the D-AS-12+ Zone District, as amended from time to time, with the following exceptions, additions and modifications:

### 4.4.1 Required Build-to Alternatives

#### A. Intent

Help define the public realm and enhance the visual quality of the built environment where it is not possible to define the street and public sidewalk edge with building facades.

#### B. Requirements

Section 8.8.6.1 of the Denver Zoning Code, Required Build-To Alternatives in D-AS-12+ and D-AS-20+ Districts, shall not apply. Instead, the following alternatives may be used as an alternative to a required build-to standard and may count toward the required build-to no more than as described in Table 4.2 below. All alternatives shall meet the Build-to Alternative Requirements in Section 13.1.5.7.E of the Denver Zoning Code, as amended from time to time:

ZONE DISTRICT	PRIVATE OPEN SPACE (MAX % OF BUILD-TO)	GARDEN WALL (MAX % OF BUILD-TO)	GARDEN WALL WITH COVERED SEATING FOR PEDESTRIANS (MAX % OF BUILD-TO)	ARCADE (MAX % OF BUILD-TO)
PUD-G 19	25%	25%*	30%*	100%

\*If used in combination with each other, the garden wall and garden wall with covered seating for pedestrians alternatives may count toward no more than 30% of required build-to.

### 4.4.2 Transparency Alternatives

#### A. Intent

1. Provide visual interest on building facades to activate the public realm and enhance the visual quality of the built environment along Street Level facade areas where windows do not provide sufficient transparency.
2. Provide visual interest and activation along 20th Street while accommodating a reasonable amount of service uses that are unable to locate along an alley.

#### B. Requirements

Section 8.8.6.3 of the Denver Zoning Code, Transparency Alternatives, shall not apply. Instead, the following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than

as described in Table 4.3 below. All alternatives shall meet the Transparency Alternative Requirements in Section 13.1.6.3.A.5 of the Denver Zoning Code, as amended from time to time:

<b>ZONE DISTRICT</b>	<b>ZONE LOT LINE DESIGNATION</b>	<b>DISPLAY CASES (MAX)</b>	<b>PERMANENT ART (MAX)</b>	<b>PERMANENT OUTDOOR EATING/SERVING AREAS</b>	<b>COMBINATION OF ALTERNATIVES (MAX)</b>
PUD-G 19	Primary Street	20%	20%	20%	40%
	Side Street	40%	40%	50%	50%

## **SECTION 4.5 DESIGN STANDARD EXCEPTIONS**

Development in this PUD-G 19 shall comply with the Design Standard Exceptions in Article 8 of the Denver Zoning Code as applicable to the D-AS-12+ Zone District, as amended from time to time, with the following exceptions, additions and modifications:

### **4.5.1 Height Exceptions**

#### **A. Intent**

To facilitate active use of the rooftop created at a required Upper Story Setback.

#### **B. Parapet Wall or Safety Railing**

A parapet wall and/or safety railing shall be allowed to encroach into the Upper Story Setback by any distance.

## **CHAPTER 5. USES AND PARKING**

### **SECTION 5.1 USES**

5.1.1 Primary, accessory and temporary uses allowed in this PUD-G 19 shall be those same uses allowed in the D-AS-12+ Zone District, as stated in the Denver Zoning Code, Division 8.10, Uses and Required Minimum Parking, as amended from time to time.

### **SECTION 5.2 REQUIRED MINIMUM PARKING**

5.2.1 There shall be no minimum off-street vehicle parking requirement for any use in this PUD-G 19.

5.2.2 All uses established in this PUD-G 19 shall comply with the bicycle parking requirements in the District Specific Standards in the Denver Zoning Code, Division 8.10, as amended from time to time, as applicable to specific uses allowed in the D-AS-12+ Zone District.

### **SECTION 5.3 MAXIMUM VEHICLE PARKING**

#### **5.3.1 Intent**

- A. Promote active, transit-supportive development and uses proximate to public transit, thereby leveraging regional investment in transit infrastructure and promoting livability and sustainability in the Downtown context and the Union Station neighborhood.
- B. Reduce the number of vehicle trips within and around the zone district and encourage alternative travel modes such as walking, biking, and transit.
- C. Promote efficient development by limiting the amount of land and building area dedicated to vehicle parking.
- D. Establish an overall vehicle parking maximum for PUD-G 19 based on maximum parking ratios for anticipated use types, including .8 spaces per residential unit, .25 spaces per guest room for lodging accommodations, 1.25 spaces per 1,000 square feet for office uses, and 1 space per 1,000 square feet for other commercial uses.

#### **5.3.2 Vehicle Parking Standards**

No more than 475 vehicle parking spaces shall be allowed in this PUD-G 19.

## CHAPTER 6. ADDITIONAL STANDARDS

### SECTION 6.1 ARTICLE 1 OF THE DENVER ZONING CODE

#### 6.1.1 Applicability

Development in this PUD-G 19 shall conform to Denver Zoning Code Article 1, General Provisions, as amended from time to time.

### SECTION 6.2 ARTICLE 8 OF THE DENVER ZONING CODE

#### 6.2.1 Applicability

Development in this PUD-G 19 shall comply with the Denver Zoning Code Article 8, Downtown Neighborhood Context, as specifically applicable to the D-AS-12+ Zone District, as amended from time to time, except as modified by this PUD-G 19.

### SECTION 6.3 ARTICLE 10 OF THE DENVER ZONING CODE

#### 6.3.1 Applicability

Development in this PUD-G 19 shall comply with the Denver Zoning Code, Article 10, General Design Standards, as specifically applicable to the D-AS-12+ Zone District, as amended from time to time, except as modified in Chapter 5 above and with the following additions:

#### 6.3.2 General Site Design and Facility Standards

##### A. Wynkoop Promenade

##### 1. Intent

Design and operate the Wynkoop Promenade similar to a public street, facilitating public pedestrian and bicycle access to and through the zone district, and supporting special events.

##### 2. Requirements

- a. A pedestrian walkway, herein referred to as the “Wynkoop Promenade,” connecting the 19th Street right-of-way to the 20th Street right-of-way, shall be provided within the area located 80 feet from the West Zone Lot Line, as measured perpendicularly from the West Zone Lot Line.
- b. The pedestrian walkway shall provide not less than 15 feet clear walking area.
- c. The pedestrian walkway shall remain publicly accessible and usable at all times, except that it may be closed to accommodate special events in accordance with permitting requirements of the Denver Zoning Code, Division 8.10, Uses and Required Minimum Parking, as amended from time to time, as specifically applicable to the D-AS-12+ Zone District.

### SECTION 6.4 ARTICLE 11 OF THE DENVER ZONING CODE

#### 6.4.1 Applicability

Establishment of uses in this PUD-G 19 shall comply with the Denver Zoning Code, Article 11, Use Limitations and Definitions, as amended from time to time, as specifically applicable to the D-AS-12+ Zone District.

## SECTION 6.5 ARTICLE 12 OF THE DENVER ZONING CODE

### 6.5.1 Applicability

All development in this PUD-G 19 shall comply with the Denver Zoning Code, Article 12, Procedures and Enforcement, as amended from time to time, with the following exceptions, additions, and modifications:

### 6.5.2 Zone Lot Amendments

#### A. Intent

Facilitate a comprehensive approach to Private Open Space and pedestrian access goals in PUD-G 19.

#### B. Requirements

The Zoning Administrator shall deny any zone lot amendment application that would result in more than one zone lot within the PUD-G 19 zone district.

## SECTION 6.6 ARTICLE 13 OF THE DENVER ZONING CODE

### 6.6.1 Applicability

Development in this PUD-G 19 shall comply with the Denver Zoning Code, Article 13, Rules of Measurement and Definitions, as amended from time to time, with the following exceptions, additions, and modifications:

### 6.6.2 Rules of Measurement for Height

Development in this PUD-G 19 shall comply with Denver Zoning Code, Section 13.1.3, Height for All Other Zone Districts, as amended from time to time, with the following modification:

#### A. Base Plane Established

1. Overall height for all buildings and structures on the zone lot shall be measured from a base plane.
2. Base plane rules of measurement in Section 13.1.3.2 of the Denver Zoning Code shall not apply. Instead, a single base plane shall be established at an elevation of 5189'-3" above sea level (NAVD 88) for the purpose of measuring maximum height.

### 6.6.3 Rules of Measurement for Siting Form Standards

#### A. Determination of Primary and Side Street Zone Lot Lines

##### 1. Intent

- a. Facilitate pedestrian access and activity on the Wynkoop Promenade by applying Primary Street standards to the West Zone Lot Line.
- b. Determine Zone Lot Lines to address the site's unique attributes, including prominent frontages on 19th Street, Wazee Street, and the Wynkoop Promenade; lack of an alley; and substantial grade changes along 20th Street.

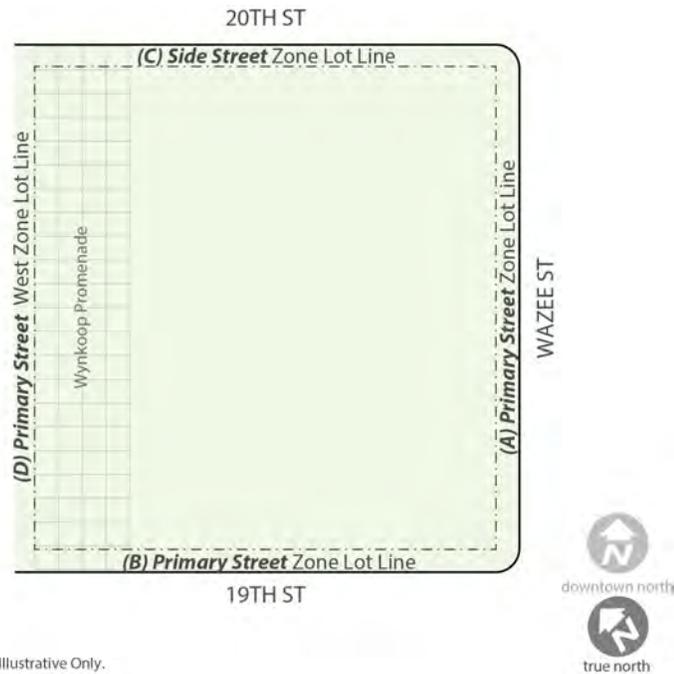
##### 2. Requirements

Determination of Zone Lot Lines provide a reference for measurement of standards related to building form and placement (e.g. build-to, transparency, street level activation, Private Open Space), as referenced in Chapters 4 and 6 of this PUD-G 19. Section 13.1.5.5 of the Denver Zoning Code, Determination of Primary Street, Side Interior, and Rear Zone Lot Lines for all C-CCN, D-AS-12+ and D-AS-20+ Zone Districts, shall not apply. Instead, the following Zone Lot Line determinations shall apply to development within PUD-G 19, and administrative adjustments or variances to such determinations are prohibited:

- a. The Zone Lot Line abutting Wazee Street is designated as a Primary Street Zone Lot Line ((A) on the reference graphic, Figure 6.1).

- b. The Zone Lot Line abutting 19th Street is designated as a Primary Street Zone Lot Line ((B) on the reference graphic, Figure 6.1).
- c. The Zone Lot Line abutting 20th Street is designated as a Side Street Zone Lot Line ((C) on the reference graphic, Figure 6.1).
- d. The Zone Lot Line abutting the west boundary of this PUD-G 19 district is designated as a Primary Street Zone Lot Line ((D) on the reference graphic, Figure 6.1), and herein referenced as the “West Zone Lot Line.”

Figure 6.1



## B. Build-To Alternative Requirements

### 1. Intent

Encourage visually interesting, activated, and pedestrian-scaled open space, while accommodating below-grade parking.

### 2. Private Open Space Build-to Alternative

Private Open Space used as a build-to alternative in this PUD-G 19 shall comply with the standards for Private Open Space Build-To Alternatives in Section 13.1.5.7.E.2 of the Denver Zoning Code, as amended from time to time, with the following exceptions and additions:

- a. The rule of measurement that a Private Open Space used as a build-to alternative shall be open to the sky shall apply, except that canopies and awnings may encroach into and over the Private Open Space.
- b. The rule of measurement that a Private Open Space used as a build-to alternative shall be fully visible from a Primary Street shall not apply. Instead, Private Open Space used as a build-to alternative shall be fully visible from a Primary Street Zone Lot Line as designated in Section 6.6.3 of this PUD-G 19.
- c. Private Open Space may be located above a below-grade parking structure.

## **C. Required Private Open Space Standards**

### **1. Intent**

- a. Encourage visually interesting, activated, and pedestrian-scaled Private Open Space, while accommodating below-grade parking.
- b. Ensure that Private Open Space is publicly accessible, while still allowing the use of Private Open Space for special events and programming.
- c. Enhance pedestrian and bicycle connections through the PUD-G 19 zone district with the siting of Private Open Space.

### **2. Rules of Measurement**

Development in this PUD-G 19 shall meet the Private Open Space standards of Section 13.1.6.1.B of the Denver Zoning Code, as amended from time to time, with the following additions and modifications:

- a. The rule of measurement that a Private Open Space shall be fully visible from a Primary Street or Side Street shall not apply. Instead, Private Open Space shall be fully visible from either a Primary or Side Street Zone Lot Line as designated in Section 6.6.3 of this PUD-G 19.
- b. Canopies and awnings are allowed within the total area open to the sky.
- c. Private Open Space may be located above a below-grade parking structure.
- d. The rules of measurement requiring at least one Minimum Contiguous Area shall not apply.
- e. Private Open Space shall include the Wynkoop Promenade pedestrian walkway, subject to the requirements of Section 6.3.2 of this PUD-G 19.
- f. Private Open Space may include Private Open Space used as a build-to alternative.

## CHAPTER 7. STANDARDS AND GUIDELINES

### 7.6.1 Intent

The Intent of this Chapter 7, Standards and Guidelines, is to:

- A. Facilitate building and site design that is compatible with the Downtown Context and adjacent Lower Downtown Historic District and achieves fluid transitions.
- B. Ensure that design promotes a vibrant sense of place and is scaled to primarily encourage an active pedestrian environment.
- C. Ensure that open spaces are activated and designed to encourage and support public use.
- D. Encourage innovative and unique design solutions that will help define a unique future character.
- E. On facades immediately adjacent to the Lower Downtown Historic District, promote building designs that are compatible with the traditional building hierarchies of the district, including but not limited to the rectilinear and blocky nature of buildings, the block-alley-block pattern on numbered streets, varied articulation on named streets, base-middle-top composition, and the extensive use of masonry.

### 7.6.2 Applicability

- A. Development in this PUD-G 19 shall comply with this Chapter 7, Standards and Guidelines.
- B. The Zoning Administrator may allow compliance through alternative means other than strict compliance with the specific standards and guidelines in this Chapter 7, but only when the Zoning Administrator finds that the alternative compliance meets or exceeds the applicable guiding principles and intent statements.

# Chapter 7. PUD-G 19 Standards and Guidelines



## ORGANIZATION & FORMAT

The Standards and Guidelines for PUD-G 19 are organized into two sections that address different levels of building and site design.

Each section begins with a set of guiding principles. Each topic within the section is then addressed at three levels:

1. **Intent Statements** establish the objectives to be achieved for each topic and may also be used to determine the appropriateness of alternative or innovative approaches that do not meet specific design standards.
2. **Design Standards** set prescriptive criteria for achieving the intent statements. They use the term “shall” to indicate that compliance is required and are numbered by section for reference.

3. **Design Guidelines** provide additional suggestions to achieve the intent statements. They use the term “should” or “consider” and are numbered by section for reference.

See [Figure 7.1, Sample Standards & Guidelines Format](#) for more detail regarding the format and use of guiding principles, intent statements, design standards and design guidelines.

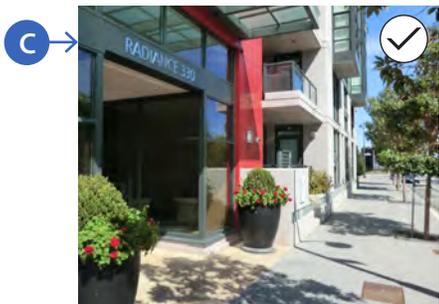
### APPLICATION OF THE STANDARDS & GUIDELINES

*Not all standards and guidelines will apply to every project. Standards and guidelines that refer to design topics or elements that are not part of a development or redevelopment project are not applicable.*

# SAMPLE STANDARDS & GUIDELINES FORMAT

To increase clarity and ease-of-use, the individual standards and guidelines pages in Sections 1-2 use a standard format. The chart below uses a sample page to indicate each key element of the standard format.

## A → Street Level Design B → Building Entries



25. Pedestrian entrances shall front onto a public street or street-facing Open Space.



26. The design of primary entries shall respond to the Street Level of the building use.



27. Pedestrian entrances should be integrated into a signature building element whenever possible.

### D → INTENT STATEMENTS E → DESIGN STANDARDS F → DESIGN GUIDELINES

- To activate the Street Level and integrate pedestrian circulation into building design.
- To ensure that pedestrian entries are clearly visible.

2.23 Primary pedestrian entrances shall front onto a public street or Open Space.

2.24 The design of primary entries shall respond to the Street Level building use.

2.30 Primary pedestrian entrances should be integrated into a signature building element whenever possible.

2.31 Where transit stops are adjacent to a building, a pedestrian entrance should be located adjacent to the stop.

### H → PUD-G 19 PEDESTRIAN ACCESS REQUIREMENTS

Chapter 4 of this PUD-G 19 includes pedestrian access (entrance) requirements to ensure a clear, obvious, publicly accessible connection between the primary street and uses within the building.

- G →
- a. Locate commercial entrances at the level of the adjacent sidewalk whenever possible.
  - b. Locate residential entrances no more than approximately 3 feet above the level of the adjacent sidewalk.

2.32 For buildings with multiple tenants, façades should be divided into narrow widths or bays and provide multiple secondary access points to animate the street.

## KEY TO THE SAMPLE STANDARDS AND GUIDELINES PAGE ABOVE

- A** **The Design Topic** is indicated with a heading at the top of each page.
- B** **A Design Subtopic** is sometimes included in black text at the right side of the header.
- C** **Photographs & Diagrams** are located below the page heading. They are numbered for easy reference.
-  **A Checkmark** indicates an appropriate approach
-  **An X mark** indicates an inappropriate approach
- D** **Intent Statements** establish the objectives to be achieved for each topic and may also be used to determine the appropriateness of alternative or innovative approaches that do not meet specific design standards.
- E** **Design Standards** set prescriptive criteria for achieving the intent statements. They use the term “shall” to indicate that compliance is expected and are numbered by section for reference.
- F** **Design Guidelines** provide additional suggestions to achieve the intent statements. They use the term “should” or “consider” and are numbered by section for reference.
- G** **Additional Information** is provided as a bulleted list beneath some standards and guidelines to indicate specific approaches and strategies or an additional standard or guideline.
- H** **Sidebars** provide background information on the design topic or relationship to other Chapters of PUD-G 19 or the Denver Zoning Code.
- I** **Underlined Text** indicates terms defined in the Appendix, or provides cross references to related document topics and web sites.

Figure 7.1 Sample Standards & Guidelines Format

# Chapter 7, Section 1: Site Design Standards & Guidelines



Site design addresses the arrangement of buildings and the spaces on a site, as well as the visual and functional character of those spaces and how they shape the Public Realm.

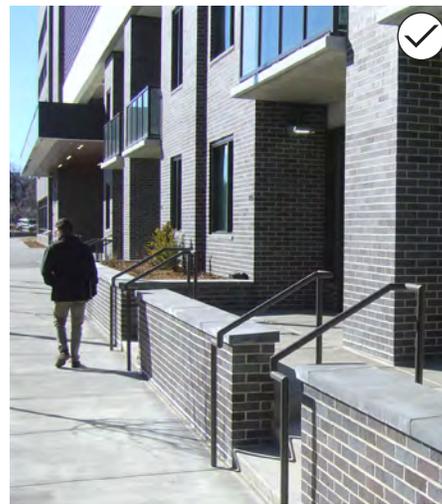
This section provides design standards and guidelines for site design topics, including street frontage, Open Space, surface parking and service areas. The design standards and guidelines apply to site improvement.

## GUIDING PRINCIPLES FOR SITE DESIGN

The following core site design principles provide the basis for the standards and guidelines:

- **Sense of Place.** Site designs that frame the street and sidewalks with buildings, Enhanced Setback areas and Open Space help create active edges and provide a sense of comfort and safety that promotes a strong sense of place.
- **Human Scale.** Site designs that provide respite from the busy urban environment and encourage pedestrian activity help promote a sense of Human Scale.
- **Creativity.** Site designs that incorporate creative features help to define a unique future character.
- **Context.** Site designs that are compatible with their context and help ensure harmonious relationships with adjacent neighborhoods.
- **Sustainability.** Site designs that encourage pedestrian interaction and incorporate low impact development principles promote social, economic and environmental sustainability.

# Street Frontage



1. Commercial frontages should activate adjacent sidewalks.

2. Residential frontages should provide a transition between adjacent sidewalks and private residences.

## INTENT STATEMENTS

- To locate and orient buildings to create a well-defined street frontage that promotes a vibrant pedestrian experience
- To provide a variety of experiences along the street frontage
- To link the street frontage to activities in adjacent buildings

## DESIGN STANDARD

1.01 Buildings shall be located to clearly define a pedestrian-oriented street frontage.

- One or more of the following frontage conditions are appropriate:
- a. Buildings located at or near the Primary Street Zone Lot Line to frame the sidewalk.
  - b. An Enhanced Setback to extend the public use area
  - c. An Open Space area such as a plaza or courtyard. See Open Space Standards and Guidelines 1.04-1.22.

## DESIGN GUIDELINES (Continued)

1.03 Residential frontages should provide a transition between adjacent sidewalks and private residences.

- Use one or more transitional features, such as:
- a. Building located at or near the Primary Street Zone Lot Line with primary entrance/lobby areas at the sidewalk edge
  - b. A landscaped Enhanced Setback area
  - c. Open Spaces such as courtyards
  - d. Stoops or small private yard areas

## DESIGN GUIDELINES

1.02 Commercial frontages should activate adjacent sidewalks.

- Use one or more of the following features:
- a. Buildings located at or near the Primary Street Zone Lot Line with Street Level Active Uses at the sidewalk edge
  - b. Enhanced Setback areas with pedestrian seating, outdoor dining, or an extended sidewalk
  - c. Open Spaces such as plazas that are directly connected to building entries and Highly Active Uses

## PEDESTRIAN-ORIENTED STREET FRONTAGE

The strategies described and illustrated below are appropriate to clearly define a pedestrian-oriented street frontage.

### A. BUILDINGS LOCATED AT OR NEAR THE PRIMARY STREET ZONE LOT LINE



Buildings located at or near the Primary Street Zone Lot Line directly activate the street and sidewalk with building entries and activities. See *Street Level Design* for related building standards and guidelines.

### B. ENHANCED SETBACKS



An *Enhanced Setback* is the space created when buildings are set back from the Primary Street property line, but generally still positioned within the Primary Street build-to range provided in PUD-G 19. Such setbacks should be enhanced to provide attractive and usable areas that activate the street frontage. They can range in size from modest extensions of the sidewalk that provide additional pedestrian area to larger landscape or patio seating areas.

### C. OPEN SPACE

*Open Spaces* extend beyond the Primary Street build-to range allowed by PUD-G 19 to provide expanded pedestrian use areas and activated public spaces. They are typically located adjacent to the street frontage or along *Wynkoop Promenade*. *Open Space* may include courtyards & plazas, pocket parks and pedestrian paths leading into the site.

Note that the *Open Space* used to meet the *Private Open Space* required in PUD-G 19 must meet the standards and guidelines.



Figure 7.2 Pedestrian-oriented Street Frontage and Open Space

# Street Frontage

# Enhanced Setbacks & Open Space



3. Enhanced Setback and Open Space areas are intended to ensure that areas where buildings are not built directly along the sidewalk edge contribute to activating the Public Realm.

## INTENT STATEMENTS

- To ensure that Open Space and Enhanced Setbacks activate the Public Realm
- To encourage additional sidewalk space for pedestrian movement and door openings
- To encourage a variety of Open Spaces, such as courtyards, plazas, and pocket parks
- To provide comfortable and vibrant space for publicly accessible outdoor amenities, such as café seating, event space, play features, and public art
- To promote an active pedestrian connection between the Public Realm and private development
- To ensure that Enhanced Setbacks and Open Spaces provide a sense of comfort and safety for pedestrians
- To facilitate public pedestrian and bicycle movement through and around the zone district

## DESIGN STANDARDS

- 1.04 Open Spaces, such as courtyards and plazas, shall be fronted with Highly Active Uses on at least one side.  
Highly Active Uses include, but are not limited to:
  - a. Retail storefronts
  - b. Restaurants and cafes
  - c. Building lobbies and amenity areas
  - d. Indoor art or recreation facilities
  - e. Arts and cultural facilities
- 1.05 Wynkoop Promenade and the 20th Street frontage shall be designed to accommodate a 15 foot clear path for public pedestrian and bicycle access through and around the zone district.
- 1.06 Where Open Spaces, such as courtyards and plazas are provided, they shall be located adjacent to pedestrian building entries or along routes that lead to building entries.
- 1.07 Open Spaces, such as courtyards and plazas, shall be located and oriented to provide a visual connection to the street.
- 1.08 Enhanced Setback and Open Space areas shall include integrated pedestrian-scale lighting to encourage evening use and to enhance security.

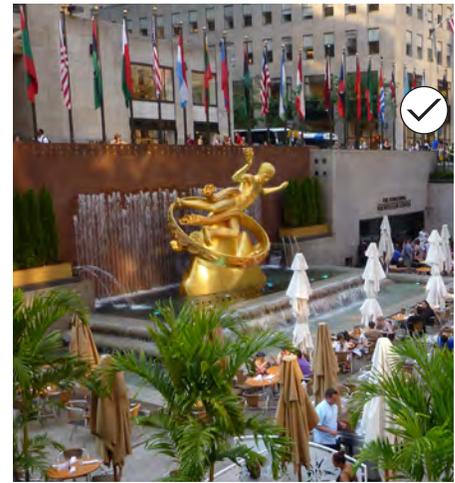
- 1.09 Facades adjacent to Enhanced Setback and Open Space areas shall incorporate features that promote pedestrian safety and activation.  
Such features include, but are not limited to:
  - a. Clear sight lines
  - b. Adequate, pedestrian-scaled, lighting
  - c. Transparent windows linked to building uses
  - d. A minimum of 12 feet for residential and 14 feet for commercial ground floor floor-to-floor heights that promote visual interest and pedestrian safety
- 1.10 Enhanced Setbacks and Open Space areas shall incorporate features to enhance year-round usability.  
Features may include, but are not limited to:
  - a. Trees, canopies, awnings, or other features that provide shade where an Open Space is exposed to the summer sun
  - b. Seating areas designed and oriented to provide winter warmth where an Open Space may be shaded in the winter

# Street Frontage

# Enhanced Setbacks & Open Space (continued)



4. Enhanced Setback and Open Space areas should be designed to complement adjacent building uses.



5. Where possible, public art should be integrated into an Enhanced Setback or Open Space area.

## DESIGN GUIDELINES

**1.11 Enhanced Setback and Open Space areas should be designed to complement adjacent building uses.**

Complementary designs include:

- a. Enhanced Setback areas that provide seating for customers of adjacent commercial storefronts
- b. Outdoor dining areas adjacent to a cafe or restaurant
- c. Landscaped courtyards with integrated seating to complement adjacent residential or office uses
- d. Stoops or small yard areas to complement adjacent residential units

**1.12 Enhanced Setbacks and Open Space areas should provide both formal and informal seating areas.**

Formal seating may include, but is not limited to:

- a. Integrated benches
- b. Movable chairs or benches

Informal seating may include, but is not limited to:

- c. Planter ledges that provide seating
- d. Bollards or planters

**1.13 Enhanced Setback areas should serve as an extension of the public sidewalk.**

- a. Use materials that are similar to the adjacent sidewalk.

b. Consider modest setbacks that add pedestrian use area.

**1.14 Pedestrian areas that are part of Enhanced Setbacks and Open Space should be located at grade with the sidewalk around the zone district.**

Note that areas intended for private residential use may be located above or below the sidewalk level. See design standard 2.23 for more information on raised residential entries.

**1.15 Pedestrian areas that are part of Enhanced Setbacks and Open Space should be paved with high-quality, durable materials.**

**1.16 Trees and plantings in an Enhanced Setback or Open Space area should be hardy and drought tolerant.**

**1.17 Enhanced Setback and Open Space areas should incorporate sustainable stormwater management systems, where possible.**

**1.18 Open Space should be designed to accommodate events such as outdoor markets or concerts, where possible.**

**1.19 Public art should be integrated into an Enhanced Setback or Open Space area, where possible.**

**1.20 Additional private amenity areas, such as decks, should be provided for residents and employees.**

**1.21 Open Space should be designed to accommodate a variety of activities for all ages with design elements such as interactive play features and seating areas.**

**1.22 The design of Wynkoop Promenade and the 20th Street frontage should include pedestrian and bicycle wayfinding features, such as special paving or signage.**

# Vehicle Access



6. Vehicle access points shall be designed to minimize impacts on pedestrians.



7. Vehicle access points shall not be located immediately adjacent to Open Space area.

## INTENT STATEMENTS

- To minimize conflicts between vehicles, pedestrians and cyclists
- To reduce the visual impacts of vehicle access on the Public Realm
- To protect sidewalks, Enhanced Setback areas, Open Spaces and other pedestrian-oriented areas from vehicular impacts

## PUBLIC WORKS REVIEW

*Vehicle access is subject to review and approval by the City of Denver's Department of Public Works. In some cases, Public Works review may result in required changes that deviate from the standards and guidelines.*

## DESIGN STANDARDS

- 1.23 The number of street access points shall depend on lot frontage.
- a. Zone Lot Lines with less than approx. 300 feet of street frontage: 0-1 access points
  - b. Zone Lot Lines with more than approx. 300 feet of street frontage: 1-2 access points
- 1.24 Vehicle access points shall be designed to minimize impacts on pedestrians.
- Appropriate strategies include:
- a. Limiting the width of vehicle access points
  - b. Using special paving materials to differentiate pedestrian and vehicle use areas
  - c. Consolidating vehicle access points with service areas
  - d. Recessing vehicle access areas
- 1.25 Vehicle access points shall not be located immediately adjacent to an Open Space.

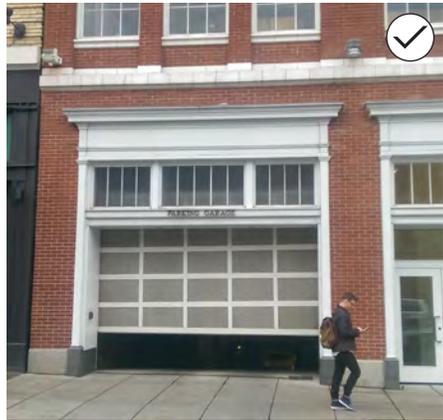
## DESIGN GUIDELINES

- 1.26 Vehicle access points should be located and designed to maintain an active street edge.
- Appropriate strategies include:
- a. Limiting the width of vehicle access points
  - b. Locating active building floors directly above vehicle access points
- 1.27 Vehicle access doors within 15 feet of the Public Right-of-Way should incorporate high-quality materials and finishes that are consistent with the building.

## VEHICLE ACCESS OPTIONS

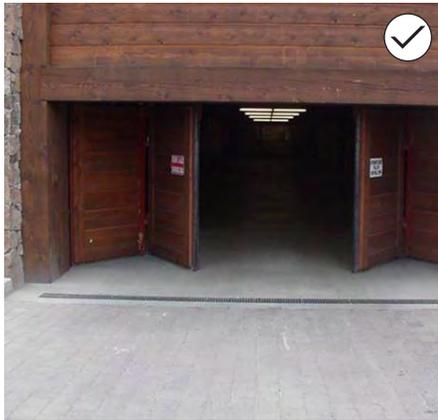
Site designs that minimize conflicts between vehicles, pedestrians and cyclists will help ensure a sense of place. As illustrated below, vehicle access locations and designs that protect pedestrians while reducing visual impacts on the Public Realm are desired. See Public Works Review on page 23 for more information regarding approval of vehicular access points.

### LIMITED ACCESS WIDTH



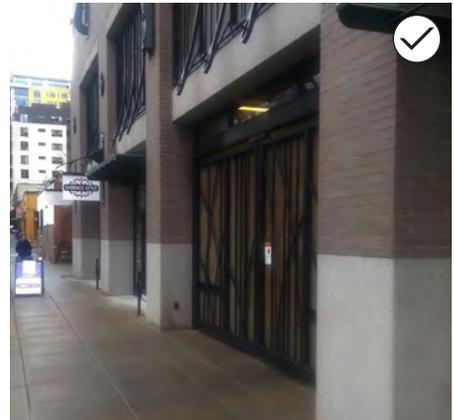
*Limiting the width of vehicle access points can help minimize impacts on pedestrians.*

### RECESSED VEHICLE ACCESS DOORS



*Recessing vehicle access doors from the street can help mitigate visual impacts.*

### CONSOLIDATION WITH UTILITIES

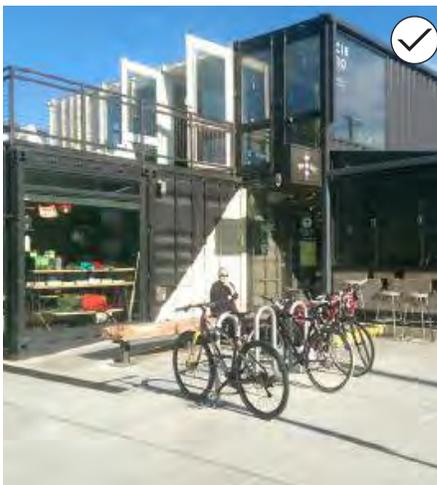


*Consolidating vehicle and utility access areas can help minimize pedestrian impacts.*

*Figure 1: Vehicle Access Options*

# Parking

# Bicycle Parking



8. Bicycle Parking should be located adjacent to Highly Active Uses to increase security and natural surveillance.

9. Bicycle parking that is provided in addition to minimum PUD-G 19 requirements should incorporate creative designs.

## INTENT STATEMENTS

- To promote sufficient bicycle parking, especially adjacent to existing and planned bicycle facilities
- To ensure that bicycle parking is located in a highly visible and accessible area near pedestrian circulation
- To ensure that bicycle parking is safe and secure
- To promote a multi-modal network

## DESIGN STANDARDS

1.28 Bicycle parking shall be located in active areas that are visible from the Public Right-of-Way or an Open Space.

Locate bicycle parking:

- Within 50 feet of a pedestrian entry; and/or
- In an Amenity Zone
- In an Enhanced Setback or Open Space (in a way that compliments the design and functionality of the space)

1.29 Bicycle racks shall not impede pedestrian traffic.

1.30 Bicycle racks shall be located a minimum of 4 feet from street trees.

## DESIGN GUIDELINES

1.31 Additional bicycle parking, beyond PUD-G 19 minimums, should be provided whenever possible.

Additional bicycle parking is especially important adjacent to:

- Dedicated bicycle facilities
- High traffic pedestrian areas

1.32 Bicycle Parking should be located adjacent to Highly Active Uses to increase security and natural surveillance.

1.33 Bicycle parking provided in addition to minimum PUD-G 19 requirements should incorporate creative designs.

Consider:

- Creative place making
- Integration of public art
- Use of Bicycle Corrals

Note that the design of bicycle parking located in the public-right-of-way will be subject to approval by the City of Denver's Department of Public Works.

## PUD-G 19 BICYCLE PARKING REQUIREMENTS

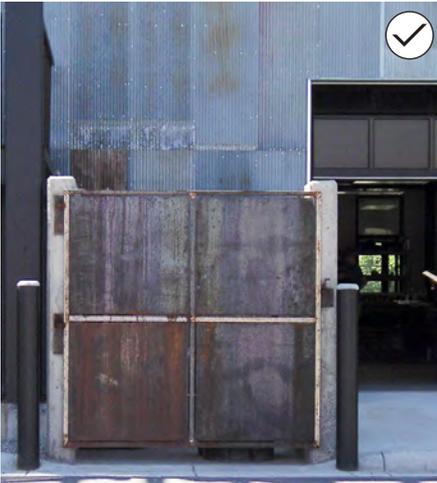
Chapter 5 of this PUD-G 19 and the Denver Zoning Code (DZC) provide specific requirements for bicycle parking. The standards and guidelines in this section are intended to supplement Chapter 5 and DZC requirements with additional guidance regarding the placement and character of bicycle parking. They are also intended to encourage the provision of additional bicycle parking beyond minimum requirements.

## PUBLIC WORKS BICYCLE FACILITY REQUIREMENTS

The City of Denver's Department of Public Works provides standards for the design of required bicycle facilities. Public Works also requires a permit for placement of bicycle parking in the Public Right-of-Way.

See Public Work's Bicycle Parking Standards for specific dimensions and spacing requirements.

# Service Areas & Utilities



10. Dumpsters shall be recessed and screened with high-quality materials and/or landscaping that are consistent with the building.

## INTENT STATEMENTS

- To minimize the visibility and impact of service areas to the Public Realm
- To reduce conflicts between servicing activities, pedestrians and cyclists
- To protect Enhanced Setback areas, Open Spaces and other highly pedestrian-oriented areas from noise and odor impacts associated with service areas
- To encourage utility and service areas to be consolidated with other vehicle access points

## PUBLIC UTILITY REQUIREMENTS

*The City of Denver's local utility provider, Xcel Energy, must approve utility locations. The utility provider also reserves the right to install utilities in permanent on-site locations. In some cases, the utility provider review may result in required changes that deviate from the standards and guidelines.*

## DESIGN STANDARDS

- 1.34 Service, utility and loading areas shall be located within the building mass and away from pedestrian areas such as sidewalks or Open Space.
- 1.35 Service, utility and loading areas shall not be located adjacent to Open Space areas or pedestrian entries.
- 1.36 Adequate service area lighting shall be provided to promote safety.
- 1.37 Dumpsters shall be located and designed to promote safety and minimize visual impacts.
  - a. Recess dumpsters from the Public Right-of-Way.
  - b. Screen dumpsters with high-quality materials and/or landscaping that is consistent with building design.
  - c. Secure dumpsters to prevent access by non-service personnel.
- 1.38 Rooftop mechanical, electrical and telecommunications systems shall be screened to minimize visibility from the street.

## DESIGN GUIDELINES

- 1.39 Ventilation shafts, grates, and other above-ground mechanical or site servicing equipment, should be located away from the Public Realm. Where it is not feasible to locate away from the Public Realm, they should be designed to minimize impacts on the Public Realm.
- 1.40 Service areas should be combined with vehicle access points when possible to minimize pedestrian and Public Realm impacts.

Also see Standard 1.27.

## Chapter 7, Section 2: Building Design Standards & Guidelines



Building design addresses the vertical component of development and redevelopment, which includes the visual and functional character of individual buildings.

This section provides standards and guidelines for key building design topics, including building massing, pedestrian character and materials.

### GUIDING PRINCIPLES FOR BUILDING DESIGN

The following core building design principles provide the basis for the standards and guidelines:

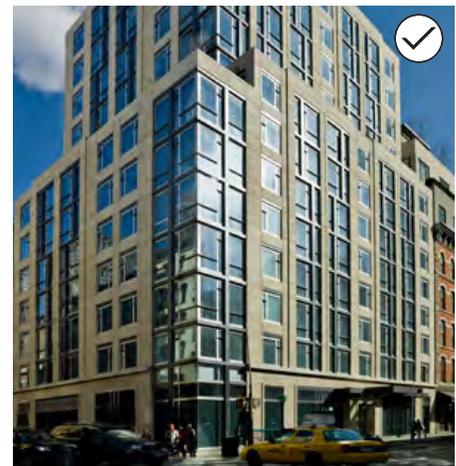
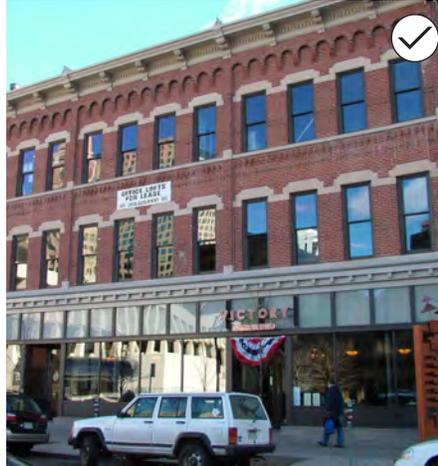
- **Sense of Place.** Buildings that are designed to frame and relate to the Public Realm help promote a vibrant sense of place.
- **Human Scale.** Buildings that are scaled and designed to encourage pedestrian activity promote a sense of Human Scale.
- **Creativity.** Buildings that incorporate innovative and unique design solutions will help define a unique character.
- **Context.** Buildings that are compatible with surrounding buildings and the traditional building hierarchies of the Lower Downtown Historic District, such as the rectilinear and blocky nature of buildings, the block-alley-block pattern on numbered streets, base-middle-top composition, and the extensive use of masonry help ensure harmonious relationships with adjacent neighborhoods.

- **Sustainability.** Buildings that provide opportunities for interaction among a wide variety of people and incorporate environmentally sustainable design approaches will help the district adapt to future urban demands.

### PUD-G 19 BUILDING FORM STANDARDS

*Chapter 4 of this PUD-G 19 establishes the building form requirements. The standards and guidelines in this section supplement Chapter 4 building form requirements and provide additional standards and guidelines to achieve the guiding principles for building design.*

# Building Mass & Scale



11. The design standards and guidelines for building mass and scale are intended to encourage building massing that reflects the Lower Downtown character and promotes a strong sense of place through creative and innovative Human Scale design.

## INTENT STATEMENTS

- To encourage varied building massing that promotes a sense of place through creative and innovative Human Scale designs
- To promote buildings with cohesive massing and articulation across the Lower Story Façade and Upper Story Façade
- To encourage context-sensitive building massing
- To encourage building mass and scale that is compatible with the traditional building hierarchies of Lower Downtown, including the rectilinear and blocky nature of buildings, the block-alley-block pattern on numbered streets, base-middle-top composition, and generous floor-to-floor heights.

## DESIGN STANDARDS

**2.01 Buildings shall promote an overall sense of Human Scale.**

- Incorporate Upper Story Setbacks to reduce the visual impact of upper stories on the Public Realm (see standards 2.14 - 2.16 for more information)
- Clearly define the Street Level (see standards and guidelines 2.17-2.21 for more information)
- Use materials that convey scale in their proportion, detail and form. Materials applied to provide the appearance of units, panels or modules help to convey a sense of scale (see standards and guidelines 2.38-2.49 for more information).

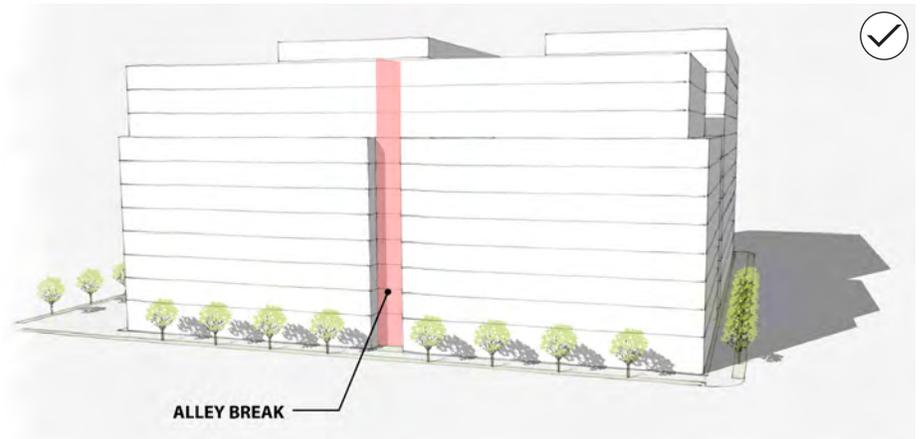
**2.02 Buildings shall include a clearly defined base, middle and top, including:**

- A pedestrian-oriented Street Level (see standards and guidelines 2.17-2.21 for more information)
- A well-detailed middle with design elements that reflect the building's structural grid, provide depth to the façade, and relate to surrounding buildings
- Architectural rooftop elements such as cornice and cap elements. For a Façade Facing the LoDo

Transition Area, the rooftop element shall be provided at the top of the Lower Story Façade.

**2.03 On the Lower Story Façade facing 19th Street, buildings shall have a continuous street wall with changes in plane corresponding to building-alley-building relationships present in Lower Downtown. The plane break shall generally correspond with the location of an alley directly across the street from a building, and shall be at least 20 feet in width and 15 feet in depth.**

## Building Mass & Scale (Continued)



12. Buildings shall promote an overall sense of Human Scale and should reinforce Lower Downtown's historic fabric.

### DESIGN GUIDELINES

2.04 Buildings with over approximately 100 feet of Primary Street frontage should be designed to reduce visual mass and scale and reinforce Lower Downtown's historic fabric.

Appropriate techniques include:

- a. Reducing the appearance of widths along Wazee Street and the West Zone Lot Line using articulation techniques in standards 2.05 and 2.07.
- b. Breaking up the Upper Story Facade massing with Upper Story Setbacks, height variation or separate visual modules.

# Building Mass & Scale

# Articulation



13. Primary Street-facing Lower and Upper Story Facades shall incorporate vertical & horizontal articulation techniques.

## INTENT STATEMENTS

- To promote and reinforce building massing techniques
- To ensure cohesive facade designs
- To promote visually interesting building facades
- To maintain a sense of Human Scale
- To encourage building articulation that is compatible with the traditional building hierarchies of Lower Downtown, including the pattern of longer facades broken by an alley on numbered streets, more varied articulation on named streets, and a consistent bay rhythm.

## DESIGN STANDARDS

### 2.05 A Facade Facing the LoDo

Transition Area shall reflect mass and scale characteristics of the Lower Downtown context.

Appropriate techniques include:

- Horizontal articulation techniques such as cornice lines or belt courses that relate to heights of adjacent buildings in Lower Downtown
- Floor-to-floor heights on the Lower Story Facade above the Street Level of approximately 12' -14'
- Design elements that emphasize the building corners at intersections

2.06 Primary Street-facing Lower and Upper Story Facades, except those defined as a Facade Facing the LoDo Transition Area, shall incorporate vertical & horizontal articulation techniques that reinforce the massing techniques described in standards 2.01-2.03.

Appropriate articulation techniques include:

- Facade plane changes of a minimum of approximately 2-3 inches
- Vertical projections
- Horizontal projections/banding
- Window composition/design

- Balconies or terraces
- Material changes

See Facade Articulation Techniques in Figure 7.3 for more information.

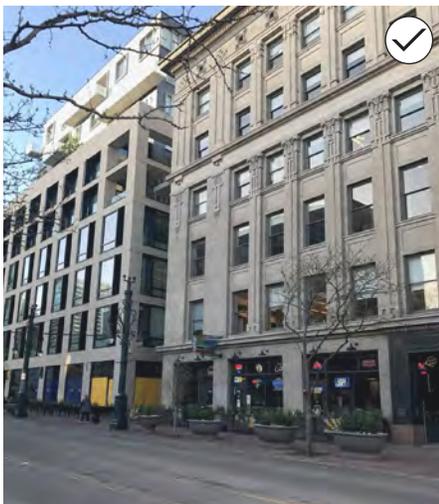
2.07 Articulation techniques, such as a change in materials or setback, shall be used to highlight structural building modules and differentiate building uses at the Street Level.

2.08 Visible Facade areas shall incorporate features to enhance visual interest and avoid the appearance of long blank walls.

Such features include:

- Articulation consistent with design standards 2.06-2.07 or design guideline 2.09
- Transparency consistent with standards for Primary Street-facing Facades
- Wall Murals or other art works

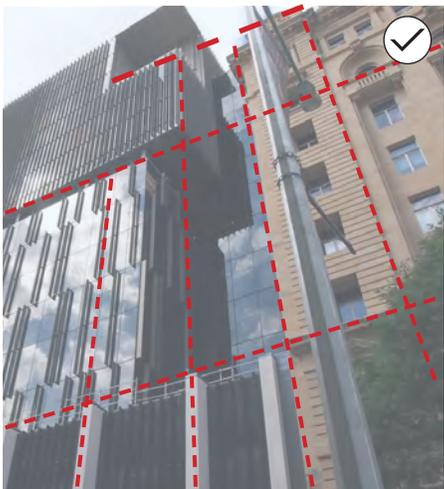
# Building Mass & Scale Articulation (continued)



14. Facade articulation should reinforce the tradition of Lower Downtown's historic building fabric.



15. Where balconies and terraces are provided, they should be integrated into vertical and horizontal articulation systems.



16. Horizontal articulation elements should align with the roof lines or articulation on adjacent buildings, when possible.

## DESIGN GUIDELINES

2.09 Facade articulation should generally reinforce the tradition of Lower Downtown's historic building fabric.

- Appropriate techniques include:
- a. A consistent, articulated bay rhythm
  - b. Vertical elements, such as columns, arches, and vertical windows
  - c. Delineation of architectural features such as windows, doors, doorways, and courses

See [Relationship of Articulation to Lower Downtown Context](#) below for more information.

2.10 Facade articulation should generally align between the Lower Story Facade and Upper Story Facades to avoid creating a visual disconnection between the building base and upper stories.

2.11 Horizontal articulation elements should align with the roof lines or articulation on surrounding buildings, when possible.

2.12 Where balconies and terraces are provided, they should be integrated into vertical and horizontal articulation systems.

2.13 Balconies should not project past the Lower Story Facade on a Facade Facing the LoDo Transition Area.

## RELATIONSHIP OF ARTICULATION TO LOWER DOWNTOWN CONTEXT

*Strong features of Lower Downtown's physical character are the rectilinear and blocky nature of its existing buildings and the area's block-alley-block pattern. Numbered streets in Lower Downtown typically have longer facades broken by an alley, and named streets feature more varied articulation.*

# FACADE ARTICULATION TECHNIQUES

Facade articulation combines with massing techniques to add texture and rhythm that promotes a Human Scaled urban environment with a strong sense of place. The facade articulation techniques described and illustrated below may be used to meet design standard 2.06.

## A. FACADE PLANE CHANGES



Facade plane changes include vertical notches or shifts in the building façade to help break down visual mass and scale.

## B. VERTICAL PROJECTIONS



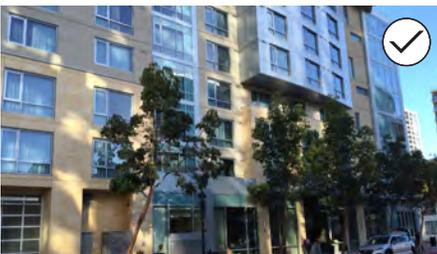
Vertical projections include pilasters, columns and other elements that help create a vertical rhythm on the facade.

## C. HORIZONTAL PROJECTIONS/BANDING



Horizontal projections and banding include projections, bands, color changes or other elements that help create a horizontal rhythm on the facade.

## D. WINDOW COMPOSITION/DESIGN



Window composition and design includes window groupings, use of header/sill elements and window insets or projections that help create a rhythm on the facade.

## E. BALCONIES & TERRACES



Inset or cantilevered balconies and terraces help create vertical and horizontal rhythms on the facade that break down building mass and scale into smaller modules.

## F. MATERIAL CHANGES

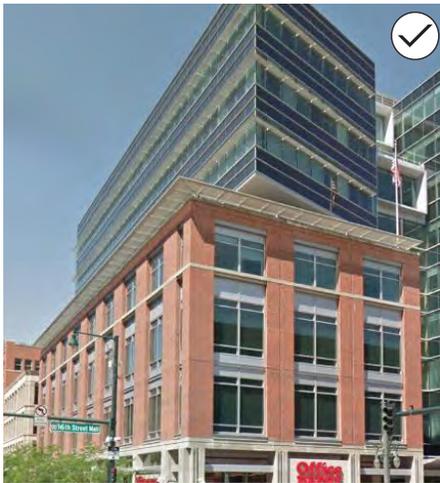


Material changes help create vertical and horizontal rhythms along the facade that break down mass and scale into smaller modules.

Figure 7.3 Facade Articulation Techniques

# Building Mass & Scale

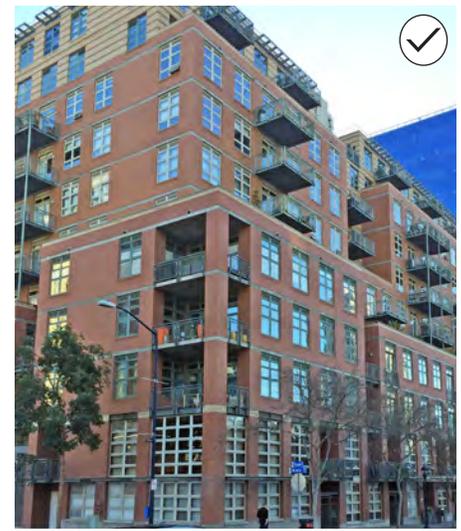
# Upper Story Setback



17. Upper Story Setbacks promote facade designs that relate to surrounding buildings.



18. Upper Story Setbacks shall be integrated into the overall building design.



## INTENT STATEMENTS

- To encourage varied building massing that promotes a sense of place through creative and innovative Human Scale designs
- To provide compatible building designs that achieve an appropriate transition from Lower Downtown
- To maintain the general appearance of a predominantly 8-story building adjacent to 19th Street, with a distinctive height transition to Upper Story Facades

## DESIGN STANDARDS

2.14 Upper Story Setbacks shall be integral to overall building design.

Appropriate techniques include:

- a. Using Upper Story Setbacks to emphasize building design elements, such as strong corner features
- b. Integrating a series of Upper Story Setbacks into an overall system of building massing and articulation

2.15 A Facade Facing the LoDo Transition Area shall incorporate design features that provide a distinctive height transition at the location of the Upper Story Setback.

Appropriate techniques include:

- a. A strong cornice line or similar feature at the top of the Lower Story Facade
- b. Reinforcing the corners of a building as part of the Lower Story Façade

2.16 In Upper Story Setbacks, buildings shall call themselves out as distinctive from their contextual Lower Story Facade in form, mass and scale. Appropriate techniques include:

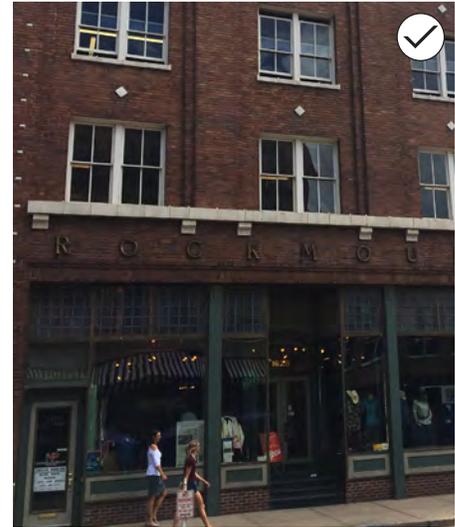
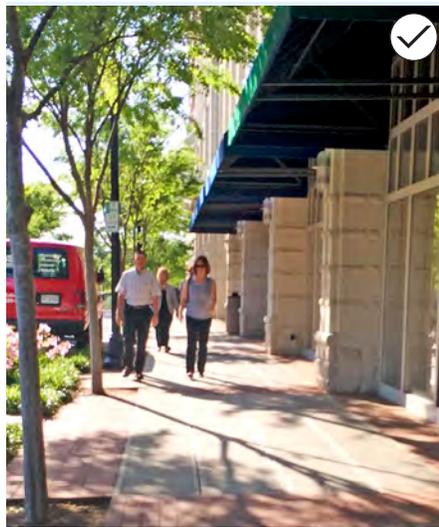
- a. Changes in materials in the Upper Story Facade
- b. Changes in fenestration in the Upper Story Facade
- c. Creative massing in the Upper Story Facade

## PUD-G 19 UPPER STORY SETBACK REQUIREMENTS

Chapter 4 of this PUD-G 19 requires a minimum Primary Street Upper Story Setback at or below 8 stories and 110 feet on 19th Street and Wazee Street in Subarea A. On 20th Street, along the West Zone Lot Line, and on the remainder of the Wazee Street in Subarea B, Upper Story Setbacks are encouraged but not required.

The guidelines and standards in this section are intended to supplement PUD-G 19 Primary Street Upper Story Setback requirements.

# Street Level Design



19. A pedestrian-oriented Street Level shall be clearly defined for each street-facing facade.

## INTENT STATEMENTS

- To promote an active pedestrian area with Human Scale design features at the Street Level and adjacent to Open Spaces
- To clearly define a prominent pedestrian area

## PUD-G 19 ACTIVE USE REQUIREMENTS

Chapter 4 of this PUD-G 19 requires a minimum percentage of Street Level Active Uses.

The standards and guidelines in this section are intended to supplement Chapter 4 requirements.

## DESIGN STANDARDS

2.17 A pedestrian-oriented Street Level shall be clearly defined for each street-facing facade.

Appropriate features to define the Street Level along the Primary Street frontage include:

- a. Awnings and canopies
- b. A prominent cornice above the Street Level
- c. Changes in materials between the Street Level and stories above the Street Level

2.18 The Street Level shall be articulated to promote a Human Scale building frontage.

Appropriate techniques include:

- a. Recessed entries
- b. Changes in Street Level setback

See standards and guidelines 2.01-2.03 and 2.04-2.13 for more information

2.19 The Street Level shall incorporate a substantial floor-to-floor height to promote visual prominence.

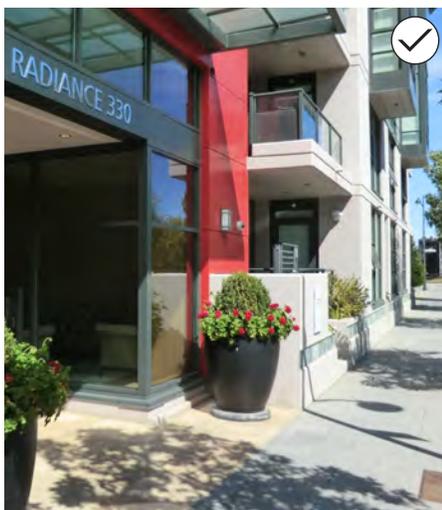
- a. An approximately 12 foot floor-to-floor height minimum is appropriate for a Street Level occupied by residential uses.
- b. An approximately 14 foot floor-to-floor height minimum is appropriate for a Street Level occupied by commercial uses.
- c. Taller Street Level floor-to-floor heights are encouraged.

## DESIGN GUIDELINES

2.20 Canopies and awnings used to define the Street Level should be integrated into building design.

2.21 A ground floor facade facing an Open Space that is located on an internal pathway should incorporate articulation and pedestrian-oriented design features and techniques described in 2.17-2.19.

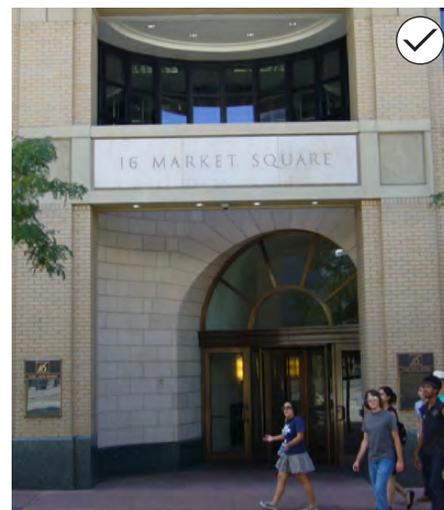
# Street Level Design Building Entries



20. Primary pedestrian entrances shall front onto a public street or street-facing Open Space.



21. The design of primary entries shall respond to the Street Level of the building use.



22. Primary pedestrian entrances should be integrated into a signature building element whenever possible.

## INTENT STATEMENTS

- To activate the Street Level and integrate pedestrian circulation into building design
- To provide a high number of Street Level entries into active uses to encourage pedestrian activity
- To ensure that pedestrian entries are clearly visible

## DESIGN STANDARDS

- 2.22 Primary pedestrian entrances shall front onto a public street or Open Space.
- 2.23 The design of primary entries shall respond to the Street Level building use.
  - a. Locate commercial entrances at the level of the adjacent sidewalk whenever possible.
  - b. Locate residential entrances no more than approximately 3 feet above the level of the adjacent sidewalk.

## DESIGN GUIDELINES

- 2.24 Primary pedestrian entrances should be integrated into a signature building element whenever possible.
- 2.25 Where transit stops are adjacent to a building, a pedestrian entrance should be located adjacent to the stop.
- 2.26 For buildings with multiple tenants, façades should be divided into narrow widths or bays and provide multiple secondary access points to animate the street.

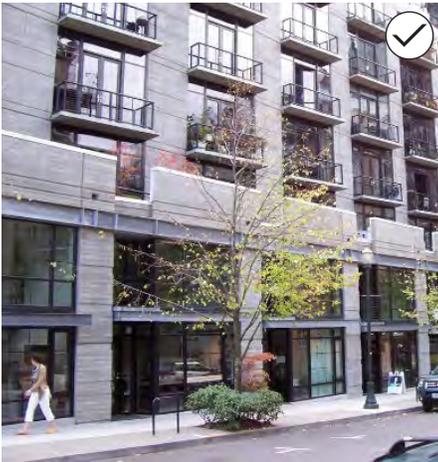
## PUD-G 19 PEDESTRIAN ACCESS REQUIREMENTS

Chapter 4 of this PUD-G 19 includes pedestrian access (entrance) requirements to ensure a clear, obvious, publicly accessible connection between the Primary Street and uses within the building.

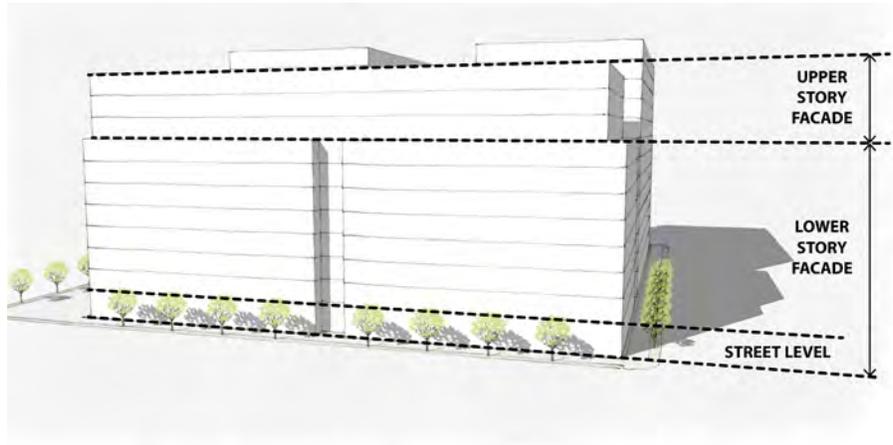
The guidelines and standards in this section are intended to supplement pedestrian access requirements in Chapter 4.

# Facade Design

# Windows & Transparency



23. The design standards and guidelines for Transparency are intended to encourage visually interesting facade designs that create interplay of light and shadow on the building's surface.



24. Transparency Standards vary for the Street Level, Lower Story Facade and Upper Story Facade.

## INTENT STATEMENTS

- To encourage facades that create a sense of Human Scale
- To encourage visually interesting facade designs that create interplay of light and shadow on the building's surface
- To enhance safety with "eyes on the street"
- To ensure that building activities are visible from the Public Realm, including Open Space.
- To ensure that building facades do not cause glare or negative impacts to the Public Realm.

## PUD-G 19 TRANSPARENCY REQUIREMENTS

Chapter 4 of this PUD-G 19 requires a minimum percentage of Street Level transparency (the total linear feet of windows or permitted alternatives along the Street Level facade) to provide visual interest, and activate the street and sidewalk.

The standards and guidelines in this section are intended to supplement Chapter 4 Street Level transparency requirements.

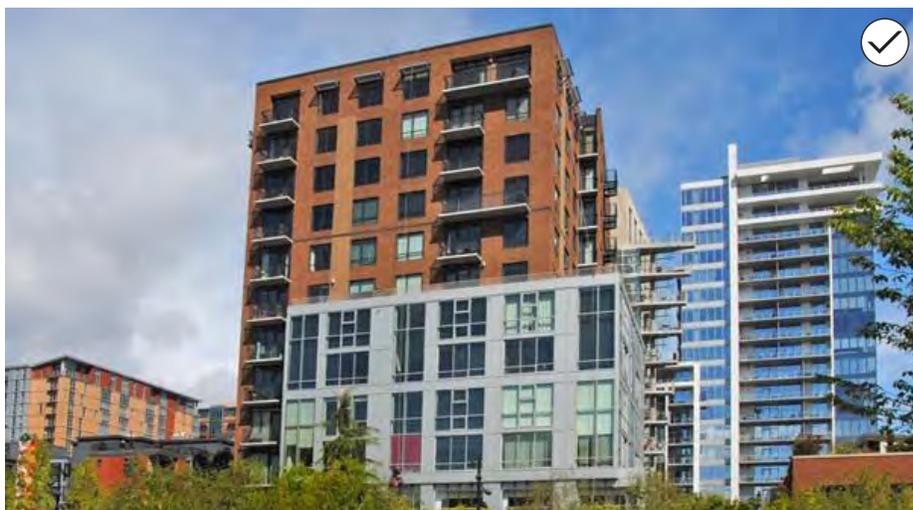
## DESIGN STANDARDS

- 2.27 Street Level transparent facade areas shall be located to provide visibility into the Street Level Active Uses required by this Chapter 4 of this PUD-G 19.
- 2.28 Street Level windows shall be transparent glass with a maximum reflectance of approximately 0.15 that allows for pedestrians to view the activity within the building.
- 2.29 Lower Story Facades, excluding the Street Level, shall incorporate a minimum of 50% transparent glass with a maximum reflectance of approximately 0.30.
- 2.30 Upper Story Facades shall incorporate a minimum of 40% transparent glass with a maximum reflectance of approximately 0.35.
  - a. Use of opaque/spandrel glass is acceptable to continue glazing patterns where screening of utilities or structural elements is required.
- 2.31 Exterior reflective coatings shall not be used on transparent window glazing.

## TRANSPARENCY FOR STRUCTURED PARKING

The standards and guidelines in this Transparency section do not apply to Visible Structured Parking. See "Structured Parking Design" for standards and guidelines that promote openings in a structured parking facade to produce the impression of transparent facade areas.

# Facade Design Windows & Transparency (continued)



25. The design standards and guidelines encourage visually interesting facade designs that create interplay of light and shadow on the building's surface.

## DESIGN STANDARDS (Continued)

2.32 Window openings shall be designed to provide depth of detail on the facade.\*

- Appropriate techniques include:
- a. Recessing the face of glass a minimum of 4 to 6 inches behind the facade

\*This standard shall not apply to a glass curtain wall.

## DESIGN GUIDELINES

2.33 A ground floor facade facing an Open Space that is located on an internal pathway should incorporate transparent windows linked to building uses. Transparency reflectance should be consistent with standard 2.28-2.30.

- 2.34 For mixed-use developments, levels of transparency should reflect different uses within the building.
- a. A lower glass-to-wall ratio is typical of residential uses.
  - b. A higher glass-to-wall ratio is typical of commercial uses.

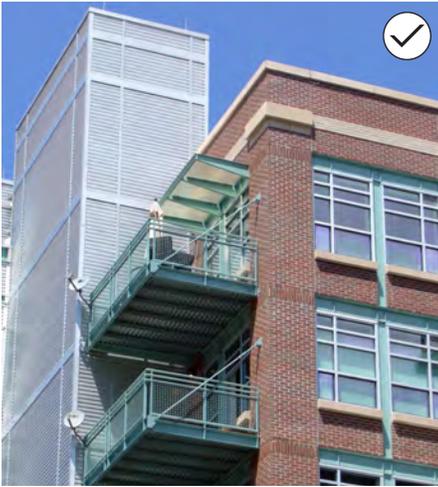
2.35 Balcony railings should not significantly block visibility of facade areas used to meet transparency standards.

2.36 Clear, "Low E," or slightly tinted windows should be used to ensure the visibility of pedestrian-oriented commercial uses.

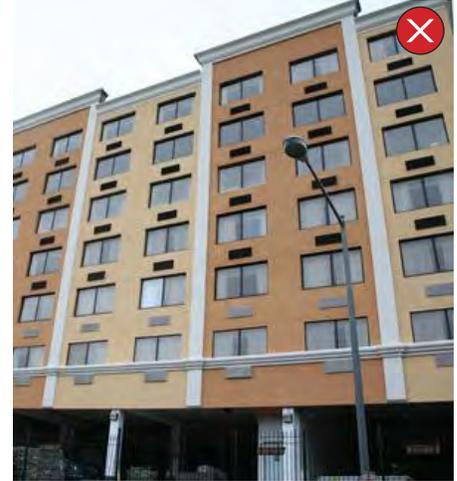
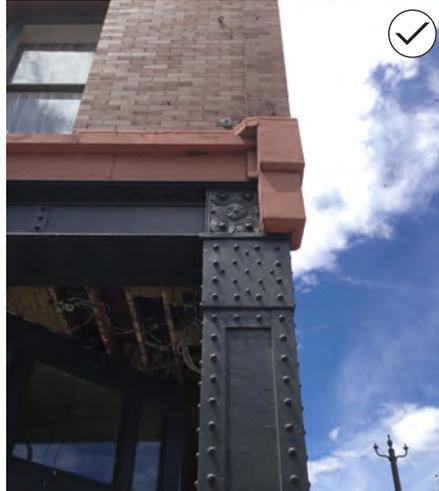
2.37 Landscaping should not significantly block transparent window areas at the Street Level.

# Facade Design

# Building Materials



26. The use of durable building materials and material treatments should promote the sense of Human Scale.



27. EIFS and other synthetic stucco materials shall not be used.

## INTENT STATEMENTS

- To ensure that building materials used on any Visible Facade provide visual interest and a sense of Human Scale
- To discourage building materials that produce flat or featureless surfaces on any Visible Facade
- To encourage the use of innovative, high-quality and sustainable materials
- To promote use of durable building materials and material treatments
- To ensure that building materials are integrated into a cohesive facade design
- To provide a compatible response to materials present in Lower Downtown, including brick, stone, terra-cotta tile, and ceramic tile

## DESIGN STANDARDS

- 2.38 Building materials used on a Primary Street-facing Facade shall be of proven durability.
- Applicants may be required to demonstrate the durability of unproven or unusual materials.
- 2.39 Building materials used on a Primary Street-facing Facade shall be properly finished and detailed.

- 2.40 Any change in materials shall be combined with a variation in the wall plane.
- 2.41 A Facade Facing the LoDo Transition Area or facing Wazee Street shall incorporate a minimum of 60%\* Masonry on the Lower Story Facade.
- Appropriate Masonry materials include:
- Brick
  - Stone and Terra cotta
- \*Not including window, transom glass and door areas.
- 2.42 On a Facade Facing the LoDo Transition Area or on a facade facing Wazee Street, Cementitious Stucco shall not be used on more than 20% of the Lower Story Facade.
- 2.43 On a facade that is not defined as a Facade Facing the LoDo Transition Area and is not facing Wazee Street, Cementitious Stucco shall not be used on more than 50% of the Lower Story Facade.

- 2.44 Fiber Cement Siding materials shall not be used on more than 50% of a facade defined as the Primary Street-facing Facade.
- 2.45 EIFS (Exterior Insulating Finish Systems) and other synthetic stucco materials shall not be used.

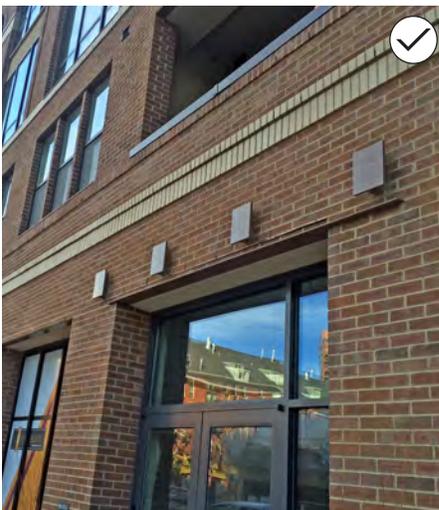
## DESIGN GUIDELINES

- 2.46 Building materials should be selected and applied to convey a sense of Human Scale.
- Appropriate techniques include:
- Adding visual interest through texture, finish and detailing
  - Applying materials in units, panels or modules that produce shadow lines to help convey a sense of scale
- 2.47 Any change in building materials should occur at the inside corner of a variation in the wall plane.
- 2.48 Carefully detailed materials should be used to reinforce building mass, scale and articulation techniques.
- 2.49 Cementitious Stucco should not be used on Upper Story Facade areas that may be difficult to reach or maintain.

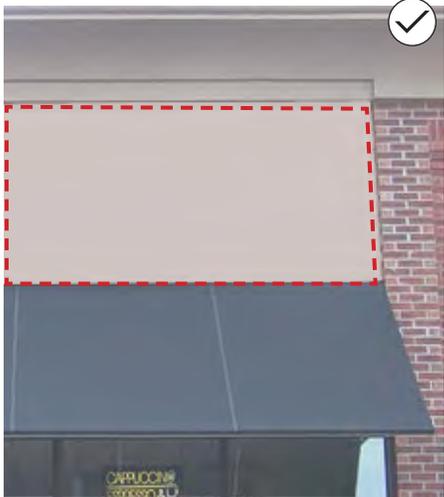
# Facade Design



28. Whenever possible, use overall building design or architectural features to market building tenants. Appropriate strategies include using iconic building elements to emphasize storefronts or tenant entries.



29. Facade designs should integrate power sources for future signage lighting, whenever possible.



30. Facade designs shall consider potential future locations for pedestrian-oriented signage.

## INTENT STATEMENTS

- To ensure that facade designs consider potential future locations for pedestrian oriented signage
- To encourage facade designs that promote harmonious relationships between overall building mass and scale, architectural features and potential future signage

## PUD-G 19 SIGN REQUIREMENTS

As stated in Chapter 6 of this PUD-G 19, Signs in PUD-G 19 must comply with Denver Zoning Code Article 10 regulations as applicable to the D-AS-12+ zone district.

The guidelines and standards in this section are intended to supplement sign requirements in Chapter 6.

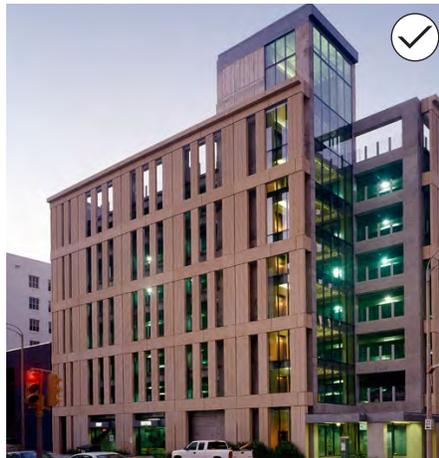
## DESIGN STANDARDS

- 2.50 Facade designs shall consider potential future locations for pedestrian-oriented signage.**
- Appropriate strategies include:
- Incorporating a designated band or area for signage above the Street Level for potential future signage
  - Designing canopies and awnings to accommodate potential future wall signage
  - Designating areas to accommodate tenant or directory signage near primary building entries
- 2.51 Where applicable, facade designs shall consider locations for potential large-scale building identification signage.**
- Appropriate strategies include:
- Limiting large-scale building identification signage to taller buildings (approx. 12+ stories)
  - Reserving an area along the roof parapet, or integrated into a roof cap feature, for future large-scale building identification signage

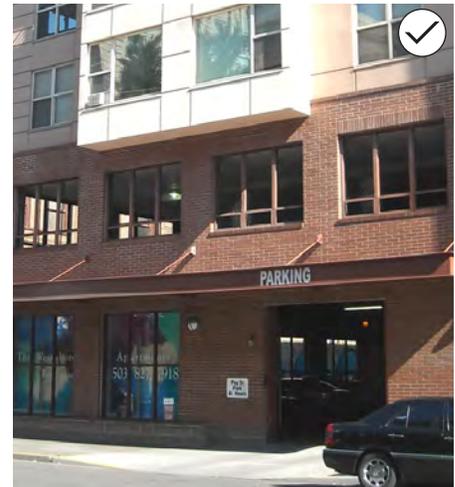
## DESIGN GUIDELINES

- 2.52 Overall building design or architectural features should be used to market building tenants rather than signage, whenever possible.**
- Appropriate strategies include:
- Using building massing techniques to create projecting or recessed facade elements that emphasize storefronts or tenant entries
  - Locating architectural features to highlight storefronts or tenant entries
  - Using iconic building elements to emphasize storefronts or tenant entries
  - Incorporating building address signage into the design of the facade
- 2.53 Facade designs should integrate power sources for future signage lighting, whenever possible.**

# Structured Parking Design



31. The design standards and guidelines promote structured parking designs that are compatible with the character and quality of the overall building facade and adjacent buildings.



32. Facade areas with Visible Structured Parking shall reflect the overall pattern of openings on the building facade.

## INTENT STATEMENTS

- To promote structured parking designs that are compatible with the character and quality of the overall building facade and adjacent building facades
- To minimize visual and physical impacts of parked cars on the pedestrian experience

## PUD-G 19 LIMITATION ON STRUCTURED PARKING VISIBILITY

*Chapter 4 of this PUD-G 19 requires that visibility of structured parking is limited.*

*The standards and guidelines in this section supplement Chapter 4 standards to address the design of any Visible Structured Parking.*

*Note that PUD-G 19 does not require a minimum number of on-site parking spaces.*

## DESIGN STANDARDS

**2.54** Where provided, Visible Structured Parking shall be integrated into overall facade design.\*

Appropriate techniques include:

- Continuing similar building materials across facade areas with Visible Structured Parking
- Continuing vertical and horizontal articulation across facade areas with Visible Structured Parking

**2.55** Facade areas with Visible Structured Parking shall reflect the overall pattern of openings on the building facade.\*

- Use similar opening proportions to those on the overall facade.

**2.56** Align openings with those on adjacent buildings or facade areas.

**2.57** Facade areas with Visible Structured Parking shall incorporate openings that reflect transparency standards for non-parking facades.

**2.58** Facade areas with Visible Structured Parking shall be designed to limit the view of parked cars and angled ramps from the Public Realm

**2.59** Facade areas with Visible Structured Parking shall be designed to minimize the visual

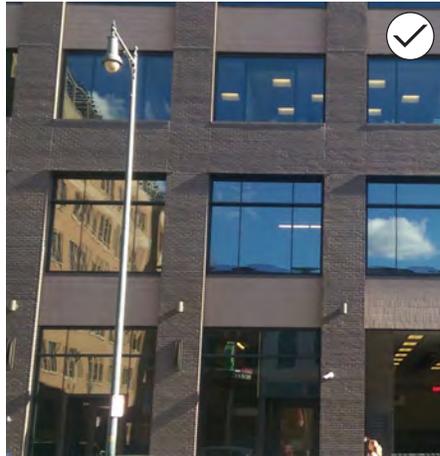
impacts of security lighting and headlights.

Appropriate techniques include:

- Use of non-transparent materials for approximately the first 36 to 48 inches of the facade to block the view of headlights
- Architectural features that block the view of ceiling and security lighting
- Use of fully-shielded LED or other lighting not exceeding approximately 6,500 lumens

*\*Standards 2.54 and 2.55 are not applicable to stand-alone parking structures that do not include non-parking uses on upper floors.*

# Structured Parking Design (continued)



33. The facade of structured parking that is fully enclosed and ventilated should incorporate materials and finishes similar to those used on the overall facade.

## DESIGN GUIDELINES

- 2.60 Street Level facade areas with Visible Structured Parking should be designed to accommodate future conversion to non-parking uses.
- 2.61 Ramped portions of structured parking should not be located on a Primary Street-facing Facade unless they are wrapped with another use.
- 2.62 Facade areas with Visible Structured Parking should be fully enclosed and ventilated whenever possible.
- 2.63 Dedicated parking spaces should be provided for car share services, whenever possible.

## ARTISTIC SCREENING OF A PARKING STRUCTURE



Artistic screens may sometimes be appropriate for facade areas with Visible Structured Parking. While such screens may vary in character from the overall building facade and adjacent building facades, they may be approved on a case-by-case basis where they:

- » Are a “work of public art” as defined by Section 20-86 of the Denver Revised Municipal Code, as determined by the Zoning Administrator with input from Denver Arts and Venues
- » Limit the view of all parked cars and angled ramps from adjacent plazas, public rights-of-way, private streets and plazas or Open Space

# Chapter 7. Glossary of Terms

The terms included here are defined solely for Chapter 7, Standards and Guidelines, of PUD-G 19. For terms that are not included here, refer to PUD-G 19 and the [Denver Zoning Code](#), Section 13.3 Definition of Words, Terms and Phrases as well as Section 11.12 Use Definitions.

## ACTIVE USES

See [Street Level Active Uses](#) and [Highly Active Uses](#)

## AMENITY ZONE

An area between the street and sidewalk that is improved with street trees, paving, street furniture or other amenities. An [Amenity Zone](#) is typically located within the [Public Right-of-Way](#).

## BICYCLE CORRAL

Bicycle Corrals are an on-street bicycle parking facility that can accommodate bicycles in the same area as an on street- vehicle parking space. They work best where sidewalks are too narrow to accommodate bicycle racks and in areas with both high levels of people bicycling and demand for bicycle parking.

## CEMENTITIOUS STUCCO

An exterior wall finish, usually composed of cement, sand, and lime, and applied while wet.

## BICYCLE FACILITY

A lane, path, or shoulder for use by bicyclists, or a shelter/ parking facility for bicycles.

## ENHANCED SETBACK

An [Enhanced Setback](#) is the space created when buildings are set back from the Primary Street Zone Lot Line, but generally still positioned within the Primary Street build-to range provided in PUD-G 19. Such setbacks should be enhanced to provide attractive and usable areas that activate the street frontage. They can range in size from modest setback areas provided by building offsets to larger patio seating or pedestrian use areas.

## FACADE FACING THE LODO TRANSITION AREA

A façade facing 19th Street or Wazee Street in Subarea A defined in PUD-G 19.

## FIBER CEMENT SIDING

A building material used to cover the exterior of a building. Fiber cement is a composite material made of sand, cement and cellulose fibers. Fiber Cement Siding includes HardieBoard and HardiePlank.

## HIGHLY ACTIVE USES

Uses that contribute to the activation and engagement of the pedestrian experience. These uses include (but are not limited to): retail storefronts; restaurants and cafes; building lobbies and amenity areas; indoor art or recreation facilities; arts and cultural facilities. Uses that are not considered Highly Active Uses are residential units, light warehousing, mini-storage, parking spaces or parking aisles. Also see [Street Level Active Uses](#).

## HUMAN SCALE

A sense of [Human Scale](#) is achieved when one can reasonably interpret the size of a building by comparing features of its design to comparable elements in one's experience.

## LOW IMPACT DEVELOPMENT

Low Impact Development (LID) is stormwater management approach to address rainfall in a way which more closely mimics the natural hydrologic system at the site prior to any development.

## LOWER STORY FACADE

The [Lower Story Facade](#) will generally be considered as stories 1-8 (up to 110 feet, including the [Street Level](#)) of the [Primary Street-Facing Facade](#), with everything above defined as the [Upper Story Facade](#). However, where [Upper Story Setbacks](#) are located below the eighth story, the [Lower Story Facade](#) may be considered as stories below the [Upper Story Setback](#) with everything above the setback defined as the [Upper Story Facade](#).

## MASONRY

Building materials characterized by individual units laid in and bound together by mortar. [Masonry](#) materials include brick, stone and terra cotta.

## OPEN SPACE

An [Open Space](#) is a type of [Enhanced Setback](#) that may extend beyond the Primary Street build-to range allowed by PUD-G 19 to provide more substantial [Street Level](#) pedestrian use areas, such as: courtyards, plazas, pocket parks, and pedestrian pathways leading into a development. A [Private Open Space](#) required in PUD-G 19 is also an [Open Space](#). See also [Private Open Space](#).

# Glossary of Terms (continued)

## PRIMARY STREET

A Primary Street Zone Lot Line as defined in PUD-G 19. PUD-G 19 defines 19th Street, Wazee Street, and the West Zone Lot Line as Primary Street Zone Lot Lines.

## PRIMARY STREET-FACING FACADE

Any facade facing a Primary Street Zone Lot Line defined in PUD-G 19.

## PRIMARY STREET UPPER STORY SETBACK

See [Upper Story Setback](#)

## PRIVATE OPEN SPACE

An [Open Space](#) located on private property that is a required design element in PUD-G 19 and/or used as a build-to alternative in PUD-G 19.

## PUBLIC REALM

Areas within the [Public Right-of-Way](#) (including streets and sidewalks), as well as parks, [Enhanced Setbacks](#), [Open Space](#) and connecting paths or walkways located on private property adjacent to the [Public Right-of-Way](#).

## PUBLIC RIGHT-OF-WAY

The area of land owned by the municipality over which the road and sidewalk is built. The [Public Right-of-Way](#) generally includes the roadway, sidewalks, amenity zone and alley areas.

## QUALITY

Refers to the use of a material that is low maintenance, will stand up to wear and tear and is appropriate for the intended use or design application.

## RIGHT-OF-WAY

See [Public Right-of-Way](#)

## SCALE

The perception of a building's size in relation to a human, based on proportions, scaling elements and contextually sensitive solutions to the design of the structure. Scale is one of the elements that contribute to our perception of a place's character.

## STREET LEVEL

The first story or level in a building or structure, as defined by the [Denver Zoning Code](#). Note that the [Street Level](#) is considered to be part of the [Lower Story Facade](#).

## STREET LEVEL ACTIVE USES

Uses that contribute to the activation and engagement of the street, as defined by Chapter 4 of this PUD-G 19. Chapter 4 PUD-G 19 requires a minimum percentage of [Street Level Active Uses](#) on a [Primary Street-facing Facade](#). Also see [Highly Active Uses](#).

## UPPER STORY FACADE

The [Upper Story Facade](#) will generally be considered as the [Primary Street-facing Facade](#) on all stories above the eighth story (110 feet). However, where [Upper Story Setbacks](#) are located below the eighth story, the [Upper Story Facade](#) may begin above the [Upper Story Setbacks](#).

## UPPER STORY SETBACK

A PUD-G 19-required building setback at a maximum specified height above the [Street Level](#) to provide appropriate pedestrian height, scale and massing. May also refer to other setbacks above the eighth story as described in these standards and guidelines.

## VISIBLE FACADE

Any facade that is not a [Primary Street-facing Facade](#) but is visible from the [Public Realm](#) at the time of construction without significant blockage by building or site features.

## VISIBLE STRUCTURED PARKING

[Visible Structured Parking](#) refers to a structured parking facade that is not wrapped with another use and is located on the [Primary Street-facing Facade](#), or is visible from the [Public Realm](#) at the time of construction without significant blockage by building or site features.

## WALL MURAL

A mural is any piece of artwork or super graphic (which does not serve as an advertisement and is not a sign) painted or applied directly on a wall.

## WYNKOOP PROMENADE

A publicly accessible pedestrian walkway required by PUD-G 19 that connects the 19th Street right-of-way to the 20th Street right-of-way.

## **CHAPTER 8. RULES OF INTERPRETATION**

Subject to Chapter 9 of this PUD-G 19, whenever a section of the Denver Zoning Code is referred to in this PUD-G 19, 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 19, this PUD-G 19 shall control.

## **CHAPTER 9. VESTED RIGHTS**

This PUD-G 19 shall be established in accordance with Denver Zoning Code Sections 9.6.1.2.C and 9.6.1.5, and vested property rights shall be created 90 days after the effective date of the ordinance approving this PUD-G 19. The property rights vested through approval of this PUD-G 19 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 in the Denver Zoning Code, as amended from time to time, except as expressly modified by this PUD-G 19.

# PUD-G 26

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1901 Wazee Street

2020I-00008

August 10, 2021

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## CHAPTER 1. ESTABLISHMENT AND INTENT

### SECTION 1.1 PUD-G 26 ESTABLISHED

The provisions of this PUD-G 26 apply to the land depicted on the Official Zoning Map with the label PUD-G 26, and legally described as:

A PARCEL OF LAND SITUATED IN A PORTION OF BLOCK C, EAST DENVER, AND BLOCK 1, HOYT & ROBINSONS ADDITION TO DENVER, BEING A PORTION OF THE SOUTHWEST ONE-QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID BLOCK C, EAST DENVER, SAID POINT ALSO BEING AT THE NORTHEASTERLY RIGHT OF WAY INTERSECTION OF 19TH STREET AND WAZEE STREET, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 45 DEGREES 26 MINUTES 17 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK C, EAST DENVER AND EXTENSION THEREOF AND THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID 19TH STREET A DISTANCE OF 326.09 FEET TO A POINT ON THE NORTHEASTERLY EXTENSION OF THE WYNKOOP STREET 20.00 FOOT RANGE LINE; THENCE NORTH 45 DEGREES 26 MINUTES 37 SECONDS WEST ALONG THE SOUTHWESTERLY LINE OF SAID BLOCK 1, HOYT & ROBINSONS ADDITION TO DENVER AND EXTENSION THEREOF AND THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID 19TH STREET A DISTANCE OF 19.40 FEET TO THE SOUTHEASTERLY CORNER OF A PARCEL OF LAND CONVEYED TO THERMO HEAD HOUSE, L.L.C. BY SPECIAL WARRANTY DEED RECORDED OCTOBER 13, 1994 AT RECEPTION NO. 9400156352; THENCE NORTH 44 DEGREES 21 MINUTES 17 SECONDS EAST ALONG SAID SOUTHEASTERLY LINE OF RECEPTION NO. 9400156352, A DISTANCE OF 375.95 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF ACQUISITION PARCEL TK 2279-00-005 REV. 1, CONVEYED TO THE CITY AND COUNTY OF DENVER BY SPECIAL WARRANTY DEED RECORDED APRIL 07, 1993 AT RECEPTION NO. R-93-0043076 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE; THENCE SOUTH 46 DEGREES 55 MINUTES 34 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE OF RECEPTION NO. R-93-0043076, A DISTANCE OF 281.08 FEET; THENCE CONTINUING ALONG SAID SOUTHWESTERLY LINE OF RECEPTION NO. R-93-0043076, SOUTH 45 DEGREES 29 MINUTES 38 SECONDS EAST A DISTANCE OF 66.09 FEET TO A POINT ON THE EXTENSION OF THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID WAZEE STREET; THENCE SOUTH 44 DEGREES 35 MINUTES 38 SECONDS WEST ALONG THE EXTENSION OF THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID WAZEE STREET AND THE SOUTHEASTERLY LINE OF SAID BLOCK C, EAST DENVER AND THE EXTENSION THEREOF A DISTANCE OF 383.31 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

CONTAINING 131,694 SQUARE FEET OR 3.023 ACRES MORE OR LESS.

#### 1.1.1 Subareas Established

The following subareas are hereby established within PUD-G 26 for the purpose of applying the zoning standards contained herein, including building height and upper story setbacks. All subareas established are shown generally on Figure 1.1 below and described as follows:

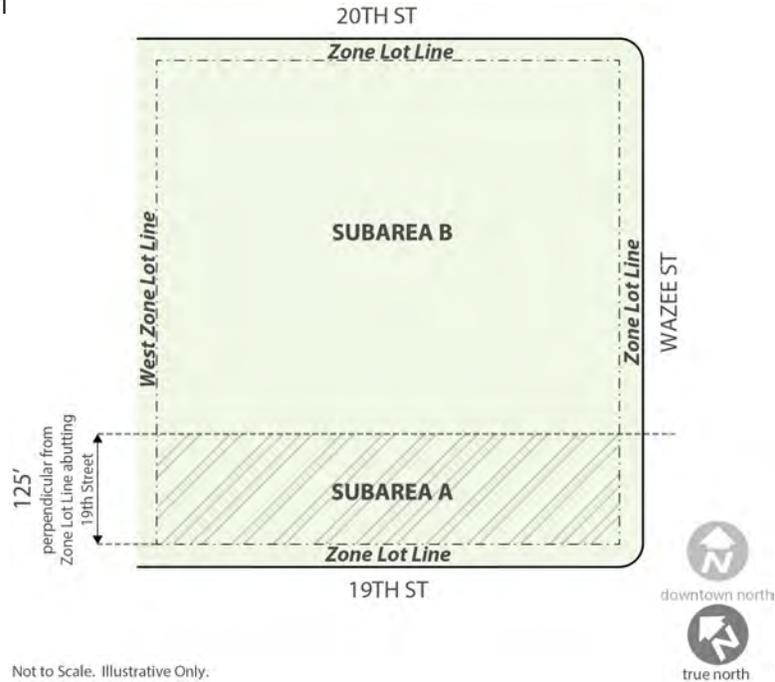
##### A. Subarea A

Subarea A shall be the area of PUD-G 26 within 125 feet of the Zone Lot Line abutting 19th Street as measured perpendicularly from the Zone Lot Line abutting 19th Street.

##### B. Subarea B

Subarea B shall be the area of PUD-G 26 not within Subarea A.

Figure 1.1



## SECTION 1.2 PUD-G 26 GENERAL PURPOSE

The general purpose of PUD-G 26 is to facilitate redevelopment with mixed residential and commercial uses and amenities that are compatible with the surrounding Downtown Context and adjacent Lower Downtown Historic District and contribute to the vibrancy of the Union Station neighborhood.

## SECTION 1.3 PUD-G 26 SPECIFIC INTENT

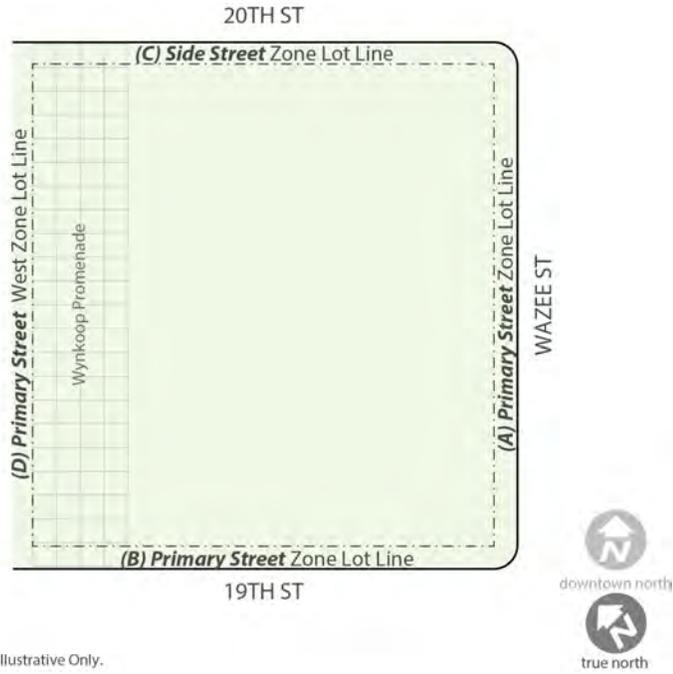
PUD-G 26 is intended to:

- 1.3.1 Allow mixed use development that contributes to the vibrancy of Downtown and the surrounding neighborhoods.
- 1.3.2 Facilitate compatible development through the use of appropriate building form and design standards and guidelines.
- 1.3.3 Encourage pedestrian-activated public spaces as envisioned in the City’s adopted plans, including but not limited to the Downtown Area Plan.
- 1.3.4 Create a key pedestrian and bicycle connection through the site, between 19th Street and 20th Street, herein referenced as “Wynkoop Promenade,” via a requirement for a permanently open and publicly accessible walkway, with building form standards that ensure it operates similarly to Downtown streets.
- 1.3.5 Ensure quality, human-scaled building design.
- 1.3.6 Provide a scale and building form transition from the Lower Downtown Historic District to 20th Street.
- 1.3.7 Address the unique conditions and location of the site, including the lack of a through street connection along the Wynkoop Street alignment and its adjacency to the Lower Downtown Historic District and Colorado Rockies baseball stadium.

### SECTION 1.4 ZONE LOT ESTABLISHED

This PUD-G 26 establishes one zone lot whose boundaries are the same as the boundaries of this PUD-G 26, as shown generally on Figure 1.2 below, and legally described in Section 1.1 of this PUD-G 26. Determination of Primary and Side Street Zone Lot Lines are established in Section 6.6.3.A of this PUD-G 26.

Figure 1.2



Not to Scale. Illustrative Only.

## **CHAPTER 2. DOWNTOWN NEIGHBORHOOD CONTEXT DESCRIPTION**

All development within this PUD-G 26 shall conform to the Denver Zoning Code, Division 8.1, Downtown Neighborhood Context Description, as amended from time to time.

## **CHAPTER 3. DISTRICTS**

Development in this PUD-G 26 shall conform to the Denver Zoning Code, Division 8.2, Districts, as specifically applicable to the D-AS-12+ Zone District, as amended from time to time, except as modified in this PUD-G 26.

## CHAPTER 4. DESIGN STANDARDS

Development in this PUD-G 26 shall comply with the Denver Zoning Code, Division 8.8, Downtown Arapahoe Square 12+ and Downtown Arapahoe Square 20+ Districts, as specifically applicable to the D-AS-12+ Zone District, as amended from time to time, with the following exceptions, additions, and modifications.

### SECTION 4.1 PRIMARY BUILDING FORM STANDARDS

Section 8.8.3 of the Denver Zoning Code, Primary Building Form Standards for Downtown Arapahoe Square 12+ and Downtown Arapahoe Square 20+ Districts, shall not apply. Instead, all development in this PUD-G 26, except detached accessory structures, shall comply with the following primary building form standards.

#### 4.1.1 Intent

##### A. General

1. Address the site's unique location and conditions by applying a combination of Urban Center and Downtown building form standards.
2. Facilitate pedestrian access and activity on the required Wynkoop Promenade by applying Primary Street standards to the West Zone Lot Line.

##### B. Building Height and Upper Story Setbacks

1. Arrange building heights at the edges of PUD-G 26 to provide a transition from the relatively lower heights allowed in the Lower Downtown Historic District.
2. Maintain the general appearance of a predominantly 8-story height near the sidewalk edge along 19th Street by requiring an Upper Story Setback at taller heights.

##### C. Required Private Open Space

1. Encourage the provision of publicly accessible open space that enhances pedestrian and bicycle connections, and creates activated amenity space for users and visitors.

##### D. Limitation on Visible Parking Above the Street Level

1. Promote structured parking designs that are compatible in design, character and quality with adjoining buildings, open spaces, and streetscapes.
2. Reduce the visual prominence of above-ground structured parking by promoting visual interest in the design of upper story building facades.

#### 4.1.2 Applicability

All development, except detached accessory structures, in this PUD-G 26 shall comply with the primary building form standards in this Section 4.1 and Table 4.1 below.

### 4.1.3 District Specific Standards - PUD-G 26 Primary Building Form Standards

**TABLE 4.1: PUD-G 26 PRIMARY BUILDING FORM**

<b>HEIGHT</b>	<b>Subarea A</b>	<b>Subarea B</b>
Stories (max)	11	13
Feet (max)	150'	165'
Height Exceptions	See Section 4.5 of this PUD-G 26	
<b>SITING</b>		
<b>REQUIRED BUILD-TO BY STREET</b>		
West Zone Lot Line (min build-to % within min/max range)	70% 70'/85'	
Wazee Street and 19th Street (min build-to % within min/max range)	70% 0'/10'; Residential only buildings: 70% 0'/15'	
20th Street	No minimum build-to required	
Build-to Exceptions and Alternatives	See Sections 4.4 and 4.5 of this PUD-G 26	
<b>SETBACKS</b>		
Primary Street, Side Street (min)	0'	
<b>PARKING</b>		
Surface Parking between building and Primary Street/Side Street	Not allowed	
Surface parking screening required	See Section 10.5.4.4 of the Denver Zoning Code, Perimeter Surface Parking Lot Landscaping Standards	
Vehicle Access	Shall be determined as part of Site Development Plan Review	
<b>DESIGN ELEMENTS</b>		
<b>REQUIRED PRIMARY STREET UPPER STORY SETBACK BY STREET</b>		
Wazee Street and 19th Street - Upper Story Setback above 110' and 8 stories	15'	No Upper Story Setback required
20th Street and West Zone Lot Line	No Upper Story Setback required	
<b>REQUIRED PRIVATE OPEN SPACE</b>		
Private Open Space (min)	20%	
<b>STREET LEVEL ACTIVATION</b>		
Street Level Transparency, Primary Street (min)	60% Residential only buildings: 40%	
Street Level Transparency, Side Street (min)	25%	
Street Level Transparency Alternatives	See Section 4.4 of this PUD-G 26	
Pedestrian Access, Primary Street	Entrance	
<b>LIMITATION ON VISIBLE PARKING ABOVE STREET LEVEL</b>		
Limitation on Visible Parking above Street Level, Primary Street (min % of Primary Street-facing zone lot width)	70%	
<b>USES</b>		
<p>(1) All permitted Primary Uses shall be allowed within this building form. See Chapter 5, Uses and Parking, of this PUD-G 26; and (2) 100% of the portion of the Street Level building frontage that meets the minimum Primary Street build-to requirement shall be occupied by Street Level active uses as described in Section 8.8.5.1 of the Denver Zoning Code, as applicable to the D-AS-12+ district.</p>		

## SECTION 4.2 DETACHED ACCESSORY BUILDING FORM STANDARDS

Development in this PUD-G 26 shall comply with the Detached Accessory Building Form Standards in Section 8.8.4 of the Denver Zoning Code as applicable to the D-AS-12+ Zone District, as amended from time to time.

## SECTION 4.3 SUPPLEMENTAL DESIGN STANDARDS

Development in this PUD-G 26 shall comply with the Supplemental Design Standards for Downtown Arapahoe Square 12+ and Downtown Arapahoe Square 20+ Districts in Section 8.8.5 of the Denver Zoning Code as applicable to the D-AS-12+ Zone District, as amended from time to time, with the following modification:

### 4.3.1 Limitation on Visible Parking Above Street Level

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 the PUD-G 26 Primary Building Form.

## SECTION 4.4 DESIGN STANDARD ALTERNATIVES

Development in this PUD-G 26 shall comply with the Design Standard Alternatives in Section 8.8.6 of the Denver Zoning Code as applicable to the D-AS-12+ Zone District, as amended from time to time, with the following exceptions, additions and modifications:

### 4.4.1 Required Build-to Alternatives

#### A. Intent

Help define the public realm and enhance the visual quality of the built environment where it is not possible to define the street and public sidewalk edge with building facades.

#### B. Requirements

Section 8.8.6.1 of the Denver Zoning Code, Required Build-To Alternatives in D-AS-12+ and D-AS-20+ Districts, shall not apply. Instead, the following alternatives may be used as an alternative to a required build-to standard and may count toward the required build-to no more than as described in Table 4.2 below. All alternatives shall meet the Build-to Alternative Requirements in Section 13.1.5.7.E of the Denver Zoning Code, as amended from time to time:

ZONE DISTRICT	PRIVATE OPEN SPACE (MAX % OF BUILD-TO)	GARDEN WALL (MAX % OF BUILD-TO)	GARDEN WALL WITH COVERED SEATING FOR PEDESTRIANS (MAX % OF BUILD-TO)	ARCADE (MAX % OF BUILD-TO)
PUD-G 26	25%	25%*	30%*	100%

\*If used in combination with each other, the garden wall and garden wall with covered seating for pedestrians alternatives may count toward no more than 30% of required build-to.

### 4.4.2 Transparency Alternatives

#### A. Intent

1. Provide visual interest on building facades to activate the public realm and enhance the visual quality of the built environment along Street Level facade areas where windows do not provide sufficient transparency.
2. Provide visual interest and activation along 20th Street while accommodating a reasonable amount of service uses that are unable to locate along an alley.

#### B. Requirements

Section 8.8.6.3 of the Denver Zoning Code, Transparency Alternatives, shall not apply. Instead, the following alternatives may be used singularly or in combination as alternatives to a required transparency standard and may count toward required transparency no more than

as described in Table 4.3 below. All alternatives shall meet the Transparency Alternative Requirements in Section 13.1.6.3.A.5 of the Denver Zoning Code, as amended from time to time:

TABLE 4.3: TRANSPARENCY ALTERNATIVES					
ZONE DISTRICT	ZONE LOT LINE DESIGNATION	DISPLAY CASES (MAX)	PERMANENT ART (MAX)	PERMANENT OUTDOOR EATING/SERVING AREAS	COMBINATION OF ALTERNATIVES (MAX)
PUD-G 26	Primary Street	20%	20%	20%	40%
	Side Street	40%	40%	50%	50%

**SECTION 4.5 DESIGN STANDARD EXCEPTIONS**

Development in this PUD-G 26 shall comply with the Design Standard Exceptions in Article 8 of the Denver Zoning Code as applicable to the D-AS-12+ Zone District, as amended from time to time, with the following exceptions, additions and modifications:

**4.5.1 Height Exceptions**

**A. Intent**

To facilitate active use of the rooftop created at a required Upper Story Setback.

**B. Parapet Wall or Safety Railing**

A parapet wall and/or safety railing shall be allowed to encroach into the Upper Story Setback by any distance.

## **CHAPTER 5. USES AND PARKING**

### **SECTION 5.1 USES**

5.1.1 Primary, accessory and temporary uses allowed in this PUD-G 26 shall be those same uses allowed in the D-AS-12+ Zone District, as stated in the Denver Zoning Code, Division 8.10, Uses and Required Minimum Parking, as amended from time to time.

### **SECTION 5.2 REQUIRED MINIMUM PARKING**

5.2.1 There shall be no minimum off-street vehicle parking requirement for any use in this PUD-G 26.

5.2.2 All uses established in this PUD-G 26 shall comply with the bicycle parking requirements in the District Specific Standards in the Denver Zoning Code, Division 8.10, as amended from time to time, as applicable to specific uses allowed in the D-AS-12+ Zone District.

### **SECTION 5.3 MAXIMUM VEHICLE PARKING**

#### **5.3.1 Intent**

- A. Promote active, transit-supportive development and uses proximate to public transit, thereby leveraging regional investment in transit infrastructure and promoting livability and sustainability in the Downtown context and the Union Station neighborhood.
- B. Reduce the number of vehicle trips within and around the zone district and encourage alternative travel modes such as walking, biking, and transit.
- C. Promote efficient development by limiting the amount of land and building area dedicated to vehicle parking.
- D. Establish an overall vehicle parking maximum for PUD-G 26 based on maximum parking ratios for anticipated use types, including .8 spaces per residential unit, .25 spaces per guest room for lodging accommodations, 1.25 spaces per 1,000 square feet for office uses, and 1 space per 1,000 square feet for other commercial uses.

#### **5.3.2 Vehicle Parking Standards**

No more than 475 vehicle parking spaces shall be allowed in this PUD-G 26.

## CHAPTER 6. ADDITIONAL STANDARDS

### SECTION 6.1 ARTICLE 1 OF THE DENVER ZONING CODE

#### 6.1.1 Applicability

Development in this PUD-G 26 shall conform to Denver Zoning Code Article 1, General Provisions, as amended from time to time.

### SECTION 6.2 ARTICLE 8 OF THE DENVER ZONING CODE

#### 6.2.1 Applicability

Development in this PUD-G 26 shall comply with the Denver Zoning Code Article 8, Downtown Neighborhood Context, as specifically applicable to the D-AS-12+ Zone District, as amended from time to time, except as modified by this PUD-G 26.

### SECTION 6.3 ARTICLE 10 OF THE DENVER ZONING CODE

#### 6.3.1 Applicability

Development in this PUD-G 26 shall comply with the Denver Zoning Code, Article 10, General Design Standards, as specifically applicable to the D-AS-12+ Zone District, as amended from time to time, except as modified in Chapter 5 above and with the following additions:

#### 6.3.2 General Site Design and Facility Standards

##### A. Wynkoop Promenade

##### 1. Intent

Design and operate the Wynkoop Promenade similar to a public street, facilitating public pedestrian and bicycle access to and through the zone district, and supporting special events.

##### 2. Requirements

- a. A pedestrian walkway, herein referred to as the “Wynkoop Promenade,” connecting the 19th Street right-of-way to the 20th Street right-of-way, shall be provided within the area located 80 feet from the West Zone Lot Line, as measured perpendicularly from the West Zone Lot Line.
- b. The pedestrian walkway shall provide not less than 15 feet clear walking area.
- c. The pedestrian walkway shall remain publicly accessible and usable at all times, except that it may be closed to accommodate special events in accordance with permitting requirements of the Denver Zoning Code, Division 8.10, Uses and Required Minimum Parking, as amended from time to time, as specifically applicable to the D-AS-12+ Zone District.

#### 6.3.3 Signs

##### A. Intent

1. Allow flexibility in the size, type, location and attributes of signs and Special Lighting Elements in order to support activation of publicly accessible open space and support of events in the ballpark district. Unique signage is intended to be incorporated and displayed in ways that support activation, engagement, civic pride and strong connectivity to the stadium located at 2001 Blake Street, which may include:
  - a. Creative and artistic signs,
  - b. Special Lighting Elements
  - c. Self-illuminated signs,

- d. Signs infused with art,
  - e. Signs integrated with one or more iconic or distinctive features, and
  - f. Non-standard or one-of-a-kind advertising opportunities.
2. Facilitate development of a coordinated program of signage and illumination elements that enhances the aesthetic values of the city and ensures quality design; enhances the city's attraction to and creates excitement and anticipation for residents, employee and visitors; and promotes good urban design.
  3. Mitigate possible adverse impacts of signs and Special Lighting Elements, particularly on surrounding land uses and the Lower Downtown Historic District.

## **B. Applicability**

This Section 6.3.3 allows additional sign types and elements of illumination, flashing, and off-site advertising for certain designated signs within the PUD. All other signs shall comply with the Denver Zoning Code, Article 10, General Design Standards, as specifically applicable to the D-AS-12+ Zone District, as amended from time to time. Additional sign types and elements as described in this Section 6.3.3 shall be allowed by a comprehensive sign plan.

## **C. Sign Types, Placement and Design**

### **1. Sign Content**

- a. Sign content relating to products, services, uses, businesses, commodities, entertainment or attractions sold, offered or existing elsewhere than upon the same zone lot where such sign is displayed, including Outdoor General Advertising Devices and Off-Site Commercial Signs, are only allowed within portions of the PUD zone district subject to an approved comprehensive sign plan.
  - i. The comprehensive sign plan shall outline the content requirements (percentages, process and standards for Public Art and Screen Share) to ensure that off-site advertising is appropriately managed, particularly on signs that are visible from public right-of-way. While one key component of the off-site advertising is to promote an Event Day, Game Day or public events in the Downtown area, or which are local or regional in nature, including but not limited to cultural and artistic events or exhibits, sports and recreation events, or similar events, off-site advertising is not limited to those purposes. Rather, other than the percentage of advertising content restriction, off-site advertising shall not be restricted as to content in terms of what is being promoted or advertised.

### **2. Special Lighting Elements**

Special Lighting Elements are allowed in PUD-G 26. For purposes of this Section 6.3.3, "Special Lighting Elements" means, where both the lighting source and the illuminated surface or medium are located within PUD-G 26, the illumination of:

- a. The outside surface of any building, structure, part of a building or structure.
- b. Any water, mist, fog, smoke, or other surface, material, medium or substrate located outdoors.

### **3. Animation**

Animated Signs and animation, dynamic elements, and full-motion video as a part of a Special Lighting Element are allowed.

### **4. Illumination**

- a. Illumination of signs and illumination integrated into Special Lighting Elements is allowed.
- b. Flashing signs and flashing Special Lighting Elements are allowed.

- c. The Comprehensive Sign Plan shall include restrictions on illumination levels and on hours of illumination that minimize impact on adjacent uses, while allowing some flexibility for an Event Day, Game Day and holidays.

**5. Glare and Adverse Impacts**

Signs shall be oriented or illuminated so that they do not adversely impact existing nearby residential uses or structures or motor vehicles on public rights-of-way. Examples of adverse impact include, but are not limited to, glare from intense illumination as defined in the Denver Zoning Code. If the Zoning Administrator determines that the illumination from a sign is causing an adverse impact, the owner will work with the City and County of Denver to mitigate the adverse impact.

**6. Maximum Number**

There is no maximum on the number of signs allowed by this Section 6.3.3, except that only one Content Plaza Canopy Screen sign shall be allowed. See definitions in Section 6.6.4 of this PUD-G 26.

**7. Maximum Sign Area**

There is no maximum sign area for signs allowed by this Section 6.3.3, except as follows:

- a. Within 50 feet of the Lower Downtown Historic District only 2 Special Lighting Element signs are allowed.
- b. Within 50 feet of the Lower Downtown Historic District, individual sign area is limited to 33 square feet per sign.
- c. Within 50 feet of the Lower Downtown Historic District, motion graphics are limited to 13.75 square feet per sign.

**8. Maximum Height Above Grade**

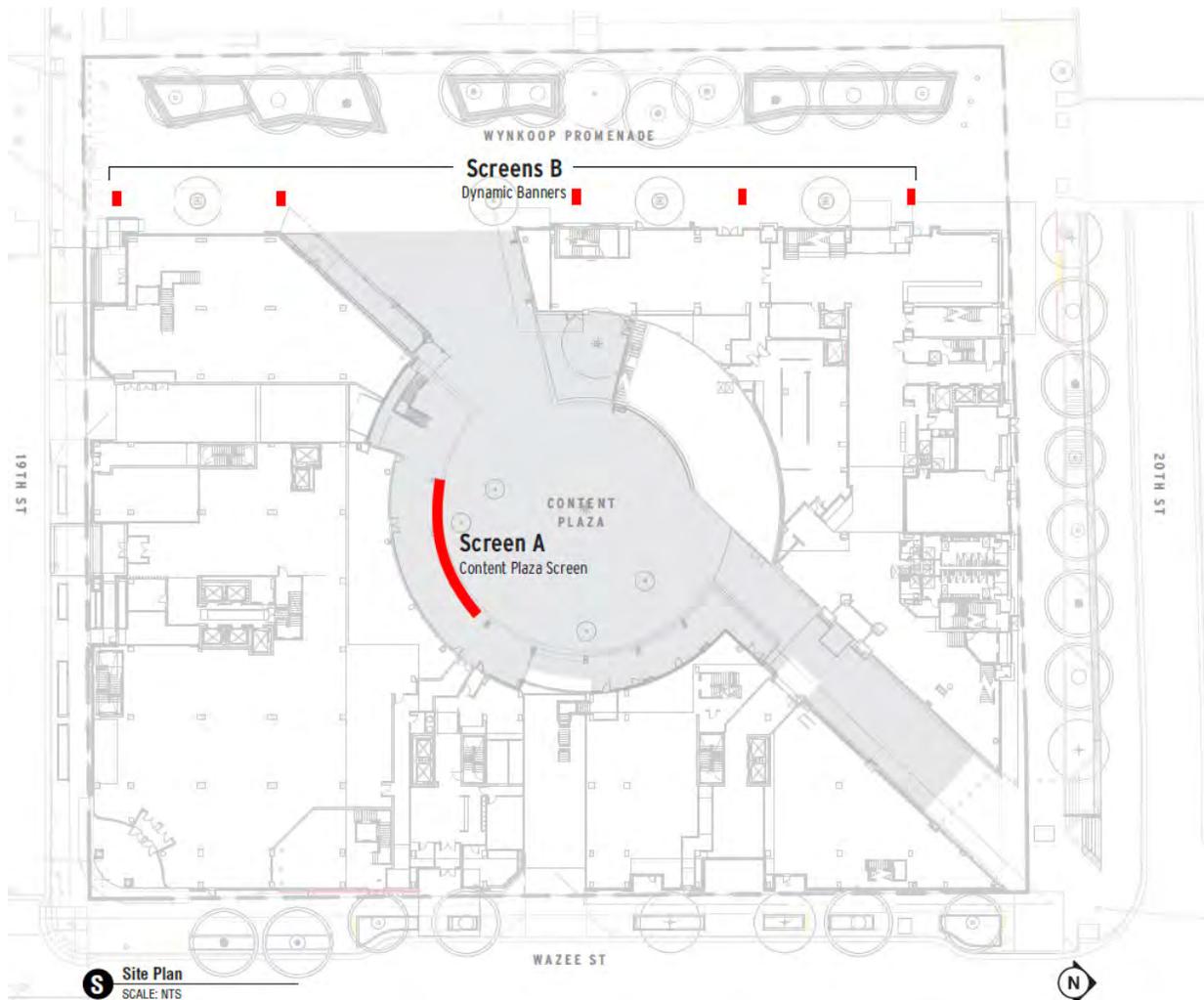
- a. No sign allowed by this Section 6.3.3 shall extend above the Roof Line of the building to which it is attached.
- b. Ground signs: Maximum height of 30 feet.

**9. Location**

Signs allowed by this Section 6.3.3 shall only be allowed in the following locations:

- a. A Content Plaza Canopy Screen sign that is not visible from a public right-of-way. Screen A on Figure 6.1.
- b. Dynamic Banner Ground signs allowed by this Section 6.3.3 are allowed on the Wynkoop Promenade. Screens B on Figure 6.1.
- c. Signs allowed by this Section 6.3.3 (flashing, illuminated or containing off-site advertising) shall not be allowed on the following face blocks abutting the Lower Downtown Historic District:
  - i. 19th Street between Wazee Street and Wynkoop Promenade
  - ii. Wazee Street between 19th and 20th streets.
- d. Signs allowed by this Section 6.3.3 may not encroach into a public right-of-way.

Figure 6.1



**10. Materials**

- a. The comprehensive sign plan shall require that signs and equipment for Special Lighting Elements be professionally designed and fabricated from quality, durable materials, including a requirement that only quality illumination equipment be used for illuminated signs and Special Lighting Elements.
- b. Outdoor General Advertising Device Ground Signs shall not be supported only by a pole or poles unless architectural enhancements are included as approved in the comprehensive sign plan.

**11. Comprehensive Sign Plan Requirements**

In addition to requirements stated in Section 10.10.3.3 of the DZC, an application for a comprehensive sign plan with illumination, flashing, or off-site advertising shall include a description and defining characteristics of Public Art and Screen Share within this PUD and a reporting mechanism to demonstrate compliance with the requirements of this PUD-G 26. The comprehensive sign plan shall be subject to the following additional requirements.

**a. Plan Submittal**

In addition to requirements stated in Section 10.10.3.3 of the DZC, an application for a comprehensive sign plan with illumination, flashing or off-site advertising signs shall include the following:

- i. Hours of Illumination
- ii. Illumination levels
- iii. Minimum percentage of time during which the sign will display artistic content and shall include additional information about the process and standards for allocating Public Art and Screen Share.
- iv. Percentage content requirements that limit allowances for off-site advertising
- v. Mitigation measures reasonably necessary to mitigate material adverse impacts. For purposes of this provision, “material adverse impacts” include but are not limited to, glare, nuisance or distraction to nearby permitted land uses or motor vehicles on public roadways.
- vi. Reporting requirements for compliance with illumination, public art and content requirements. The owner shall be able to demonstrate compliance upon request by the Zoning Administrator.

**b. Review Criteria**

The comprehensive sign plan shall result in signs and Special Lighting Elements that:

- i. Are designed to be visually compatible with the character of the adjacent Lower Downtown Historic District, ballpark neighborhood, and the Design Standards and Guidelines in Chapter 7 of this PUD-G 26.
- ii. Do not create adverse impacts on motor vehicles on public roadways or nearby permitted land uses and contain measures necessary to mitigate.
- iii. Are limited in quantity, size and position, when located within 50 feet of the Lower Downtown Historic District.
- iv. Are limited in content to support arts, programming, Game Days, Event Days and other events occurring on the same zone lot, at the stadium located at 2001 Blake Street, and in the local, regional and Downtown area, while avoiding visual clutter.
- v. Are appropriately located and designed to complement the unique configuration of the zone lot, including the Wynkoop Promenade.

**c. The cumulative effect of the comprehensive sign plan’s allowances for signs and Special Lighting Elements shall:**

- i. Facilitate activation of publicly accessible open space
- ii. Support events in the stadium located at 2001 Blake Street
- iii. Enhance the aesthetic values of the city and ensures quality design
- iv. Enhance the city’s attraction to and creates excitement and anticipation for residents, employees, and visitors; and
- v. Promote good urban design.

**12. Initiation**

One or more owners of real property located within PUD-G 26 or their authorized representative may initiate a request to establish or amend the comprehensive sign plan.

**13. Public Art**

- a. Content Plaza Canopy Screen signs allowed by this Section 6.3.3 shall be utilized to display Public Art and Screen Share at a minimum of 15% during the hours of operation on a weekly basis.
- b. Dynamic Banner Ground signs allowed by this Section 6.3.3 shall be utilized to display Public Art and Screen Share at a minimum of 30% during the hours of operation on a weekly basis and will display Public Art and Screen Share at a minimum of 15% on Game Days and Event Days.
- c. The comprehensive sign plan shall further define how Public Art and Screen Share shall be provided on site, including management.

**SECTION 6.4 ARTICLE 11 OF THE DENVER ZONING CODE****6.4.1 Applicability**

Establishment of uses in this PUD-G 26 shall comply with the Denver Zoning Code, Article 11, Use Limitations and Definitions, as amended from time to time, as specifically applicable to the D-AS-12+ Zone District.

**SECTION 6.5 ARTICLE 12 OF THE DENVER ZONING CODE****6.5.1 Applicability**

All development in this PUD-G 26 shall comply with the Denver Zoning Code, Article 12, Procedures and Enforcement, as amended from time to time, with the following exceptions, additions, and modifications:

**6.5.2 Zone Lot Amendments****A. Intent**

Facilitate a comprehensive approach to Private Open Space and pedestrian access goals in PUD-G 26.

**B. Requirements**

The Zoning Administrator shall deny any zone lot amendment application that would result in more than one zone lot within the PUD-G 26 zone district.

**SECTION 6.6 ARTICLE 13 OF THE DENVER ZONING CODE****6.6.1 Applicability**

Development in this PUD-G 26 shall comply with the Denver Zoning Code, Article 13, Rules of Measurement and Definitions, as amended from time to time, with the following exceptions, additions, and modifications:

**6.6.2 Rules of Measurement for Height**

Development in this PUD-G 26 shall comply with Denver Zoning Code, Section 13.1.3, Height for All Other Zone Districts, as amended from time to time, with the following modification:

**A. Base Plane Established**

1. Overall height for all buildings and structures on the zone lot shall be measured from a base plane.
2. Base plane rules of measurement in Section 13.1.3.2 of the Denver Zoning Code shall not apply. Instead, a single base plane shall be established at an elevation of 5189'-3" above sea level (NAVD 88) for the purpose of measuring maximum height.

### 6.6.3 Rules of Measurement for Siting Form Standards

#### A. Determination of Primary and Side Street Zone Lot Lines

##### 1. Intent

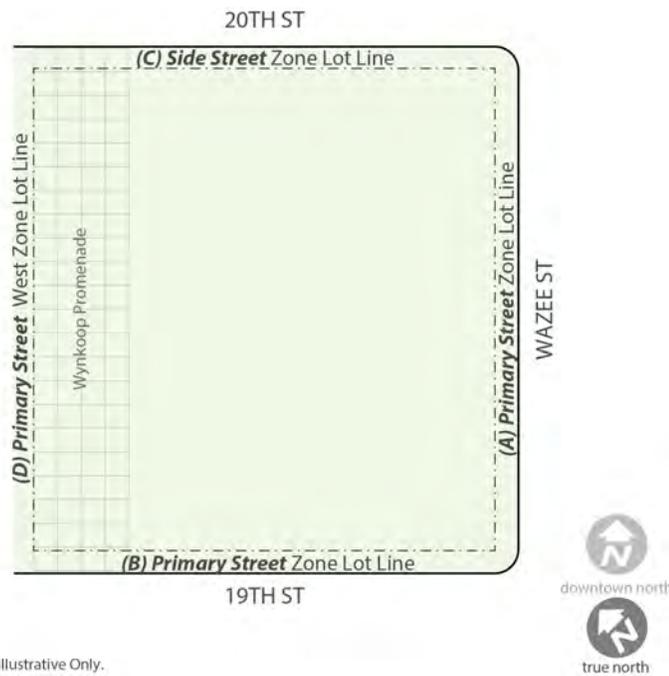
- a. Facilitate pedestrian access and activity on the Wynkoop Promenade by applying Primary Street standards to the West Zone Lot Line.
- b. Determine Zone Lot Lines to address the site’s unique attributes, including prominent frontages on 19th Street, Wazee Street, and the Wynkoop Promenade; lack of an alley; and substantial grade changes along 20th Street.

##### 2. Requirements

Determination of Zone Lot Lines provide a reference for measurement of standards related to building form and placement (e.g. build-to, transparency, street level activation, Private Open Space), as referenced in Chapters 4 and 6 of this PUD-G 26. Section 13.1.5.5 of the Denver Zoning Code, Determination of Primary Street, Side Interior, and Rear Zone Lot Lines for all C-CCN, D-AS-12+ and D-AS-20+ Zone Districts, shall not apply. Instead, the following Zone Lot Line determinations shall apply to development within PUD-G 26, and administrative adjustments or variances to such determinations are prohibited:

- a. The Zone Lot Line abutting Wazee Street is designated as a Primary Street Zone Lot Line ((A) on the reference graphic, Figure 6.2).
- b. The Zone Lot Line abutting 19th Street is designated as a Primary Street Zone Lot Line ((B) on the reference graphic, Figure 6.2).
- c. The Zone Lot Line abutting 20th Street is designated as a Side Street Zone Lot Line ((C) on the reference graphic, Figure 6.2).
- d. The Zone Lot Line abutting the west boundary of this PUD-G 26 district is designated as a Primary Street Zone Lot Line ((D) on the reference graphic, Figure 6.2), and herein referenced as the “West Zone Lot Line”, although it is acknowledged that Wynkoop Promenade is not a public right of way.

Figure 6.2



Not to Scale. Illustrative Only.

## **B. Build-To Alternative Requirements**

### **1. Intent**

Encourage visually interesting, activated, and pedestrian-scaled open space, while accommodating below-grade parking.

### **2. Private Open Space Build-to Alternative**

Private Open Space used as a build-to alternative in this PUD-G 26 shall comply with the standards for Private Open Space Build-To Alternatives in Section 13.1.5.7.E.2 of the Denver Zoning Code, as amended from time to time, with the following exceptions and additions:

- a. The rule of measurement that a Private Open Space used as a build-to alternative shall be open to the sky shall apply, except that canopies and awnings may encroach into and over the Private Open Space.
- b. The rule of measurement that a Private Open Space used as a build-to alternative shall be fully visible from a Primary Street shall not apply. Instead, Private Open Space used as a build-to alternative shall be fully visible from a Primary Street Zone Lot Line as designated in Section 6.6.3 of this PUD-G 26.
- c. Private Open Space may be located above a below-grade parking structure.

## **C. Required Private Open Space Standards**

### **1. Intent**

- a. Encourage visually interesting, activated, and pedestrian-scaled Private Open Space, while accommodating below-grade parking.
- b. Ensure that Private Open Space is publicly accessible, while still allowing the use of Private Open Space for special events and programming.
- c. Enhance pedestrian and bicycle connections through the PUD-G 26 zone district with the siting of Private Open Space.

### **2. Rules of Measurement**

Development in this PUD-G 26 shall meet the Private Open Space standards of Section 13.1.6.1.B of the Denver Zoning Code, as amended from time to time, with the following additions and modifications:

- a. The rule of measurement that a Private Open Space shall be fully visible from a Primary Street or Side Street shall not apply. Instead, Private Open Space shall be fully visible from either a Primary or Side Street Zone Lot Line as designated in Section 6.6.3 of this PUD-G 26.
- b. Canopies and awnings are allowed within the total area open to the sky.
- c. Private Open Space may be located above a below-grade parking structure.
- d. The rules of measurement requiring at least one Minimum Contiguous Area shall not apply.
- e. Private Open Space shall include the Wynkoop Promenade pedestrian walkway, subject to the requirements of Section 6.3.2 of this PUD-G 26.
- f. Private Open Space may include Private Open Space used as a build-to alternative.

#### 6.6.4 Definitions

**Content Plaza Canopy Screen:** A sign in excess of 1,000 square feet located in the central plaza that includes illumination, flashing, animation or similar technology and which can be programmed to display digital content from an external source.

**Dynamic Banner Ground Signs:** Signs located along the length of the Wynkoop Promenade that include illumination, flashing, animation or similar technology and which can be programmed to display digital content from an external source.

**Event Day:** An organized, staffed gathering of no less than 50 people occurring either within the PUD or at the stadium located at 2001 Blake Street. Events may be ticketed or unticketed but must be open to the public.

**Game Day:** A day on which a professional sports event is being held at the stadium located at 2001 Blake Street.

**Public Art:** Light or luminal works of art that display or project the traditional visual arts (including painting, drawing, printmaking, graphic design and photography), sculptural arts (including dimensional or kinetic pieces, crafts, earth works, installations etc.), performing arts (both visual and audio), cinema or video that in no way identifies a product. Sound art may also be included.

**Screen Share:** Signs, which may include illumination, flashing, animation or similar technology, used to promote local businesses, local events and local community organizations. Details regarding the management of the Screen Share program shall be provided in the comprehensive sign plan.

## CHAPTER 7. STANDARDS AND GUIDELINES

### 7.6.1 Intent

The Intent of this Chapter 7, Standards and Guidelines, is to:

- A. Facilitate building and site design that is compatible with the Downtown Context and adjacent Lower Downtown Historic District and achieves fluid transitions.
- B. Ensure that design promotes a vibrant sense of place and is scaled to primarily encourage an active pedestrian environment.
- C. Ensure that open spaces are activated and designed to encourage and support public use.
- D. Encourage innovative and unique design solutions that will help define a unique future character.
- E. On facades immediately adjacent to the Lower Downtown Historic District, promote building designs that are compatible with the traditional building hierarchies of the district, including but not limited to the rectilinear and blocky nature of buildings, the block-alley-block pattern on numbered streets, varied articulation on named streets, base-middle-top composition, and the extensive use of masonry.

### 7.6.2 Applicability

- A. Development in this PUD-G 26 shall comply with this Chapter 7, Standards and Guidelines.
- B. The Zoning Administrator may allow compliance through alternative means other than strict compliance with the specific standards and guidelines in this Chapter 7, but only when the Zoning Administrator finds that the alternative compliance meets or exceeds the applicable guiding principles and intent statements.

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# Chapter 7. PUD-G 26 Standards and Guidelines



## ORGANIZATION & FORMAT

The Standards and Guidelines for PUD-G 26 are organized into two sections that address different levels of building and site design.

Each section begins with a set of guiding principles. Each topic within the section is then addressed at three levels:

1. **Intent Statements** establish the objectives to be achieved for each topic and may also be used to determine the appropriateness of alternative or innovative approaches that do not meet specific design standards.
2. **Design Standards** set prescriptive criteria for achieving the intent statements. They use the term “shall” to indicate that compliance is required and are numbered by section for reference.

3. **Design Guidelines** provide additional suggestions to achieve the intent statements. They use the term “should” or “consider” and are numbered by section for reference.

See [Figure 7.1, Sample Standards & Guidelines Format](#) for more detail regarding the format and use of guiding principles, intent statements, design standards and design guidelines.

### APPLICATION OF THE STANDARDS & GUIDELINES

*Not all standards and guidelines will apply to every project. Standards and guidelines that refer to design topics or elements that are not part of a development or redevelopment project are not applicable.*

# SAMPLE STANDARDS & GUIDELINES FORMAT

To increase clarity and ease-of-use, the individual standards and guidelines pages in Sections 1-2 use a standard format. The chart below uses a sample page to indicate each key element of the standard format.

**A** → **Street Level Design**

**C** → 

25. Pedestrian entrances shall front onto a public street or street-facing Open Space.

**D** → **INTENT STATEMENTS**

- To activate the Street Level and integrate pedestrian circulation into building design.
- To ensure that pedestrian entries are clearly visible.

**H** → **PUD-G 26 PEDESTRIAN ACCESS REQUIREMENTS**

*Chapter 4 of this PUD-G 26 includes pedestrian access (entrance) requirements to ensure a clear, obvious, publicly accessible connection between the primary street and uses within the building.*

**B** → **Building Entries**



26. The design of primary entries shall respond to the Street Level of the building use.

**E** → **DESIGN STANDARDS**

2.23 Primary pedestrian entrances shall front onto a public street or Open Space.

2.24 The design of primary entries shall respond to the Street Level building use.

**G** →

- Locate commercial entrances at the level of the adjacent sidewalk whenever possible.
- Locate residential entrances no more than approximately 3 feet above the level of the adjacent sidewalk.



27. Pedestrian entrances should be integrated into a signature building element whenever possible.

**F** → **DESIGN GUIDELINES**

2.30 Primary pedestrian entrances should be integrated into a signature building element whenever possible.

2.31 Where transit stops are adjacent to a building, a pedestrian entrance should be located adjacent to the stop.

2.32 For buildings with multiple tenants, façades should be divided into narrow widths or bays and provide multiple secondary access points to animate the street.

**I** →

## KEY TO THE SAMPLE STANDARDS AND GUIDELINES PAGE ABOVE

- A** **The Design Topic** is indicated with a heading at the top of each page.
- B** **A Design Subtopic** is sometimes included in black text at the right side of the header.
- C** **Photographs & Diagrams** are located below the page heading. They are numbered for easy reference.
-  **A Checkmark** indicates an appropriate approach
-  **An X mark** indicates an inappropriate approach
- D** **Intent Statements** establish the objectives to be achieved for each topic and may also be used to determine the appropriateness of alternative or innovative approaches that do not meet specific design standards.
- E** **Design Standards** set prescriptive criteria for achieving the intent statements. They use the term "shall" to indicate that compliance is expected and are numbered by section for reference.
- F** **Design Guidelines** provide additional suggestions to achieve the intent statements. They use the term "should" or "consider" and are numbered by section for reference.
- G** **Additional Information** is provided as a bulleted list beneath some standards and guidelines to indicate specific approaches and strategies or an additional standard or guideline.
- H** **Sidebars** provide background information on the design topic or relationship to other Chapters of PUD-G 26 or the Denver Zoning Code.
- I** **Underlined Text** indicates terms defined in the Appendix, or provides cross references to related document topics and web sites.

Figure 7.1 Sample Standards & Guidelines Format

# Chapter 7, Section 1 Site Design Standards & Guidelines



Site design addresses the arrangement of buildings and the spaces on a site, as well as the visual and functional character of those spaces and how they shape the Public Realm.

This section provides design standards and guidelines for site design topics, including street frontage, Open Space, surface parking and service areas. The design standards and guidelines apply to site improvement.

## GUIDING PRINCIPLES FOR SITE DESIGN

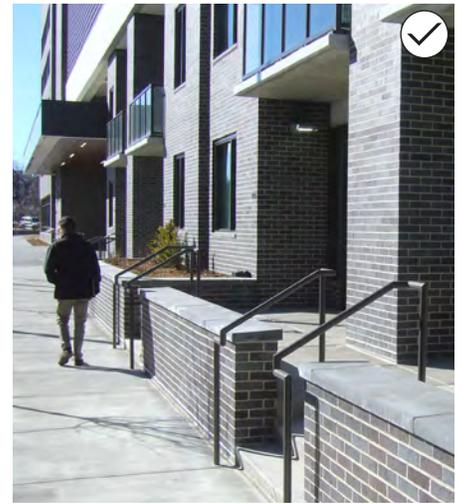
The following core site design principles provide the basis for the standards and guidelines:

- **Sense of Place.** Site designs that frame the street and sidewalks with buildings, Enhanced Setback areas and Open Space help create active edges and provide a sense of comfort and safety that promotes a strong sense of place.
- **Human Scale.** Site designs that provide respite from the busy urban environment and encourage pedestrian activity help promote a sense of Human Scale.
- **Creativity.** Site designs that incorporate creative features help to define a unique future character.
- **Context.** Site designs that are compatible with their context and help ensure harmonious relationships with adjacent neighborhoods.
- **Sustainability.** Site designs that encourage pedestrian interaction and incorporate low impact development principles promote social, economic and environmental sustainability.

# Street Frontage



1. Commercial frontages should activate adjacent sidewalks.



2. Residential frontages should provide a transition between adjacent sidewalks and private residences.

## INTENT STATEMENTS

- To locate and orient buildings to create a well-defined street frontage that promotes a vibrant pedestrian experience
- To provide a variety of experiences along the street frontage
- To link the street frontage to activities in adjacent buildings

## DESIGN STANDARD

1.01 Buildings shall be located to clearly define a pedestrian-oriented street frontage.

One or more of the following frontage conditions are appropriate:

- a. Buildings located at or near the Primary Street Zone Lot Line to frame the sidewalk.
- b. An Enhanced Setback to extend the public use area
- c. An Open Space area such as a plaza or courtyard. See Open Space Standards and Guidelines 1.04-1.22.

## DESIGN GUIDELINES

1.02 Commercial frontages should activate adjacent sidewalks.

Use one or more of the following features:

- a. Buildings located at or near the Primary Street Zone Lot Line with Street Level Active Uses at the sidewalk edge
- b. Enhanced Setback areas with pedestrian seating, outdoor dining, or an extended sidewalk
- c. Open Spaces such as plazas that are directly connected to building entries and Highly Active Uses

## DESIGN GUIDELINES (Continued)

1.03 Residential frontages should provide a transition between adjacent sidewalks and private residences.

Use one or more transitional features, such as:

- a. Building located at or near the Primary Street Zone Lot Line with primary entrance/lobby areas at the sidewalk edge
- b. A landscaped Enhanced Setback area
- c. Open Spaces such as courtyards
- d. Stoops or small private yard areas

## PEDESTRIAN-ORIENTED STREET FRONTAGE

The strategies described and illustrated below are appropriate to clearly define a pedestrian-oriented street frontage.

### A. BUILDINGS LOCATED AT OR NEAR THE PRIMARY STREET ZONE LOT LINE



Buildings located at or near the Primary Street Zone Lot Line directly activate the street and sidewalk with building entries and activities. See *Street Level Design* for related building standards and guidelines.

### B. ENHANCED SETBACKS



An *Enhanced Setback* is the space created when buildings are set back from the Primary Street property line, but generally still positioned within the Primary Street build-to range provided in PUD-G 26. Such setbacks should be enhanced to provide attractive and usable areas that activate the street frontage. They can range in size from modest extensions of the sidewalk that provide additional pedestrian area to larger landscape or patio seating areas.

### C. OPEN SPACE

*Open Spaces* extend beyond the Primary Street build-to range allowed by PUD-G 26 to provide expanded pedestrian use areas and activated public spaces. They are typically located adjacent to the street frontage or along *Wynkoop Promenade*. *Open Space* may include courtyards & plazas, pocket parks and pedestrian paths leading into the site.

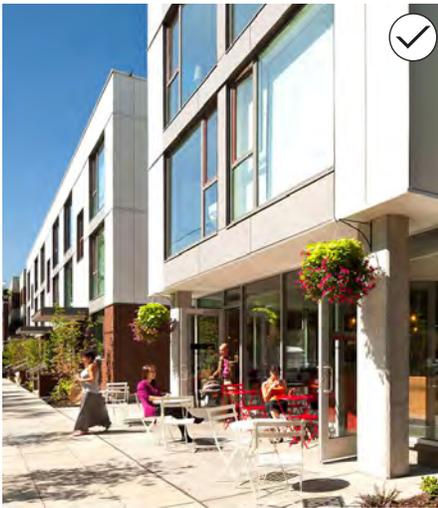
Note that the *Open Space* used to meet the *Private Open Space* required in PUD-G 26 must meet the standards and guidelines.



Figure 7.2 Pedestrian-oriented Street Frontage and Open Space

# Street Frontage

# Enhanced Setbacks & Open Space



3. Enhanced Setback and Open Space areas are intended to ensure that areas where buildings are not built directly along the sidewalk edge contribute to activating the Public Realm.

## INTENT STATEMENTS

- To ensure that Open Space and Enhanced Setbacks activate the Public Realm
- To encourage additional sidewalk space for pedestrian movement and door openings
- To encourage a variety of Open Spaces, such as courtyards, plazas, and pocket parks
- To provide comfortable and vibrant space for publicly accessible outdoor amenities, such as café seating, event space, play features, and public art
- To promote an active pedestrian connection between the Public Realm and private development
- To ensure that Enhanced Setbacks and Open Spaces provide a sense of comfort and safety for pedestrians
- To facilitate public pedestrian and bicycle movement through and around the zone district

## DESIGN STANDARDS

1.04 Open Spaces, such as courtyards and plazas, shall be fronted with Highly Active Uses on at least one side.

Highly Active Uses include, but are not limited to:

- Retail storefronts
- Restaurants and cafes
- Building lobbies and amenity areas
- Indoor art or recreation facilities
- Arts and cultural facilities

1.05 Wynkoop Promenade and the 20th Street frontage shall be designed to accommodate a 15 foot clear path for public pedestrian and bicycle access through and around the zone district.

1.06 Where Open Spaces, such as courtyards and plazas are provided, they shall be located adjacent to pedestrian building entries or along routes that lead to building entries.

1.07 Open Spaces, such as courtyards and plazas, shall be located and oriented to provide a visual connection to the street.

1.08 Enhanced Setback and Open Space areas shall include integrated pedestrian-scale lighting to encourage evening use and to enhance security.

1.09 Facades adjacent to Enhanced Setback and Open Space areas shall incorporate features that promote pedestrian safety and activation.

Such features include, but are not limited to:

- Clear sight lines
- Adequate, pedestrian-scaled, lighting
- Transparent windows linked to building uses
- A minimum of 12 feet for residential and 14 feet for commercial ground floor floor-to-floor heights that promote visual interest and pedestrian safety

1.10 Enhanced Setbacks and Open Space areas shall incorporate features to enhance year-round usability.

Features may include, but are not limited to:

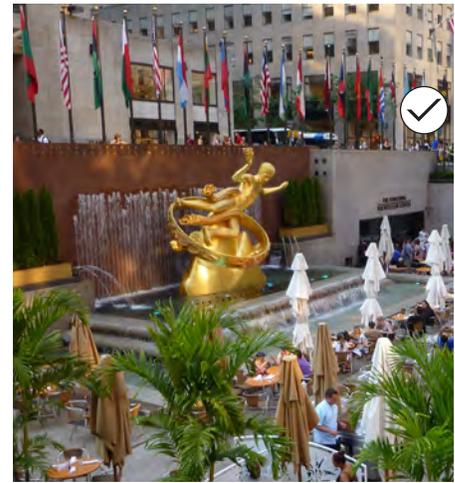
- Trees, canopies, awnings, or other features that provide shade where an Open Space is exposed to the summer sun
- Seating areas designed and oriented to provide winter warmth where an Open Space may be shaded in the winter

# Street Frontage

# Enhanced Setbacks & Open Space (continued)



4. Enhanced Setback and Open Space areas should be designed to complement adjacent building uses.



5. Where possible, public art should be integrated into an Enhanced Setback or Open Space area.

## DESIGN GUIDELINES

**1.11 Enhanced Setback and Open Space areas should be designed to complement adjacent building uses.**

Complementary designs include:

- a. Enhanced Setback areas that provide seating for customers of adjacent commercial storefronts
- b. Outdoor dining areas adjacent to a cafe or restaurant
- c. Landscaped courtyards with integrated seating to complement adjacent residential or office uses
- d. Stoops or small yard areas to complement adjacent residential units

**1.12 Enhanced Setbacks and Open Space areas should provide both formal and informal seating areas.**

Formal seating may include, but is not limited to:

- a. Integrated benches
- b. Movable chairs or benches

Informal seating may include, but is not limited to:

- c. Planter ledges that provide seating
- d. Bollards or planters

**1.13 Enhanced Setback areas should serve as an extension of the public sidewalk.**

- a. Use materials that are similar to the adjacent sidewalk.

b. Consider modest setbacks that add pedestrian use area.

**1.14 Pedestrian areas that are part of Enhanced Setbacks and Open Space should be located at grade with the sidewalk around the zone district.**

Note that areas intended for private residential use may be located above or below the sidewalk level. See design standard 2.23 for more information on raised residential entries.

**1.15 Pedestrian areas that are part of Enhanced Setbacks and Open Space should be paved with high-quality, durable materials.**

**1.16 Trees and plantings in an Enhanced Setback or Open Space area should be hardy and drought tolerant.**

**1.17 Enhanced Setback and Open Space areas should incorporate sustainable stormwater management systems, where possible.**

**1.18 Open Space should be designed to accommodate events such as outdoor markets or concerts, where possible.**

**1.19 Public art should be integrated into an Enhanced Setback or Open Space area, where possible.**

**1.20 Additional private amenity areas, such as decks, should be provided for residents and employees.**

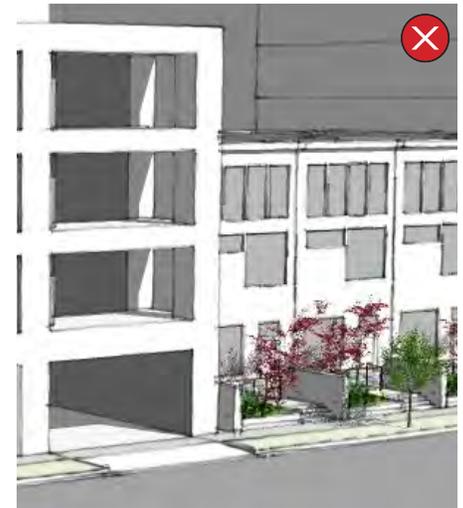
**1.21 Open Space should be designed to accommodate a variety of activities for all ages with design elements such as interactive play features and seating areas.**

**1.22 The design of Wynkoop Promenade and the 20th Street frontage should include pedestrian and bicycle wayfinding features, such as special paving or signage.**

# Vehicle Access



6. Vehicle access points shall be designed to minimize impacts on pedestrians.



7. Vehicle access points shall not be located immediately adjacent to Open Space area.

## INTENT STATEMENTS

- To minimize conflicts between vehicles, pedestrians and cyclists
- To reduce the visual impacts of vehicle access on the Public Realm
- To protect sidewalks, Enhanced Setback areas, Open Spaces and other pedestrian-oriented areas from vehicular impacts

## DOTI REVIEW

Vehicle access is subject to review and approval by the City of Denver's Department of Transportation and Infrastructure. In some cases, DOTI review may result in required changes that deviate from the standards and guidelines.

## DESIGN STANDARDS

1.23 The number of street access points shall depend on lot frontage.

- a. Zone Lot Lines with less than approx. 300 feet of street frontage: 0-1 access points
- b. Zone Lot Lines with more than approx. 300 feet of street frontage: 1-2 access points

1.24 Vehicle access points shall be designed to minimize impacts on pedestrians.

Appropriate strategies include:

- a. Limiting the width of vehicle access points
- b. Using special paving materials to differentiate pedestrian and vehicle use areas
- c. Consolidating vehicle access points with service areas
- d. Recessing vehicle access areas

1.25 Vehicle access points shall not be located immediately adjacent to an Open Space.

## DESIGN GUIDELINES

1.26 Vehicle access points should be located and designed to maintain an active street edge.

Appropriate strategies include:

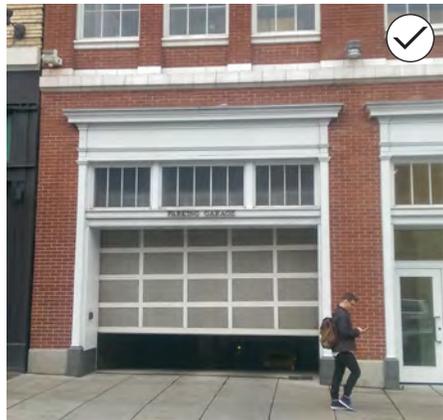
- a. Limiting the width of vehicle access points
- b. Locating active building floors directly above vehicle access points

1.27 Vehicle access doors within 15 feet of the Public Right-of-Way should incorporate high-quality materials and finishes that are consistent with the building.

## VEHICLE ACCESS OPTIONS

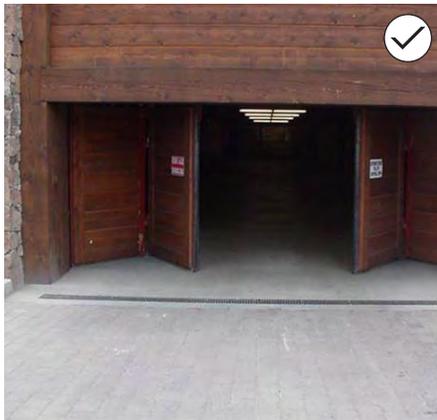
Site designs that minimize conflicts between vehicles, pedestrians and cyclists will help ensure a sense of place. As illustrated below, vehicle access locations and designs that protect pedestrians while reducing visual impacts on the Public Realm are desired. See DOTI Review on page 29 for more information regarding approval of vehicular access points.

### LIMITED ACCESS WIDTH



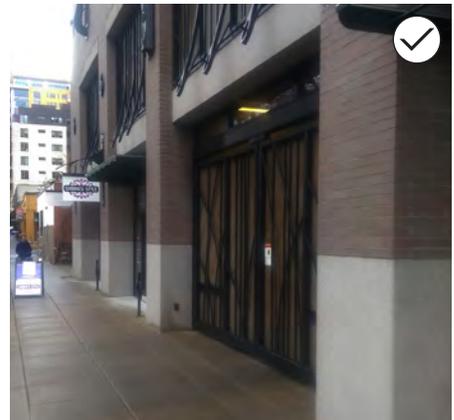
*Limiting the width of vehicle access points can help minimize impacts on pedestrians.*

### RECESSED VEHICLE ACCESS DOORS



*Recessing vehicle access doors from the street can help mitigate visual impacts.*

### CONSOLIDATION WITH UTILITIES

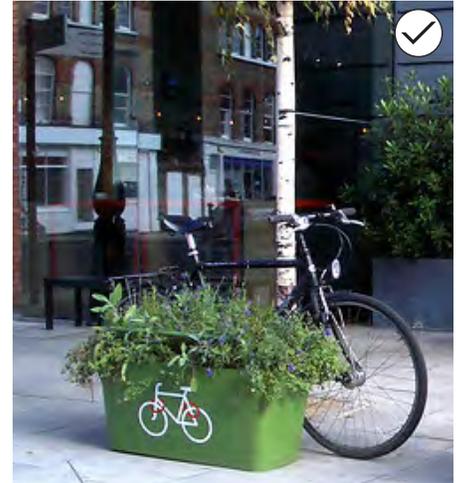
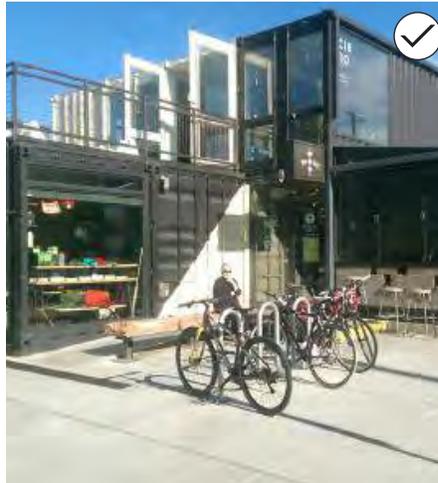


*Consolidating vehicle and utility access areas can help minimize pedestrian impacts.*

Figure 1: Vehicle Access Options

# Parking

# Bicycle Parking



8. Bicycle Parking should be located adjacent to Highly Active Uses to increase security and natural surveillance.

9. Bicycle parking that is provided in addition to minimum PUD-G 26 requirements should incorporate creative designs.

## INTENT STATEMENTS

- To promote sufficient bicycle parking, especially adjacent to existing and planned bicycle facilities
- To ensure that bicycle parking is located in a highly visible and accessible area near pedestrian circulation
- To ensure that bicycle parking is safe and secure
- To promote a multi-modal network

## DESIGN STANDARDS

1.28 Bicycle parking shall be located in active areas that are visible from the Public Right-of-Way or an Open Space.

Locate bicycle parking:

- Within 50 feet of a pedestrian entry; and/or
- In an Amenity Zone
- In an Enhanced Setback or Open Space (in a way that compliments the design and functionality of the space)

1.29 Bicycle racks shall not impede pedestrian traffic.

1.30 Bicycle racks shall be located a minimum of 4 feet from street trees.

## DESIGN GUIDELINES

1.31 Additional bicycle parking, beyond PUD-G 26 minimums, should be provided whenever possible.

Additional bicycle parking is especially important adjacent to:

- Dedicated bicycle facilities
- High traffic pedestrian areas

1.32 Bicycle Parking should be located adjacent to Highly Active Uses to increase security and natural surveillance.

1.33 Bicycle parking provided in addition to minimum PUD-G 26 requirements should incorporate creative designs.

Consider:

- Creative place making
- Integration of public art
- Use of Bicycle Corrals

Note that the design of bicycle parking located in the public-right-of-way will be subject to approval by the City of Denver's Department of Transportation and Infrastructure.

## PUD-G 26 BICYCLE PARKING REQUIREMENTS

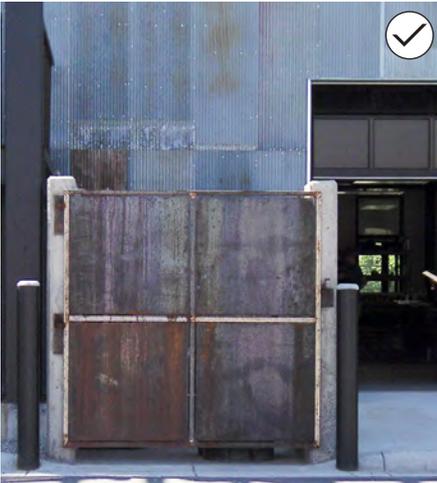
Chapter 5 of this PUD-G 26 and the [Denver Zoning Code \(DZC\)](#) provide specific requirements for bicycle parking. The standards and guidelines in this section are intended to supplement Chapter 5 and DZC requirements with additional guidance regarding the placement and character of bicycle parking. They are also intended to encourage the provision of additional bicycle parking beyond minimum requirements.

## DOTI BICYCLE FACILITY REQUIREMENTS

DOTI provides standards for the design of required bicycle facilities. DOTI also requires a permit for placement of bicycle parking in the Public Right-of-Way.

See DOTI's *Bicycle Parking Standards* for specific dimensions and spacing requirements.

# Service Areas & Utilities



10. Dumpsters shall be recessed and screened with high-quality materials and/or landscaping that are consistent with the building.

## INTENT STATEMENTS

- To minimize the visibility and impact of service areas to the Public Realm
- To reduce conflicts between servicing activities, pedestrians and cyclists
- To protect Enhanced Setback areas, Open Spaces and other highly pedestrian-oriented areas from noise and odor impacts associated with service areas
- To encourage utility and service areas to be consolidated with other vehicle access points

## PUBLIC UTILITY REQUIREMENTS

*The City of Denver's local utility provider, Xcel Energy, must approve utility locations. The utility provider also reserves the right to install utilities in permanent on-site locations. In some cases, the utility provider review may result in required changes that deviate from the standards and guidelines.*

## DESIGN STANDARDS

- 1.34 Service, utility and loading areas shall be located within the building mass and away from pedestrian areas such as sidewalks or Open Space.
- 1.35 Service, utility and loading areas shall not be located adjacent to Open Space areas or pedestrian entries.
- 1.36 Adequate service area lighting shall be provided to promote safety.
- 1.37 Dumpsters shall be located and designed to promote safety and minimize visual impacts.
  - a. Recess dumpsters from the Public Right-of-Way.
  - b. Screen dumpsters with high-quality materials and/or landscaping that is consistent with building design.
  - c. Secure dumpsters to prevent access by non-service personnel.
- 1.38 Rooftop mechanical, electrical and telecommunications systems shall be screened to minimize visibility from the street.

## DESIGN GUIDELINES

- 1.39 Ventilation shafts, grates, and other above-ground mechanical or site servicing equipment, should be located away from the Public Realm. Where it is not feasible to locate away from the Public Realm, they should be designed to minimize impacts on the Public Realm.
- 1.40 Service areas should be combined with vehicle access points when possible to minimize pedestrian and Public Realm impacts.

Also see Standard 1.27.

## Chapter 7, Section 2 Building Design Standards & Guidelines



Building design addresses the vertical component of development and redevelopment, which includes the visual and functional character of individual buildings.

This section provides standards and guidelines for key building design topics, including building massing, pedestrian character and materials.

### GUIDING PRINCIPLES FOR BUILDING DESIGN

The following core building design principles provide the basis for the standards and guidelines:

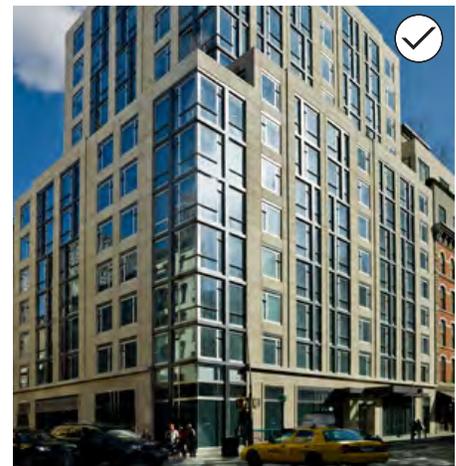
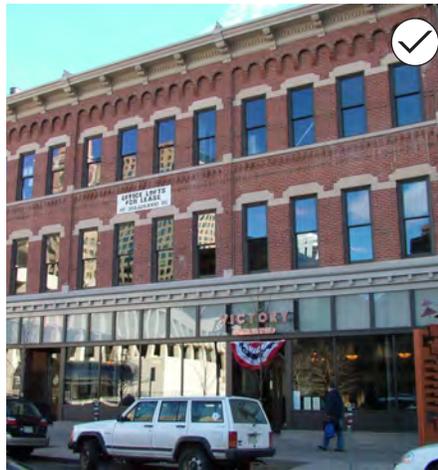
- **Sense of Place.** Buildings that are designed to frame and relate to the Public Realm help promote a vibrant sense of place.
- **Human Scale.** Buildings that are scaled and designed to encourage pedestrian activity promote a sense of Human Scale.
- **Creativity.** Buildings that incorporate innovative and unique design solutions will help define a unique character.
- **Context.** Buildings that are compatible with surrounding buildings and the traditional building hierarchies of the Lower Downtown Historic District, such as the rectilinear and blocky nature of buildings, the block-alley-block pattern on numbered streets, base-middle-top composition, and the extensive use of masonry help ensure harmonious relationships with adjacent neighborhoods.

- **Sustainability.** Buildings that provide opportunities for interaction among a wide variety of people and incorporate environmentally sustainable design approaches will help the district adapt to future urban demands.

### PUD-G 26 BUILDING FORM STANDARDS

*Chapter 4 of this PUD-G 26 establishes the building form requirements. The standards and guidelines in this section supplement Chapter 4 building form requirements and provide additional standards and guidelines to achieve the guiding principles for building design.*

# Building Mass & Scale



11. The design standards and guidelines for building mass and scale are intended to encourage building massing that reflects the Lower Downtown character and promotes a strong sense of place through creative and innovative Human Scale design.

## INTENT STATEMENTS

- To encourage varied building massing that promotes a sense of place through creative and innovative Human Scale designs
- To promote buildings with cohesive massing and articulation across the Lower Story Façade and Upper Story Façade
- To encourage context-sensitive building massing
- To encourage building mass and scale that is compatible with the traditional building hierarchies of Lower Downtown, including the rectilinear and blocky nature of buildings, the block-alley-block pattern on numbered streets, base-middle-top composition, and generous floor-to-floor heights.

## DESIGN STANDARDS

**2.01 Buildings shall promote an overall sense of Human Scale.**

- Incorporate Upper Story Setbacks to reduce the visual impact of upper stories on the Public Realm (see standards 2.14 - 2.16 for more information)
- Clearly define the Street Level (see standards and guidelines 2.17-2.21 for more information)
- Use materials that convey scale in their proportion, detail and form. Materials applied to provide the appearance of units, panels or modules help to convey a sense of scale (see standards and guidelines 2.38-2.49 for more information).

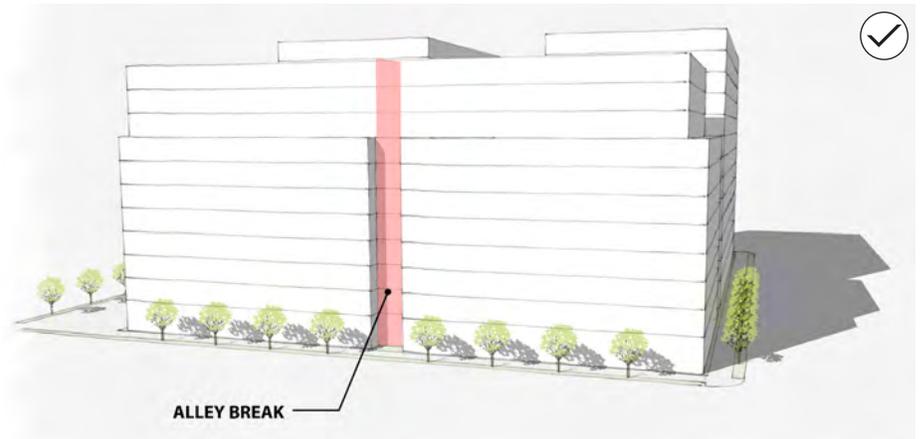
**2.02 Buildings shall include a clearly defined base, middle and top, including:**

- A pedestrian-oriented Street Level (see standards and guidelines 2.17-2.21 for more information)
- A well-detailed middle with design elements that reflect the building's structural grid, provide depth to the façade, and relate to surrounding buildings
- Architectural rooftop elements such as cornice and cap elements. For a Façade Facing the LoDo

Transition Area, the rooftop element shall be provided at the top of the Lower Story Façade.

**2.03 On the Lower Story Façade facing 19th Street, buildings shall have a continuous street wall with changes in plane corresponding to building-alley-building relationships present in Lower Downtown. The plane break shall generally correspond with the location of an alley directly across the street from a building, and shall be at least 20 feet in width and 15 feet in depth.**

## Building Mass & Scale (Continued)



12. Buildings shall promote an overall sense of Human Scale and should reinforce Lower Downtown's historic fabric.

### DESIGN GUIDELINES

2.04 Buildings with over approximately 100 feet of Primary Street frontage should be designed to reduce visual mass and scale and reinforce Lower Downtown's historic fabric.

Appropriate techniques include:

- a. Reducing the appearance of widths along Wazee Street and the West Zone Lot Line using articulation techniques in standards 2.05 and 2.07.
- b. Breaking up the Upper Story Facade massing with Upper Story Setbacks, height variation or separate visual modules.

# Building Mass & Scale

# Articulation



13. Primary Street-facing Lower and Upper Story Facades shall incorporate vertical & horizontal articulation techniques.

## INTENT STATEMENTS

- To promote and reinforce building massing techniques
- To ensure cohesive facade designs
- To promote visually interesting building facades
- To maintain a sense of Human Scale
- To encourage building articulation that is compatible with the traditional building hierarchies of Lower Downtown, including the pattern of longer facades broken by an alley on numbered streets, more varied articulation on named streets, and a consistent bay rhythm.

## DESIGN STANDARDS

### 2.05 A Facade Facing the LoDo

Transition Area shall reflect mass and scale characteristics of the Lower Downtown context.

Appropriate techniques include:

- Horizontal articulation techniques such as cornice lines or belt courses that relate to heights of adjacent buildings in Lower Downtown
- Floor-to-floor heights on the Lower Story Facade above the Street Level of approximately 12' -14'
- Design elements that emphasize the building corners at intersections

2.06 Primary Street-facing Lower and Upper Story Facades, except those defined as a Facade Facing the LoDo Transition Area, shall incorporate vertical & horizontal articulation techniques that reinforce the massing techniques described in standards 2.01-2.03.

Appropriate articulation techniques include:

- Facade plane changes of a minimum of approximately 2-3 inches
- Vertical projections
- Horizontal projections/banding
- Window composition/design

- Balconies or terraces
- Material changes

See Facade Articulation Techniques in Figure 7.3 for more information.

2.07 Articulation techniques, such as a change in materials or setback, shall be used to highlight structural building modules and differentiate building uses at the Street Level.

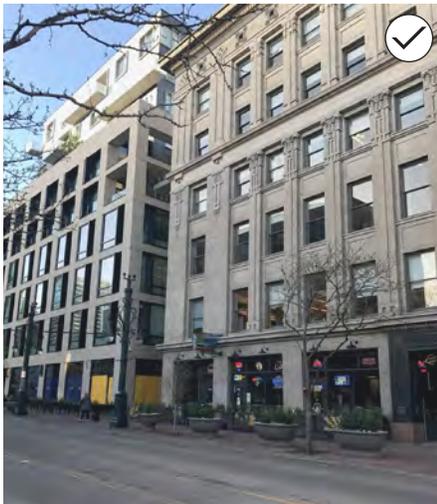
2.08 Visible Facade areas shall incorporate features to enhance visual interest and avoid the appearance of long blank walls.

Such features include:

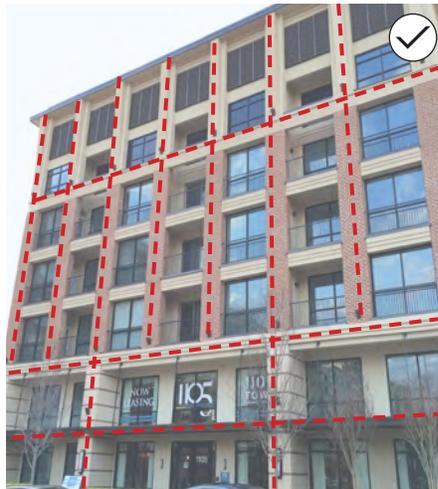
- Articulation consistent with design standards 2.06-2.07 or design guideline 2.09
- Transparency consistent with standards for Primary Street-facing Facades
- Wall Murals or other art works

# Building Mass & Scale

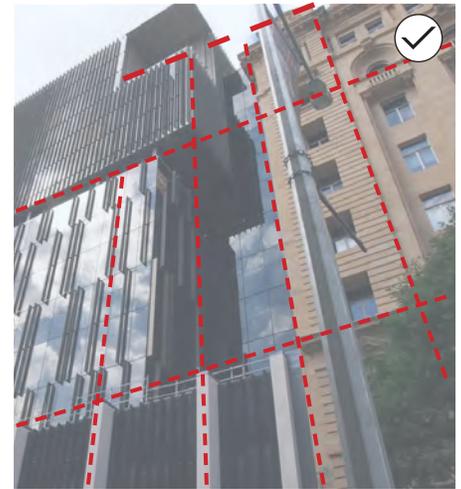
## Articulation (continued)



14. Facade articulation should reinforce the tradition of Lower Downtown's historic building fabric.



15. Where balconies and terraces are provided, they should be integrated into vertical and horizontal articulation systems.



16. Horizontal articulation elements should align with the roof lines or articulation on adjacent buildings, when possible.

### DESIGN GUIDELINES

2.09 Facade articulation should generally reinforce the tradition of Lower Downtown's historic building fabric.

Appropriate techniques include:

- A consistent, articulated bay rhythm
- Vertical elements, such as columns, arches, and vertical windows
- Delineation of architectural features such as windows, doors, doorways, and courses

See [Relationship of Articulation to Lower Downtown Context](#) below for more information.

2.10 Facade articulation should generally align between the [Lower Story Facade](#) and [Upper Story Facades](#) to avoid creating a visual disconnection between the building base and upper stories.

2.11 Horizontal articulation elements should align with the roof lines or articulation on surrounding buildings, when possible.

2.12 Where balconies and terraces are provided, they should be integrated into vertical and horizontal articulation systems.

2.13 Balconies should not project past the [Lower Story Facade](#) on a [Facade Facing the LoDo Transition Area](#).

### RELATIONSHIP OF ARTICULATION TO LOWER DOWNTOWN CONTEXT

*Strong features of Lower Downtown's physical character are the rectilinear and blocky nature of its existing buildings and the area's block-alley-block pattern. Numbered streets in Lower Downtown typically have longer facades broken by an alley, and named streets feature more varied articulation.*

## FACADE ARTICULATION TECHNIQUES

Facade articulation combines with massing techniques to add texture and rhythm that promotes a Human Scaled urban environment with a strong sense of place. The facade articulation techniques described and illustrated below may be used to meet design standard 2.06.

### A. FACADE PLANE CHANGES



*Facade plane changes include vertical notches or shifts in the building façade to help break down visual mass and scale.*

### B. VERTICAL PROJECTIONS



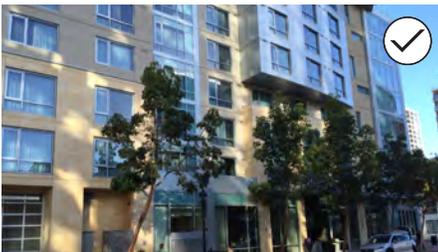
*Vertical projections include pilasters, columns and other elements that help create a vertical rhythm on the facade.*

### C. HORIZONTAL PROJECTIONS/BANDING



*Horizontal projections and banding include projections, bands, color changes or other elements that help create a horizontal rhythm on the facade.*

### D. WINDOW COMPOSITION/DESIGN



*Window composition and design includes window groupings, use of header/sill elements and window insets or projections that help create a rhythm on the facade.*

### E. BALCONIES & TERRACES



*Inset or cantilevered balconies and terraces help create vertical and horizontal rhythms on the facade that break down building mass and scale into smaller modules.*

### F. MATERIAL CHANGES

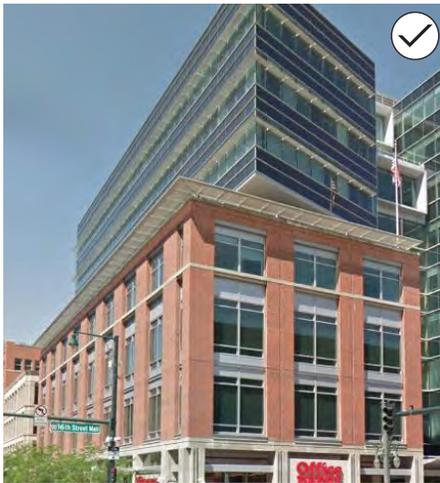


*Material changes help create vertical and horizontal rhythms along the facade that break down mass and scale into smaller modules.*

Figure 7.3 Facade Articulation Techniques

# Building Mass & Scale

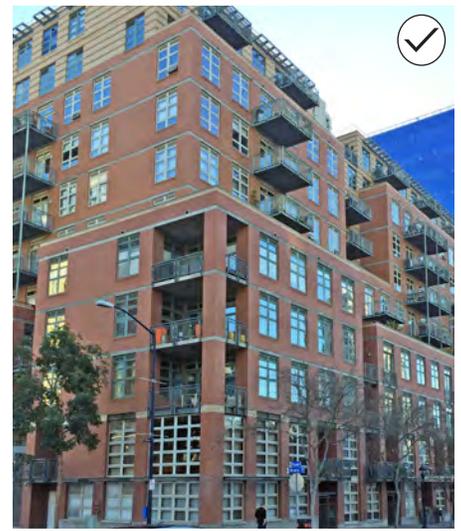
# Upper Story Setback



17. Upper Story Setbacks promote facade designs that relate to surrounding buildings.



18. Upper Story Setbacks shall be integrated into the overall building design.



## INTENT STATEMENTS

- To encourage varied building massing that promotes a sense of place through creative and innovative Human Scale designs
- To provide compatible building designs that achieve an appropriate transition from Lower Downtown
- To maintain the general appearance of a predominantly 8-story building adjacent to 19th Street, with a distinctive height transition to Upper Story Facades

## DESIGN STANDARDS

2.14 Upper Story Setbacks shall be integral to overall building design.

Appropriate techniques include:

- a. Using Upper Story Setbacks to emphasize building design elements, such as strong corner features
- b. Integrating a series of Upper Story Setbacks into an overall system of building massing and articulation

2.15 A Facade Facing the LoDo Transition Area shall incorporate design features that provide a distinctive height transition at the location of the Upper Story Setback.

Appropriate techniques include:

- a. A strong cornice line or similar feature at the top of the Lower Story Facade
- b. Reinforcing the corners of a building as part of the Lower Story Façade

2.16 In Upper Story Setbacks, buildings shall call themselves out as distinctive from their contextual Lower Story Facade in form, mass and scale. Appropriate techniques include:

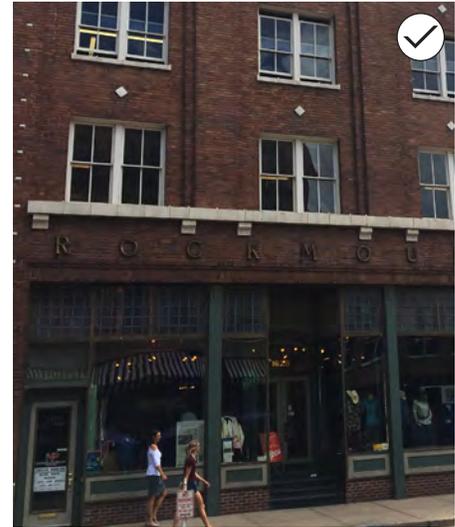
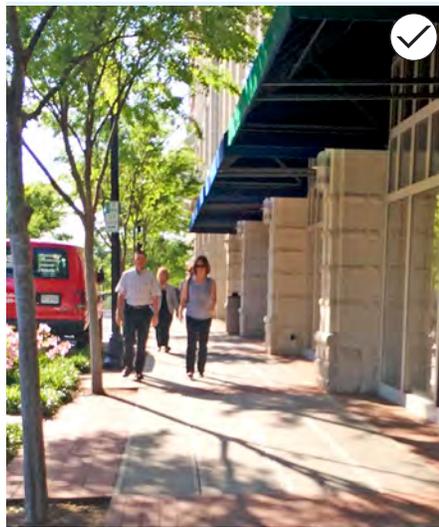
- a. Changes in materials in the Upper Story Facade
- b. Changes in fenestration in the Upper Story Facade
- c. Creative massing in the Upper Story Facade

## PUD-G 26 UPPER STORY SETBACK REQUIREMENTS

Chapter 4 of this PUD-G 26 requires a minimum Primary Street Upper Story Setback at or below 8 stories and 110 feet on 19th Street and Wazee Street in Subarea A. On 20th Street, along the West Zone Lot Line, and on the remainder of the Wazee Street in Subarea B, Upper Story Setbacks are encouraged but not required.

The guidelines and standards in this section are intended to supplement PUD-G 26 Primary Street Upper Story Setback requirements.

# Street Level Design



19. A pedestrian-oriented Street Level shall be clearly defined for each street-facing facade.

## INTENT STATEMENTS

- To promote an active pedestrian area with Human Scale design features at the Street Level and adjacent to Open Spaces
- To clearly define a prominent pedestrian area

## PUD-G 26 ACTIVE USE REQUIREMENTS

Chapter 4 of this PUD-G 26 requires a minimum percentage of Street Level Active Uses.

The standards and guidelines in this section are intended to supplement Chapter 4 requirements.

## DESIGN STANDARDS

2.17 A pedestrian-oriented Street Level shall be clearly defined for each street-facing facade.

Appropriate features to define the Street Level along the Primary Street frontage include:

- a. Awnings and canopies
- b. A prominent cornice above the Street Level
- c. Changes in materials between the Street Level and stories above the Street Level

2.18 The Street Level shall be articulated to promote a Human Scale building frontage.

Appropriate techniques include:

- a. Recessed entries
- b. Changes in Street Level setback

See standards and guidelines 2.01-2.03 and 2.04-2.13 for more information

2.19 The Street Level shall incorporate a substantial floor-to-floor height to promote visual prominence.

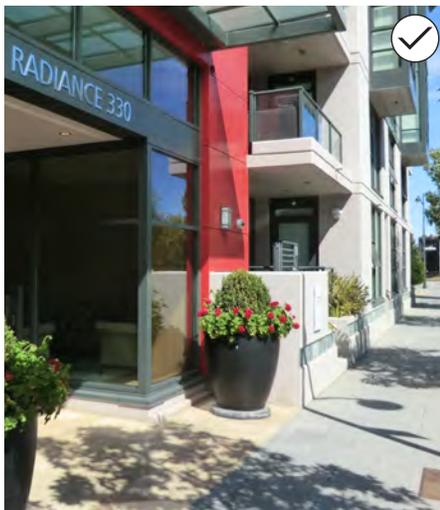
- a. An approximately 12 foot floor-to-floor height minimum is appropriate for a Street Level occupied by residential uses.
- b. An approximately 14 foot floor-to-floor height minimum is appropriate for a Street Level occupied by commercial uses.
- c. Taller Street Level floor-to-floor heights are encouraged.

## DESIGN GUIDELINES

2.20 Canopies and awnings used to define the Street Level should be integrated into building design.

2.21 A ground floor facade facing an Open Space that is located on an internal pathway should incorporate articulation and pedestrian-oriented design features and techniques described in 2.17-2.19.

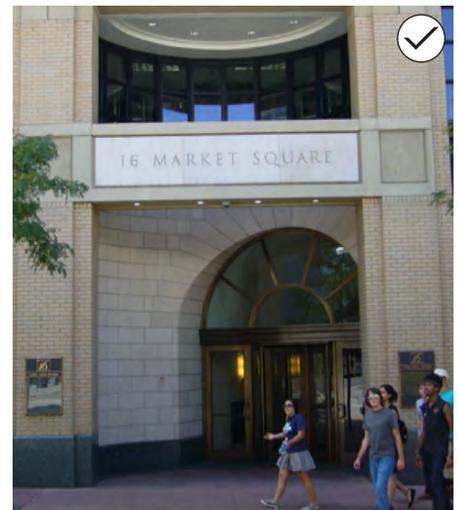
# Street Level Design Building Entries



20. Primary pedestrian entrances shall front onto a public street or street-facing Open Space.



21. The design of primary entries shall respond to the Street Level of the building use.



22. Primary pedestrian entrances should be integrated into a signature building element whenever possible.

## INTENT STATEMENTS

- To activate the Street Level and integrate pedestrian circulation into building design
- To provide a high number of Street Level entries into active uses to encourage pedestrian activity
- To ensure that pedestrian entries are clearly visible

## DESIGN STANDARDS

- 2.22 Primary pedestrian entrances shall front onto a public street or Open Space.
- 2.23 The design of primary entries shall respond to the Street Level building use.
- Locate commercial entrances at the level of the adjacent sidewalk whenever possible.
  - Locate residential entrances no more than approximately 3 feet above the level of the adjacent sidewalk.

## DESIGN GUIDELINES

- 2.24 Primary pedestrian entrances should be integrated into a signature building element whenever possible.
- 2.25 Where transit stops are adjacent to a building, a pedestrian entrance should be located adjacent to the stop.
- 2.26 For buildings with multiple tenants, façades should be divided into narrow widths or bays and provide multiple secondary access points to animate the street.

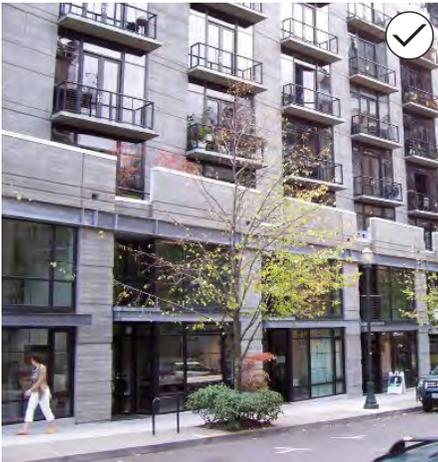
## PUD-G 26 PEDESTRIAN ACCESS REQUIREMENTS

Chapter 4 of this PUD-G 26 includes pedestrian access (entrance) requirements to ensure a clear, obvious, publicly accessible connection between the Primary Street and uses within the building.

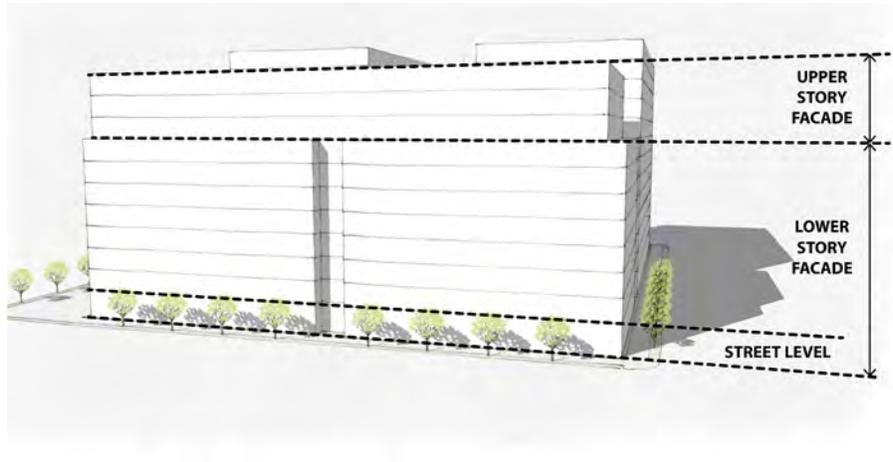
The guidelines and standards in this section are intended to supplement pedestrian access requirements in Chapter 4.

# Facade Design

# Windows & Transparency



23. The design standards and guidelines for Transparency are intended to encourage visually interesting facade designs that create interplay of light and shadow on the building's surface.



24. Transparency Standards vary for the Street Level, Lower Story Facade and Upper Story Facade.

## INTENT STATEMENTS

- To encourage facades that create a sense of Human Scale
- To encourage visually interesting facade designs that create interplay of light and shadow on the building's surface
- To enhance safety with "eyes on the street"
- To ensure that building activities are visible from the Public Realm, including Open Space.
- To ensure that building facades do not cause glare or negative impacts to the Public Realm.

## PUD-G 26 TRANSPARENCY REQUIREMENTS

Chapter 4 of this PUD-G 26 requires a minimum percentage of Street Level transparency (the total linear feet of windows or permitted alternatives along the Street Level facade) to provide visual interest, and activate the street and sidewalk.

The standards and guidelines in this section are intended to supplement Chapter 4 Street Level transparency requirements.

## DESIGN STANDARDS

- 2.27 Street Level transparent facade areas shall be located to provide visibility into the Street Level Active Uses required by this Chapter 4 of this PUD-G 26.
- 2.28 Street Level windows shall be transparent glass with a maximum reflectance of approximately 0.15 that allows for pedestrians to view the activity within the building.
- 2.29 Lower Story Facades, excluding the Street Level, shall incorporate a minimum of 50% transparent glass with a maximum reflectance of approximately 0.30.
- 2.30 Upper Story Facades shall incorporate a minimum of 40% transparent glass with a maximum reflectance of approximately 0.35.
  - a. Use of opaque/spandrel glass is acceptable to continue glazing patterns where screening of utilities or structural elements is required.
- 2.31 Exterior reflective coatings shall not be used on transparent window glazing.

## TRANSPARENCY FOR STRUCTURED PARKING

The standards and guidelines in this Transparency section do not apply to Visible Structured Parking. See "Structured Parking Design" for standards and guidelines that promote openings in a structured parking facade to produce the impression of transparent facade areas.

# Facade Design

# Windows & Transparency (continued)



25. The design standards and guidelines encourage visually interesting facade designs that create interplay of light and shadow on the building's surface.

## DESIGN STANDARDS (Continued)

2.32 Window openings shall be designed to provide depth of detail on the facade.\*

Appropriate techniques include:

- a. Recessing the face of glass a minimum of 4 to 6 inches behind the facade

\*This standard shall not apply to a glass curtain wall.

## DESIGN GUIDELINES

2.33 A ground floor facade facing an Open Space that is located on an internal pathway should incorporate transparent windows linked to building uses. Transparency reflectance should be consistent with standard 2.28-2.30.

2.34 For mixed-use developments, levels of transparency should reflect different uses within the building.

- a. A lower glass-to-wall ratio is typical of residential uses.
- b. A higher glass-to-wall ratio is typical of commercial uses.

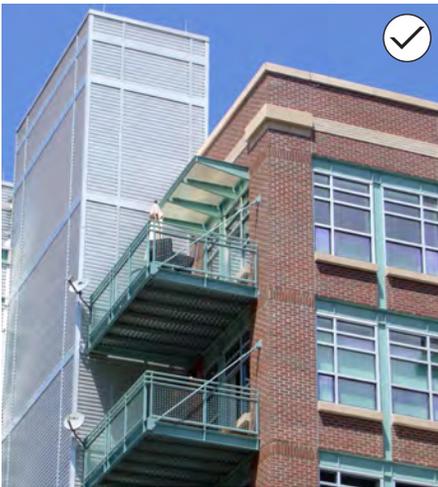
2.35 Balcony railings should not significantly block visibility of facade areas used to meet transparency standards.

2.36 Clear, "Low E," or slightly tinted windows should be used to ensure the visibility of pedestrian-oriented commercial uses.

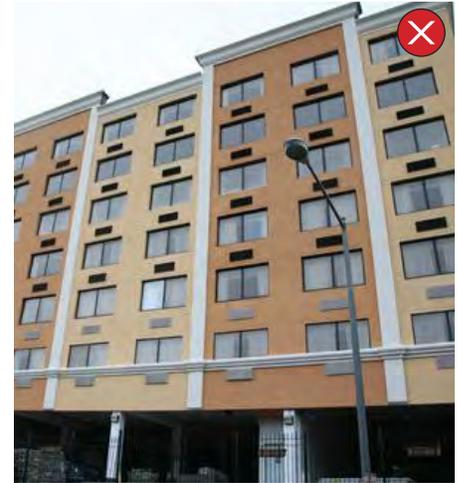
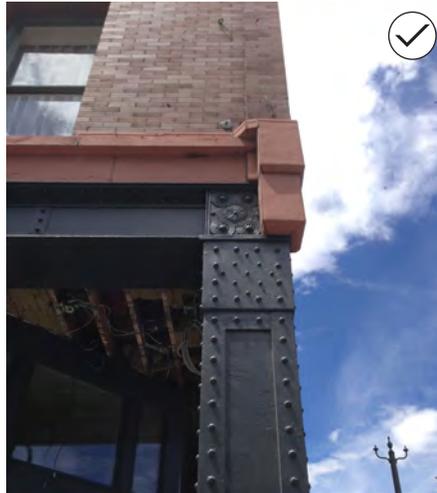
2.37 Landscaping should not significantly block transparent window areas at the Street Level.

# Facade Design

# Building Materials



26. The use of durable building materials and material treatments should promote the sense of Human Scale.



27. EIFS and other synthetic stucco materials shall not be used.

## INTENT STATEMENTS

- To ensure that building materials used on any Visible Facade provide visual interest and a sense of Human Scale
- To discourage building materials that produce flat or featureless surfaces on any Visible Facade
- To encourage the use of innovative, high-quality and sustainable materials
- To promote use of durable building materials and material treatments
- To ensure that building materials are integrated into a cohesive facade design
- To provide a compatible response to materials present in Lower Downtown, including brick, stone, terra-cotta tile, and ceramic tile

## DESIGN STANDARDS

- 2.38 Building materials used on a Primary Street-facing Facade shall be of proven durability.
- Applicants may be required to demonstrate the durability of unproven or unusual materials.
- 2.39 Building materials used on a Primary Street-facing Facade shall be properly finished and detailed.

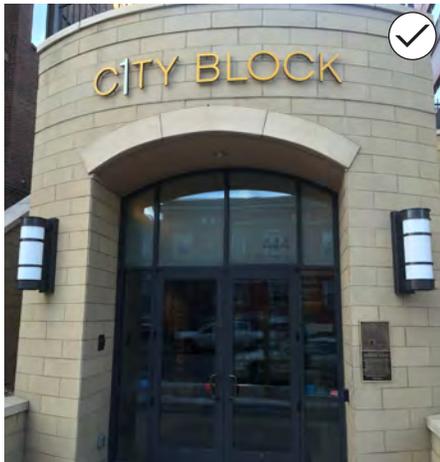
- 2.40 Any change in materials shall be combined with a variation in the wall plane.
- 2.41 A Facade Facing the LoDo Transition Area or facing Wazee Street shall incorporate a minimum of 60%\* Masonry on the Lower Story Facade.
- Appropriate Masonry materials include:
- Brick
  - Stone and Terra cotta
- \*Not including window, transom glass and door areas.
- 2.42 On a Facade Facing the LoDo Transition Area or on a facade facing Wazee Street, Cementitious Stucco shall not be used on more than 20% of the Lower Story Facade.
- 2.43 On a facade that is not defined as a Facade Facing the LoDo Transition Area and is not facing Wazee Street, Cementitious Stucco shall not be used on more than 50% of the Lower Story Facade.
- 2.44 Fiber Cement Siding materials shall not be used on more than 50% of a facade defined as the Primary Street-facing Facade.
- 2.45 EIFS (Exterior Insulating Finish Systems) and other synthetic stucco materials shall not be used.

## DESIGN GUIDELINES

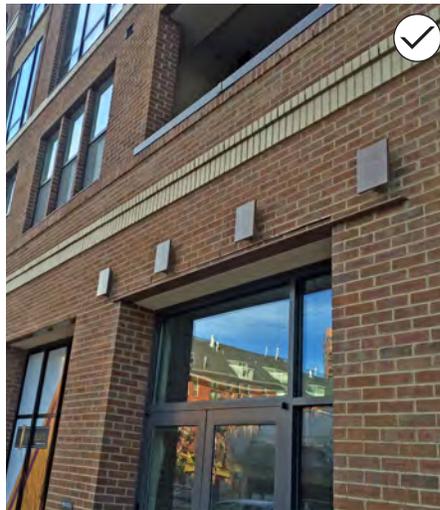
- 2.46 Building materials should be selected and applied to convey a sense of Human Scale.
- Appropriate techniques include:
- Adding visual interest through texture, finish and detailing
  - Applying materials in units, panels or modules that produce shadow lines to help convey a sense of scale
- 2.47 Any change in building materials should occur at the inside corner of a variation in the wall plane.
- 2.48 Carefully detailed materials should be used to reinforce building mass, scale and articulation techniques.
- 2.49 Cementitious Stucco should not be used on Upper Story Facade areas that may be difficult to reach or maintain.

# Facade Design

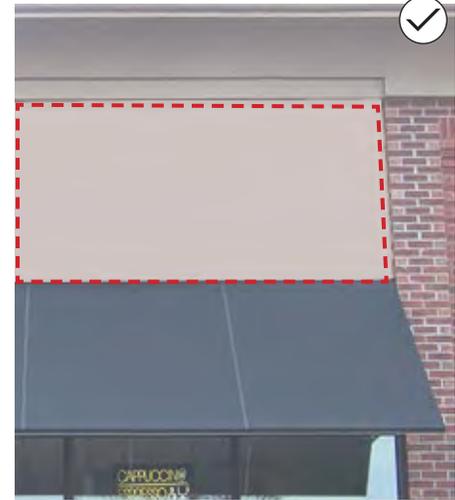
# Designing for Signage



28. Whenever possible, use overall building design or architectural features to market building tenants. Appropriate strategies include using iconic building elements to emphasize storefronts or tenant entries.



29. Facade designs should integrate power sources for future signage lighting, whenever possible.



30. Facade designs shall consider potential future locations for pedestrian-oriented signage.

## INTENT STATEMENTS

- To ensure that facade designs consider potential future locations for pedestrian oriented signage
- To encourage facade designs that promote harmonious relationships between overall building mass and scale, architectural features and potential future signage

## PUD-G 26 SIGN REQUIREMENTS

As stated in Chapter 6 of this PUD-G 26, Signs in PUD-G 26 must comply with Denver Zoning Code Article 10 regulations as applicable to the D-AS-12+ zone district.

The guidelines and standards in this section are intended to supplement sign requirements in Chapter 6.

## DESIGN STANDARDS

**2.50 Facade designs shall consider potential future locations for pedestrian-oriented signage.**

- Appropriate strategies include:
- Incorporating a designated band or area for signage above the Street Level for potential future signage
  - Designing canopies and awnings to accommodate potential future wall signage
  - Designating areas to accommodate tenant or directory signage near primary building entries

**2.51 Where applicable, facade designs shall consider locations for potential large-scale building identification signage.**

- Appropriate strategies include:
- Limiting large-scale building identification signage to taller buildings (approx. 12+ stories)
  - Reserving an area along the roof parapet, or integrated into a roof cap feature, for future large-scale building identification signage

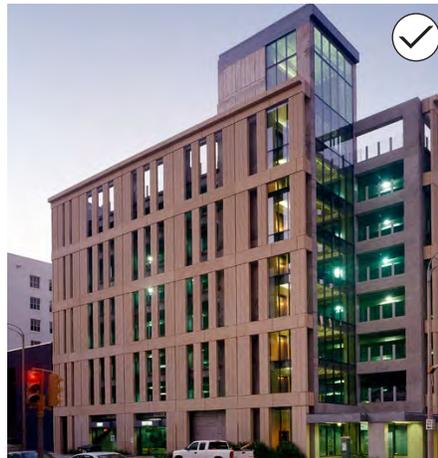
## DESIGN GUIDELINES

**2.52 Overall building design or architectural features should be used to market building tenants rather than signage, whenever possible.**

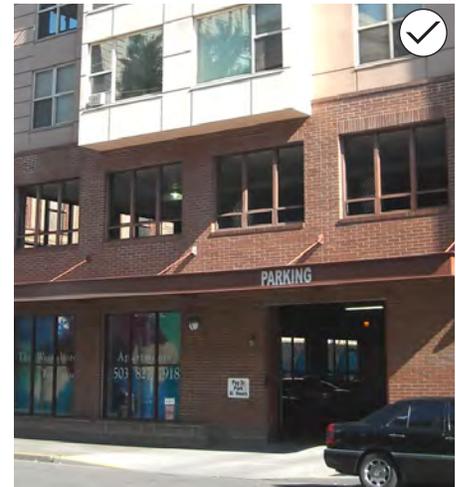
- Appropriate strategies include:
- Using building massing techniques to create projecting or recessed facade elements that emphasize storefronts or tenant entries
  - Locating architectural features to highlight storefronts or tenant entries
  - Using iconic building elements to emphasize storefronts or tenant entries
  - Incorporating building address signage into the design of the facade

**2.53 Facade designs should integrate power sources for future signage lighting, whenever possible.**

# Structured Parking Design



31. The design standards and guidelines promote structured parking designs that are compatible with the character and quality of the overall building facade and adjacent buildings.



32. Facade areas with Visible Structured Parking shall reflect the overall pattern of openings on the building facade.

## INTENT STATEMENTS

- To promote structured parking designs that are compatible with the character and quality of the overall building facade and adjacent building facades
- To minimize visual and physical impacts of parked cars on the pedestrian experience

## PUD-G 26 LIMITATION ON STRUCTURED PARKING VISIBILITY

Chapter 4 of this PUD-G 26 requires that visibility of structured parking is limited.

The standards and guidelines in this section supplement Chapter 4 standards to address the design of any Visible Structured Parking.

Note that PUD-G 26 does not require a minimum number of on-site parking spaces.

## DESIGN STANDARDS

2.54 Where provided, Visible Structured Parking shall be integrated into overall facade design.\*

Appropriate techniques include:

- Continuing similar building materials across facade areas with Visible Structured Parking
- Continuing vertical and horizontal articulation across facade areas with Visible Structured Parking

2.55 Facade areas with Visible Structured Parking shall reflect the overall pattern of openings on the building facade.\*

- Use similar opening proportions to those on the overall facade.

2.56 Align openings with those on adjacent buildings or facade areas.

2.57 Facade areas with Visible Structured Parking shall incorporate openings that reflect transparency standards for non-parking facades.

2.58 Facade areas with Visible Structured Parking shall be designed to limit the view of parked cars and angled ramps from the Public Realm

2.59 Facade areas with Visible Structured Parking shall be designed to minimize the visual

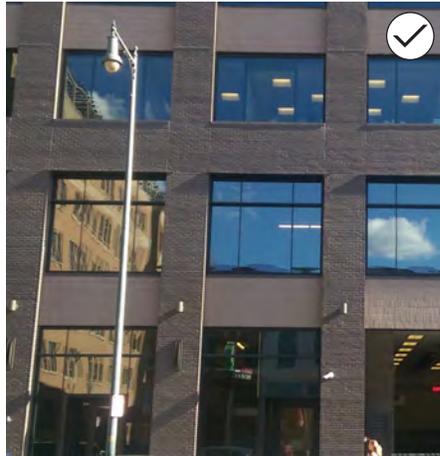
impacts of security lighting and headlights.

Appropriate techniques include:

- Use of non-transparent materials for approximately the first 36 to 48 inches of the facade to block the view of headlights
- Architectural features that block the view of ceiling and security lighting
- Use of fully-shielded LED or other lighting not exceeding approximately 6,500 lumens

\*Standards 2.54 and 2.55 are not applicable to stand-alone parking structures that do not include non-parking uses on upper floors.

# Structured Parking Design (continued)



33. The facade of structured parking that is fully enclosed and ventilated should incorporate materials and finishes similar to those used on the overall facade.

## DESIGN GUIDELINES

- 2.60 Street Level facade areas with Visible Structured Parking should be designed to accommodate future conversion to non-parking uses.
- 2.61 Ramped portions of structured parking should not be located on a Primary Street-facing Facade unless they are wrapped with another use.
- 2.62 Facade areas with Visible Structured Parking should be fully enclosed and ventilated whenever possible.
- 2.63 Dedicated parking spaces should be provided for car share services, whenever possible.

## ARTISTIC SCREENING OF A PARKING STRUCTURE



Artistic screens may sometimes be appropriate for facade areas with Visible Structured Parking. While such screens may vary in character from the overall building facade and adjacent building facades, they may be approved on a case-by-case basis where they:

- » Are a “work of public art” as defined by Section 20-86 of the [Denver Revised Municipal Code](#), as determined by the Zoning Administrator with input from Denver Arts and Venues
- » Limit the view of all parked cars and angled ramps from adjacent plazas, public rights-of-way, private streets and plazas or Open Space

# Chapter 7. Glossary of Terms

The terms included here are defined solely for Chapter 7, Standards and Guidelines, of PUD-G 26. For terms that are not included here, refer to PUD-G 26 and the [Denver Zoning Code](#), Section 13.3 Definition of Words, Terms and Phrases as well as Section 11.12 Use Definitions.

## ACTIVE USES

See [Street Level Active Uses](#) and [Highly Active Uses](#)

## AMENITY ZONE

An area between the street and sidewalk that is improved with street trees, paving, street furniture or other amenities. An [Amenity Zone](#) is typically located within the [Public Right-of-Way](#).

## BICYCLE CORRAL

Bicycle Corrals are an on-street bicycle parking facility that can accommodate bicycles in the same area as an on street- vehicle parking space. They work best where sidewalks are too narrow to accommodate bicycle racks and in areas with both high levels of people bicycling and demand for bicycle parking.

## CEMENTITIOUS STUCCO

An exterior wall finish, usually composed of cement, sand, and lime, and applied while wet.

## BICYCLE FACILITY

A lane, path, or shoulder for use by bicyclists, or a shelter/ parking facility for bicycles.

## ENHANCED SETBACK

An [Enhanced Setback](#) is the space created when buildings are set back from the Primary Street Zone Lot Line, but generally still positioned within the Primary Street build-to range provided in PUD-G 26. Such setbacks should be enhanced to provide attractive and usable areas that activate the street frontage. They can range in size from modest setback areas provided by building offsets to larger patio seating or pedestrian use areas.

## FACADE FACING THE LODO TRANSITION AREA

A façade facing 19th Street or Wazee Street in Subarea A defined in PUD-G 26.

## FIBER CEMENT SIDING

A building material used to cover the exterior of a building. Fiber cement is a composite material made of sand, cement and cellulose fibers. Fiber Cement Siding includes HardieBoard and HardiePlank.

## HIGHLY ACTIVE USES

Uses that contribute to the activation and engagement of the pedestrian experience. These uses include (but are not limited to): retail storefronts; restaurants and cafes; building lobbies and amenity areas; indoor art or recreation facilities; arts and cultural facilities. Uses that are not considered Highly Active Uses are residential units, light warehousing, mini-storage, parking spaces or parking aisles. Also see [Street Level Active Uses](#).

## HUMAN SCALE

A sense of [Human Scale](#) is achieved when one can reasonably interpret the size of a building by comparing features of its design to comparable elements in one's experience.

## LOW IMPACT DEVELOPMENT

Low Impact Development (LID) is stormwater management approach to address rainfall in a way which more closely mimics the natural hydrologic system at the site prior to any development.

## LOWER STORY FACADE

The [Lower Story Facade](#) will generally be considered as stories 1-8 (up to 110 feet, including the [Street Level](#)) of the [Primary Street-Facing Facade](#), with everything above defined as the [Upper Story Facade](#). However, where [Upper Story Setbacks](#) are located below the eighth story, the [Lower Story Facade](#) may be considered as stories below the [Upper Story Setback](#) with everything above the setback defined as the [Upper Story Facade](#).

## MASONRY

Building materials characterized by individual units laid in and bound together by mortar. [Masonry](#) materials include brick, stone and terra cotta.

## OPEN SPACE

An [Open Space](#) is a type of [Enhanced Setback](#) that may extend beyond the Primary Street build-to range allowed by PUD-G 26 to provide more substantial [Street Level](#) pedestrian use areas, such as: courtyards, plazas, pocket parks, and pedestrian pathways leading into a development. A [Private Open Space](#) required in PUD-G 26 is also an [Open Space](#). See also [Private Open Space](#).

# Glossary of Terms (continued)

## PRIMARY STREET

A Primary Street Zone Lot Line as defined in PUD-G 26. PUD-G 26 defines 19th Street, Wazee Street, and the West Zone Lot Line as Primary Street Zone Lot Lines.

## PRIMARY STREET-FACING FACADE

Any facade facing a Primary Street Zone Lot Line defined in PUD-G 26.

## PRIMARY STREET UPPER STORY SETBACK

See [Upper Story Setback](#)

## PRIVATE OPEN SPACE

An [Open Space](#) located on private property that is a required design element in PUD-G 26 and/or used as a build-to alternative in PUD-G 26.

## PUBLIC REALM

Areas within the [Public Right-of-Way](#) (including streets and sidewalks), as well as parks, [Enhanced Setbacks](#), [Open Space](#) and connecting paths or walkways located on private property adjacent to the [Public Right-of-Way](#).

## PUBLIC RIGHT-OF-WAY

The area of land owned by the municipality over which the road and sidewalk is built. The [Public Right-of-Way](#) generally includes the roadway, sidewalks, amenity zone and alley areas.

## QUALITY

Refers to the use of a material that is low maintenance, will stand up to wear and tear and is appropriate for the intended use or design application.

## RIGHT-OF-WAY

See [Public Right-of-Way](#)

## SCALE

The perception of a building's size in relation to a human, based on proportions, scaling elements and contextually sensitive solutions to the design of the structure. Scale is one of the elements that contribute to our perception of a place's character.

## STREET LEVEL

The first story or level in a building or structure, as defined by the [Denver Zoning Code](#). Note that the [Street Level](#) is considered to be part of the [Lower Story Facade](#).

## STREET LEVEL ACTIVE USES

Uses that contribute to the activation and engagement of the street, as defined by Chapter 4 of this PUD-G 26. Chapter 4 PUD-G 26 requires a minimum percentage of [Street Level Active Uses](#) on a [Primary Street-facing Facade](#). Also see [Highly Active Uses](#).

## UPPER STORY FACADE

The [Upper Story Facade](#) will generally be considered as the [Primary Street-facing Facade](#) on all stories above the eighth story (110 feet). However, where [Upper Story Setbacks](#) are located below the eighth story, the [Upper Story Facade](#) may begin above the [Upper Story Setbacks](#).

## UPPER STORY SETBACK

A PUD-G 26-required building setback at a maximum specified height above the [Street Level](#) to provide appropriate pedestrian height, scale and massing. May also refer to other setbacks above the eighth story as described in these standards and guidelines.

## VISIBLE FACADE

Any facade that is not a [Primary Street-facing Facade](#) but is visible from the [Public Realm](#) at the time of construction without significant blockage by building or site features.

## VISIBLE STRUCTURED PARKING

[Visible Structured Parking](#) refers to a structured parking facade that is not wrapped with another use and is located on the [Primary Street-facing Facade](#), or is visible from the [Public Realm](#) at the time of construction without significant blockage by building or site features.

## WALL MURAL

A mural is any piece of artwork or super graphic (which does not serve as an advertisement and is not a sign) painted or applied directly on a wall.

## WYNKOOP PROMENADE

A publicly accessible pedestrian walkway required by PUD-G 26 that connects the 19th Street right-of-way to the 20th Street right-of-way.

## **CHAPTER 8. RULES OF INTERPRETATION**

Subject to Chapter 8 of this PUD-G 26, whenever a section of the Denver Zoning Code is referred to in this PUD-G 26, 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 26, this PUD-G 26 shall control.

## **CHAPTER 9. VESTED RIGHTS**

This PUD-G 26 shall be established in accordance with Denver Zoning Code Sections 9.6.1.2.C and 9.6.1.5, and vested property rights shall be created 90 days after the effective date of the ordinance approving this PUD-G 26. The property rights vested through approval of this PUD-G 26 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 in the Denver Zoning Code, as amended from time to time, except as expressly modified by this PUD-G 26.

**CITY AND COUNTY OF DENVER, COLORADO  
REGISTERED NEIGHBORHOOD ORGANIZATION  
POSITION STATEMENT**

Following a vote of the Registered Neighborhood Organization, please complete this form and email to [rezoning@denvergov.org](mailto:rezoning@denvergov.org). You may save the form in \*.pdf format if needed for future reference. Questions may be directed to planning staff at [rezoning@denvergov.org](mailto:rezoning@denvergov.org) or by telephone at 720-865-2974.

Application Number	2020-00008
Location	19th & Wazee
Registered Neighborhood Organization Name	The LoDo District
Registered Contact Name	John Wetenkamp
Contact Address	1536 Wynkoop St. #108
Contact E-Mail Address	info@lodo.org
Date Submitted	7/15/21

As required by DRMC § 12-96, a meeting of the above-referenced Registered Neighborhood Organization

was held on July 1, 2021, with 9 members in attendance.

With a total of 20 members voting,

20 voted to support (or to not oppose) the application;

0 voted to oppose the application; and

1 voted to abstain on the issue.

It is therefore resolved, with a total of 20 members voting in aggregate:

The position of the above-referenced Registered Neighborhood Organization is that Denver City Council

approve  Application # 2020-00008

Comments: We have held several meeting with the Rockies and Startec and feel confident that they will be outstanding stewards of the neighborhood. They have been extremely approachable and listened to both short and long-term concerns and made adjustments after some poignant conversations.  
  
The LoDo District unanimously votes to approve this PUD resolution.



July 20, 2021

Brandon Shaver  
Senior City Planner  
Community Planning & Development

Joel Noble  
Chair  
Denver Planning Board

Re: McGregor Square PUD

The LoDo District is writing to voice its support for the McGregor Square PUD.

The McGregor Square development team, including the Colorado Rockies and Stantec, have diligently worked with The LoDo District and other Lower Downtown stakeholders to produce a project that will enhance our neighborhood both architecturally and functionally.

For those Planning Board members who are not familiar with the LoDo District, we are Lower Downtown's business oriented RNO. We have been actively advocating for the historic character and economic vitality of the historic district for over 30 years. Our endorsements do not come casually.

Over a three-year period, we met periodically with the development team over almost every aspect of the project including mass/scale, materiality, signage, retention of the Evolution of the Ball sculpture and the integration and design of Wynkoop Plaza. As a result of this collaboration, the PUD under consideration represents a project that our RNO can readily support.

We ask that you acknowledge the years of thoughtful planning that have gone into this project and approve the PUD as presented.

Thank you.

Sincerely,

Fabby Hillyard, Chair  
LoDo District Board of Directors

Dick Farley, Chair  
LoDo District Urban Design Committee

Bar Chadwick, Chair  
LoDo District Board of Directors

Ellen Wilensky, Chair  
LoDo District Urban Design Committee

To: Denver Planning Board

Re: McGregor Square – Temporary Use of Video Board

Dear Planning Board Members:

My name is Rick Ninneman and I am the President of the HOA Board for One Wynkoop Plaza, the residential condominiums that face McGregor Square across Wynkoop. Due to our proximity, all but one of our member units can see the video board through the wide opening into the plaza area from Wynkoop Walkway.

The Management of McGregor Square have been great partners thus far and have been very respectful to all of its neighbors by not using the video board after 11:00 p.m.; in fact, many week nights it has ceased operating much earlier. Further, the sound volume has been kept at a level that cannot be heard inside our residences.

In conclusion, our HOA is very supportive of McGregor Square's request to extend its video board permit for another 120 days.

Sincerely,



Rick Ninneman

One Wynkoop Plaza

1735 19<sup>th</sup> Street Unit 3E

Denver, C) 80202

(303) 241-3819