Arapahoe Square Zoning Task Force
Meeting 5 - July 16, 2015

Meeting Objectives:
- Provide the Task Force with information on design standards and guidelines, including the role of a Design Review Board
- Determine whether the Task Force is ready for staff to develop the first draft of design standards and guidelines
- Discuss specific options for street-level activation, upper-story setback dimensions and incentives to wrap parking structures
- Review the results of build-ability tests conducted by local architects, designers and developers
- Determine whether the Task Force is ready for staff to develop the first draft of the zoning code

Task Force Members in Attendance: Brad Boyle, Councilman Albus Brooks, Dick Farley, Patrick Guinness, Amy Harmon, Joe Lear, Joel Noble, Judy Schneider, Chris Smith, Craig Supplee, Tracy Winchester, Bill Windsor, Howard Witkin; Not in Attendance: John Desmond, Jynx Messacar

CPD Staff: Sarah Showalter, Brad Buchanan, Abe Barge, Analiese Hock, Andy Rutz, Samantha Suter; Facilitator: Mike Hughes

Observers: David Daniels (Davis Partnership Architects), Brian Klipp (GKK Works), Chris Shears (Shears, Adkins, Rockmore), Rezan Prananta (Shears, Adkins, Rockmore), Peter Wall (CRL Associates), Jesse Golomb (Trammel Crow Residential), Scott Conrad (Swinerton Builders), Michael Krause (Tryba Architects)

I. Design Standards and Guidelines (DSG)

Presentation - DSG Introduction
City staff introduced the DSG concept and discussed the existing DSG concept and role of updated DSG for the neighborhood.
- The goal is to integrate DSG with new form-based code provisions for Arapahoe Square
- DSGs are qualitative regulations that work in concert with zoning; address high level of detail and context sensitivity
- DSG relative to zoning:
  - Zoning = prescriptive, quantitative (height in stories, etc.), shape basic entitlement;
  - DSG = promote high quality, context sensitive design, while allowing high degree of flexibility for creative design
- Many of the buildings that the task force liked are in places with DSG - Pearl District in Portland, South Lake Union in Seattle
- Some things DSG can address:
  - pedestrian friendly street frontage
  - façade articulation, character and materials
  - can play educational role regarding zoning
  - can address unique contexts (i.e., 21st, Curtis, Broadway)
- Existing design review process:
  - Initial analysis by staff, recommendation to planning board
  - Planning Board makes recommendation to Zoning Administrator (ZA)
  - ZA has final authority to decide
- 3 times when RNO’s are notified - this can be simplified
Proposal - create a new Design Review Board that will review new guidelines; composed of design professionals and community representatives, appointed by mayor, make recommendation to ZA

Presentation - Design Review Board
Denver Community Planning and Development Director Brad Buchanan provided a brief overview of the potential role of design review by a professional board using the updated Arapahoe Square DSG.
  - Broader context - Design Review Board is critically important for city and Arapahoe Square
  - Denver has matured and evolved; real estate market has responded to growth
  - We are looking at providing a range of design quality tools depending on the neighborhood and context:
    - zoning code - lowest standard of quality control; help with basic contextual needs
    - conservation overlay, design overlay - further refinements to the zoning code
    - design review - a tool to promote better design
    - landmark - most rigid restrictions, context-based and location specific
  - The highest value districts in city have design review; public realm has been crafted and designed at every step of the way
  - Our city is ready for this in more locations; Arapahoe Square is just as valuable as Cherry Creek North
  - Higher-end development was attracted to areas because DSG set a minimum standard of design that would benefited the project by ensuring the quality of adjacent development
  - This could be an important “pilot” project for The City (not experimental, but we’d like to see more of these over time)
  - We will figure out how to staff it, how to support it, and how to raise the bar of design
  - We will craft it together with you
  - Together we can craft it for the outcome that we want

Presentation: DSG Outline and Structure
City staff presented a draft outline of the updated DSG and described how they would be structured and formatted.
  - The structure - intent, standards, guidelines
    - Intent: Aspirational, what we are trying to create
    - Standards: Specific strategies that shall be employed to meet the intent statements
    - Guidelines - More general strategies that should be used in combination with the standards to meet the intent statements
  - Design Review Board can fall back on intent statements
  - We sent out a preliminary draft outline - not addressing content, but topics and organization
  - Intro, substance of document (site and building design standards), and process
    - Site
      o Placement of building
      o Entrances
      o Private open space
    - Building - longer than the site guidelines, and includes:
      o Building massing
      o Facade character
      o Building materials
      o Specific considerations
    - Streetscape - will have to discuss whether design review can control this
    - Design review process - in an appendix
Discussion: DSG and a Potential Design Review Board

The task force discussed the approach for DSG and a potential Design Review Board and asked questions of Brad Buchanan and city staff.

- Q: Are other boards appointed by mayor? A: It’s driven by the community; important to appoint people who know and care about what they are looking at.
- A: Can we prevent gentrification at the same time? A: Design review will not address gentrification; it is a much bigger issue.
- Gentrification is a priority; we should think about how we craft DSG with that in mind.
- Good design doesn’t have to be more expensive and doesn’t have to drive up prices.
- Timing of design review—parallel with the design process that the developer’s team is going through.
- City has begun asking applicants to come in for a voluntary preliminary review at the schematic design phase; response has been positive.
- For the Arapahoe Square Design Review Board, we may need more than one submittal (height and scale first, then some other time for articulation fenestration and materials) to ensure that applicants, Board and zoning administrator are on the same page.
- Q: Can we cut the time in the process; can we add design review without adding time? A: Current DSG for Arapahoe Square is a lengthy process; we definitely want to streamline the process.
- Q: Can we craft DSG that works equally as well in a down economy?
- Q: With multiple boards, how do you address a straightforward, clear process? A: Getting DSG in a consistent format will help streamline the process; Cherry Creek North DSG and Landmark DSG represent the most recent thinking. At the same time, we should be ambitious; we need meaningful DSG that support the larger vision.
- Q: How does this really happen?
- A: Essential to have the right skills, the right people on the Board. It takes discipline to stick to the DSG; very little politics should go into selection of Board members; we need balance and people that know good design; know that they aren’t designing the building, that won’t fall into the trap of “this is what I’d do” but use the guidelines. It’s a tough job.
- Q: Can the community weigh in on selection of Board? A: This is something that can be part of the discussion.
- It’s important that the design guidelines are managed by those with experience.
- It’s about standards, not about taste.
- Curtis Park neighbors will be supportive of DSG and design review.
- This is a place where we celebrate communities that are described in different districts.
- The Task Force agreed that the staff should begin drafting the first version of design standards and guidelines for their review and that this early draft should include the framework for a Design Review Board.

II. Build-ability Testing

Presentation: Testing

City staff presented the results of build-ability testing conducted by local architects, designers and developers.

- We all agreed it would be helpful to bring in an outside group to look at what the task force has done thus far.
- City staff organized a testing group composed of local architects, designers and developers who are familiar with Arapahoe Square and a wide variety of project types.
• The main goal was to evaluate the potential impact of the building form concepts the task force has been discussing and determine whether potential zoning requirements could negatively impact the build-ability of some lots in Arapahoe Square
• Their work tests the envelope, not the design of any particular building
• 8 different scenarios and takeaways:
  - Triangular lot: 30 stories, primarily hotel, commercial wrapping ground floor, 3 below grade parking levels, 2 above grade parking, lobby, podium amenity deck
  - Zoning envelope is buildable; porte cochere, as shown, would not meet build-to requirements. There are other options on how to deal with this.
  - Lot size, residential; 100’ wide lot:
    - Mid block, 12 stories; retail wrapping group floor, 2 subgrade parking levels; setback
    - Zoning envelope is buildable. For small lots, lower scale building would be more likely to see rather than tall buildings
  - 100’ wide, corner lot, 12 stories, residential, retail wrapping;
    - Inefficient parking floor plate, could potentially get unit yield, could park this building
    - Setback of 15’ is tough on a corner lot; 10’ setback works best, so you can vary unit type when you wrap the parking
  - 250’ wide, corner lot, 12 story zoning, point tower
    - Retail wrapping ground floor
    - 3 stories above grade parking, no sub-grade parking
    - Envelope worked; extra height for point tower is enticing for for-sale residential
    - Less of an issue with setback, would likely push the point tower to back to maximize the amenity deck
  - 400’ wide, corner lot (entire block face), 20 story zoning
    - Residential use, commercial retail on ground; they wrapped all floors of parking; conceded that parking 2-5 levels would be inefficient, but would work, better design; one level of sub-grade parking
    - Envelope works, results in a long facade, difficult to vary massing on facade with residential (wanting a fixed corridor); would lean on DSG to break up facade on these lots
  - 400’ wide, corner, point tower in 20 story zoning
    - Similar 1-5 base, now towers anchoring corners
    - Same parking strategy
    - Envelope works
    - Discussed setback on 21st street; feedback is that 100% 15’ setback on 21 isn’t problematic
    - Particularly enticing as a for-sale project
  - 100’ wide, corner, 12 story, office
    - Setbacks on both sides, 10 stories, office on ground floor
    - One level of above grade parking, 2 below
    - Envelope works in principle, difficulty with setback of 15’, 10' works better for office floor plate since its locked it is locked into specific dimensions
  - 300’ wide, 20 story, corner
    - 18 stories*, creative office space, sandwiching 2 levels of parking behind, 2 sub-grade parking levels
    - 15’ setback worked ok (as opposed to on a smaller lot); allows columns to land appropriately
    - Corner side, typical depth. on the longer side, the “creative” office would be thinner and longer, not typical
III. Street-Level Active Uses

Presentation
Staff presented additional considerations regarding street-level active use requirements and reviewed how the requirements would have applied to recent and proposed projects in Arapahoe Square.

- Street-level active use addresses what’s happening on the street level of the building as you walk along
- Last time staff presented a 70% requirement for street level active use
- At previous meeting, Task Force discussed looking at the range from 60-80%
- Note that the use requirement doesn’t specifically mean there need to be windows (the transparency requirement is separate)
- Any uses along the street, for the first 15’ of depth, would be allowed other than parking, mini storage, and auto service. For example, utility rooms that you can’t see into from the street would count as an active use
- DSG has language about active uses on the ground floor, its more flexible and harder to enforce, not a specific %; we wanted to see what people are building
- Staff looked at actual projects that have been built or proposed in Arapahoe Square:
  - Lawrence and 22nd
    - 91% of Lawrence frontage would meet active use requirement (water room, entry to parking garage can count, as long as parking is not coming off it directly)
    - 60% of 22nd frontage would meet requirement because of a large open area in the building plan
    - 22nd frontage would easily meet a 70% requirement if the open area was improved as a Private Open Space (which may be counted as a build-to alternative)
  - Concept project on Welton
    - Full half block project with frontage on three streets
    - Residential units on ground floor along Welton
    - Welton St. frontage easily meets 70% active use
    - If requirement was reduced to 60%, could get more parking along the street edge
    - 22nd frontage almost meets 70% frontage
    - If one small area was increased from 10’ to 15’ depth, the 22nd frontage would be greater than 70% active
  - Park Ave Frontage only has 52% build-to and active use
    - Could extend program further to get to 100% build-to/active use
    - Or - Could use Private Open Space build-to alternative to get there
- Conclusion - Staff continues to see the value of the 70% proposal
  - 70% is easy to meet in most cases and aligns with the build-to requirement
  - May be more difficult to meet on the short side of a new building, but lot of flexibility makes this workable

Discussion: Street-level Active Use
The task force discussed the potential 70% requirement for street-level active use.

- Generally, parking access counts, as long as there is 15’ behind the entry without parking; there is difference between parking aisle and parking driveway
- Remember - the current draft zoning code has no parking requirement
- A small lot exemption should apply to lots as large as 75’
- Seeing that utility rooms, electrical rooms, stairwells are calculated as part of the percentage, it’s a misnomer to call this an active use requirement
IV. Upper Story Setback Dimension

Presentation: Upper Story Setback Dimensions
Staff presented the results of build-ability tests with regard to upper-story setback requirements.
- The approach tested by the local architects, designers and developers: 65% min of frontage for 15'; max length of 80' that doesn’t step back; design alternative available through DSG
- Key corridors would be treated differently - Broadway, 20th, Park Ave, 21st
- 65% and 80’ seem to be working well; strong support for design alternative, and the flexibility
- There was discussion about the dimension of the setback – should it be less than 15’?
- 15’ would work, but 10’ would be more flexible
- Staff proposal is for a setback, which is measured from the property line; this provides more flexibility, could allow shifts of plane at the ground level, could allow shift and tweak the column spacing
- If we defined it as a stepback, every time the ground floor setback varied, the upper-stories (above 5-stories) would have to step back, using an upper-story setback allows more flexibility for variations in the building wall at the ground floor
- One idea is to reduce setback to 10’ on lots 100’ or less

Discussion: Dialog on Upper-story Setbacks with the Testers
The Task Force asked questions and discussed results with the architects, designers and builders who conducted build-ability tests using the proposed building form requirements for Arapahoe Square (including a 15’ upper-story setback)
- Q: How was parking including in the tests? A: The outcome of the building is dependent on how you solve the parking (both in numbers and design); for the office scenario, we used just under 1 parking space per 1,000 SF and we made it work
• We did talk about having a neighborhood approach for parking, disconnecting the parking requirements for office can work since people will walk to park their car going to their office; residential less so
• For a smaller lot office building a 15’ setback compromises the upper floor plates
• Need to distinguish the basics of zoning from the things that dictate design and need to accommodate changes in technology in the future
• A 10’ setback would allow some flexibility; you can come back out with a bay, which would violate the 15’ setback we’ve been discussing; it’s not about square footage, it’s about the quality and the flexibility of the architecture
• Some testers found that a 15’ setback would fine, it’s what they typically do, so the testing results are mixed
• A 10’ setback would be more flexible
• For narrower lots, a 15’ setback for office floor plates impinges on efficiency and usage

Discussion: Upper-Story Setbacks
The Task Force discussed possible changes to draft upper-story setback requirements based on the results of build-ability testing by the local architects, designers and developers.
• Let’s not exempt lots of 100’ or less, but use the 80’ limit on wall length that is not set back rather than the 65% limit for small lots
• Some setback is needed; practically speaking, the building will want to have something to carve out, so setbacks may not be an issue
• The problem with exempting narrow lots from upper-story setback is that you could have four 100’ lots in the same block and get a full block with no upper-story setback
• Unlikely, but possible, though the builders would respond to the others to create distinctions
• Floor plate efficiencies matter
• If the first builder on a small lot has not setback, the next could be required to set back to meet building code requirements
• Given that Arapahoe Square is made up of a large number of oddly shaped lots, the exemption for small lots would work
• Remember, not everyone will build higher than 5 stories
• The concern was verticality at the property line, which is what we wanted to avoid
• Important to know if this is a difference that impacts the market
• The difference between 10’ and 15’ is imperceptible, and the flexibility of 10’ would be good to have
• Exemption for small lots makes sense
• Q: Why 80’ maximum wall length without upper-story setback? A: Given the 80’ rights-of-way in the area, you create a rhythm of 80’ from building face to street width
• Q: Can design guidelines come into play here? A: You can’t use design guidelines to overrule the zoning, but we can create an alternative and speak to that in the DSG
• There are some great designs that are straight up and down that everyone loves
• Light and air matter; from an urban design standpoint, do you want a street wall or is it this forced setback for the purpose of the light; design flexibility is the counterpoint and a 10’ setback is more flexible, 5’ even more
• 5’ isn’t enough of a setback
• Not everyone will build the maximum building; flexibility is the important thing
• Remember that buildings of 5 stories or less will have no setback
• The Task Force supported changing the minimum upper-story setback from 15’ to 10’ in depth, but not providing a special exception for narrow lots (10’ setback would apply to all lot sizes)
V. Incentives to Wrap Parking

Presentation: Wrapped Parking
Staff presented the results of build-ability tests with regard to a desire for wrapped or less-visible parking. They also presented updated options to encourage less-visible parking.

- There are challenges with completely limiting exposed parking because no other place in the city requires parking to be wrapped
- Everyone will have to meet a high level of architectural integration with parking structures through the design review process
- The testing group shares the task force concern about the impact exposed parking in new development has on the street and neighborhood
- We discussed the option of using the citywide text amendment incentive to wrap parking - squeeze more stories if you do not have visible parking, as long as 70% is an active use, you qualify for the incentive and if you meet height in feet, height in stories no longer applies
- The local architects, designers and developers gave feedback on the potential parking incentive described above.
  - 20 story district - other uses wrapping parking on street level; 4 levels of above-ground parking, and 1 underground; 20 stories
  - Incentive - (corner lot) have to wrap the parking garage with the use, narrower floor to ceiling height, get more units, more stories, parking ratio is less (market cares about parking ratios, but seems to be getting lower). Can add another level below grade.
  - Pros and Cons: effective if you go below grade, but encourages you to reduce the floor-to-floor height
  - Nuance - allow exposed parking above 5-story setback; easy to get higher parking ratios, may not have such a big impact on the street experience
- Earlier, we talked about incentives, lowering base height to get something; there was interest, but an acknowledgement that it is complicated
- The testing group results suggest that added height is a viable incentive for fully integrated parking
- If we lower the base, if you want to do above grade, exposed parking, new base is 16 and 8; and you can get to the full height (12 or 20 stories) if you wrap parking; Pros and Cons - could be enticing, doesn’t encourage you to reduce the floor-to-floor heights
- Do you want to make the tradeoff and limit the max height to get integrated parking?

Discussion: Incentive to Wrap Structured Parking
The Task Force discussed the possibility of strengthening the incentive to make parking less visible with a focus on lowering the base permitted building height (to 8 and 16 stories and using increased building height (to 12 and 20 stories) as an incentive.

- Lowering the max height is counter intuitive to zoning as a regulation
- On the contrary, with a form-based code, the most effective incentive is height
- The plan heights would be a significant up-zoning, so reducing the heights to create the incentive won’t affect the real development potential
- We need examples of other places where this kind of incentive has been effective.
- The risk is that the incentive won’t work
- Q: What are the uses that can successfully wrap the parking? A: Residential units or creative office
- We could increase the max height - go to 24 stories rather than 20
- Community support for a maximum of 12 and 20 is clear in the plan; exceeding the max height in the plan would trigger reopening the plan
- Measuring height in feet and allowing more floors is a viable incentive, relatively easy to administer
Q: Are we trying to avoid car lights, or the look of a parking garage? A: We’ve trying to avoid inactive uses, putting eyes on the street and people in the first five floors

For the health of the city, wrapping the parking is important

The incentive that puts heights at 8 and 16 would be more complicated

Could we do something less onerous - 10 and 18 stories?

We could reduce the height and then allow one additional floor for each floor that gets wrapped

Lowering the base height creates the strongest incentive

You’re just giving stuff away, the more we give away in the base zoning, the less the developer will do the things we want them to do; the more you contain, the more they have to work for it

To make the incentive work, you have to lower the base

Express the incentive in feet instead of stories

It is expensive to wrap the parking

An incentive based only on measuring height in feet (original proposal) results in compressed floor-to-floor heights that work for residential and hotel, but not for office

We have to think about whether we’re going to get mid-sized buildings as well - we could get either small buildings with no parking or very large buildings with wrapped parking

We have to decide how important it is to wrap the parking

We could simply mandate that parking must be wrapped

We have to think about market conditions different from those we’re seeing today

We need something that would serve as an incentive for an office developer

Q: Can we use one incentive for residential (measuring in feet) and a different one for office (lower base height)? A: Many developments will be mixed use, which makes this problematic

The neighborhoods have been saying for years that we want wrapped parking

The incentive that is most likely to produce wrapped parking is lowering the base height

If the incentive is taken, we get high-quality 12 and 20-story buildings

Q: Will the incentive be taken? A: The challenge is that we can only do so much testing and we won’t know until we draft the code; the lower the base, the more likely it is that developers will use it

Lower the base and then allow additional floors that match every floor a develop wraps

Will this hurt development potential?

Office will present the greatest challenge, because the wrapping scenario is not typical

Lower the base and express the incentive in height in feet - not in stories

The Task Force agreed that the draft code will include a limit of 8 or 16 floors (depending on the area) for buildings with exposed parking structures and 12 or 20 floors (expressed in feet, not stories, in the code) for buildings with wrapped parking, underground parking, or no on-site parking

VI. Draft Zoning Code

The Task Force agreed that the work has progressed enough to allow staff to produce the first full draft for their review.

VII. Next Steps

Staff will begin producing the first full draft of both the zoning code and the design standards and guidelines. The next task force meeting will take place on August 26 from 3-6 at Mile High United Way.