Meeting Summary - Meeting 1 - Phase 2

Meeting Objectives:
- Shaping the Zoning Envelope • Max Height • Build-to • Setbacks • Datum • Upper Story Mass
- Discussion and Feedback on the Zoning Envelope
- Overview of Point Towers

Task Force Members in Attendance: Brad Boyle, Albus Brooks-District 8, John Desmond, Dick Farley, Patrick Guinness, Jynx Messacar, Joel Noble, Judy Schneider, Chris Smith, Brent Snyder, Craig Supplee, Tracy Winchester, Bill Windsor, and Howard Witkin; Not Present: Amy Harmon, Joe Lear, Judy Montero-District 9

Facilitator: Mike Hughes

CPD Staff: Sarah Showalter, Abe Barge, Analiese Hock, Andy Rutz, Samantha Suter, Caryn Champine

Observers: Amanda Sandoval - Judy Montero Council Aide; Gordon Robertson, Denver Parks and Recreation; Larry Bell, Golden Bell Press; Bill Bowen, Studio InSITE; Maria Cole, architect; Eric Crotty, landscape architect; Joey Gargotto, commercial broker; Brett Heyl, Urban Market Partners; Josh Robbins, Century Development

I. Opening

In anticipation of the discussion of height, the participants each identified a favorite tall building in Denver. The list included: The Denver Dry (6 stories), Union Station (4 stories), Daniels and Fisher Tower (20 stories), 1201 Williams Street (20 Stories), Brown Palace (9 stories), One Lincoln Park (32 Stories), Amoco Building, (25 Stories) and the Equitable Building (9 stories)

The participants reviewed the meeting purpose and agenda and were reminded of their goals from the first two meetings:
- Allow for flexibility and creativity
- Allow Arapahoe Square to develop organically
- Allow for a wide variety of building forms and types
- Focus on the pedestrian realm
- Balance height and density with buildings that contribute to a pedestrian-friendly street life

II. Staff Presentation: Shaping the Building Envelope

Overview
- A Zoning Envelope is a three-dimensional box in which a variety of different development options are available
- The zoning envelope accomplishes the following:
  1) Establishes a maximum “box” - including a maximum height - within which buildings may be built
  2) Sculpting of the box - e.g. setbacks, upper story setbacks, etc.
  3) Variety of building forms within the box (see graphics)
Zoning vs. DSG

- As a part of this process, we will be rewriting the Design Standards and Guidelines (DSG).
- It is in this document that we will get into the design of the building. The DSG layer an additional level of detail that you do not normally get in zoning (i.e. upper story transparency, articulation, materials, etc).
- DSG are much more detailed requirements about site and building design that layer on top of the zoning envelope.
- The zoning envelope that we are working on today must work well with the revised DSG. There will be running list of DSG topics that need to be addressed and the task force can add items anytime to the list. Some decisions about building form for the zoning will be contingent on revisiting certain topics when we get to drafting the DSG later in the process.

Parking

- Parking: zoning regulates the minimum amount of parking that must be provided on a site for private development. It does not directly relate to public parking, whether on-street or in central parking garages.
- The philosophy in the code is to try to make the zoning requirements as low as possible, because they are a minimum. Additional impacts on parking are: market, lender requirements, etc.
- When the City updated the zoning code in 2010, one of the few things that changed for Arapahoe Square (in the current D-AS zoning, which is largely the same as the B-8-A zoning written in 1996) was the required off-street parking ratios. Later in on the process, we will be asking if the ratios are correct and/or need to be modified.
- The Denver Zoning Code allows for additional flexibility with reductions and exemptions for parking.
- Consider that the market in Arapahoe Square has the ability to evolve over time, with potential for more below-grade parking.
- Many different components shape how much parking is provided for a development - zoning is just one.
- Zoning requires a minimum amount of on-site parking for private development. The market and lender requirements often lead to more parking on site than what zoning requires.
- Current Requirements (see table)

Shaping the Zoning Envelope

- General: flexible zoning envelope to accommodate a wide variety of standard building types. This will be the focus tonight and it will accommodate almost all building types.
- Point Tower: unique building type (more height in exchange for narrow tower)

Height

- Height recommendation map provided by the plan: generally 20-story maximum height area between 20th and midway between 21st and 22nd (with ability to go up to 30 stories for point towers) and 12-story maximum between 21st/22nd transition up to Park Ave (with ability to go up to 20 stories for point towers).
- Translating maximum height from the plan to zoning: typically in the zoning code height is regulated as a combo of height and stories.

Build-to

- How close should the base of the building be to the street?
- The plan really promotes the urban character by minimizing setbacks to provide a consistent street edge and to support pedestrian activity.
- Current Zoning: 0-10’ build-to range, 65% minimum on each street frontage must have building within the build-to range
- Comparison of other zone districts: (see table from presentation)
- Proposal to consider: up the percentage form 65% to 70% to be more in-line with the other zoning, and then allow for a greater build-to range of 0-15 for residential only

Initial reaction to build-to presentation:
- The build-to decision should consider pedestrian access needs
- We should expect most builders to maximize their building within the build-to range
- Q: Are there areas in Arapahoe Square the Main Street designation? A: no
- Need to consider a safe zone for light-rail passengers and whether the build-to complements a safe zone - Welton business entrances are very close to the light-rail trains

Setbacks (at ground level)
- The minimum distance required between the lot line and edge of building
- Existing Zoning - 0’ for all property lines (see table)
- Proposal - keep 0’for all property lines, which is consistent with the Downtown and Urban Center contexts in the Denver Zoning Code

Datum
- Datum = upper story step-back along the street (plan recommends at a five story height level)
- Purpose: create a pedestrian-scaled base for taller buildings
- Accomplish plan guidance for a strong pedestrian base to the building
- Allow for flexibility and variety
- Consider what is buildable and the likelihood that the first few stories of a building will be above-grade parking
- Datum: how to measure? Setback versus Stepback
- Proposal: Datum is a stepback (meaning it is measured as the dimension between the edge of the lower stories and upper stories) at 5 story max along all streets for buildings taller than 5 stories
  - Stepback at 2-4 stories also okay, even within the same building
  - Allows for flexibility and variety in building form
  - Minimum dimension of 15’ for stepback

Initial reaction to build-to presentation:
- Q: Where does the datum line come from? A: It was a result of the plan and design charrette for Arapahoe Square - agreement to require a datum in order to balance the recommendation for tall buildings
- In the plan there was significant interest in creating a strong pedestrian realm
- If this is about the pedestrian realm, why 5 stories? 5-stories does not seem to be a pedestrian-scale
- 5 stories is approximately the height where someone from the sidewalk could recognize someone looking out a window above, the height at which you can speak to someone on the ground - beyond 5, you are removed from the pedestrian experience
- 15’ still may be a little bit too much for a minimum dimension for the datum stepback in terms of column spacing for parking below, because columns may be quite large, and then it’s close to 17’, which may be too close to the drive aisle - 12 feet may work better than 15 feet
- A dilemma - Public Works often requests that you dedicate right-of-way to create a 20’ wide alley. That reduces the lot depth to less than 125’ which makes it challenging to fit in the two parking bays that are a minimum of 120 feet for a typical parking garage
Upper Story Setbacks: Rear and Side Interior

- The datum applies along any street frontage. Consider a minimum setback for the upper stories on the side interior of the lot or the rear of the lot as well?
- There is nothing specific in the plan about this
- The current zoning and DSG do not require this
- Proposal:
  - Side Interior Minimum setback of 15’; At 5 story maximum (2-4 stories also okay)
  - Rear Minimum setback of 10’; At 5 story maximum (2-4 stories also okay)

Initial discussion:
- Q: Triangular lots - how do we define side and back? A: in the code is the lengthy rule of measurement for determining side and rear lot lines, there are special rules for uniquely shaped lots. We will need to do testing of these unique lots later in the process to see if a special approach for them is required
- We should consider a side interior upper-story setback for residential projects; office projects may not need them, but residential needs additional protections
- Requiring setbacks where adjacent to historic properties are needed
- That can be very tricky because adjacent properties change over time so you may create setbacks, etc. based on a building next to you, and then that building is demolished

Testing the Zoning Envelope:

- Testing the zoning envelope: example of how we can “test” an actual development program in a theoretical building within the proposed zoning envelope – see presentation for the testing that was done

Upper Story Mass Reduction:

- Are stepbacks/setbacks for the upper stories (above five stories) enough? Or do we need to look at other means of reducing the mass of upper stories, such as a mass reduction (max lot coverage for the upper stories)? This seems particularly relevant for really large properties
- Do we want to look at tools that reduce upper story mass any further?
- See graphics in presentation for examples

III. Task Force Deliberation

Height, Mass and the Character of Arapahoe Square

- A belt-and-suspenders approach of regulating height with both stories and feet is not necessary - height in feet is most effective, then the builder can determine how many stories
- The way I remember the Arapahoe Square charrette during the planning process is 12 and 20 stories were the maximums with 20-story point towers; we should be concerned about over zoning and allow for zoning to adjust with time. Are we starting with the zoning too high?
- In the vicinity of 12 stories seems smarter as a base line - then you could go taller for incentives, etc.
- Light and air between the buildings is significant
- View of urban areas, not just of the mountains, are important in this area
- Are we ok allowing a continuous 20 stories?
- Consider the micro climate that can be created with very tall buildings
- Is Arapahoe Square really ready for 20 stories?
- Let’s use feet and not stories to set height limit
- 250’ buildings may create more mass than we would want
- Mass and design are more important than height; (Ditto from more than one task force member)
- Need to know how all of the mass reductions and upper-story design elements impact cost of development and the character of the neighborhood
- The more restriction that we put in place, the higher the cost of the development, and then in turn the character of the neighborhood will change as the rents will be more expensive; If we want to preserve a place where everyone can live, there is the potential to drive up the cost of development in the area
- Arapahoe Square doesn’t have a set character - it’s a blank canvas - we can influence what the character will be
- Transition at the height of five stories does not seem very friendly to the street
- Developers/investors are excited about Arapahoe Square; there may actually be a market for much taller buildings; if so, we shouldn’t create something that would restrict those choices
- The zoning needs to provide protections while also allowing for maximizing the development capacity
- Arapahoe Square will be in high demand at some point, and maybe very soon
- Height in feet only (not stories) is fine. When you are talking about such tall buildings, the number of stories is less important and not perceived by the pedestrian.
- The stepping down from downtown is the essence of what the plan is calling for so perhaps we need a minimum height - should the zoning require a minimum height?
- Do we want to say that buildings must be at least 4 stories tall near downtown?
- Does economics take care of the height minimum - don’t need it in zoning?
- Though there is a risk to over zoning, we need to be cognizant of the existing community; need to realize that the neighborhood is not a blank slate
- Are we saying that there should not be a height limit? Why have a height limit at all?
- We need to be very careful about having no height limit and the message that will send to the market; what will the short-term impacts of speculation have on the economy? We need to be careful about over-zoning as it may cause for more property owners to inflate the value of their land and hold out for a development that may never happen
- 250-foot tall buildings make sense in some places; for example, the post office or the bus station are large potential redevelopment sites that could handle that height
- Massing - do we want to see a building that could be 400’ long and 250’ tall?
- Having a 150-foot-max as the base for the entire area, and then creating certain opportunities to go higher makes sense
- Being pulled both ways - while a max height at 12 stories could work, we need to be inclusive; we need to know how a lower height requirement affects the number of people we want to draw to the area
- We need to keep the integrity of the area.
- Building to a max of 250 feet on a city block may work well in some areas and not in others. We need to look at site specifics
- Concerned with an arbitrary height limit
- The lower height limit may force the market to develop
- Residential at 12 stories is not unreasonable; mixed-use may be significantly more impactful
- There should be a height limit and respect the process of the design charrette and area plan

Addressing Specific Locations within Arapahoe Square

- We need to look at heights for different locations and at the transitional zones
- As this relates to height, looking at this district in terms of hierarchies is important; The transition into the protected districts is important
- Creating a hierarchy along specific streets that enhances a specific character make sense
- As it relates to height, focus on the right side near Park Avenue and the corridors
- Focus on sensitive transition areas
- Since 21st Street is designated as a festival street in the Northeast Downtown Neighborhoods Plan - does this have a special treatment?
- Does the build-to range of 0-10’ make sense on Welton next to the light rail? What if we want to pull the building back into the alley along Welton to compensate for a more restrictive build-to on Welton?
- There ought to be a consideration of 21st, of Welton, and of Broadway; these are not blank slates, they are special areas in this neighborhood
- We can focus on Welton, 21st and Broadway and then let economics rule the rest of the area
- The focus on sub-areas is right; Subareas are an important topic and the plan is not very nuanced in considering subarea but as long as the zoning represents the essence of the plan, then it is consistent with the plan

Incentives
- If we are going to use incentives, we are going to have to set a lower height limit in order to incentivize; the ability to gain additional height is a significant incentive

Parking
- Difficult to build more than 2 stories of below-grade parking because of the water table
- An example of an existing project in Arapahoe Square - a 12-unit building with 12 parking spaces (more than required by zoning) and only 8 spaces are being used; knowing what I know not about the demographic of people who are renting I would not have provided so much parking, people are using Uber
- There should be no parking requirement required by the city; the builder will park for whoever is in the building
- From the financing standpoint, the financier will always create the stricter parking requirement
- There is more opportunity to utilize the strategies called for in the City’s Strategic Parking Plan
- If the goal is to allow for creativity and flexibility, we need to address the parking requirement

Setbacks and the Datum Line
- A five-story-high blank wall is not what we want
- We have to consider the side or rear setbacks and look carefully at buildings being built right up next to each other
- The datum line is very important
- Five stories or 75’ for the datum height was the maximum height of a walk up; 5 stories has historically been a pedestrian-friendly height; it is the height at which someone can look out their window and the pedestrian on the sidewalk can recognize their face. People able to relate to people on this street from this height
- Paris is a five-story city
- Does this datum create a standard parking garage for the first five stories on every block? We do not want to create parking as the base to every building.
- The datum line may force height and verticality
- When a building is forced to step back, it will in turn be more likely to go up in order to make up for the lost square footage
The more that the space is carved, the higher the building will need to go up.
Concerned about the abstract idea of the datum line and not considering how it works and how it impacts the density at the street, and then how it interacts with parking.
It was interesting that under this concept, you could not build the equitable building, it is 9 stories tall, it doesn’t step back at a datum.
Small residential developers would be harmed by mass reductions from stepbacks and setbacks; the projects count on not losing a single inch.
Leave things more open, leave it very grey; the more we make it rule-oriented, the less eclectic it will get and it will all look the same.
The concept of a datum/pedestrian base to the building is very important; we want to allow for curves and unique design.
Concerned about creating ground story side setbacks that lead to strange alleyways that are hard to police.
Don’t want to have the elements of the form lead to an undesired sameness.
There is a risk with the datum line being too prescriptive; if we implement it as a minimum required stepback on all streets, it might preclude curves, and creativity.

Open Space
- We need to talk more about green space - on the roofs, in the setbacks etc.
- In Portland’s Pearl District, there is a requirement for a 2’ green space buffer, which is often planted.

[Note: given the time and the need to assess the task force members’ reactions to the zoning envelope questions, the group moved the point tower discussion to the next meeting.]

IV. Non-Binding Straw Poll
To give the staff a sense of direction for the work that needs to be done between the February and the March meeting, the participants - without making any decisions - offered their current views about how to move forward with the topics covered tonight.

The straw poll produced the following:
1. Is there a need for a 250’ building form, at least in some areas of Arapahoe Square? Most indicated that this form would have a place in the discussion to come.
2. Everyone indicated the need for a 150’ building form.
   Question for consideration in a subsequent meeting: should there be a 100’ form; might the task force find areas of Arapahoe Square that would warrant a 100’ max height?
3. Should we continue with the build-to as illustrated 0-10’? Generally, yes.
4. Might the task force use a 0-15’ build-to for residential development? Generally, yes, that could be useful.
5. Is the minimum build-to percentage of 70% on all streets appropriate? Most expressed reservation; simply not enough discussion on this item yet.
6. Does it make sense to have 0’ minimum setbacks at the ground level on all sides? Generally yes, but this one may need more area-by-area discussion, mainly for Welton St with the light rail - context will matter and there’s more to talk about.
7. Is the datum step-back approach that was illustrated today appropriate (minimum 15’ stepback along all streets, at 5 story maximum - 2-4 stories also okay)? - No conclusion on this question; more discussion needed: Is 5-story the right place; is 15’ the right...
number; what happens to buildings with parking below the 5th floor? Is there an approach that allows for more flexibility?

8. Does the requirement for a side interior setback or stepback for the upper stories make sense? Generally, yes for the upper stories; more discussion needed at the ground floor with concerns about the risk of creating undesirable, narrow side yards

9. Should there be a requirement for an upper story setback or stepback along the alley? Generally, no

10. Does it seem appropriate at this stage to use the design standards and guidelines to create upper-story articulation? Generally, yes, and this needs to be connected to the incentive conversation and with more time to discuss ways to ensure flexibility/prevent uniformity

11. Should we also explore other tools - such as something in the zoning - to require mass reduction for the upper stories of tall buildings? Generally, yes.

V. Observer Thoughts

- 80% of the buildings that you like could not be built with most of the zoning elements discussed today
- The five-story datum may force the upper stories to be metal grates covering parking; this might not serve the task force goals
- The task force needs to consider the massing created by the zoning envelope as discussed tonight
- Arapahoe Square abuts downtown where buildings are very tall. It is important to consider the transition; a maximum height that is too low will create an unsuccessful transition
- This area is small; therefore we should look at the character of subareas
- Consider the interesting axial relationships along Lincoln, along Sherman with sightlines to the capital, for the festival street
- Start to think about areas of significant massing and height
- Important to stay attuned to overall key goals of flexibility and creativity
- Look at the area in three dimensions to determine where the larger buildings should be
- Trying to incorporate green space is important (and remember the climate in Denver - planting in 2’ wide strips does not work like it does in Portland)
- Be careful not to create undesired alleys

VI. Task Force Closing Comments

- We need to be judicious where we allow the higher buildings
- It is important to note that having more restrictive zoning and DSG does not necessarily mean that development or property values will be harmed; although LoDo has the most restrictive zoning and regulations in all of downtown, it is incredibly successful
- Also important to remember that the success of LoDo comes with the highest, most exclusive rents
- We need lots of task force discussion time
- Each of the ideas we gravitate toward needs to be tested