Proposed Denver Zoning Code
Text & Map Amendment

38th and Blake/River North Overlay Zone Districts

August 26, 2017
This Presentation Includes:
• Sponsor, Community Partners and Process
• Project Scope and Objectives
• Overview of Project Components
• Proposed Incentive Overlay Text Amendment
• Proposed Design Overlay Text Amendment
• Proposed Map Amendments to Apply Overlay
• What’s Next
Zoning code text and map amendments to be sponsored by Council President Albus Brooks

Developed in consultation with RiNo Art District and community stakeholders
- Community open houses
- Stakeholder meetings (6x+)
*Projects may proceed through Site Development Plan approval process prior to adoption, but final approval of projects using incentives cannot occur prior to adoption.

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<th>Event</th>
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<td>City Council Committee Info Item</td>
<td>August 8</td>
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<td>Consultant Feasibility Testing on Incentive Height Overlay</td>
<td>Underway through early September 2017</td>
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<td>INC ZAP Presentation</td>
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<td>Map Amendment Application</td>
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<td>Both Overlays: Public Review</td>
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<td>City Council Public Adoption Hearing*</td>
<td>Early January</td>
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• Implement Adopted 38th and Blake Station Area Plan Height Amendments
  – Promote taller building height to support transit
  – Promote greater design quality
  – Establish the river as an amenity
  – Integrate affordable housing

• Capture the Value of Increased Development Potential to Provide Community Benefits
38th & Blake Incentive Overlay

- Captures value of increased height
- Relates to citywide linkage fee program
- Applies in area closest to the station

River North Design Overlay

- Promotes greater design quality
- Establishes river as amenity
- Applies throughout River North (RiNo)
Proposed
38th & Blake/River North
Height Incentive and Enhanced
Design Zoning Overlay Boundaries

(For illustrative purposes only, subject to change)
Proposed 38th & Blake Station Area Incentive Overlay Text Amendment
Adopted Building Height Policy

Future Building Height Map
Adopted by City Council
Fall 2016
• Base Height – Standard linkage fee
• Incentive Height - Additional requirements apply to incentive stories (note that affordable housing fee/unit requirements are never lower than citywide requirements)
  - Residential
    • Additional 4x citywide unit requirement
    • No fee option
  - Commercial
    • Additional 4x citywide fee or unit requirement
    • Option to provide community-serving uses
8 Story Residential Project
Total floor area (stories 1-8): 240,000sf
Note: the height incentive (to develop above the 8-story base height) is not used in this scenario.

8 Story Commercial Project
Total floor area (stories 1-8): 240,000sf
Note: the height incentive (to develop above the 5-story base height) is not used in this scenario.

Sample Scenario 1: Develop to Base Height

This Scenario does not use a height incentive

Footnotes:
1. Citywide linkage fee for residential
2. Square footage of the 8-story building
3. Citywide linkage fee residential ‘build alternative’ formula (unit fractions above .5 rounded to next whole unit)
4. Citywide linkage fee for commercial
5. Citywide linkage fee commercial ‘build alternative’ formula (unit fractions above .5 rounded to next whole unit)
**Sample Scenario 2: Develop to Incentive Height**

### 16 Story Residential Project
- **Base floor area (stories 1-8):** 240,000sf
- **‘Incentive’ floor area (stories 9-16):** 240,000sf
- **Total floor area (stories 1-16):** 480,000sf

#### A. Fee Option
- Citywide Fee: 0.0168\(^1\) \times \frac{480,000^2}{1,000} = 8\text{ units}
- Incentive Fee: 0.0672\(^3\) \times \frac{240,000^4}{1,000} = 16\text{ units}
- **Total Requirement (citywide + incentive):** 24\text{ units}

#### B. Unit Option
- **Citywide Req.:** 0.0168\(^1\) \times \frac{480,000^2}{1,000} = 8\text{ units}
- **Incentive Req.:** 0.0672\(^3\) \times \frac{240,000^4}{1,000} = 16\text{ units}
- **Total Requirement (citywide + incentive):** 24\text{ units}

### 16 Story Commercial Project
- **Base floor area (stories 1-8):** 240,000sf
- **‘Incentive’ floor area (stories 9-16):** 240,000sf
- **Total floor area (stories 1-16):** 480,000sf

#### A. Fee Option
- Citywide Fee: $1.70\(^5\) \times 480,000^2 = $816,000
- Incentive Fee: $6.80\(^6\) \times 240,000^4 = $1,632,000
- **Total Fee: (citywide + incentive):** $2,448,000

#### B. Unit Option
- **Citywide Req.:** 0.0228\(^7\) \times \frac{480,000^2}{1,000} = 11\text{ units}
- **Incentive Req.:** 0.0912\(^8\) \times \frac{240,000^4}{1,000} = 22\text{ units}
- **Total Requirement (citywide + incentive):** 33\text{ units}

#### C. Community Use Option
- Pay normal $816,000\(^9\) citywide fee and negotiate community benefits agreement (CBA) to provide community-serving uses in lieu of paying $1,632,000\(^{10}\) incentive fee (CBA should provide approx. same value as waived incentive fee)

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**Footnotes:**

1. Citywide linkage fee residential ‘build alternative’ formula
2. Square footage of the entire 16-story building
3. Citywide linkage fee residential ‘build alternative’ formula multiplied by 4 (applied to ‘incentive stories’)
4. Square footage contained in the ‘incentive stories’ (stories 9-16)
5. Citywide linkage fee for commercial
6. Citywide linkage fee for commercial multiplied by 4
7. Citywide linkage fee commercial ‘build alternative’ formula
8. Citywide linkage fee commercial ‘build alternative’ formula multiplied by four (applied to ‘incentive stories’)
9. Citywide linkage fee for the entire 16-story building
10. Additional fee generated by the ‘incentive stories’ (stories 9-16)
Voluntary Agreement with Denver Office of Economic Development
Can Meet Special Incentive Requirements Only
  - Incentive requirements generated only by non-residential uses above the base height
  - Citywide affordable housing linkage fee will apply to all floors of building as it would elsewhere in the city
Value of Fee Translated to Provision of Community Serving Uses, Such As:
  - Art studios and maker spaces
  - Community services, such as child care or community kitchens
  - Non-profit space
Proposed River North Design Overlay Text Amendment
Design Overlay Text Amendment
Adjusts Base Zone District Standards

- Siting
  - Build-to/Setbacks
  - Parking Location, Access & Landscaping
- Design Elements
  - Volumetric Mass Reduction
  - First Floor Height
  - Structured Parking Design
- Street Level Activation
  - Transparency
  - Pedestrian Access
  - Street Level Active Uses
- Minimum Parking Requirements
Key Impacts

• Greater Impact on Projects in I-MX Districts
  • No use of Industrial building form
  • Higher build-to %
  • Higher transparency %, especially on side streets

• Greater Impacts on Large Projects
  • Zone lot > 150’ in width or 18,750 sf
  • Volumetric mass reduction
  • Street level active use
Design Overlay Text Amendment

Sample Tool: Volumetric Mass Reduction

• Applies Only to Large Zone Lots
  • Zone lot > 150’ in width or 18,750 sf
  • 3 standard platted lots

• Uses Max. Square Footage Based on Gross Zone Lot Area
  • Greater reductions as gets taller

• Unbuilt Floor Area Must Face Public Realm
  • Primary or Side Street
  • River
  • Private Open Space
Sample Tool: Volumetric Mass Reduction

- Stories 2-5
  - 10% reduction in floor area
- Stories 6-8
  - 15% reduction
- Stories 9-12
  - 20% reduction
- Stories 13-16
  - 30% reduction
- Open Space Alternative
  - Provide 5%-20% Private Open Space at Street Level
  - Open to the public
  - Fully visible from a Primary Street
Sample Tool: Street Level Uses

- Applies Only to Large Zone Lots
  - Zone lot > 150’ in width or 18,750 sf (3 standard platted lots)
  - Buildings > 3 stories
- Uses Not Allowed in area of building meeting 70% of Primary Street build-to
  - Parking
  - Industrial
  - Residential
- **Setbacks/Build-to**
  - Min. 7’ setback for residential
  - Increased build-to range
- **Street Level Height**
  - Min. 14’
- **Structured Parking Design**
  - Wrapped above street level
- **Surface Parking Location/Design**
  - Not between building and primary or side street
  - Heightened landscaping
- **Vehicular Parking Minimums**
  - No min. parking requirement within 1/2 mile of transit
Proposed Map Amendments to Apply Overlays
1. Map Amendment to Apply 38th and Blake Incentive Overlay
   • Area closest to the rail station
2. Map Amendment to Adjust Base Zoning to Use Height Incentive
   • Where existing base zoning does not match plan
3. Map Amendment to Apply River North Design Overlay
   • All areas within incentive overlay and all of the RiNo Art District

Legislative Map Amendments to be Sponsored by Council President Brooks
38th and Blake/RiNo Overlay Zone Districts

Tentative Dates

• 9/12: Property Owner Meeting on Map Amendments
• 9/18: Public Review Drafts Posted
  www.denvergov.org/38blake
• Late September: Map Amendment Application
• 9/28: Community Open House
• Early October: ‘Office Hours’ for Public Comment
• 11/01: Planning Board Public Hearing
• Early 2018: City Council Adoption Hearing
www.denvergov.org/38blake

Additional Questions & Comments
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