Golden Triangle Zoning and Design Guidelines Update

GOLDEN TRIANGLE NEIGHBORHOOD PLAN – REGULATORY IMPLEMENTATION

Advisory Committee Meeting #8 – June 18, 2020
Goals for the Meeting

1. Draft Stakeholder Summary
2. Key Feedback on Preliminary Framework
3. Zoning Standard Refinements
   - Upper story setback
   - Street level open space
   - Nonresidential uses at the ground floor
Outcomes from Previous Meeting (May 21)

- **Continue to move forward, but take the time needed to get it right**
  - Explore ways to engage with key stakeholders in virtual formats (hurdle, but not a barrier)
  - Join GTCD meetings and other events that are already scheduled (July GTCD Board mtg)
  - Address comments from the development community

- **DSG process is beginning to take shape**
  - Consider role of GTCD Urban Design committee in future with Downtown Design Advisory Board
  - Value in adopting DSG with zoning, although technically they can be implemented separately

- **Lower heights in southern portion of D-GT may not be appropriate**
  - Lack of policy guidance in GT Neighborhood Plan or Blueprint to treat this area differently
  - Unfair to property owners in that area without clear policy rationale
  - Benefits to neighborhood priorities from Point Tower may outweigh limited risks to views
Draft Stakeholder Summary
GOLDEN TRIANGLE ZONING & DESIGN GUIDELINES SUMMARY

WHAT IS ZONING?
Zoning is a set of rules that governs the uses, size, and basic design characteristics of development allowed on private property.
For example, zoning laws prevent a homeowner from building a tall building so that it isn’t too close to the property line, and also set the minimum setback and parking requirements.

WHAT ARE DESIGN GUIDELINES?
Design guidelines apply some qualitative guidelines for the design of buildings and their surroundings.
Because zoning laws are in the code and apply to all residential and commercial uses, design guidelines are sometimes called as a supplemental tool to guide case-by-case reviews of the architectural details of proposed projects. The Golden Triangle study has two design guidelines:

WHAT ARE THE NEW RULES INTENDED TO DO?
The Golden Triangle Neighborhood Plan intends to outline the present changes and address commercial and residential development in the Golden Triangle.

WHAT ARE THE CHANGES BEING APPLIED?
The new rules cease to be applied to future development and construction in the neighborhood, and will not require a property owner to make any changes to existing buildings or building areas.

WHAT IS ALLOWED UNDER THE CURRENT RULES?
The existing D-37 zoning uses a “one site for all” approach where the same rules apply to projects regardless of their size.

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The existing D-37 zoning uses a “one site for all” approach where the same rules apply to projects regardless of their size.

WHAT WOULD BE ALLOWED UNDER THE PROPOSED RULES?
The proposed changes to the D-37 zoning would tailor the rules focused on the size of the project to provide flexibility for smaller projects and ensure larger projects provide high quality design and neighborhood benefits.

PROPOSED LOT SIZE THRESHOLDS
Different standards would be applied to different lot sizes:
- Larger Lots – 1.0 to 1.75, smaller duplexes
- Standard Lot, 0.75 to 1.0, ground level
- White Lot, equal or greater than 1.75, vertical structures

PROPOSED FLOOR AREA
New buildings would be allowed a maximum height of 200 feet or as measured on the street. The typical height of a single-family building on a front street is over 100 feet, so it would not be affected by the floor area in its current use and with some
cases and new neighborhood separation from other neighbors.

PROPOSED FLOOR AREA
New projects would be limited to maximum floor area of 900 feet. Projects with 1,000 feet would not allow for the total floor area, as it would not be allowed in this area. The site of the new area would allow for on-street parking.

What are the changes intended to do?
- Reduce the number of parking spaces to fewer than 900 feet.
- Projects would allow for height up to 100 feet for the site of the new area, which would be limited to on-street parking.
- Max density for additional floors in less than six stories.
- The floor area above ground parking structures would not be included in the calculation.

PROPOSED PARKING
A maximum amount of parking would not be required for new projects.

PROPOSED STREET LEVEL ACTIVITY
Proposed street standards would allow greater flexibility for locations of buildings to provide space for commercial use and integrated uses of commercial and residential uses.

PROPOSED BUILDING SHAPING
New street standards would require upper story shaping to be applied to new buildings on retail and main street.

PROPOSED OPEN SPACE
Large projects would be required to provide public access to open space at the ground level in their public space.

PROPOSED DESIGN REVIEW
Staff and Fall neighborhood review would apply to the overall design of all projects.

Draft Stakeholder Summary

PRELIMINARY PROPOSAL: Subject to change based on further comments and testing

- What are zoning and design guidelines?
- Why change the rules?
- When will the rules change and do I need to do anything once they are in place?
- What are the changes intended to do?
- What is allowed today vs. what would be allowed under the proposed rules?
- How do I learn more?
**GOLDEN TRIANGLE ZONING & DESIGN GUIDELINES SUMMARY**

**WHAT IS ZONING?**
Zoning is a set of rules that governs the uses, sizes, and basic design characteristics of buildings and land uses inside a permitted property.

For example, zoning may be used to control the height of buildings, how many stories a building may have, and the type of uses that are allowed within the building.

All land parcels within the City of Denver are designated by specific zones and rules for what each zoned area in the Denver Golden Triangle zoning that applies to the neighborhood is called Denver-Golden Triangle, and so on.

**WHAT ARE DESIGN GUIDELINES?**
Design guidelines apply more qualitative guidance for the design of buildings and their immediate surroundings.

Because zoning laws tend to be rigid and apply the same basic rules across the city, design guidelines are sometimes used as a supplement to the rigid guidelines of specific projects. The Golden Triangle committee created design guidelines.

**WHY CHANGE THE RULES?**
The 2013 code was last revised in 2010 and the design guidelines were last updated in 2003. As a result, the Golden Triangle Neighborhood Plan aims to update the rules to better align with current neighborhood goals and priorities.

In 2014, we engaged stakeholders, including City Council staff and City Councilors to identify and adopt the Golden Triangle Neighborhood Plan. The Neighborhood Plan establishes a vision for the future and identifies strategies to support a vibrant, connected, and diverse Golden Triangle.

**I WILL HAVE TO DO ANYTHING ONCE THE CHANGES ARE MADE?**
No. The new rules only apply to future development and construction in the neighborhood and will not require a property owner to make any changes to their existing building or land.

Over time, some existing properties may be subject to setbacks or restrictions, and the rule set will need to be viewed as the new zoning and design guidelines.

**PRELIMINARY PROPOSAL:** Subject to change based on further comments and testing

**WHAT IS ALLOWED UNDER THE CURRENT RULES?**
The existing D-07 zoning uses a “one size fits all” approach where the same rules apply to projects regardless of their size.

**LIST SIZE THRESHOLDS:**
No zoning standards currently address different lot sizes.

**FLOOR AREA**
Projects are limited to a maximum of one floor area. If the floor area is less than 100 feet, an additional 10% floor area may be used.

**TURNOVER**
Projects are required to have a maximum of 300 feet of floor area on all levels of the building.

**AFFORDABLE HOUSING**
Projects are required to have 10% of the total number of units on all levels of the building.

**PARKING**
Projects are required to have a minimum of 10 parking spaces for every 100 feet of floor area.

**WHAT WOULD BE ALLOWED UNDER THE PROPOSED RULES?**
The proposed changes to the D-07 zoning would tailor the rules based on the size of the project to promote flexibility for smaller projects and ensure larger projects promote high-quality design and neighborhood benefits.

**PROPOSED LOT SIZE THRESHOLDS**
Different standards would apply to different lot sizes.

**PROPOSED FLOOR AREA**
Projects would also be required to have a maximum number of 300 feet of floor area on all levels of the building.

**PROPOSED AFFORDABLE HOUSING**
Projects would be required to have 10% of the total number of units on all levels of the building.

**PROPOSED PARKING**
Projects would be required to have a minimum of 10 parking spaces for every 100 feet of floor area on all levels of the building.

**PROPOSED STREET LEVEL ACTIVITY**
Projects would be required to have a minimum of one floor area on the ground floor.

**PROPOSED—you will also be required to have a minimum number of one floor area on the ground floor.**

**PROPOSED BUILDING SHAPE**
Projects would be required to have a minimum number of 10 parking spaces for every 100 feet of floor area on all levels of the building.

**HOW DO I LEARN MORE?**
The project websites offer detailed and practical information.

**GOLDEN TRIANGLE ZONING & DSG UPDATE**
GOLDEN TRIANGLE NEIGHBORHOOD PLAN – REGULATORY IMPLEMENTATION

- Clarify existing height limits
- Add information about affordable housing and parking
GOLDEN TRIANGLE ZONING & DESIGN GUIDELINES SUMMARY

WHAT IS ZONING?
Zoning is a set of rules that governs the size, use, and basic design characteristics of development allowed on private property.

For example: zoning establishes the rules about how tall a building can be, how far its front line must be set back from the street, and what types of buildings are allowed within the building.

All land parcels within the City and County of Denver are designated by specific zone districts and the rules for each are established in the Denver Zoning Code. The zoning that applies to each parcel of property is outlined in Denver’s zoning.

GOLDEN TRIANGLE ZONING & DESIGN GUIDELINES

WHAT ARE DESIGN GUIDELINES?
Design guidelines apply more specific guidelines for the design of buildings and their immediate surroundings.

Because zoning laws tend to be inflexible and apply the same basic rules across urban areas, design guidelines are sometimes used as a supplement to the zoning code, and a more detailed, focused set of guidelines that reflect the specific needs and goals of the neighborhood. The Golden Triangle community has two design guidelines.

WHY CHANGE THE RULES?
The D-07 zone district was last reviewed in 1970 and the design guidelines were last updated in 2003. As a result, the recommendations in the Golden Triangle Neighborhood Plan are out of date and no longer reflect the current neighborhood goals and priorities.

In 2014, the Golden Triangle Neighborhood Plan was adopted by the City and County of Denver. The plan established goals and objectives for the future and established guidelines to support an infill development. The Golden Triangle is a diverse neighborhood and has the potential to be a vibrant mixed-use neighborhood.

I WILL HAVE TO DO ANYTHING ONCE THE CHANGES ARE MADE?
No. The new rules only apply to future development and construction in the neighborhood and will not apply to a property water to make any changes to existing buildings or land.

Are there improvements we could make so it is more useful?

PRELIMINARY PROPOSAL: Subject to change based on further comments and testing

GOLDEN TRIANGLE ZONING & DSG UPDATE

GOLDEN TRIANGLE NEIGHBORHOOD PLAN – REGULATORY IMPLEMENTATION

Is the summary written clearly enough for most people to understand?

Is it missing any important information?

- Is the summary written clearly enough for most people to understand?
- Is it missing any important information?
- Are there improvements we could make so it is more useful?
Feedback on Preliminary Framework
Feedback on Preliminary Framework – Major Topics

- Re-examine Base FAR threshold and overall maximum FAR
- Consider appropriate FAR adjustments to accommodate parking
- Provide clarity around affordable housing approach and greater flexibility for other incentives to serve neighborhood priorities
- Evaluate Point Tower limitations (height, floorplate, etc.)
- Study specific zoning standards further (ie, open space, non-residential active uses, wrapped parking, etc.)
Goals of the Preliminary Framework

1. Tailor zoning standards to the scale of the project
2. Address bulky parking outcomes (change FAR calc and remove minimums)
3. Require most important neighborhood priorities, and encourage others through incentives
4. Want most projects to be using incentives to support priorities
5. View overall max FAR as measure of future potential and Base as threshold
6. Incorporate lessons learned from other recent base/incentive systems
Recent Base/Incentive Systems – 38th & Blake (2017/18)

- Base was established at same level as original zoning (2-8 stories)*
- Incentive potentially adds 50-160% over original zoning (16-story max)
- Mathematical formula determines affordable housing requirement to qualify for incentives

* Mass reduction reduced Base floor area slightly below original zoning
Recent Base/Incentive Systems – CPV-Auraria (2018/19)

- Base was established much lower than original zoning (16+ stories down to 5 stories)
- Incentive potentially adds 25-100%+ over original zoning (no max height, but FAR limit on office towers)
- Mathematical formula determines affordable housing requirement to qualify for incentives*

* Large projects are required to negotiate affordable housing agreement using formula as a baseline
Recent Base/Incentive Systems – Takeaways

- Substantial increases in density were supported by adopted plans (citywide and neighborhood) and proximity to major transit facilities.
- Incentives focus solely on affordable housing.
- Setting the Base too high or not making incentive valuable enough can lead to underutilization and lack of community benefits.
  - Only half of projects in 38th & Blake area utilize incentive height.
  - CPV-Auraria framework outcomes are substantially higher than 38th & Blake average (~5%).
  - Also recognize that setting the Base too low and not calibrating incentives correctly can potentially lead to less investment in an area.
Topics for Further Study (Base/Incentive)

• Propose to convene a smaller group in a few weeks to dive into more details and analysis. *All are welcome, but not required.*

• Report back to full Advisory Committee in July (and likely August)

• Discussion Items:
  • Calibrate Base FAR threshold to address the change in parking calculation while still successfully achieving community priorities
  • Evaluate overall maximum FAR to ensure incentives are meaningful
  • Alternative incentive categories to enable more flexibility and meet additional neighborhood goals
  • Negotiated agreements for affordable housing are too unpredictable, want a more formulaic approach
  • *Others?*
Zoning Standard Refinements
Feedback on Preliminary Framework – Major Topics

• Re-examine Base FAR threshold and overall maximum FAR
• Consider appropriate FAR adjustments to accommodate parking
• Provide clarity around affordable housing approach and greater flexibility for other incentives to serve neighborhood priorities
• Evaluate Point Tower limitations (height, floorplate, etc.)
• **Study specific zoning standards further (ie, open space, non-residential active uses, wrapped parking, etc.)**
Upper Story Massing – Background

- Standard is being proposed to address neighborhood concerns about overly bulky buildings.
- Massing shifts help provide a sense of human scale as a pedestrian.
- Can also mitigate sun, shadow, and wind impacts at the street level caused by taller buildings.
Upper Story Massing – Community Input

Do you agree that the street-facing side of a building should incorporate an Upper Story Setback to reduce its overall mass and scale?

- Yes, across the entire street-facing side: 64 votes
- Yes, only across part of the street-facing side: 35 votes
- No: 23 votes
- No opinion: 11 votes

Online survey responses clearly indicate strong support for upper story massing shifts (74%)
Upper Story Massing Alternatives – Stepback vs. Setback

- **Upper Story STEPback** (left)
  - Measured from **face of building**
  - Requires shifting the building regardless of where lower stories are located
  - Currently used when buildings are adjacent to lower scale residential areas

- **Upper Story SETback** (right)
  - Measured from **property/zone lot line**
  - Allows for enhanced street-level setbacks or open space as an alternative to shifting the building
  - Currently used in mixed use and Downtown areas

**PRELIMINARY PROPOSAL:** Subject to change based on further comments and testing

GOLDEN TRIANGLE ZONING & DSG UPDATE
GOLDEN TRIANGLE NEIGHBORHOOD PLAN – REGULATORY IMPLEMENTATION
Upper Story Massing Alternatives – Amount of Frontage

- Upper story massing shift can be required across entire building frontage (left)
- Or across only a portion of frontage (right)
Upper Story Massing Alternatives – Height

- **Street Enclosure** = sense of enclosure, activity, and comfort is related to the height of streetwall compared to width of the right-of-way (space between buildings)
- Fundamental to the success of urban streets as quality places
- Typically a 60%-100% ratio (height/width) is appropriate and provides a comfortable sense of enclosure
- Street trees are critical to the sense of human scale, especially on wider ROWs or where ratios are greater than 100%
Existing Requirements in Denver Zoning Code

- **Arapahoe Square (D-AS-12+/20+)**
  - 10 ft setback
  - Broadway/20th Street = no requirement
  - Park Avenue/21st Street = 100%, >5 stories*
  - All other streets = 65%, >5 stories

- **CPV-Auraria (D-CPV-T/R/C)**
  - 15 ft setback
  - D-CPV-C = 65%, >8 stories
  - D-CPV-T/R = 65%, >5 stories

- **Urban Center (C-MX/MS)**
  - 20 ft setback in Shopfront building form
  - 100%, >5 stories

*Alternative allowed on 100% requirement*
Addressing Feedback on Massing Shifts

- Feedback: Massing shifts are too restrictive/costly, especially on small lots, and may detract from desire from variety
- Only require shifts on Wide lots or taller projects
- Allow flexibility on where the shift can occur:
  - Height
  - Amount along the frontage
- Utilize setback rather than stepback
Upper Story Setback **Proposed Concept**

- Only apply to Wide lots (>150 feet) or projects more than 5 stories on Standard lots (75-150 feet)
- Upper Story **Setback** for greater flexibility
- Adjust height/width of Upper Story Setback based on ROW width and street character

- **Wider Streets** =
  - Taller streetwall height (5-8 stories)
  - Lower width requirement (0-65% frontage)

- **Narrower Streets** =
  - Shorter streetwall height (3-5 stories)
  - Greater width requirement (65-100% frontage)
Upper Story Setback Proposed Concept

Acoma
ROW = 70’
2-3 stories
~40-65% ratio

Bannock
ROW = 80’
3-5 stories
~55-85% ratio

Broadway
ROW = 100’
5-8 stories (or none?)
~70-110% ratio

PRELIMINARY PROPOSAL: Subject to change based on further comments and testing
Upper Story Setback **Proposed Concept** – Acoma

15 ft Upper Story Setback
At or below 3 stories (45 ft)
Ratio = 64%

**ROW** = 70’

PRELIMINARY PROPOSAL: Subject to change based on further comments and testing
Upper Story Setback Proposed Concept – Bannock

15 ft Upper Story Setback
At or below 5 stories (70 ft)
Ratio = 88%

ROW = 80’

PRELIMINARY PROPOSAL: Subject to change based on further comments and testing
Upper Story Setback **Proposed Concept** – Broadway

- 15 ft Upper Story Setback
- At or below 8 stories (110 ft)
- Ratio = 110%

**ROW = 100’**

**PRELIMINARY PROPOSAL:** Subject to change based on further comments and testing
Comments on the **Proposed Concept**

- Do you agree with the general approach?
- Should special rules apply to Broadway, Speer, or Acoma?
  - Broadway = no upper story setback?
  - Speer = 100% above 5 or 8 stories? (current DSG require setback above 100 feet)
  - Acoma = 100% above 3 stories?
- What benefits/challenges are presented by applying Upper Story Setbacks to all streets vs. only north-south streets (ie, the long side of the block)?
Street Level Open Space – Background

- Standard is being proposed to address neighborhood desire for additional public gathering spaces and activity at the street level.
- Provides respite in urban environment particularly along streets with increasing density and building height.
Street Level Open Space – Community Input

Do you agree that projects on wider lots (more than 150 ft) should provide publicly accessible open space at the Street Level?

- Online survey responses indicate clear support for street level open space (59%)
Open Space Requirements in Denver Zoning Code

- **CPV-Auraria (D-CPV-T/R/C)**
  - Lots > 250 ft wide
  - 5% of lot area *

- **Cherry Creek North (C-CCN)**
  - Alternative to mass reduction (lots > 50 ft)
  - 15% of lot area

- **River North Design Overlay (DO-7)**
  - Alternative to mass reduction
  - Lots > 150 ft wide
  - 15% of lot area (> 12 stories)
  - 10% of lot area (12 stories or less)

* Also requires mass reduction and 2 ft setback across entire frontage and 5 ft across 50%
Addressing Feedback on Open Space

- **Feedback:** Small open spaces will encourage loitering and unsafe conditions
- Minimum dimensions are required by zoning, so long thin slivers or unusable spaces are not allowed
- DSG’s and design review process informs quality of the spaces, relationship to indoor active uses, safety aspects, etc.
- Consider alternative compliance for open space
Street Level Open Space

- Initially considered open space requirements only on the largest lots (>250 feet)
- Results in very few opportunities for open space to be provided
- Diagram shows a 3-minute walk distance from public open space which is the metric Parks Department uses in Outdoor Downtown Plan
Street Level Open Space Proposed Concept

- Requiring open space on lots >150 feet results in several more opportunities
- Still results in usable spaces (5% of lot area = ~1000 sf min)
- Aligns better with our current building form/lot size thresholds
- Consider non-residential uses as alternative compliance
- Consider open space as an alternative to non-residential active use requirements, wrapped parking, or other standards

PRELIMINARY PROPOSAL: Subject to change based on further comments and testing
Comments on the **Proposed Concept**

- Is 150’ lot size a more appropriate threshold for requiring open space to increase the opportunity for public spaces?

- Would making open space an allowed alternative to other standards and vice-versa still support community goals?
Non-residential Active Uses – Background

- Standard is being proposed to address neighborhood concerns about losing mixed use character at the ground floor
- Publicly-accessible active uses add activity, vibrancy, and safety to the street
Non-residential Active Uses – Community Input

- Online survey responses clearly indicate a strong desire for non-residential uses across at least a portion of the ground floor (79%)
Non-residential Active Use Reqmts. in Denver Zoning Code

- **CPV-Auraria (D-CPV-T/R/C)**
  - 50% of street frontage
  - All lot sizes, but only on specific streets

- **Downtown Core (D-C)**
  - 65% of street frontage
  - All lot sizes, but only on specific streets and light rail lines

- **River North Design Overlay (DO-7)**
  - 50% of street frontage
  - Lots > 150 ft wide on all Primary Streets (generally the named streets)

Note, many different uses qualify as non-residential (does not necessarily require retail or restaurant space)
Addressing Feedback on Non-residential Uses

- Feedback: non-residential uses need to be located correctly to be successful, otherwise will be vacant
- Definition of non-residential uses in zoning code is very broad (does not require retail)
- Only require non-residential uses on Wide lots (>150 feet)
- Focus non-residential use requirement on most appropriate locations
- Consider alternative compliance for non-residential uses
Non-residential Active Uses **Proposed Concept**

- Be consistent with GT Neighborhood Plan to tailor certain streets with different uses and character
- Require only a portion of frontage (~50%) on Wide lots (>150 feet)
- Focus non-residential active use requirements on Key Streets that have more commercial viability
  - Broadway/Lincoln
  - Bannock
  - 11th Avenue
- Consider open space as alternative compliance
Comments on the Proposed Concept

- Are these the correct streets to focus non-residential uses on?

- Is open space an appropriate method of alternative compliance since both encourage activity on the street?
Next Steps
Next Steps

- On-going Advisory Committee meetings
  - July 16
  - August 20
  - September 17
  - October 15

- Small group meeting re: Base/Incentive (tbd – July 8-10)

- Revised Framework Report (tbd – Jul/Aug)

- Additional stakeholder outreach
  - Online meeting information and Survey #4 (Aug)
  - Present to GTCD Board (July)
  - Virtual Q&A sessions with small groups?