The Lower Downtown Neighborhood Plan

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## Lower Downtown Neighborhood Plan

### Table of Contents

#### Introduction

A. Why A Neighborhood Plan? ................................................................. I-2  
B. The Planning Process ........................................................................ I-4  
C. How to Use the Plan ........................................................................ I-6  
D. Definitions, Acronyms and Abbreviations ........................................ I-7  
E. Acknowledgments ........................................................................... I-14  
F. Recap of Planning Activity .............................................................. I-19  

#### Historic Preservation

**Introductory Comments** .................................................................. HP-1  
**Neighborhood Concerns** ................................................................. HP-3  
A. Lower Downtown’s Historic Architecture and Design Vocabulary ........ HP-3  
B. Context and Height .......................................................................... HP-8  
C. The Lower Downtown Design/Demolition Review Board (LDD/DRB) .......... HP-14  
D. Incentives ....................................................................................... HP-15  
E. Heritage Education ......................................................................... HP-16  
F. Design Principles for Contributing Buildings and Buildings Built Between 1860 and 1941 ................................................................. HP-16  

#### Goals

........................................................................................................... HP-18  

**Principles, Policies And Recommendations** .................................. HP-19  
Principle HP1 Protect Lower Downtown’s historic architecture and use its design vocabulary to guide renovations, additions and new construction .......... HP-19  
Principle HP2 Additions and new construction must be in context .......... HP-20  
Principle HP3 The LDD/DRB is a critical link in preservation in Lower Downtown..... HP-20  
Principle HP4 Continue to utilize incentives that encourage reuse of historic buildings ... HP-24  
Principle HP5 Tell Lower Downtown’s story ........................................ HP-24  
Principle HP6 Develop, enact, and utilize supplemental guidelines for the Lower Downtown Historic District that deal specifically with contributing buildings and additions thereto ..................................................... HP-25  
Principle HP7 Develop, enact, and utilize guidelines for the Lower Downtown Historic District that deal specifically with noncontributing buildings ...... HP-25  

#### Implementation

........................................................................................................... HP-26
Design of New Buildings

Introductory Comments

A. Proposed Design Guidelines and Their Use
B. Requirements vs. Preferences
C. Definitions

Neighborhood Concerns

A. Building Height and Massing
B. Other Design Considerations

Goals

Principles, Policies And Recommendations

Principle D1 Adopt supplemental design guidelines applicable to contemporary buildings.
Principle D2 Adopt supplemental design guidelines applicable to new buildings.
Principle D3 Adopt supplemental design guidelines applicable to all buildings.

Implementation

Uses

Neighborhood Concerns

A. Diversity of Uses
B. Neighborhood Livability
C. Open Space
D. Inter-Neighborhood Connections
E. Retailing
F. New Housing Development
G. New Office Development
H. Preserving Art and Cultural Uses
I. Street Liveliness
J. Zoning Changes
K. Application of Ordinance 109

Goals
Principles, Policies And Recommendations ................................................................. U-11

Principle U1  Enhance the attraction of Lower Downtown to a broad range of uses ................................................................. U-11
Principle U2  Enhance livability among residential, business/office, commercial and retail uses ........................................ U-11
Principle U3  Enhance connections to adjacent neighbors and nearby open space. ......................................................... U-11
Principle U4  Enhance the attraction of Lower Downtown to both neighborhood serving and one-of-a-kind regional retail ......................................................... U-12
Principle U5  Increase residential use in Lower Downtown ................................................................. U-12
Principle U6  Preserve existing employment opportunities, and enhance a wide range of new business and office uses ................................................................. U-12
Principle U7  Explore ways to retain and enhance art and cultural uses in Lower Downtown ................................................................. U-13
Principle U8  Develop lively street-level uses and activities to enhance Lower Downtown’s streets ................................................................. U-13
Principle U9  Change existing ordinances to apply co-terminus boundaries to Ordinance 109 and the B-7 zone district ................................................................. U-13

Implementation ........................................................................................................ U-14

Mobility and Parking

Neighborhood Concerns ............................................................................................. MP-1
A. Streets ......................................................................................................................... MP-1
B. Street and Alley Closures .......................................................................................... MP-2
C. Buses and Mass Transit ............................................................................................. MP-2
D. Calming Traffic ......................................................................................................... MP-4
E. Accessibility ................................................................................................................ MP-4
F. Pedestrian/Vehicular Conflicts Resulting from Parking Uses .................................. MP-5
G. Parking ...................................................................................................................... MP-5
H. Excess Parking .......................................................................................................... MP-8
I. Design Considerations for Parking Uses – General ............................................... MP-8
J. Design Considerations for Parking Uses Adjacent to Existing Residential Uses .... MP-9

Goals ........................................................................................................................... MP-11

Principles, Policies And Recommendations ................................................................ MP-12
Principle MP1  Enhance the pedestrian experience on Lower Downtown’s streets .... MP-12
Principle MP2  Maintain the historic grid of Lower Downtown’s streets, sidewalks and alleys ................................................................. MP-12
Principle MP3  Give top priority to pedestrian movement and safety when resolving pedestrian/vehicular conflict .................................................. MP-12
Principle MP4  Minimize negative effects of traffic ................................................................. MP-12
Principle MP5  Optimize public transportation opportunities ................................................. MP-13
Principle MP6  Ensure, to the extent feasible, that Lower Downtown’s public and private circulation network is made up of accessible routes .......... MP-14
Principle MP7  Adopt new design guidelines for parking structures and parking located in other buildings .................................................. MP-15
Principle MP8  Revise parking requirements in Lower Downtown ........................................ MP-15
Principle MP9  Establish a procedure and criteria for the review of structures with excess parking ................................................................. MP-16
Principle MP10  Work collaboratively to find a downtown-wide parking solution ............... MP-17
Principle MP11  Better manage the existing parking inventory ............................................. MP-18
Principle MP12  Advocate and support a variety of alternative transportation modes serving Lower Downtown ................................................. MP-18
Principle MP13  Educate city center users about alternative transportation and parking options ................................................................. MP-18

Implementation .................................................................................................................. MP-19

Streetscape

Neighborhood Concerns ..................................................................................................... S-1
A. Streetscape Design and Redevelopment ......................................................................... S-1
B. Modern Uses .................................................................................................................. S-2
C. Authentic Streets and Alleys ......................................................................................... S-2
D. Clean Streets ................................................................................................................ S-7

Goals ......................................................................................................................................... S-9

Principles, Policies And Recommendations ........................................................................ S-10

Principle S1  Preserve and enhance Lower Downtown’s streetscape. ......................... S-10
Principle S2  Design the sidewalks and alleys to create urban places for congregation, interaction, recreation and the conduct of commerce. .......... S-10
Principle S3  Retain Lower Downtown’s "gritty-ness" .................................................... S-11
Principle S4  Maintain the sidewalks, streets and alleys. ................................................. S-11
Principle S5  Adopt the Design Guidelines for the public realm as an interim measure until new design guidelines for the streetscape are approved........S-11

Implementation........................................................................................................................................S-12

Appendix

Ordinance 109, Series of 1988............................................................................................................. Appendix A
B-7 Zoning District ............................................................................................................................ Appendix B
Historic District Buildings Map ........................................................................................................ Appendix C

List of Figures

Figure 1  Lower Downtown Historic District (from Ordinance 109) ...............................I-3
Figure 2  Lower Downtown’s Special Character is Reflected in its Private and Public Realms ..................................................................................HP-4
Figure 3  Lower Downtown’s Historic Buildings Embody Denver's Rail History and Reflect Simple Tenets of Good Design for Today..................................HP-6
Figure 4  The Defining Characteristics of Historic Buildings Provide the Basis for Architectural Design Guidelines ..........................................................HP-7
Figure 5  Existing Building Heights .........................................................................................HP-9
Figure 6  Potential Lower Downtown Development Sites .........................................................HP-10
Figure 7  Special Review Projects may be Acceptable in Three Designated Special Review Districts ...............................................................................HP-13
Figure 8  Height and Massing Reflect the Scale of Lower Downtown’s Historic Buildings .................................................................D-3
Figure 9  Opportunities to Celebrate the Special Character of Lower Downtown’s Built Environment ..................................................................................D-5
Figure 10 Lively Detailing Can Extend Lower Downtown's Special Character to a New Generation of Buildings ..................................................................D-6
Figure 11 Proposed Hierarchy of Streets in Lower Downtown ....................................................MP-3
Figure 12 Parking Structures Should Be Positive Features in Lower Downtown’s Built Environment ..................................................................................MP-10
Figure 13 New Projects Can Contribute to Enhancing Lower Downtown's Pedestrian-Oriented Streetscape. .................................................................S-3
Figure 14 Lower Downtown's Special Character is Reflected in its Public and Private Realms. ..........................................................................................S-4
Figure 15 Public Art Enhances Lower Downtown's Public Realm and Conveys its Identity as an Arts District ........................................................................S-5
Figure 16 Improved Alleys Can Retain Their Authenticity and Reflect Lower Downtown's Historic Past. .................................................................S-6
Introduction
Introduction

A. Why A Neighborhood Plan?

Contrary to some perceptions, Lower Downtown was not an overnight phenomenon. The origins of mixed use date back to 1974 when Lower Downtown’s I-1 industrial zoning was changed to B-7 mixed-use zoning. But it was not until the mid- to late-1980s that a vision for Lower Downtown solidified, followed shortly by enabling ordinances and plans and targeted investment. The key pieces that have guided Lower Downtown’s redevelopment included:

- The 1986 Downtown Area Plan
- The 1987 Urban Design Plan for Lower Downtown
- The 1988 revisions to the B-7 zone district
- The 1988 Ordinance 109 establishing the Historic District (see Figure 1) and the Lower Downtown Design/Demolition Review Board
- The City’s investment programs for housing, building preservation and streetscape redevelopment
- The 1991 Lower Downtown Streetscape Design Guidelines

Taken together, the plans and ordinances created a vision for Lower Downtown, including:

- Preservation of the historic buildings and historic character of the District
- Creation of a mixed use neighborhood, incorporating housing, retail, light industrial, office and entertainment uses
- Stabilization of the real estate markets
- Redevelopment of a pedestrian friendly streetscape
- Improved transit and access
- A sense of place

This vision has largely been accomplished. Today, most of the historic buildings have been profitably renovated. Infill construction has become feasible due to strong demand in Lower Downtown for offices, shops and homes. Mixed use is a reality not only District-wide, but also within individual buildings, where many incorporate some combination of housing, office, retail and parking uses. The 1986 Downtown Area Plan contemplated an unknown anchor to spur and support retail and entertainment uses in Lower Downtown. The anchor has been identified, constructed and currently operates eighty days a year, in the guise of Coors Field. The viaducts have come down, new arterials provide improved access and major portions of the streetscape have been redeveloped. The real estate markets show continuous improvement in occupancy, absorption, rental rates and sales prices. Real estate, sales and employment taxes are up, as are parking revenues, permits, licenses and other fees.
With progress of this magnitude, it is logical to question the need for a new plan. Why tinker with machinery that isn’t broken? The answer is two-fold.

First, while the machinery is not broken, still it doesn’t do all it needs to do. Its capacity can be enhanced. New issues and problems need to be looked at, issues and problems that have their genesis in the success of the neighborhood’s redevelopment. Among them are such questions as: How should new buildings fit into the historic context of Lower Downtown? How should residential and hospitality uses coexist? How can changing vehicular demands on Lower Downtown’s streets be mitigated? How should further investment in the District be stimulates? How will neighborhood users access new open space, parks, attractions and emerging neighborhoods? What should be done about parking?

And second, while the machinery is not broken, still it rattles and is noisy. It needs some fine tuning so that its parts will work together better. To quell the rattle in Lower Downtown, the vision for the future needed to be reviewed. In the context of rapid development, there is the perception that consensus is missing. The prevailing view is that Lower Downtown residents and interests are against everything proposed. City agencies and staff, media, developers, investors and business people are among those questioning Lower Downtown’s positions on projects and its willingness to work cooperatively with others.

And so, with current plans lacking guidance about emerging issues and speculation that the neighborhood was at odds with itself, the need for a community dialog emerged. The consensus reached in that dialog is the Lower Downtown Neighborhood Plan.

**B. The Planning Process**

In light of the rapid changes and growth that had occurred in Lower Downtown since the late 1980s, the Lower Downtown District Inc. (LDDI) and its members became increasingly concerned that the concepts and guidelines developed ten years prior provided no help in resolving new issues and pressures. In March 1995, LDDI secured grants from the State Historical Fund (CHS) and the Downtown Denver Business Improvement District (DDBID), which it supplemented with funds from its own treasury. In May, LDDI and the Neighborhood Plan Management Committee (the Management Committee) solicited proposals from qualified consultants to assist in the development of a neighborhood plan to be incorporated into Denver’s Comprehensive Plan.

In committing to develop the Plan, LDDI wanted not only a strong product, but also a plan that would be implemented. Just as critical was a desire to have an open, inclusive process. For this reason, the stakeholders were not only the funders - LDDI and its membership, CHS, which administers the State Historical Fund and the DDBID - but also all the other constituents of Lower Downtown, its neighboring districts, the city administration and Denver City Council.

Development of the Plan required a maximum amount of early input from residents and the many interest groups concerned with Lower Downtown. As an initial step, over 250 people were interviewed in small groups by the consultant team. Follow-up public meetings and meetings
with special interest groups and individuals continued throughout the process. Perceptions of issues, needs, opportunities and visions for Lower Downtown were gathered and shared at public meetings.

A vast amount of existing research relating to the neighborhood was made available through LDDI and its policy committees, as well as by the city, private sector real estate firms and the Downtown Denver Partnership. This material was assimilated and used in preparation of the Plan by the consultants. Visual inventories of the physical assets, character and opportunities in the District were collected and recorded. Additional research was conducted on selected issues by the consultant team.

Required by contract were case studies of neighborhoods in other cities with characteristics similar to Lower Downtown. Four case studies (Fort Point, Boston; Pioneer Square and Pike Place Market, Seattle; various neighborhoods, San Francisco) were conducted and the lessons learned were summarized in a slide show presented at a public meeting.

In addition, the Lower Downtown Neighborhood Committee (the Neighborhood Committee) was formed to respond to questions raised by the second draft Plan issued by the consultant team. This committee was composed of 28 members representing broad constituencies in the community. Initially, the Neighborhood Committee met 10 times over a two-and-a-half month period and LDDI produced a newsletter covering its deliberations, which was faxed weekly to over 500 people. Once there was general agreement on the major elements of the Plan, a third revision was issued, which was reviewed by the Neighborhood Committee and the Management Committee in joint sessions. The City then recommended a format change and the Plan went to the Editorial Committee, which issued drafts #4, #5 and #6. In joint meetings, the Neighborhood Committee, the Management Committee, the Editorial Committee and the lead consultants met six more times to resolve the remaining open issues and to refine and polish the Plan.

The objective of all the committees was to reach consensus on all the issues raised by Plan. Consensus was indeed reached and the members of the planning committees (Management, Neighborhood and Editorial) recommend the Plan for adoption without exception.

Interestingly, the goals for Lower Downtown that emerged from the planning process do not differ markedly from the vision contained in the plans developed in the 1980s. The new Plan still calls for preservation of the District, it still calls for mixed use, it still calls for a pedestrian friendly environment and it still calls for a healthy development market. Where it diverges is that this Plan seeks to resolve issues that are the result of the District’s own successes - issues, like conflicts of mixed use and the question of context - that emerged along the road toward the initial vision. Many of today’s problems were only dimly seen in the 1980s and hence only vaguely considered. Consequently, this Plan seeks not to rewrite the vision or alter significantly the course of development, but to fill in the gaps of prior planning efforts.
C. How to Use the Plan

The Lower Downtown Neighborhood Plan consists of six sections:

- Introduction
- Historic Preservation
- Design of New Buildings
- Uses
- Mobility and Parking
- Streetscape

While the parts of the Plan may appear discrete, they are, in fact, interdependent. For example, street liveliness is discussed in the Uses section of the Plan, but it is also a fundamental concept driving preservation, new building design, mobility and parking and streetscape redevelopment. The same “plan-wide importance” can be applied to concepts like mixed use (which affects design of new buildings, design of parking structures, preservation and infill of the streetwall, etc.) and the street and alley grid (which affects accessibility, parking, pedestrian friendliness, public open space, preservation of “grittyness” and the historic streetscape, etc.). Consequently, fulfillment of the goals of one section of the Neighborhood Plan, without the others, cannot get the neighborhood where it wants to go. For this Plan to be as successful as the last plan, progress must be made on all fronts and several universal issues (parking, maintenance, compatibility, context) must be resolved in concert with one another.

In addition to the Lower Downtown Neighborhood Plan, the planning process produced a set of new Design Guidelines. The Plan calls for enabling legislation so that they can be implemented. The Design Guidelines are not a part of the Neighborhood Plan, but the principles that form their foundation are incorporated into the Plan. The Neighborhood Plan recommends that the Landmark Preservation Commission (LPC) adopt these guidelines as supplements to its Design Guidelines for Denver Landmarks and Landmark Districts for application specifically in Lower Downtown. The Design Guidelines cover:

- Contributing Buildings
- Non-Contributing Buildings
- Contemporary Buildings
- New Buildings
- All Buildings
- Buildings with Parking Uses
- The Public Realm

The parts of the Design Guidelines that deal with Contributing and Noncontributing Buildings are not intended to be all-inclusive. They deal primarily with topics brought up by various constituents while planning progressed. The LPC’s Design Guidelines for Denver Landmarks and Landmark Districts form the basis of guidelines for Contributing and Noncontributing Buildings; the guidelines suggested by this Plan are to supplement them.
The guidelines proposed by the Neighborhood Plan for Contemporary and New Buildings are more comprehensive and address many topics that are unique to Lower Downtown, commercial districts in general, or the requirements of modern technology and uses. Rather than supplementing existing guidelines, the guidelines for Contemporary and New Buildings are proposed to fill a gap where very little guidance existed before.

D. Definitions, Acronyms and Abbreviations

Definitions, acronyms and abbreviations used in this Plan follow. Because the definitions relate primarily to design issues, they are listed separately; however, the terminology is found throughout the Plan document. A separate list of acronyms and abbreviations follows the definitions. All the words that are specifically defined herein are subsequently printed in **bold letters** wherever they are found in this Plan.

**Definitions**

**Abut, Abutting.** Immediately adjacent to, beside. Buildings are also abutting if they are separated by a public right-of-way (like an alley or street) upon which there are no intervening buildings.

**Active commercial uses.** Active commercial uses are those uses that promote the comings and goings of more than a few pedestrians on a regular basis.

**Additional parking.** Additional parking is parking which can be included in a project in addition to the **minimum parking** without special approval in the following amounts:

- One space per 1500 square feet for commercial uses
- One half space per unit for residential uses

**Applicant.** The proposer of alterations to existing buildings or construction of new buildings in the Historic District who has filed an application for review of the project by the LDD/DRB.

**Articulation.** How each element, such as a window, door, cornice, floor line, or column, is architecturally expressed, that is, called out as special or distinct from other elements by the designer. This can be done through use of color, change of material or texture and so on. The idea is to make these elements read differently from others while still retaining a pleasing composition overall.

**Borrowed light basements.** The interior first floor is set back by some means from the streetfront face to allow for light wells or skylights providing light into a habitable basement area. The result is to push the storefront and street-level windows some distance back from the sidewalk and pedestrians.
**Building height.** Building height is the height of a building as measured from a point defined in the city Zoning Ordinance and extending to the roof deck of the subject building, but not including parapets, cornices, elevator overruns, stair towers extending onto the roof, mechanical equipment or mechanical penthouses, certain architectural rooftop elements, or other such elements as discussed herein.

55 feet is the “height-by-right” in Lower Downtown. Based on established criteria, the LDD/DRB may grant additional height up to a maximum of 85 feet, 100 feet and in certain districts, 130 feet. For buildings above 55 feet that are not located in the SRDs, the height alone of a proposed building relative to its context may be considered a reason for denial of the project. For projects located in the SRDs, all elements of context must be addressed except that projects cannot be denied approval on the basis of height alone.

**Compatibility.** Compatibility, or to be compatible, is a condition wherein two or more entities are combined to achieve desirable aftereffects for the whole and each other. It is the ability of different components, whether similar or dissimilar, to function together and stand together without disharmony or conflict (in other words, complementary but not necessarily similar or the same). The intent of the proposed guidelines is that new buildings should not replicate existing ones.

**Context.** Context consists of the conditions that form the setting within which a building is experienced. It derives from a Middle English word that meant coherence and there is an implication of disparate elements harmoniously woven together. As used here, context consists of all the external factors that have a formative influence on the appearance of an area, including height, mass, massing, scaling elements, design, materials, location on site and so forth. Context applies to all sites.

In Lower Downtown, the contributing buildings in a proposed site’s vicinity establish context. There are three types of context: primary, secondary and district-wide. Primary context is applied to Part 1 decisions in the design review process. Secondary context is used in Part 2 decisions. District-wide context is used when the LDD/DRB determines that there are no contributing buildings in a site’s primary or secondary context.

Primary context is used to determine the general height and massing -- the envelope -- of a proposed building. It is established by the contributing buildings located within 300 feet in all directions from any point on the property line of a proposed site.

Secondary context is used to determine the finer grain details of a proposed building. The geographic parameters used to determine secondary context are as follows:
• For sites on named streets, **context** is established by **contributing buildings** located on the face block on which the project is located, the face block immediately across the street and the face block across the alley.

• For corner buildings, **context** is established by **contributing buildings** located one-half block in each direction from the corner, including both sides of each half block.

• For sites on numbered streets, **context** is established by **contributing buildings** located the face block on which a project is located, the face block immediately across the street and both face blocks on each of the blocks that **abut** the block of the proposed project.

For sites in which **context** is not provided due to the absence of proximate **contributing buildings**, **context** is the historic architectural character of the entire **District**.

**Contemporary buildings**: See **Contributing buildings**

**Contributing, noncontributing** and **contemporary buildings**. **Contributing buildings** are those determined to be of historic significance. Determination was made in an authorized survey conducted by the City of Denver Landmark Preservation Commission and recorded within the designation of the Lower Downtown Historic District. A map identifying **contributing buildings** can be found in the ordinance establishing the **District**. Buildings considered **noncontributing** were not, at that time, found to be of historical significance. **Contemporary buildings** are buildings built after 1941.

**De novo appeal**: **De novo** is a legal term that refers to a trial which starts over, the same as if it had not been heard before and as if no decision previously had been rendered. As used in this **Plan**, a **de novo** appeal means that the **LPC** will not merely review the record from the **LDD/DRB**, but will take new evidence and hear the appeal issues again. The decision of the **LDD/DRB** will be given a presumption of correctness, but the **LPC** may make its own decision based on the information presented to it and its application of the guidelines to that information. Elements of a project that are the subject of an appeal must be presented to the **LPC** in the same form as those presented to the **LDD/DRB**.

**Design vocabulary**. The physical attributes, characteristics and details that make up a building: put simply, the elements one can see when looking at the building. These include, at one extreme, the size, shape, color and texture of its materials. At the other extreme is the way the building handles stepbacks and the **articulation** of the **facade** or **elevation** through alignment of elements (such as windows, cornices, or columns). Further examples include texture, scaling elements, color, material changes and window mullions and muntins.

**Elevation, facade** and **primary elevation**. **Facade**, or **primary elevation**, when used in conjunction with buildings, refers to any street-facing wall of a building, or a street wall. **Elevation** refers to the walls of a building that do not face the street, such as side or alley walls.

**Excess parking**. Excess parking is parking in an amount greater than the sum of (i) the minimum required parking (see MP8.1) and (ii) the additional parking (see MP8.2) permitted in
any structure without the consent of the LDD/DRB. See also, minimum parking and additional parking.

Facade. See Elevation

Height. See Building height

Human scale. See Scale

Mass, Massing. A building’s mass is synonymous with its volume, or the total gross cubic volume of space it occupies on the site. Massing is the way in which its volume, or mass, is distributed on the site (which parts are higher, lower, wider, or narrower and what pops up and where). Massing is an important consideration in helping a building fit comfortably into its context. The aspects of a building’s form include its visual treatment in the variations of heights and widths of its mass, as well as its overall height and stepbacks. Two buildings can have the same mass but entirely different massings. (See Building height).

Related to a building’s mass is its width. Establishing visually appropriate building widths - defined as the distance the facade of a single new building extends along the street without a break in massing - is important to maintaining Lower Downtown’s character. This break in the visual massing may be accomplished in any number of ways, including an expression of two distinct buildings, a break in a portion of the facade with a different function (such as a door or passageway), a change of wall plane (such as recessing part of a segment), a change of column spacing, or a change of materials, color, texture, or detailing.

Mechanical penthouse. See Penthouse

Minimum parking. For those structures subject to parking requirements, minimum parking is:

- One space per 750 square feet for commercial uses
- One space per unit for residential uses

Mixed use. Mixed use buildings are buildings with more than one use.

Noncontributing buildings. See Contributing buildings

Part 1 approval, Part 1 decision. A decision made by the LDD/DRB in the process of reviewing and approving alterations to existing buildings or construction of new buildings. A decision that approves or denies an applicant’s proposal for a project’s building envelope, (defined as the building’s height, mass, form, stepbacks, site plan, contextual fit, etc.) and the concept of the basic exterior facade appearances, including identification of major materials.

Part 2 approval, Part 2 decision. A decision made by the LDD/DRB in the process of reviewing and approving alterations to existing buildings or construction of new buildings. A
decision that approves or denies an applicant’s proposal for a project’s building details. Such building details shall include materials, color, windows, entrances, scaling devices and other exterior details.

**Pedestrian friendly.** “Pedestrian friendly” is a measure of the quality of an environment from the perspective of a person on foot. A **pedestrian friendly** environment is a place where people can enjoy public life in a comfortable setting. The Lower Downtown Neighborhood Plan seeks to foster this kind of an environment by recommending several community development strategies, including approaches to land use, building design, historic preservation, streetscape design, transportation, mobility, traffic management, parking and economic development. For example, the **Plan’s** design guidelines advance **pedestrian friendliness** through such things as build-to-property-line requirements, minimum and maximum **heights** and **human scale** development, all of which serve to enclose and define public space and to create a pedestrian environment people understand and to which they can relate. **Mixed-use** development puts people and eyes on the street at all hours, helping to reduce crime and increase a feeling of security. Historic preservation adds interest to streets and a sense of place that, in turn, promotes use and enjoyment of the public realm. Streetscape elements provide amenities and convenience. Use of alternative modes of transportation reduces traffic entering the District. Parking strategies encourage a “park-once environment” where, upon arrival, it is possible to do a variety of things by walking between them. Taken together these elements and others in the Neighborhood Plan, shape the District’s urban structure to support pedestrian use, safety, comfort and enjoyment.

**Penthouse, residential penthouse and mechanical penthouse.** A structure or portion of a structure located on the roof of a building (a **penthouse** usually has its own roof as well). It is generally a roof element and may or may not contain habitable space. Often it contains or hides building equipment. It is generally set back from the roof edge of the main part of the building and covers only a small portion of that roof.

For purposes of this document, a **residential penthouse** is any rooftop **penthouse** containing habitable space; a **mechanical penthouse** does not. Note, however, that not all mechanical equipment is placed inside a **penthouse**.

**Period of significance.** Lower Downtown’s **period of significance** is established on the National Register of Historic Places to be from 1860 through 1941.

**Primary elevation.** See **Elevation**

**Residential penthouse.** See **Penthouse**

**Scale, human scale and scaling elements.** A visual concept regarding the relative size of a building’s architectural parts compared to the whole or to the human figure, created by introducing into the design some unit that acts as a visual measuring rod.
There are many types of scale, human scale being most commonly used; even when a different scale is referred to, it always refers back to the human scale. For example, a cathedral or governmental building may have a seemingly bigger-than-life, or monumental, scale: its scale is altogether larger than the human figure and is intended to be so as this results in a humbling effect on the observer. In a smaller-than-life, or miniature, scale, everyday things shrink down to less than what the observer would expect. A scale model - an architectural design tool that represents a building prior to its construction - is an extreme example of miniature scale. In our physical environment, miniature scale can be seen when, for example, a three-story building is squeezed into the height of what otherwise would have been a two-story building. This effort of a developer or designer to pick up an extra story can result in unsettling visual consequences.

A building will have scale (i.e., human scale) if there are elements of it which can be (metaphorically) used as steps, through which the observer will intellectually reach, grasp, or comprehend the building. The steps in that sense are the elements of a building that are known to the observer, the elements with which he is familiar and whose dimensions one knows in relationship to oneself. (A. C. Antoniades, Architecture and Allied Design, 3rd ed., Dubuque: Kendall/Hunt Publishing Co., 1992).

Scaling elements range from small items recognizable close-up, such as a unit of masonry, doorknob, or window muntin, to larger ones such as doors, windows, awnings, balconies, railings and signs. The division of a building vertically (by expressing the floor lines in the construction) and horizontally (through column spacing) adds enormously to a viewer’s ability to get a sense of how the building stacks up, how tall or wide it is and how comfortable he or she feels with it.

A building without scaling elements can take on whole new meanings and create unsettling feelings. The more difficult it is to relate to a building as a human being, the more uncomfortable it makes the viewer to be near it. At worst, such a building may feel threatening or unfriendly and thus be avoided. At best, the observer will be visually confused by the building and its relationship to him or her.

Scaling elements. See Scale

Screen, screening. To screen cars or parking means to visually obscure to a degree what is behind the screen. The intent is not to hide or make disappear the subject of the screening, but to diminish its prominence or push it visually into the background. The screen becomes the dominant focus instead of the subject behind it. A screen can be mostly solid or mostly transparent depending on the purpose it is to serve and the subject behind it.
## Acronyms and Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADA</td>
<td>Americans with Disabilities Act</td>
</tr>
<tr>
<td>AIA</td>
<td>American Institute of Architects</td>
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<td>Business Improvement District</td>
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<td>CHAFA</td>
<td>Colorado Housing and Finance Authority</td>
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<td>CPV</td>
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<td>The Lower Downtown Historic District</td>
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<td>DRCOG</td>
<td>Denver Regional Council of Governments</td>
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<td>Denver Union Terminal (Union Station)</td>
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<td>Lower Downtown Neighborhood Plan Editorial Committee</td>
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<td>FAR</td>
<td>Floor Area Ratio</td>
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<td>HOV</td>
<td>High Occupancy Vehicle</td>
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<td>Special Review Project</td>
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<td>Streetscape Plan</td>
<td>Streetscape Design Guidelines for Lower Downtown</td>
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</table>
E. Acknowledgments

None of the ordinances and plans which guided the development of today’s Lower Downtown would have been possible without strong continued support from Historic Denver, the Landmark Preservation Commission, the Downtown Denver Partnership, the Colorado Historical Society, the National Trust for Historic Preservation, Mayors Federico Peña and Wellington Webb, Denver City Council members and city staff members. And none of these plans would have been realized without the acceptance and implementation by Lower Downtown’s developers, investors, residents, business owners, galleries and artists, property owners and employees. Without these people - those who dreamed it, enabled it and made it happen - Lower Downtown’s redevelopment would surely have been inhibited.

In preparation of this plan Lower Downtown Neighborhood Plan, the consultant team was aided by many people having a strong interest and concern for the future of Lower Downtown. In particular, the following groups should be acknowledged: the Management Committee, the LDDI Board of Directors, LDDI’s policy committees (Urban Design, Transportation, Community Development), the Editorial Committee and the Neighborhood Committee, consisting of 28 members representing major interests in the community. Staff members from the Denver Planning Office, Zoning Department, City Attorney’s Office and the Transportation Department provided many hours of review and discussion to ensure that what is proposed is consistent with city-wide policies and is legally and administratively achievable.

In addition to funds provided by the State Historical Fund, LDDI and the DDBID, significant in-kind contributions were made, including facilitating services by the Vector Group and meeting space by JohnstonWells, Gorsuch Kirgis, BRW and the Wynkoop Brewing Company. Photography was provided courtesy of Ronald A. Straka, FAIA. BRW, Inc. and Tim Berland at LoDo & Downtown Denver News provided graphic layouts.

Professionals of all types - lawyers, engineers, economists, architects, developers, construction contractors, traffic planners, realtors - gave freely of their time and expertise. Other volunteers conducted surveys, monitored traffic movement, distributed literature, stuffed envelopes and manned tables. Not the least of the in-kind contributors were the local members of the consulting team who continued to play an important role in the development of the Plan long after their contract had expired.

This is truly a neighborhood-generated Plan. The work of obtaining funding, selecting consultants, monitoring progress, organizing citizen input and distributing informational materials all happened through the leadership of LDDI’s Board and staff, representing the variety of interests found in the neighborhood.

To all who helped, sincere thanks for being a part of the Lower Downtown planning process.
The Management Committee

John Anderson
Anderson Mason Dale

Diane D. Blackman
Blackman & Darling

Kathleen Brooker
Historic Denver

Bar Chadwick
Planning and Community Development
City and County of Denver

Phillip E. Flores
Landmark Preservation Commission

Barbara Gibson
Resident

Lane Ittelson, Deputy SHPO
Colorado Historical Society

Carrie Kramlich (1995-1997)
Gorsuch Kirgis

Larry Gibson
BRW, Inc.

William E. Mosher, President
Downtown Denver Partnership

Deborah Ortega
Denver City Council

Barbara Pahl
National Trust for Historic Preservation

Cathy Reynolds
Denver City Council

Joanne Salzman
Resident

Roberta Smith
Lower Downtown Arts District

Tom Sprung
Sprung Construction
# The Neighborhood Committee

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Company/Contact</th>
</tr>
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<tbody>
<tr>
<td>Robert Allman</td>
<td>Attorney</td>
<td></td>
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<tr>
<td>Diane Blackman</td>
<td></td>
<td>Blackman &amp; Darling</td>
</tr>
<tr>
<td>Charles Callaway</td>
<td>Real Estate Developer</td>
<td></td>
</tr>
<tr>
<td>Tee Cowperthwaite</td>
<td>Architect</td>
<td></td>
</tr>
<tr>
<td>Dana Crawford</td>
<td>Urban Neighborhoods</td>
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<tr>
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<td>Dolan &amp; Associates</td>
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<td>Mark Gallegos</td>
<td>CHAFA</td>
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<td>Larry Gibson</td>
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<tr>
<td>Jerry Glick</td>
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<td>Gail Godbey</td>
<td>Resident</td>
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<tr>
<td>Larry Griewisch</td>
<td>Jackson’s Hole</td>
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<tr>
<td>Kris Hoen</td>
<td>Historic Architect</td>
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</tr>
<tr>
<td>Jack Houser</td>
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<tr>
<td>Lillian Kaufman</td>
<td>Dia Star</td>
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<tr>
<td>Joyce Meskis</td>
<td>Tattered Cover</td>
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<tr>
<td>Deborah Ortega</td>
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<tr>
<td>Julie Muse</td>
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<td>Larry Nelson</td>
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<td>Bob Rynerson</td>
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<td>Joanne Salzman</td>
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<td>Resident</td>
</tr>
<tr>
<td>Chris Shears</td>
<td></td>
<td>Shears + Leese</td>
</tr>
<tr>
<td>Roberta Smith</td>
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<td>Artist</td>
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<td>Tom Sprung</td>
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<td>Sprung Construction</td>
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<tr>
<td>Marilee Utter</td>
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</table>
LDDI’s Policy Committees

Community Development Committee

Larry Gibson, Co-Chair
BRW, Inc.

Gerry Erlich, Co-Chair (deceased)
Hanover Erlich

Urban Design Committee

Tom Sprung, Chair (1995 - 1996)
Sprung Construction

James Leese, Chair (1997-1998)
Shears + Leese

Transportation and Parking Committee

Joe Dolan, Co-Chair
Dolan & Associates

Steve Weinstein, Co-Chair
Gorsuch Kirgis

David Clamage, Co-Chair
Saulsbury Hill Financial Services
The Editorial Committee

Karen Aviles
Denver City Attorney

Diane Blackman
Blackman & Darling

Bar Chadwick
Planning and Community Development Office
City and County of Denver

Joe Dolan
Dolan & Associates

Larry Gibson
BRW, Inc.

Ellen Ittelson
Planning and Community Development
City and County of Denver

Bob Kelly (deceased)
Denver City Attorney

Bill Lamont
Murray Lamont & Associates

James Leese
Shears + Leese

Barbara Pahl
National Trust for Historic Preservation

Everett Shigeta
Planning and Community Development
City and County of Denver

Ron Straka
Ronald A. Straka, FAIA
The Consultant Team

William Lamont, Jr., AICP
Murray Lamont & Associates, Inc.
Denver, Colorado

David Dixon, FAIA
David Dixon/Goody, Clancy
Boston, Massachusetts

David Leahy, PE
TDA Colorado, Inc.
Denver, Colorado

Dean Macris, AICP
San Francisco, California

James Murray, Ph. D.
Murray Lamont & Associates, Inc.
Denver, Colorado

Ronald A. Straka
Ronald S. Straka, FAIA
Denver, Colorado

Charles H. Wooley
St. Charles Town Company
Denver, Colorado

F. Recap of Planning Activity

The table that follows is a summary of the various activities undertaken by the Consultants, LDDI, the Management Committee, the Neighborhood Committee and the Editorial Committee from inception of the planning process to the date of issue of this Plan.

Recap of Planning Activity

3/22/95 Management Committee Meeting Review RFP
4/1/95 Newsletter #1
4/20/95 Management Committee meeting Role of Management Committee going forward
4/26/95 Pre-submission Conference 15+ potential respondents participated
5/11/95 Management Committee meeting Review RFP submissions
5/19/95 Management Committee meeting Short List presentations
5/26/95 Management Committee meeting Selection of consultants
5/31/95 Management Committee meeting Joint meeting with consulting team
### Recap of Planning Activity

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<tr>
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<tr>
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<td>6/27/95</td>
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<td>Public Meeting #1</td>
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<tr>
<td>7/7/95</td>
<td>Newsletter #2</td>
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<td>Management/Consultants meeting</td>
<td>Recap focus group discussions</td>
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<tr>
<td>7/27/95</td>
<td>Public Meeting #2</td>
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### Recap of Planning Activity

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## Recap of Planning Activity

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<td>Neighborhood Transportation Taskforce</td>
<td>11/23/98</td>
<td>Transportation/Planning meeting, Discussion of transportation issues</td>
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<td>11/30/98</td>
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<td>12/09/98</td>
<td>Joint Committees meeting, Review Draft #6, approve all revisions</td>
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<td>Public Presentation &amp; Comment</td>
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</tr>
</tbody>
</table>
Historic Preservation
Historic Preservation

Contents of this Section

Introductory Comments ......................................................................................................... HP-1

Neighborhood Concerns ......................................................................................................... HP-3
A. Lower Downtown’s Historic Architecture and Design Vocabulary ................................... HP-3
B. Context and Height ........................................................................................................... HP-8
C. The Lower Downtown Design/Demolition Review Board (LDD/DRB) ......................... HP-14
D. Incentives ..................................................................................................................... HP-15
E. Heritage Education ......................................................................................................... HP-16
F. Design Principles for Contributing Buildings and Buildings Built Between 1860 and 1941 ................................................................................................................ HP-16

Goals .................................................................................................................................... HP-18

Principles, Policies And Recommendations ........................................................................ HP-19

Principle HP1 Protect Lower Downtown’s historic architecture and use its design vocabulary to guide renovations, additions and new construction ........ HP-19
Principle HP2 Additions and new construction must be in context .......................................... HP-20
Principle HP3 The LDD/DRB is a critical link in preservation in Lower Downtown............. HP-20
Principle HP4 Continue to utilize incentives that encourage reuse of historic buildings ... HP-24
Principle HP5 Tell Lower Downtown’s story...................................................................... HP-24
Principle HP6 Develop, enact, and utilize supplemental guidelines for the Lower Downtown Historic District that deal specifically with contributing buildings and additions thereto .......................................................... HP-25
Principle HP7 Develop, enact, and utilize guidelines for the Lower Downtown Historic District that deal specifically with noncontributing buildings .... HP-25

Implementation ...................................................................................................................... HP-26
Introductory Comments

Because it is the last significant, intact collection of late nineteenth- and early twentieth-century commercial and industrial structures in the American West, Denver’s Lower Downtown is worthy of preservation.

Lower Downtown was part of the original townsite of Denver that grew in the 1860s near the confluence of the South Platte River and Cherry Creek, where gold was discovered in 1858. The arrival of the Denver Pacific, Kansas Pacific, and Rio Grande Railroads in 1870 triggered a citywide building boom, and over the next decade Lower Downtown evolved into a manufacturing and warehouse center for businesses seeking to locate next to the rail yards. The area experienced its greatest expansion during the great Silver Boom (1881-93), when warehouse, factories, several hotels, and Denver Union Depot were constructed. A red-light district prospered along Holladay Street (now Market) from Nineteenth to Twenty-first streets until authorities intervened in 1915. The construction of large warehouses continued into the 1910s, followed by development on a much smaller scale in the 1920s. The area saw very little construction during the Great Depression, and most major building activity came to an end in the 1940s with the onset of World War II.

Changes in manufacturing, coupled with the development of the federal interstate highway system and the demise of railroading, ended Lower Downtown’s growth as Denver’s manufacturing and warehouse center. The District fell into decline and disrepair until the oil boom of the 1970s, when many buildings were renovated for office use. But many other historic buildings were lost during this period as a result of the construction of seven large office buildings and demolition for surface parking lots.

Although interest in preserving, rehabilitating, and reusing individual buildings began in the late 1970s, it was not until the mid-1980s that serious discussions about preserving the District took place. Key zoning actions have influenced preservation and redevelopment in Lower Downtown:

- 1974: zoning changed from I-1 (industrial) to B-7 (mixed use)
- 1982: B-7 amended to provide density bonuses for preservation of historic buildings
- 1988: B-7 amended and Ordinance 109 passed, creating the Lower Downtown Historic District and Lower Downtown Design and Demolition Review Board

Ordinance 109 designates Lower Downtown as a District for Preservation. On the basis of the local designation, the District was certified by the National Park Service, the equivalent of a listing in the National Register of Historic Places.
Beginning in the mid-1980s, the City and County of Denver approved a series of major plans, code changes, and investments in and around Lower Downtown, spurring private sector investment and development in the area. Major infrastructure changes included: the consolidation of railroad tracks in the Central Platte Valley, the removal of viaducts passing over and into Lower Downtown, and the construction of new roadways providing direct access to downtown and Lower Downtown from I-25. The Sixteenth Street Mall was extended from Market Street Station in the heart of Lower Downtown to Wewatta.

In the private sector, historic buildings were renovated to accommodate offices, art galleries, restaurants, bars, housing, and retail uses. Lower Downtown’s housing stock grew from fewer than 100 units to more than 600 within eight years. Vehicular and pedestrian traffic increased dramatically. Land and building values climbed. Today, new construction is either under way or being considered for many properties that contain parking lots or marginal, noncontributing buildings. Over 50 percent of the area is ripe for new development once the market justifies such an investment.

Denver’s largest concentration of historic commercial and industrial buildings is in Lower Downtown. While a significant number have been demolished over the years, the recent trend has been toward restoration and renovation. The majority of the buildings still standing were constructed between 1870 (when the railroads reached Denver) and 1940. While they vary in architectural detail and size, from two-story commercial storefront structures built in the 1870s and 1880s to five- and six-story manufacturing buildings and warehouses, the buildings are homogeneous in their use of brick, extensive fenestration, and rectangular shape. The area’s dependence on the railroads for its development and financial success is still evidenced by the railroad tracks embedded under some streets and alleys and the loading docks that remain attached to many buildings.
Neighborhood Concerns

A. Lower Downtown’s Historic Architecture and Design Vocabulary

**Background:**

A rich variety of nineteenth- and early twentieth-century architectural elements can be found in Lower Downtown. Walking along the best preserved and most pedestrian-friendly streets - Wynkoop, Wazee, Blake, Market, Fifteenth, Sixteenth, and Seventeenth - one discovers elegant brick and metal cornices, interesting signage and graphics, and articulated windows and doors. Lower Downtown’s alleys are equally appealing and historically significant, with their “back door” accumulations of equipment, docks, recessed doorways, lighting and other elements. (See Figure 2.)

Together, the following features define Lower Downtown’s historic architecture:

- **Massing.** Buildings in Lower Downtown are simple rectangular forms that, except for the largest warehouses, tend to be taller than they are wide.

- **Consistent street wall.** Lower Downtown’s structures were built on a twenty-five-foot lot pattern without setbacks. Most have two- to four-lot facades without a major break on street frontage. There is a recognized distinction among individual buildings within the street wall of any block.

- **Facade division.** Facades are even and consistent and feature vertical elements such as windows, doors, columns, and piers.

- **Facade composition.** Facades are made up of a variety of planes, window treatments, and elements, all of which give a facade an articulated, three-dimensional quality. Entrances are typically centered.

- **Articulation.** Buildings are well articulated, with a distinct and detailed cornice or top, a middle and a base that is strong, expressive, and inviting to pedestrian passersby.

- **Windows.** Windows have vertical proportions, but are often grouped to form larger compositions. Windows are typically organized by function denoted by size, shape, and operation.

- **Richness.** Buildings display a richness and formality of details, materials, and colors.
Figure 2
Lower Downtown’s special character is reflected in its private and public realms. Key characteristics include mixed-use buildings, “gritty” connections to the industrial past, turn-of-the-century building massing, and an increasing residential presence.
• **Consistent building materials.** Exterior building materials are primarily brick. Other characteristic materials include stone bases, sills, and lintels and metal or brick cornices. Subtle distinctions in the color of materials between buildings and the occasional use of a different material such as stone or terra cotta underscore the consistency.

• **Roof lines.** Roofs are predominantly flat and hidden behind cornices and parapets. Many have exposed and visible water towers and utility stacks. (See Figures 3 and 4).

Although the historic buildings in the **District** have great similarities and use many of the same elements, historic buildings tend to fall into one of three categories: Storefront, Factory/Warehouse, and 20\(^{th}\) Century Commercial. Each of these building types represents a different aspect and time of the **District**’s development.

• **Storefront buildings** were the most common types of commercial buildings constructed in the late 19\(^{th}\) and early 20\(^{th}\) century. These structures are typically two or more stories tall with large display windows and inset door on the first level, rows of windows above for office or housing, and a cornice at the top. In Lower Downtown, Storefront buildings are the earliest, dating from the 1870s through the early 1900s. They tend to be located in the south corner of the **District** along Market, Blake and Wazee. These buildings reflect Lower Downtown’s roots as the commercial center of Denver.

• **Factory/Warehouse** is a large utilitarian structure used for manufacturing and warehousing. Factory buildings tend to have large expanses of glass, industrial sash windows for light, while warehouse buildings have small windows to maximize wall space. Factory/Warehouse buildings in Lower Downtown date from Lower Downtown’s railroad era and are primarily located along Wynkoop and Wazee.

• **20\(^{th}\) Century Commercial** is a transitional style that carries forward some of the storefront character with simplified detailing typical of the 20\(^{th}\) century. These buildings are small, one or two stories, and often have docks as well as some kind of storefront. These buildings tend to be located between 19\(^{th}\) and 20\(^{th}\) streets and were used by small manufacturing and warehousing establishments.

Each block contains its own unique collection of buildings in one or more of these types. The specific combination of types, sizes, and detailing are what provide the visual and historical interest from block to block.

**Issues:**

The general consensus in public meetings and interviews was that Lower Downtown’s historic buildings and traditional character must be preserved. The majority believes that new buildings should not be allowed to overwhelm or change the existing historic character of the **District**. In addition, most felt that the **context** for each buildable site needed to be determined individually.
Facade Have A Clear Sense of Division:

Top
- Roofline or cornice.

Middle
- Facades have a sense of depth and three dimensional complexity related to the articulation of windows and other facade elements.
- Windows are vertically proportioned and often grouped to form larger compositions.
- Facades convey a richness of colors, details, and a consistent vocabulary of materials and proportions.

Base
- Building entrances feature architectural detailing and rich materials.
- Loading docks and other industrial elements offer unique reuse opportunities for “urban porches.”
- Consistent streetwall and massing (25’ lot widths).
- Vertical facade composition, using windows, major entries, decorative elements.

Figure 3
Lower Downtown’s buildings embody Denver’s railroad history and reflect simple tenets of good design for today. The District’s contributing historic buildings offer a rich palette of architectural elements to guide traditional and innovative new architecture.
Rooftops:
- Historic rooflines are essentially flat.

Articulated building massing:
- A well-defined, architecturally detailed building top, often including a cornice.
- A separate mid-zone extending from the base to the top floor or roofline.
- A strongly expressed, visibly discernible base featuring a prominent entry, and using color, materials, and/or textures to reinforce a vital pedestrian-oriented streetscape.

Rich architectural detailing, graphics, and materials:
- Exterior materials and colors compatible with adjacent buildings
- Traditional building materials such as masonry and stone with metal, stone and wood details
- Traditional window and door forms and detailing
- Special materials and canopies to emphasize the main building entry
- Creative and expressive approaches to building ornamentation and trim
- Signage and other building graphics which enliven the streetscape.

Building façades facing public streets:
- A strong, consistent, vertical bay rhythm reinforced by vertical architectural details such as punched window openings
- Architectural details such as arches, columns, and decorative elements provide visual richness and complexity
- Traditional fenestration, lively play of light and shadow, recessed and vertically oriented windows, transparent glass, traditional storefront windows at street level

**Figure 4**
The defining characteristics of historic buildings provide the basis for architectural design guidelines.
B. Context and Height

Background:

Ordinance 109, Series of 1988, created the Lower Downtown Historic District through the authority of the Landmark Preservation Ordinance (Chapter 30, R.M.C., as amended). It contains guidelines for development in Lower Downtown.

Lower Downtown’s preservation challenges are highly unusual as compared to other historic districts around the country. Research on the District’s historic buildings revealed the following:

- There are 170 buildings in Lower Downtown, of which 131 are contributing buildings.
- Of the 131 contributing buildings, none are in excess of eighty-five feet tall; nineteen are fifty-five to eighty-five feet tall; and the remainder (85 percent) is less than fifty-five feet tall. (See Figure 5.)
- Fifty percent of the historic built fabric remains, and the balance is likely to be filled in with major new buildings over time. (See Figure 6.)
- 13,000 linear feet of the more than 30,000 linear feet of potential building street frontage along named streets is developed.
- Of the 104 corner sites within the District - sites that contribute most visibly to the District’s character - more than 50 percent are vacant and available for redevelopment.

These data point out that, if and when the Historic District is built-out, more than half the buildings would be outside the District’s period of significance.

Issues:

With more than fifty percent of the Historic District available for redevelopment, concern was expressed by planning participants over the impact of growth on Lower Downtown’s historic character. Current regulations, urban design standards, and guidelines are perceived to lack the clarity and direction to ensure that new construction is compatible with that character.

Participants in public meetings and interviews complained that the design standards in Ordinance 109 do not provide enough guidance to review and act on applications for large buildings, and particularly new construction, allowed by the B-7 Zone District. This comment was heard in all sectors of the community including project proposers, community stakeholders, and the LDD/DRB, itself.
Figure 5
Existing building heights. 85% of Lower Downtown’s contributing buildings are 55 feet or less in height (1994.)
Figure 6
Potential Lower Downtown development sites. 50% of Lower Downtown’s land is potentially available for new development (1994.)
Of particular concern to planning participants is the definition and application of the term **context**. While Ordinance 109 uses the word, it does not define it, saying only that new construction must “fit into its ______. The Ordinance’s lack of specificity about **context** has led to confusion about what can be built, and participant’s comments reflected two sides of the discussion about new construction in Lower Downtown.

To project proposers, if the definition of **context** limits building size, then **context** may have a direct bearing on the economics, and hence the profitability, of a project. Certain fixed costs must be met by every project. In theory, a larger project spreads those costs over more product (in this case, space), reducing the cost of each unit, making the product more affordable for the buyer and the project more profitable for the seller. Reducing the cost per unit is particularly important where low cost housing and small retail uses are desired. Increased margins also permit more flexibility in the quality of the product that is offered and in the availability of funds for streetscape improvements.

To others, if the definition of **context** does *not* limit building size, then Lower Downtown’s historic character is at risk. Projects that are much larger than historic neighbors, that ignore the patterns found in the immediate area, or that introduce conflicting materials, shapes or **elevations** may overwhelm historic buildings, dwarfing them and reducing their significance. In addition, they believe, there is the potential to disrupt the historic fabric, and/or compromise the authenticity of the streetscape.

After considerable discussion by all planning participants, and compromise on all sides, the definition this **Plan** uses for **context** is:

**Context.** Context consists of the conditions that form the setting within which a building is experienced. It derives from a Middle English word that meant coherence, and there is an implication of disparate elements harmoniously woven together. As used here, **context** consists of all the external factors that have a formative influence on the appearance of an area, including height, mass, **massing**, **scaling elements**, design, materials, location on site, and so forth. Context applies to all sites.

In Lower Downtown, the **contributing buildings** in a proposed site’s vicinity establish **context**. There are three types of **context**: primary, secondary and district-wide. Primary **context** is applied to **Part 1 decisions** in the design review process. Secondary **context** is used in **Part 2 decisions**. **District-wide context** is used when the **LDD/DRB** determines that there are no **contributing buildings** in a site’s primary or secondary **context**.

Primary **context** is used to determine the general **height** and **massing** -- the envelope -- of a proposed building. It is established by the **contributing buildings** located within 300 feet in all directions from any point on the property line of a proposed site.
• Secondary context is used to determine the finer grain details of a proposed building. The geographic parameters used to determine secondary context are as follows:

• For sites on named streets, context is established by contributing buildings located on the face block on which the project is located, the face block immediately across the street and the face block across the alley.

• For corner buildings, context is established by contributing buildings located one-half block in each direction from the corner, including both sides of each half block.

• For sites on numbered streets, context is established by contributing buildings located the face block on which a project is located, the face block immediately across the street, and both face blocks on each of the blocks that abut the block of the proposed project.

• For sites in which context is not provided due to the absence of proximate contributing buildings, context is the historic architectural character of the entire District.

The influence that each element of context has on the whole context of an area varies from block to block in Lower Downtown. For example, on the block from Wynkoop to Wazee on 17th Street, the richness of the materials and formality of design have a profound impact on context. By contrast, this same elegance of design would be out of place among the simple, utilitarian buildings along Blake or Market from 19th to 20th Streets.

Similarly, the degree to which height, as an element of context, must be considered in evaluating a project is specific to the project’s site. Generally speaking, height weighs heavily in determining if a project fits compatibly into its context; it may even be a determining factor. An exception to this general rule is buildings below 55 feet. Because 55 feet is “height-by-right,” height is not considered as an element of context for projects below that plane.

Another exception to a heavy weighting of height is Special Review Projects (SRPs). SRPs must address contributing buildings in their primary context, which is defined as “context established by the contributing buildings located within 300 feet in all directions from any point on the property line of a proposed site.” In the Special Review Districts, the LDD/DRB should consider height, but height alone will not be as decisive a factor as it might be in other parts of Lower Downtown. The SRDs were specifically identified because they largely lack historic context, and hence can support height and density. (See Figure 7).
For new construction in the Historic District, participants in the planning process recommended the principles found in the Design of New Buildings Section of this Plan. They believe the principles encourage both preservation and mixed use development. To adopt the principles will require amendment of several City Ordinances, most particularly Ordinance 109.

C. The Lower Downtown Design/Demolition Review Board (LDD/DRB)

**Background:**

The Lower Downtown Design/Demolition Review Board (LDD/DRB), created by Ordinance 109, currently has five members, one of whom is a member of the Landmark Preservation Commission (LPC); the mayor appoints the other four based on nominations made by Lower Downtown’s City Council representative, residents, and business organizations.

The role of the LDD/DRB is to approve, approve with conditions, or deny applications for alterations to existing buildings or new construction in Lower Downtown. Its decisions are based on general design standards contained in Ordinance 109, the Design Guidelines for Denver Landmarks and Landmark Districts, and other applicable documents. The current role of the LPC is to adopt guidelines applicable to Lower Downtown and to hear appeals of applicants of decisions made by the LDD/DRB. Ordinance 109 specifies that only applicants may appeal any decision of the LDD/DRB to the LPC.

**Issues:**

The LDD/DRB is a critical link in the application of the design guidelines that manage development in Lower Downtown. As such, the LDD/DRB helps projects meet the intent of the guidelines; helps developers design more compatible buildings and additions; and helps District residents, business owners, property owners, and others appreciate, understand and comment on the nature of the proposed work.

Participants felt that the LDD/DRB, together with proponents for specific projects, public agency staff, interested members of the community, and others, should be able to freely articulate positions and viewpoints in LDD/DRB hearings. Given the unique nature of each project and of each parcel of real property, it should be understood that the comments and decisions of the LDD/DRB, and of all participants in LDD/DRB hearings, apply to the particular project and parcel in question, and not generally to all projects and parcels in Lower Downtown.

Composition and qualification of LDD/DRB members was discussed by planning participants. There was general agreement that the Board should be expanded to seven members, to provide both greater expertise and relief from quorum problems.
Meeting and interview participants also raised a number of procedural questions and requested that these be clarified. One such question asked for clarification of the submission process for project proposers, including identification of the types of approvals available and the requirements to obtain each. Meeting participants also recommended that review procedures, submission requirements, mechanics of meetings, parliamentary authority, and so forth, be embodied in a set of by-laws or operating procedures and made available to the public.

The Neighborhood Committee, especially, spent a great deal of time discussing the nature of decision making in the design review process. In the end, every decision of the LDD/DRB is an exercise of the Board’s discretion in the application of the design principles and guidelines to the unique facts of each individual application. Importantly, the design principles and guidelines, LDD/DRB’s procedural safeguards, the special expertise of LDD/DRB’s members, and proposers’ right to appeal unfavorable decisions will all serve as safeguards to limit the Board’s discretion and help ensure that applicants will be treated in a fair and consistent manner. If a decision could be rendered simply by application of fixed and inflexible rules, without reference to the discretion of the LDD/DRB or to the potential to negotiate alternative approaches that meet the proposer’s needs and serve the public interest, then there would be no need for an expert design review board. The ability to by-pass the LDD/DRB by adhering to prescribed and inflexible requirements has been available to proposers in Lower Downtown since 1988, but it has never been used. Instead proposers have opted to ‘make the case’ in a public forum.

The Neighborhood and the Management Committees’ recommend that, to the extent permitted by law, the LDD/DRB be authorized to exercise reasonable discretion in weighing the elements that make good projects as the Board applies adopted guidelines to the facts of each application. Finally, planning participants felt it is important that all interested parties, as defined by Denver City ordinance, have standing to appeal a decision of the LDD/DRB to the LPC.

D. Incentives

Background:

There are a number of preservation incentive programs that are available for qualifying projects in Lower Downtown. These include state income tax credits, federal investment tax credits, grants-in-aid from the Colorado Historical Fund (CHS), and charitable deductions for facade easements. Lower Downtown is also located in an Enterprise Zone and state income tax credits are available for employment, investment in capital assets, and the payment of employee benefits, among other more specialized credits.

In addition to preservation incentives, specific programs for housing may be available in the form of the low income housing credit; low interest rate loans from agencies like HUD, Colorado Housing and Finance Authority (CHFA), and the Denver Housing Authority (DHA); and tax increment financing from the Denver Urban Renewal Authority (DURA). This Plan also recommends permitting additional height for the provision of housing. Finally, the cost of preservation of historic buildings may be managed through the use of reduced parking.
requirements or use of Chapter 61 to provide flexible approaches to meeting current health and safety requirements.

**Issues:**

Because every historic building is important, incentives should be made available to developers to make the economics of preservation work better. Meeting and interview participants urged the consolidation of materials that explain the incentives available in Lower Downtown into a handbook and its subsequent distribution to interested parties.

**E. Heritage Education**

**Background:**

Lower Downtown has an historic interpretive signage program and thirty-five of the District’s buildings and important sites are marked with plaques containing lively details about the architecture, buildings, sites and people who inhabited these streets before us. There is a companion map to guide visitors to the plaques. In addition, various non-profits sponsor walking tours of the District from June through September, LDDI holds an annual Loft Tour in the fall, and there are several guidebooks of the District, most notably Barbara Gibson’s *The Lower Downtown Historic District.*

**Issues:**

There are actually two stories to tell about Lower Downtown. The first, and most frequently told, is the story of Denver’s birth and growth. The second story is preservation’s success story in Lower Downtown. The “crystal ball gazing” done in the 1980s and the investment made by the City and the private sector yielded a rehabilitated and revitalized area.

Sparse as they may be, Lower Downtown’s current heritage education programs are well received. Most rely on volunteer labor and contributions. Meeting participants suggested a pooling of resources in the preservation community to produce new programs to appeal to a broad range of ages and interests.

**F. Design Principles for Contributing Buildings and Buildings Built Between 1860 and 1941**

**Background:**

The guiding principles for minor additions and alterations to, and rehabilitation and preservation of, contributing buildings in the Lower Downtown Historic District are found in the *Design Guidelines for Landmark Structures and Districts.* These guidelines were adopted by the LPC on March 21, 1995. Additionally, there are guidelines in Ordinance 109.
**Issues:**

For the most part, the guidance provided in design guidelines applicable to Lower Downtown has served the LDD/DRB well when reviewing alterations to **contributing buildings** and **noncontributing buildings**. However, new materials, construction processes, and, particularly uses for which the buildings were never built, have raised questions unforeseen by the Ordinance. Additions to historic buildings, like balconies and roof top structures, are particularly troublesome. Furthermore, the LPC’s Guidelines examine more closely residential preservation needs, and while most of the principles are applicable in Lower Downtown, there are some unique aspects of commercial districts that are not covered.
Goals

Lower Downtown’s goals for historic preservation include:

- Preservation of all the historic structures in the District.

- New buildings that reflect, in a contemporary way, Lower Downtown’s design vocabulary.

- New buildings that fit comfortably into their context.

- A community where preserving historic buildings is valued and rewarded.

- A design review board that is fair and consistent, and whose decisions are made in the public interest based upon facts in the record and the codified design review principles and guidelines.

- Administrative policies and procedures that clearly define the review process.

- The ability of all parties with standing to appeal decisions of the LDD/DRB to the LPC.

- A neighborhood where a broad heritage education program tells the story of early Denver and the story of its ongoing preservation.

- Revised design guidelines for contributing buildings, for noncontributing buildings, for contemporary buildings, and for buildings as yet unbuilt.
Principles, Policies And Recommendations

Principle HP1  Protect Lower Downtown’s historic architecture and use its design vocabulary to guide renovations, additions and new construction

Policy HP1.1  Every historic building contributes to the character of Lower Downtown.

Recommendations:

HP1.1.1  Maintain protection from demolition for every contributing building.
HP1.1.2  Utilize the authority to deny demolition to the greatest extent possible where appropriate and in keeping with laws, regulations and guidelines.
HP1.1.3  Carefully evaluate exterior alterations to maintain and enhance the integrity of every contributing building.
HP1.1.4  Balance historic integrity with contemporary use by continuing the careful consideration of exterior alterations that has been exhibited by the LDD/DRB.
HP1.1.5  Periodically resurvey Lower Downtown to assess its structures’ contributing and noncontributing status in light of alterations, restorations, rehabilitations, and changing perceptions of more recent styles.

Policy HP1.2  Use the characteristics of historic buildings - traditional size, massing, height, organization of features, masonry materials, articulation of facades, and clear entries - as a basis for proposed construction.

Policy HP1.3  Recognize that, collectively, Lower Downtown’s historic buildings form the basis of many of the District’s most valued attributes, including a nationally recognized collection of historic commercial structures, walkable streets, pedestrian friendly building facades, an interesting mix of uses, and industrial elements.

Recommendations:

HP1.3.1  Maintain edge of buildings along sidewalks.
HP1.3.2  Maintain Lower Downtown’s historic industrial look and feel by preserving such elements as fire escapes, water towers, loading docks, alleys and alley facades, and other evidences of the District’s past.
Policy HP1.4 Because historic wall signs hold intrinsic value for both their history and their ability to inspire curiosity, they should be preserved where possible.

Principle HP2 Additions and new construction must be in context

Policy HP2.1 Use new construction to reinforce the historic qualities of Lower Downtown.
Policy HP2.2 Respect the unique character of each block.
Policy HP2.3 Clarify the word “context”

Recommendations:
HP2.3.1 Define “context” to refer to a specific geographic area, not the District as a whole.
HP2.3.2 Define “context” to include only historic buildings.

Principle HP3 The LDD/DRB is a critical link in preservation in Lower Downtown

Policy HP3.1 Utilize the Design Guidelines for Denver Landmarks and Landmark Districts in making design review decisions about historic buildings.
Policy HP3.2 Utilize the design standards to be contained in a revised ordinance and rules and regulations.
Policy HP3.3 Because each site is unique, comments and decisions made by the LDD/DRB, although consistent with the Plan and the Guidelines, do not set precedents for future projects.
Policy HP3.4 Maintain the recommending and appointing of knowledgeable and interested people to the LDD/DRB.

Recommendations:
HP3.4.1 Expand the LDD/DRB to a seven-member Board.
HP3.4.2 Appoint a cross section of interests to the Board, including a:

- Real estate developer
- Practicing architect
- Historic preservationist
- Preservation architect
- Resident of Lower Downtown
- Property owner in Lower Downtown
- Owner or operator of a business in Lower Downtown
HP3.4.3 Make all appointments to the LDD/DRB by soliciting recommendations from the following organizations:

- For the practicing architect, seek recommendations from AIA-Denver.
- For the developer, seek recommendations from Lower Downtown's City Council representative.
- For the preservationist, seek recommendations from Historic Denver.
- For the preservation architect, seek recommendations from CHS and the National Trust for Historic Preservation, Mountain and Plains Region.
- For all others, seek recommendations from neighborhood organizations registered with the city that identify Lower Downtown as being within their boundaries.

HP3.4.4 Appoint “disinterested parties” to two of the four Board positions not specifically required to be Lower Downtown constituents. A “disinterested party” is one who does not live, own property, own or operate a business, practice professionally, or represent interests in Lower Downtown.

HP3.4.5 Members of the LPC should not also serve on the LDD/DRB.

Policy HP3.5 Ensure due process.

Recommendations:

HP3.5.1 Adopt by-laws and a parliamentary authority.

HP3.5.1.1 Provide for a majority vote of the quorum on general matters that come before the Board.

HP3.5.1.2 Provide for a 5 out of 7 vote of the entire Board on all special review projects.

HP3.5.1.3 Adopt Robert’s Rules of Order Newly Revised as parliamentary authority.

HP3.5.2 Develop and disseminate administrative and regulatory procedures that include procedures for giving appropriate notice of all meetings.

HP3.5.3 Provide continuous training to LDD/DRB and LPC members related to design review decision-making and due process in quasi-judicial meetings.

HP3.5.4 Clarify the appeals process.

HP3.5.4.1 Permit any interested party to appeal de novo a decision of the LDD/DRB to the LPC.

HP3.5.4.2 Require that such appeals be made within 15 days of a Part 1 or Part 2 decision. (See HP3.7.1, below)
HPC3.5.4.3 On appeal to the LPC, require that any decision of the LDD/DRB be presumed to be correct until sufficient evidence is introduced to support a contrary finding.

HPC3.5.4.4 Require that elements of a project that are the subject of an appeal be presented to the LPC in the same form as those presented to the LDD/DRB.

Policy HP3.6 To the extent permitted by law, authorize the LDD/DRB to exercise reasonable discretion, consistent with the Plan, design principles and guidelines, in weighing the elements that comprise compatible projects.

Policy HP3.7 Revise the review process for projects proposed in Lower Downtown.

Recommendations:

HP3.7.1 Revise the design review process as follows:

Each project, whether for an existing building or new construction, shall be reviewed by the LDD/DRB in the following sequence:

- **Part 1** of the review process will address the building envelope, (defined as the building’s height, mass, form, stepbacks, site plan, contextual fit, etc.), and the concept of the basic exterior facade appearances, including identification of major materials. The Board will make a decision on the building envelope and the concept of the basic exterior facade. Such decision can be appealed by any interested party to the LPC within 15 days of the Board’s decision. If such decision is not appealed to the LPC within 15 days, that decision is final.

- **Part 2** of the review process will address building details beyond the previously approved concept of the basic exterior facade. Such building details shall include materials, color, windows, entrances, scaling devices, and other exterior details. The Board will make a decision concerning such building details. Such decision is appealable by any interested party to the LPC within 15 days of the Board’s decision. If such decision is not appealed to the LPC within 15 days, that decision is final.

- In the alternative, except for proponents of SRPs, the applicant may request a Board decision on an entire project at a single meeting.

- The applicant may request that the Board review/reopen any of its decisions. If the Board does so, its reconsideration may include other relevant decisions it has made regarding the project. However, such reopening shall not be allowed if the Board’s decision has been appealed to the LPC.
HP3.7.2 Create an application form for projects which come before the LDD/DRB.

Policy HP3.8 Establish review procedures and criteria for Special Review Projects (SRPs).

Recommendations:
HP3.8.1 Apply the same review procedures described in Policy HP3.7 to Special Review Projects, except that SRPs may not request a Board decision on an entire project at a single meeting.

HP3.8.2 Require an affirmative vote of five out of the seven members of the Board to approve an SRP. If seven members are not eligible to vote, then approval shall require a favorable vote of 75% of the eligible members. Eligible voters are duly appointed LDD/DRB members, who are present at the meeting and who have not otherwise recused themselves from voting (e.g., conflicts of interest).

HP3.8.3 Employ models extensively to illustrate the proposed SRP.

HP3.8.3.1 Require that a model exhibiting all of the elements required for Part 1 approval accompany an application for an SRP review.

HP3.8.3.2 Prior to the commencement of Part 2 of an SRP review, update the model to reflect decisions made regarding Part 1 and the new elements to be reviewed in Part 2.

HP3.8.3.3 Make the models available for public inspection in Lower Downtown while the SRP is under consideration by the LDD/DRB.

HP3.8.4 Provide notice of any meetings where an SRP is to be considered by the LDD/DRB. Notice requirements are met by mailing written notice to registered Lower Downtown neighborhood organizations 14 days prior to the scheduled meeting.

HP3.8.5 Create an application form for SRPs.

Policy HP3.9 Allow de minimus changes to be approved by the Board’s staff after the Board has made decisions.

Recommendations:
HP3.9.1 The staff may not approve any changes to elements of a project taken up by the Board in Part 1 of the review process.

HP3.9.2 The staff may approve de minimus changes to elements of a project taken up by the Board in Part 2 of the review process.
HP3.9.2.1 A de minimus change is a change that has little impact on the visual appearance on a project. It is unnoticeable to the casual viewer.

HP3.9.2.2 In determining if a change is de minimus, staff must consider not only the impact of the change being proposed, but also the aggregate affect on a project of all de minimus changes previously approved.

HP3.9.2.3 De minimus changes granted under this provision must be noted as an information item on the LDD/DRB’s consent calendar.

**Principle HP4** Continue to utilize incentives that encourage reuse of historic buildings

Policy HP4.1. Continue to make incentives available as long as they prove effective in encouraging reuse of historic buildings.

**Recommendations:**

HP4.1.1 Keep parking requirements as they are now, as provided in the B-7 Zone District, to eliminate the parking requirement for historic buildings.

HP4.1.2 Maintain and continue to improve the Chapter 61 process to provide relief from building codes for older buildings.

HP4.1.3 Promote existing incentives such as the State Income Tax Credit, Federal Investment Tax Credit, and State Historical Fund.

HP4.1.4 Promote other housing and retail incentive programs (DURA, CHAFA, DHA) where they also serve preservation.

Policy HP4.2 Evaluate the need for the addition, elimination or substitution of incentives based on changing market conditions and development pressures.

**Principle HP5** Tell Lower Downtown’s story

Policy HP5.1 Use the built environment to educate and to promote an interest in Denver’s late nineteenth- and early twentieth-century heritage; its industrial and transportation roots; and its linkages to the South Platte River, Cherry Creek, the railroad, adjacent historic neighborhoods, and the Central Business District (CBD).

**Recommendations:**

HP5.1.1 Provide year-round walking tours jointly promoted and carried out by AIA-Denver, LDDI, Historic Denver, CHS, the CU-Denver School of Architecture and Planning, and the Convention and Visitors Bureau.
HP5.1.2 Market the guidebook, *The Lower Downtown Historic District*.

HP5.1.3 Hold an annual children’s event in Lower Downtown, sponsored by Historic Denver, CU-Denver, LDDI, and Denver Public Schools.

HP5.1.4 Sponsor an annual workshop/celebration for the owners of historic lofts in Lower Downtown and downtown.

HP5.1.5 Work with the National Trust for Historic Preservation and the Convention and Visitors Bureau to develop a heritage tourism program for Lower Downtown, downtown, and other historic central Denver neighborhoods.

Policy HP5.2 Tell the history of Lower Downtown’s preservation and revitalization.

**Principle HP6** Develop, enact, and utilize supplemental guidelines for the Lower Downtown Historic District that deal specifically with contributing buildings and additions thereto

Policy HP6.1 Additions, alterations, and rehabilitation of contributing buildings must retain and preserve the historic character of the building

**Principle HP7** Develop, enact, and utilize guidelines for the Lower Downtown Historic District that deal specifically with noncontributing buildings

Policy HP7.1 Alterations to noncontributing buildings must be designed to help the building better fit its context.
Implementation

• Amend the 1989 Denver Comprehensive Plan to include the Lower Downtown Neighborhood Plan as a detailed component.

• Amend City Ordinances to be consistent with one another as they apply to Lower Downtown and to reflect the principles in the Preservation section of the Lower Downtown Neighborhood Plan.

• To supplement the Design Guidelines for Denver Landmarks and Landmark Districts, adopt guidelines specifically for Lower Downtown that address new construction and alterations and additions to contributing and noncontributing buildings.

• Specifically define the context area to be used in evaluating new construction.

• Revise the composition of the LDD/DRB to provide for a seven-member Board.

• Clarify the appeals process from LDD/DRB to the LPC.

• Revise the review process for projects proposed in Lower Downtown to provide for two distinct approvals.

• Establish review procedures and criteria for Special Review Projects (SRPs).

• Allow any interested party to appeal a decision of the LDD/DRB to the LPC.

• Promote preservation incentive programs.

• Monitor the effectiveness of incentives and the need for new incentives.

• Create, produce and disseminate heritage education programs.
Design of New Buildings
Design of New Buildings

Contents of this Section

Introductory Comments ........................................................................................................... D-1

A. Proposed Design Guidelines and Their Use ................................................................. D-1
B. Requirements vs. Preferences ..................................................................................... D-1
C. Definitions ..................................................................................................................... D-1

Neighborhood Concerns ...................................................................................................... D-2

A. Building Height and Massing ..................................................................................... D-2
B. Other Design Considerations ...................................................................................... D-4

Goals ................................................................................................................................... D-7

Principles, Policies And Recommendations ........................................................................ D-8

Principle D1  Adopt supplemental design guidelines applicable to contemporary buildings.......................................................................................................................... D-8
Principle D2  Adopt supplemental design guidelines applicable to new buildings. .......... D-8
Principle D3  Adopt supplemental design guidelines applicable to all buildings. .......... D-8

Implementation .................................................................................................................. D-9
Introductory Comments

A. Proposed Design Guidelines and Their Use

As a part of the neighborhood planning process, design guidelines were created which are recommended for adoption by the Landmark Preservation Commission and the LDD/DRB. The guidelines are designed to supplement the Design Guidelines for Landmark Structures and Districts and deal with Lower Downtown’s specific architectural and urban design issues. The basic purposes of the guidelines are:

- to reinforce the key characteristics of Lower Downtown’s traditional architectural character—most importantly, height, massing and articulation of building facades;

- to encourage high-quality approaches to new architectural and urban design elements contributing to Lower Downtown’s physical character.

The general principles that underlie the proposed design guidelines are presented in this Plan.

B. Requirements vs. Preferences

The proposed guidelines are divided into two levels:

Requirements. These are mandatory; they must be met in order for a project to be approved.

Preferences. These are the guidelines that a project’s applicants must consider in the design of the project. Preferences should be viewed as ideas to be encouraged rather than as prescriptive. They are suggestions of ways to make projects more appropriate to Lower Downtown and to spark lively responses to Lower Downtown’s historic setting. If an applicant does not follow a given preference, the applicant must demonstrate that s/he is otherwise responding appropriately to the preference.

C. Definitions

Through the course of the planning process, terminology frequently caused problems. In some cases, confusion resulted because of differences between professional and lay usage. In others, even the professionals disagreed. To ease the interpretation of the recommended guidelines, several terms are specifically defined. (See Introduction to the Lower Downtown Neighborhood Plan, Item D.) These definitions represent the only applicable interpretations for use with this Plan and the Design Guidelines.
Neighborhood Concerns

A. Building Height and Massing

Background:

The B-7 Zone District Ordinance and Ordinance 109, which created the Historic District and its urban design guidelines, conflict with regard to the matter of height. B-7 calls for maximum building heights of one hundred and thirty feet. Ordinance 109, on the other hand, calls for projects to be in context. Lower Downtown’s historic context consists of 131 contributing buildings, of which 85% are under fifty-five feet tall, 15% are between fifty-five and eighty-five feet tall and none exceed eighty-five feet. (See Figure 5)

During the early 1990s, when the historic inventory was plentiful and rehabilitation was more profitable than new construction, the interplay of the zoning and preservation ordinances was not apparent. However, as new construction became cost effective, projects were proposed which tested the conflicting provisions of the two ordinances.

Related to height is building mass. The B-7 Zone District Ordinance provides a formulaic approach to the arrangement of a building’s volume on a site. It employs a bonus system that permits a maximum Floor Area Ratio (FAR) of 7.4:1 and manages massing by way of stepback requirements.

Issues:

Meeting and interview participants expressed concern over the conflicts between the two ordinances. Developers, property owners and project proposers called for resolution of the question in the interest of maintaining predictability and stability in the development environment. Residents and the preservation community also want resolution, expressing concern about the potential for large projects to overwhelm the historic character of the District.

Ordinance 109 omits the definition of context. For purposes of application in Lower Downtown, it is defined in this Plan. (See Introduction, Item D; see also, Historic Preservation, Item B) Context considers only historic structures. It requires the designer to understand and employ an intrinsic design vocabulary and it requires a project to respond sensitively to its neighbors. (See Historic Preservation, Item A)

But there are places in the District where context is weak - where little exists to guide the designer (e.g., 18th to 19th on Market) or where existing uses have established important development patterns (16th Street Mall). In these circumstances, more height and mass is supportable, especially when there is a resulting increase in the residential or regional retail base. In fact, throughout the District, height incentives are offered for the inclusion in projects of residential uses. (See Figure 8) (See Design Guidelines, Policy 4.1)
Building Height Guidelines

These diagrams indicate core height-related guidelines; special requirements exist for corner buildings, buildings over 150' in width, and buildings located in specific locations such as along the 16th Street Mall.

Maximum Building Height 55'
- LDD/DRB may grant a modest exception to make a better fit with context of adjacent buildings
- Exterior expression shall read as four floors plus a cornice
- Preferred minimum height is two floors (to reinforce street wall)

55' to 85'
- Requires LDD/DRB approval
- Cornice height can reach 85'
- Exterior expression shall read as six floors plus a cornice
* for 16th Street Mall, housing requirement is waived if street level is devoted to retail, restaurant, and/or art galleries; elsewhere, housing requirement is reduced 15% if these uses are provided at street level

Note: Residential Penthouse up to 100'
- Requires LDD/DRB approval
- Required setbacks: minimum 25' at the street, increases with building width and side setbacks required for buildings more than three bays in width

Special Review Projects to 130'
- Requires LDD/DRB approval and must meet exceptional standards
- Special hearing, documentation, and approval requirements
- Special models required

Figure 8
Height and massing guidelines reflect the scale of Lower Downtown’s historic buildings.
Meeting and interview participants also commented that computation of FARs was confusing, both to those who sought to use them and those who sought to measure compliance. Others felt that the FAR formula permitted massing which was out of character with the largely rectilinear, blocky nature of the historic context.

B. Other Design Considerations

Background:

Ordinance 109 is largely silent about guidelines for new building design. Still, many new buildings are being proposed for sites in Lower Downtown and many new questions are raised about building design.

Issues:

Building placement along property lines create street walls in Lower Downtown which, because of their “human scale,” are a unique feature of the historic commercial District. Maintenance and enhancement of this feature is desirable. Continuity of the street wall facade is also desirable. The sense of enclosure, created by continuous building fronts of “human scale,” is both historic and conducive to community. Buildings can be and should be designed to enhance street-level liveliness. Providing retail uses on the ground floor creates a synergy that fosters both business and community.

Corner buildings have a greater presence and tend to be more defined. Because multiple facades are visible, they have a three-dimensional look and may be larger than their neighbors. Still, all buildings must fit comfortably in their site and respond to their neighbors.

Among other features, facade composition includes building articulation and definition; the size, shape and orientation of windows, doors and balconies; the exterior expression of floor-to-floor heights; and the scale of a building. New buildings that incorporate features of Lower Downtown’s design vocabulary do so with a modern interpretation the objective is to create buildings that reflect their own time, understanding and responding to patterns in their immediate environment. (See Figure 9.)

A building’s details, materials, color, signs, awnings and lighting help it fit into its context. (See Figure 10.)

Mechanical structures, exposed equipment, stair towers and other appurtenances have traditionally been located on rooftops in Lower Downtown. Historically, they were not screened because they were located behind cornices among buildings of similar height. Today, as building heights vary and rooftops become outdoor living space for District residents, such elements are more visible. Rooftop structures and mechanical elements should be neutral and integrated into the overall design of the building they append.
Figure 9
Opportunities to celebrate the special character of Lower Downtown's built environment. New buildings that incorporate features of Lower Downtown's design vocabulary use a modern interpretation that is lively, innovative, and diverse. These enrich the District's unique character.
Figure 10
Lively detailing can extend Lower Downtown’s special character to a new generation of buildings.
Goals

Lower Downtown’s goals for the design of contemporary and new buildings include:

- A design framework shaped by historic architectural precedent conveying the spirit of each successive era.

- New construction and alterations that are compatible with their **context**.

- Building **facades** that visually respect and respond to each other.

- Buildings with a base, middle and top.

- Artfully composed, expressive **facades** displaying a consistent rhythm, vertical composition and **articulation** of elements.

- **Facades** that contribute to the **District’s** pedestrian **scale** and character.

- A variety of architectural elements and textures, details, signs, graphics.

- High quality craftsmanship.

- Reliance on traditional building materials.

- Continuous street walls with a variety of compositions.
Principles, Policies And Recommendations

**Principle D1**  Adopt supplemental design guidelines applicable to contemporary buildings

Policy D1.1 A contemporary building shall remain an expression of its time.

Policy D1.2 Additions and alterations should be sympathetic and subordinate to the original building and to their context.

Policy D1.3 Alterations to contemporary buildings shall be reviewed by the LDD/DRB as new buildings and are subject to the Guidelines for New Buildings.

**Principle D2**  Adopt supplemental design guidelines applicable to new buildings

Policy D2.1 **Height** and **massing** are important determinants of compatibility.

Policy D2.2 The placement of architectural elements is important to building in continuity and to the Lower Downtown physical experience.

**Recommendations:**

D2.2.1 To articulate these elements and to be compatible with the District’s historic context, the design of new building facades needs to employ Lower Downtown’s design vocabulary.

D2.2.2 Other visible elevations, such as walls found in alleys or sidewalls of buildings, contribute significantly to the overall impression of the built environment.

Policy D2.3 A building’s materials, details and colors are important factors in establishing its compatibility with its context.

**Principle D3**  Adopt supplemental design guidelines applicable to all buildings

Policy D3.1 Building signs, awnings and lighting help establish the perceived liveliness and safety of Lower Downtown street life.

Policy D3.2 Roof structures and appurtenances must work within the overall design of the building. They also offer opportunities to enhance the building’s architectural effect.
Implementation

• Amend the 1989 Denver Comprehensive Plan to include the Lower Downtown Neighborhood Plan as a detailed component.

• Amend City ordinances to be consistent with one another as they apply to Lower Downtown and to reflect the principles in the Design of New Buildings section of the Lower Downtown Neighborhood Plan.

• Amend City ordinances to enable the LDD/DRB’s review of projects pursuant to the Design Guidelines recommended by this Plan for adoption by the LPC.

• To supplement the Design Guidelines for Denver Landmarks and Landmark Districts, adopt guidelines that address the design of new buildings, contemporary buildings and all buildings in Lower Downtown.
Uses
Uses

Contents of this Section

Neighborhood Concerns ........................................................................................................... U-1

A. Diversity of Uses ............................................................................................................. U-1
B. Neighborhood Livability ............................................................................................... U-2
C. Open Space ................................................................................................................... U-3
D. Inter-Neighborhood Connections .................................................................................. U-4
E. Retailing ..................................................................................................................... U-4
F. New Housing Development .......................................................................................... U-5
G. New Office Development ............................................................................................ U-6
H. Preserving Art and Cultural Uses .................................................................................. U-7
I. Street Liveliness ........................................................................................................... U-7
J. Zoning Changes .......................................................................................................... U-8
K. Application of Ordinance 109 ..................................................................................... U-9

Goals ....................................................................................................................................... U-10

Principles, Policies And Recommendations ...................................................................... U-11

Principle U1 Enhance the attraction of Lower Downtown to a broad range of uses. ....... U-11
Principle U2 Enhance livability among residential, business/office, commercial and retail uses................................................................. U-11
Principle U3 Enhance connections to adjacent neighbors and nearby open space. ....... U-11
Principle U4 Enhance the attraction of Lower Downtown to both neighborhood serving and one-of-a-kind regional retail .................................................. U-12
Principle U5 Increase residential use in Lower Downtown. ........................................... U-12
Principle U6 Preserve existing employment opportunities and enhance a wide range of new business and office uses. ................................................................. U-12
Principle U7 Explore ways to retain and enhance art and cultural uses in Lower Downtown. ........................................................................................................ U-13
Principle U8 Develop lively street-level uses and activities to enhance Lower Downtown’s streets ................................................................................................. U-13
Principle U9 Change existing ordinances to apply co-terminus boundaries to Ordinance 109 and the B-7 zone district ........................................................................ U-13

Implementation ................................................................................................................. U-14
Neighborhood Concerns

A. Diversity of Uses

Background:

With the official designation of the Lower Downtown Historic District in 1988, emphasis shifted from preserving individual buildings to preserving the area’s general character as a turn-of-the-century commercial district. At the same time, the District was transforming into an urban mixed-use neighborhood with a substantial number of residents.

New restaurants and bars, nearby major attractions such as Coors Field and the new Pepsi Center and development or proposed development of more than 600 residential lofts, in addition to proposed new development on vacant and underutilized building sites, have combined within a decade to change Lower Downtown from a historic neighborhood into a vital, mixed-use historic district.

<table>
<thead>
<tr>
<th>Land Use in Lower Downtown</th>
<th>Total Square Feet (mil)</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>2.54</td>
<td>35</td>
</tr>
<tr>
<td>Parking</td>
<td>1.61</td>
<td>22</td>
</tr>
<tr>
<td>Retail</td>
<td>0.98</td>
<td>14</td>
</tr>
<tr>
<td>Industrial</td>
<td>0.81</td>
<td>11</td>
</tr>
<tr>
<td>Residential</td>
<td>0.63</td>
<td>9</td>
</tr>
<tr>
<td>Open Space</td>
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<td>5</td>
</tr>
<tr>
<td>Transportation</td>
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<td>2</td>
</tr>
<tr>
<td>Vacant</td>
<td>0.13</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>7.19</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>


Issues:

The consensus reached in public meetings and interviews was that Lower Downtown should serve as a live/work/play/learn environment for people with a range of incomes. Participants expressed a desire that Lower Downtown provide urban residential units everywhere people care to live. So that no single use dominates and drives out other uses through failure in the management of potentially negative side effects, good neighbor policies were suggested to assure a balance among the various uses.
Participants in neighborhood meetings and interviews singled out the neighborhood’s **mixed use** character as one of their main reasons for choosing to locate in Lower Downtown, citing particularly the range of activities available, proximity to the downtown business core, the variety of lifestyle opportunities, the ability to walk to work or business meetings and the uniqueness of the Historic District. The variety and intensity of uses function compatibly for the most part and, taken together, distinguish Lower Downtown as a successful urban area: Denver’s most diverse, ‘round the clock’ neighborhood.

Presently, over 50 percent of the area is available for new development, and approximately 57 percent (17,000 of 30,000 total linear feet) of potential building street frontage along named streets is available. As development progresses, a balance of uses must be maintained - a balance that meets the functional needs of an urban neighborhood and preserves valuable historic buildings while realizing the potential for new uses and new buildings. Uses should be encouraged that support and capitalize on the stable, year-round market associated with the expanding residential, specialty retail and office/employment opportunities in the neighborhood.

Participants in neighborhood meetings and interviews expressed a desire for **mixed uses along with** additional residential development. For example, there is the desire to preserve the remaining manufacturing and employment uses that add diversity to Lower Downtown: there is no interest in seeing business and employment driven out of the neighborhood to accommodate any single use. Participants also highly desire the continued encouragement of **mixed use** buildings; there was virtually no support for segregating uses or otherwise limiting their location in the District.

Looking at other cities’ approaches, meeting and interview participants identified useful guidelines to consider in managing Lower Downtown’s uses, specifically:

- recognition that built-up older sections of major cities should be regarded as unique neighborhoods, that are complex and varied in purpose and intensity and that are not well served by blanket, generalized controls, and
- Recognition that uses inappropriately located, too numerous, managed without regard to neighbors, or too concentrated can become serious detractions, requiring some form of management to ensure a balance of uses.

### B. Neighborhood Livability

**Background:**

Lower Downtown’s evolution from a primarily commercial district to a **mixed-use** neighborhood with more and more housing has sparked a variety of livability issues concerning the adjacency of residential and commercial uses. With greater numbers of residents and visitors, and as nighttime entertainment and bar and restaurant uses increase, the potential for conflict increases.
**Issues:**

Residences and businesses need a **compatible** environment to flourish in Lower Downtown. This includes clean air; open space; reduced noise; clean streets, sidewalks and alleys; and a sense of safety. Some residents, for example, are finding that noise, such as late-night music from outdoor bars and patios, loud talking on the street and exhaust noise from rooftop equipment, interferes with the enjoyment of living in Lower Downtown.

**C. Open Space**

**Background:**

The increasing numbers of people who live and work in Lower Downtown create a greater need for open space where people can congregate and interact. Within the Historic District, the Cherry Creek corridor, the 16th Street Mall and Market Street Station plaza offer recreational and open space opportunities. The Cherry Creek trail is used primarily for bicycling, walking, jogging and rollerblading. Market Street Station plaza is used primarily for sitting and (from spring through fall) a farmers market and the 16th Street Mall accommodates both sitting and strolling. Just outside Lower Downtown are the playfields at the Auraria Higher Education Center and the South Platte River. The proposed thirty-acre Commons Open Space and Recreation Area and Rockmont Park in the Central Platte Valley will provide added recreational opportunities within a ten-minute walk from Lower Downtown.

Within Lower Downtown, open space takes on a unique definition. Open space in the Historic District, because of its traditional commercial nature, consists of a network of streets (including the 16th Street Mall extension), sidewalks, alleys and small spaces between buildings. (See Streetscape, Item B)

**Issues:**

Because recreation facilities are limited in Lower Downtown, convenient and easy access to parks, attractions and open space outside the **District** is important to both residents and workers. Meeting and interview participants urged careful design of the new Wewatta ‘ring road’ and the pedestrian connections to the Pepsi Center. They also supported shuttle service on the Lower Downtown extension of the 16th Street Mall.

Meeting and interview participants also stressed that, once the Market Street bus facilities are relocated to the proposed intermodal center, preservation of some open space on the Market Street Station site or another site in Lower Downtown is desirable. Small vacant areas, spaces between buildings and increased use of alleys and rooftops represent other open-space possibilities.
D. Inter-Neighborhood Connections

**Background:**

Access to adjoining neighborhoods ranges from seamless to non-existent. For example, the rectilinear pattern of streets in Lower Downtown is continued without disruption as it enters the CBD. The pattern is also continued into the Ballpark Neighborhood, but 20th Street has been improved to accommodate regional bus transit and baseball needs and is busy with vehicles. Access to the Auraria Higher Education Center requires crossing Speer Boulevard and/or Auraria Parkway. Although the streetscape is developed and there are trees and well-marked pedestrian crosswalks, it is nonetheless daunting on foot. Still to be determined is Lower Downtown’s access to the Central Platte Valley (CPV). Denver Union Terminal and railroad tracks in the CPV form physical barriers to both pedestrians and vehicles. The roadbed for Wewatta, in the CPV, has been determined. Access from Lower Downtown to the Pepsi Center will be primarily across Speer at Auraria Parkway, with some pedestrian connection provided by the new Wewatta Street, also across Speer.

**Issues:**

Convenient links between neighborhoods means, among other things, that each can draw on the other’s services and amenities, without the need for duplication. Participants urged careful design of the new Wewatta ‘ring road’ and pedestrian connections to Lower Downtown’s newest neighbor, the Commons Neighborhood.

E. Retailing

**Background:**

The Lower Downtown retail market is interlocked with the downtown market in all segments, except entertainment and art galleries. Whereas metro Denver’s retail market continues to improve at among the fastest rates in the country and the downtown submarket has the region’s highest square footage of leased retail, new neighborhood serving retail businesses are unable to justify locating in Lower Downtown because of the limited market and high development costs. In addition, with the exception of the Tattered Cover Book Store, there is no regional retail along the 16th Street Mall Extension - Downtown’s retail spine - and only a sprinkling of specialty and boutique retailing in other areas of the District. Lower Downtown does, however, serve as a strong anchor and attraction for the Central Business District and abutting neighbors and connects downtown with a complementary suite of activities and uses.

Residential and business development in Lower Downtown has created new demand for neighborhood serving retail and personal services. Lower Downtown, by virtue of its wholesale and warehousing past, has never provided neighborhood services such as grocery, hardware, or household supply stores. With the future development of a mixed use neighborhood in the Central Platte Valley, however, an overall downtown residential and business “critical mass”
should be available to support new neighborhood retail and personal services. Continued expansion of Lower Downtown’s housing market and improvements in office occupancies also has the potential to increase this demand. Once the market justifies such an investment, approximately 150,000 square feet of vacant, street-level space in Lower Downtown could be converted to retail and service uses.

Issues:

Meeting and interview participants expressed an interest in attracting more retail uses to Lower Downtown. Particularly important were uses that capitalize on the stable year-round markets associated with residential and office uses, and specialty markets such as those tied to art galleries and design offices. Attracting and keeping small- to medium-scale retailers, whose products are unique to the regional market, were also viewed as important components of a healthy retail mix in Lower Downtown. Strategies for attracting these uses and taking advantage of surrounding developments are seen as key issues in creating a vibrant mix of uses.

The cost and availability of parking in Lower Downtown affect the District’s ability to attract retail and service uses to the area. Perceptions of the high cost of parking, the lack of convenient and available spaces, and safety must be overcome. Current zoning regulations require that reduced amounts of parking be required for projects in Lower Downtown than is required in other districts in the city. No parking is required if development commits to joining a parking district, when formed. When new development occurs on existing surface parking lots in Lower Downtown, the loss of spaces and increased demand for those remaining spaces adversely affect the area’s attractiveness to retailers. (See Mobility and Parking, Item G)

Lastly, the ability to attract retail uses and affect the timing of development is often beyond Lower Downtown’s control. Examples are the extension of mall shuttle service to Wewatta Street and the development of the Union Station intermodal center. Both these projects have the potential to generate considerable pedestrian traffic and retail demand in the neighborhood while reducing the demand for parking spaces.

F. New Housing Development

Background:

Denver’s Comprehensive Plan, the Downtown Area Plan and the Denver Partnership have identified the desirability of and created programs to increase the number of housing units in and around downtown, including Lower Downtown. These programs are proving to be successful. Most housing has either been developed with subsidies or marketed at higher-end price points.

Between 1980 and 1996, the population of Denver’s central business district, including Lower Downtown, increased 28 percent (from 2,639 to 3,369). Whereas growth between 1980 to 1990 was small (6 percent), growth between 1990 and 1996 increased dramatically to 22 percent (DRCOG, 1996). Compared with other large cities, however, Denver’s downtown population -
five percent of the downtown work force - is very low. In other large American cities, the percentage of workers who live downtown is typically 20 percent or higher.

According to the DRCOG survey, Lower Downtown’s population in 1996 was 1,775, with an average household size of 1.42 persons (census tract 17.01). The housing stock currently includes more than 600 units. Included in that number are 151 affordable/non-market rental units in the Barth Hotel, Mercantile Square and Studebaker Apartments. Within two blocks of Lower Downtown are 2,418 existing or proposed housing units. This development activity indicates a strong market for housing in Lower Downtown.

**Issues:**

Meeting and interview participants agreed that housing in Lower Downtown should be encouraged, essentially anywhere people want to live - the more the better. Additional housing is fundamental to achieving a primary City objective: the increasing focus on downtown as a center for culture, entertainment and business. This emphasis, in turn, will contribute greatly to Lower Downtown’s housing market, and vice versa.

Participants expressed the desire for new housing units at a broad range of costs, including affordable housing, which gives a greater variety of people the opportunity to live and work in Lower Downtown. Currently, primarily upper-income housing is being developed and proposed. Loft condominiums are rapidly sold at escalating prices with very few units priced below $200,000. Few resale units are available.

While housing rents in Lower Downtown are climbing to over $1.00 per square foot per month, high land and building costs limit the profitable construction of new rental units. Whereas a large amount of land in Lower Downtown is presently utilized for surface parking, the cost of the land and development for new housing on these sites is high. A major contributor to this high cost is the need to provide on-site parking in order to obtain project financing.

The biggest challenge in the sustained development of housing, particularly affordable housing, is whether it can be financed conventionally (e.g., FHA, Fannie Mae). In addition, only enlightened developers and mortgage lenders are willing to support mixed use buildings and projects that include market-rate and affordable residential with retail and office uses.

**G. New Office Development**

**Background:**

Lower Downtown’s popularity has increased demand in the office sector of the market. Office is the predominant use in Lower Downtown (35 percent of all uses), because of the area’s proximity to downtown, lower rental rates than the CBD, smaller and more varied building floor plates, and unique historic environment.
This demand has raised rents (to an average $11.59 per square foot in 1995), which threatens smaller businesses and offices and encourages their relocation outside of Lower Downtown. From 1989 to 1994, the amount of office space in Lower Downtown increased by 18 percent, while the vacancy rate fell by 23 percent. Recent surveys indicate that Lower Downtown’s office vacancy rate reached a ten-year low of 11.89 percent in 1995. In comparison, the CBD vacancy rate at the same time was 14.2 percent (Woolley, Fuller). Large blocks of office space are only rarely available.

Issues:

It appears likely that the strong demand for office space will continue, prices and rents will rise, and conversions and new construction can be anticipated. Neighborhood participants indicated, as with other uses, it is important that office use be spread throughout the District and particularly along the major streets and the 16th Street Mall extension. Finally, because a lively pedestrian environment is an objective of the Plan, eight-to-five ground-level office uses are less desirable than round-the-clock active uses, such as retail and art galleries.

Continued improvement in office occupancy has the potential to contribute to the increased demand for both residential and retail development in Lower Downtown.

H. Preserving Art and Cultural Uses

Background:

Galleries, studios and workshops are key to the sensory experience of the neighborhood, and are an integral part of its modern character. But their continued presence in Lower Downtown is threatened by increasing rents that may force them to relocate outside the neighborhood.

Issues:

Meeting and interview participants confirmed that retaining and preserving the art community as a major component of Lower Downtown is a shared goal of all constituencies in the neighborhood. In response to the effect of increased rents, however, there was some concurrence that the type of art and cultural uses might change and reflect a different arts focus (performance arts, graphic arts, culinary arts.)

I. Street Liveliness

Background:

Lower Downtown has become a heavily pedestrian district, particularly since the development of housing, the opening of restaurants, art galleries and retail stores, and the construction of Coors Field. The neighborhood is known for its lively and active street life. The major factor in creating Lower Downtown’s lively streets and increased “pedestrianization” is the area’s active
street-level focus. New developments and rehabilitation projects - residential, office and retail - provide exciting ground-floor activities and lively fronts and streetscapes.

At street level, inactive uses, like parking or residential use, create gaps in activity. Surface parking lots and vacant land interrupt not only activity, but also the street wall and its sense of enclosure. Sometimes these gaps provide relief - a view of the sky, a different perspective - but when experienced in quantity, gaps appear as missing teeth in a smile.

**Issues:**

Meeting and interview participants encouraged the commercial use of street-level frontage to screen inactive uses. Participants recommended ‘wrapping’ the ground level of parking structures in retail space. They felt the resulting small retail floor plates have the added advantage of offering affordable spaces that attract a variety of desirable uses - uses which otherwise might not be able to afford rent in Lower Downtown. Where residential use is found at ground level, live/work spaces are preferable to live-only spaces. Ground floor, service-related office components with active foot traffic provide spaces and displays of interest for passing pedestrians.

Alleys also offer opportunities for street-level uses and activities, particularly where they are enhanced by adjacent lower-cost retail spaces and uses that do not require on-street frontage and access. Participants urged developers and lessees alike to maintain alleys and develop small, inexpensive retail uses. However, a concentration of alley retailing that compromises retailing along Lower Downtown’s streets is not desirable.

**J. Zoning Changes**

**Background**

Currently, the Lower Downtown Historic District, defined in Ordinance 109, consists of three zone districts. The B-7 zone district comprises the bulk of Lower Downtown and is located north of Cherry Creek and west of Wazee Street. The properties located south of Cherry Creek and east of Wazee Street are zoned either B-5 or I-1 and are owned by the City and County of Denver and the Colorado Department of Transportation.

**Issues**

Planning participants expressed concern that as properties in the B-5 and I-1 districts are developed there arises a potential for conflicts between the zoning ordinances and the preservation ordinance. In order to avoid such conflict and to simplify the review of projects that come before the LDD/DRB, participants urged rezoning of the B-5 and I-1 parcels to B-7. Affected property owners expressed no objection to the proposed zoning changes.
K. Application of Ordinance 109

Background:

Currently, projects that span both the B-7 zone district and another zone district may, by virtue of their contiguity, be subject to the provision of another zoning ordinance. An example of this might be a free standing parking structure, which is not a use-by-right in Lower Downtown, but which may be constructed as an adjunct to a larger project located in an abutting district.

Issues:

Planning participants expressed concern that uses deemed by ordinance as unsuitable, or only marginally suitable, for the Historic District might nonetheless be permitted where an assemblage of land crossed over the B-7 zone district. Participants felt this was unfair and in contravention of the spirit of the Landmark Ordinance. As a result, participants recommended that ordinances be clarified to provide that regardless of any overlap of ownership between zone districts, that portion of a project located in the B-7 zone will be subject to both the B-7 Zoning Ordinance and Ordinance 109.
Goals

Lower Downtown’s goals for uses and development include:

- A balanced and broad range of uses to foster a vibrant urban neighborhood with live/work/play opportunities.

- Compatibility among the variety of uses that contributes to the neighborhood’s livability and ambience.

- New codes, regulations and procedures that reflect the neighborhood’s unique, complex and historic character.

- Clean, well-lit streets.

- Neighborhood retail and personal services that support residential, office and commercial uses.

- Regional specialty and boutique retail that complements existing retail and other uses found in the District.

- Housing opportunities for a broad range of people.

- Employment opportunities for a broad range of workers.

- A vibrant and healthy art and cultural community including fine arts, performance, galleries and studios.

- Lively, active sidewalks and alleys with adjacent street-level uses.

- A variety of open spaces to support neighborhood interaction.
Principles, Policies And Recommendations

**Principle U1**  
Enhance the attraction of Lower Downtown to a broad range of uses

- **Policy U1.1**  
  Identify alternative ways to resolve perceived parking shortage and other parking problems in Lower Downtown.

- **Policy U1.2**  
  Use tax increment financing, where available, and other financing sources to provide infrastructure improvements as an attraction to development.

- **Policy U1.3**  
  Educate lenders and underwriters to support financing of mixed use projects with greater than 20 percent commercial use.

**Principle U2**  
Enhance livability among residential, business/office, commercial and retail uses

- **Policy U2.1**  
  Provide for voluntary, community-based resolution of nuisances. Create and administer a Good Neighbor Policy for issues pertaining to security, noise, management of patrons in public areas and trash pickup.

- **Policy U2.2**  
  Provide for resolution of nuisances or potentially conflicting uses by enforcement of city codes and regulations.

  **Recommendations:**
  
  - **U2.2.1**  
    Reduce or eliminate outdoor noise and odors.
  
  - **U2.2.2**  
    Establish criteria for planning, execution and location of outdoor special events.
  
  - **U2.2.3**  
    Amend B-7 Zone District to eliminate certain adult and obsolete uses presently permitted in Lower Downtown.
  
  - **U2.2.4**  
    Amend B-7 Zone District to restrict outdoor patio space to 25 percent of total permitted floor area.

- **Policy U2.3**  
  Vigorously enforce existing noise and odor emissions ordinances.

**Principle U3**  
Enhance connections to adjacent neighbors and nearby open space

- **Policy U3.1**  
  Provide linkage to parks, attractions and open space outside the District.

  **Recommendations:**
  
  - **U3.1.1**  
    Provide enhanced connections to the Cherry Creek corridor.
  
  - **U3.1.2**  
    Facilitate access to the proposed Commons Open Space and Recreation
Area and Rockmont Park.

U3.1.3 Ensure that the design of Wewatta, in the CPV, facilitates pedestrian access between the communities.

U3.1.4 Provide safe and easy pedestrian access to the Pepsi Center.

Policy U3.2 Provide linkage to nearby neighborhoods.

Policy U3.3 Provide shuttle service the length of the 16th Street Mall.

Policy U3.4 Preserve some open space on the Market Street Station site or another site in Lower Downtown.

**Principle U4**  
Enhance the attraction of Lower Downtown to both neighborhood serving and one-of-a-kind regional retail

Policy U4.1 Develop a retail marketing program for Lower Downtown.

Policy U4.2 Support and advocate the extension of shuttle service on the 16th Street Mall and the development of the Union Station intermodal center.

Policy U4.3 Advocate additional residential and office development in downtown, the CPV and Lower Downtown.

Policy U4.4 Support completion of the Streetscape Plan.

**Principle U5**  
Increase residential use in Lower Downtown

Policy U5.1 Achieve a mix of housing types in projects to accommodate a full range of residents.

Policy U5.2 Enact residential bonuses for buildings over fifty-five feet tall.

Policy U5.3 Utilize DURA, CHAFA, CDBG and DHA programs to support a full range of housing opportunities.

Policy U5.4 Educate lending institutions and underwriters to support financing of mixed use projects, including residential, office and commercial use.

**Principle U6**  
Preserve existing employment opportunities and enhance a wide range of new business and office uses

Policy U6.1 Emphasize transit-oriented development.

Policy U6.2 Use tax increment financing, where available, to provide infrastructure improvements as an attraction to office and employment development.

Policy U6.3 Support new residential and retail development in Lower Downtown.
Principle U7  
Explore ways to retain and enhance art and cultural uses in Lower Downtown

Policy U7.1  
Promote the arts in Lower Downtown.

Policy U7.2  
Encourage the development of small, inexpensive spaces for gallery use.

Policy U7.3  
Support cultural activities and events in the Historic District.

Principle U8  
Develop lively street-level uses and activities to enhance Lower Downtown’s streets

Policy U8.1  
Encourage active street-level uses such as retail, art galleries, coffee shops, restaurants and live/work spaces.

**Recommendations:**

U8.1.1  
Where parking is the primary ground level use, wrap parking uses with small floor-plate active retail uses.

U8.1.2  
Where residential is the primary ground level use, encourage live/work uses.

U8.1.3  
Where service-related office uses are the primary ground level use, encourage those with active foot traffic.

U8.1.4  
For retail uses that do not require on-street frontage and access, consider lower-cost retail spaces in alleys.

Policy U8.2  
Prohibit drive-through uses.

Policy U8.3  
Establish specific performance criteria for sidewalk vending and special event activities.

Policy U8.4  
Maintain the network of sidewalks, alleys and small open spaces for congregation and interaction.

Principle U9  
Change existing ordinances to apply co-terminus boundaries to Ordinance 109 and the B-7 zone district
IMPLEMENTATION

• Amend the 1989 Denver Comprehensive Plan to include the Lower Downtown Neighborhood Plan as a detailed component.

• Amend City Ordinances to be consistent with one another as they apply to Lower Downtown and to reflect the principles in the Uses section of the Lower Downtown Neighborhood Plan.

• Create and administer a Good Neighbor Policy.

• Facilitate access to the proposed Commons Open Space and Recreation Area and Rockmont Park.

• Commission a study and develop a retail marketing program for Lower Downtown.

• Create and promote a package of materials for lending institutions and underwriters to support financing of mixed-use projects.

• Identify a program to retain and support Lower Downtown’s arts and cultural community.

• Advocate for extension of shuttle service on the 16th Street Mall

• Advocate for the creation of an intermodal facility at Denver Union Terminal.
Mobility and Parking
Mobility and Parking

Contents of this Section

Neighborhood Concerns........................................................................................................ MP-1

A. Streets..................................................................................................................... ............ MP-1
B. Street and Alley Closures.......................................................................................... MP-3
C. Buses and Mass Transit ............................................................................................... MP-3
D. Calming Traffic........................................................................................................ MP-4
E. Accessibility............................................................................................................... ........ MP-4
F. Pedestrian/Vehicular Conflicts Resulting from Parking Uses........................................... MP-5
G. Parking..................................................................................................................... .......... MP-5
H. Excess Parking.............................................................................................................. ..... MP-8
I. Design Considerations for Parking Uses – General........................................................... MP-8
J. Design Considerations for Parking Uses Adjacent to Existing Residential Uses.............. MP-9

Goals ..................................................................................................................................... MP-11

Principles, Policies And Recommendations ....................................................................... MP-12

Principle MP1 Enhance the pedestrian experience on Lower Downtown’s streets ........ MP-12
Principle MP2 Maintain the historic grid of Lower Downtown’s streets, sidewalks and alleys ..................................................................................................... MP-12
Principle MP3 Give top priority to pedestrian movement and safety when resolving pedestrian/vehicular conflict................................................................. MP-12
Principle MP4 Minimize negative effects of traffic ............................................................ MP-12
Principle MP5 Optimize public transportation opportunities ............................................. MP-14
Principle MP6 Ensure, to the extent feasible, that Lower Downtown’s public and private circulation network is made up of accessible routes ......................... MP-14
Principle MP7 Adopt new design guidelines for parking structures and parking located in other buildings................................................................. MP-15
Principle MP8 Revise parking requirements in Lower Downtown ..................................... MP-15
Principle MP9 Establish a procedure and criteria for the review of structures with excess parking....................................................................... MP-16
Principle MP10 Work collaboratively to find a downtown-wide parking solution................. MP-17
Principle MP11 Better manage the existing parking inventory ........................................... MP-17
Principle MP12 Advocate and support a variety of alternative transportation modes serving Lower Downtown................................................................. MP-18
Principle MP13 Educate city center users about alternative transportation and parking options......................................................................................... MP-18

Implementation................................................................................................................. MP-19
Neighborhood Concerns

A. Streets

Background:

Lower Downtown’s current street hierarchy is as follows: Wynkoop Street is classified as a local street; Wazee Street is a collector street; and Market and Blake are arterial streets. The arterials carry traffic that passes through Lower Downtown enroute to and from other areas, including other parts of downtown. The numbered streets northwest of Blake, with the exception of 15th Street and all of 16th Street, also serve as collector streets, distributing traffic from local generators in Lower Downtown to the arterial system.

Particularly important for access between the CBD and I-25 are Market and Blake Streets, a one-way pair, which connects the city and the highway by way of Auraria Parkway and Speer Boulevard. 20th Street, on the north of Lower Downtown, is a component of the I-25 HOV system, and Speer Boulevard on the south, in addition to connecting to I-25, provides diagonal access to northwest and southeast Denver. (See Figure 11)

Since the passage of the Landmark Ordinance in 1988 and the subsequent creation of the Lower Downtown Historic District, development in and adjacent to Lower Downtown has caused changes in the patterns, volume, and character of street use. The city’s traffic engineering department has worked with LDDI on various adjustments to the circulation pattern as regional and local transportation improvements occurred. An example of this joint effort is the Memorandum of Understanding dated October 1992.

Issues:

Lower Downtown’s streets are unique to Denver. On the one hand, they are a part of a broader network of ingress and egress to the CBD. As such, they are expected to move traffic efficiently, considering vehicular and pedestrian safety, ease of mobility, and air quality. On the other hand, because Lower Downtown is a pedestrian oriented neighborhood, the community wants them to also perform as neighborhood streets. Planning participants and interviewees expressed concern that some of the functions Lower Downtown’s sidewalks should provide are made difficult by traffic. For example, automobiles and buses, even at moderately low speeds, can be noisy and make even a casual greeting difficult to hear. Yet residents and workers need to be able to meet on the sidewalks. There are also areas in Lower Downtown where, to improve traffic efficiency, street parking is not permitted, but the layer of real or perceived protection provided by the parking buffer is lost to the pedestrian.
Figure 11
Hierarchy of streets in Lower Downtown.
Many of the participants in meetings and interviews felt some streets in the neighborhood have been pressed into service to the am/pm commute. They specifically point out 15th Street, as it enters Lower Downtown from the Central Platte Valley, and Wazee Street, which funnels traffic across Lower Downtown and up 17th Street to parking and businesses in the CBD.

Planning participants and LDDI’s Transportation Committee felt that it is desirable to establish a revised hierarchy of streets in Lower Downtown, with Market, Blake, Speer and 20th the primary carriers of through-traffic. The other streets should be “calmed” to slow traffic, to discourage it when it is not Lower Downtown-destined, and to serve primarily adjoining businesses and residents. The objective is to create a more pedestrian-friendly environment.

B. Street and Alley Closures

Background:

In the last several years, a few projects have been advanced calling for closure of streets and alleys. In 1994, the Taubman Company proposed a shopping mall paralleling and covering the 16th Street Mall from Blake Street to Arapahoe Street. Initially, the proposal called for the closing of Market Street and dead ending of all alleys between Larimer and Blake. Community stakeholders vigorously objected to this aspect of the proposal. A more recent example is a request for closure of 14th Street, between Blake and Market.

Issues:

Participants and interviewees expressed concern over proposed projects that requested closure of streets and alleys and their conversion to private use. They felt such closings create discontinuities in the historic grid pattern, confusing and intimidating visitors. In addition, street closures may increase traffic on the remaining streets, often moving it onto local streets not intended as major traffic carriers. Discontinuity of pedestrian pathways may also result. Participants cautioned against disruption of the grid.

C. Buses and Mass Transit

Background:

Currently, a steady number of RTD express and regional buses travel to and from Market Street Station in the weekday morning and afternoon peak hours along the portion of the 16th Street Mall in Lower Downtown. The proposal for an intermodal transportation center at Union Station calls for the relocation of this bus service from Market Street Station. The center would also provide connections to a range of intercity and regional transportation modes, including light rail, charter and tour buses, Amtrak, commuter and passenger rail, and the proposed AirTrain to Denver International Airport.

Daily local bus service will continue in the neighborhood. Regular shuttle service on the mall, the extension of the historic trolley, the Cultural Connection Trolley, and privately and publicly
operated vehicles may provide local access as well. To reduce the traffic generated in the neighborhood by the intermodal center, the center’s “front door” for drop-offs and pick-ups, parking access, and curbside queuing will be located on Wewatta Street in the Central Platte Valley. Limited access will continue to be provided at Union Station from Wynkoop Street.

Presently, there is no shuttle service on the extended portion of the Sixteenth Street Mall. This is due, in part, to a lack of ridership in the neighborhood. With the relocation of the RTD express and regional bus service and the extension of light rail to the intermodal center, mall shuttle service will be extended through the neighborhood.

**Issues:**

The intermodal center offers Lower Downtown the opportunity to address many of the goals of this neighborhood plan, including those related to traffic, parking, and increased pedestrian activity. It is critical to removing express and regional buses from neighborhood streets, reducing traffic and the demand for parking, and extending local access and distribution services, including service on the 16th Street Mall. The center will also improve downtown and regional accessibility. Securing the means to implement it will call upon the resources of all beneficiaries of the improved access.

**D. Calming Traffic**

**Background:**

Streetscape elements can contribute to pedestrian safety and traffic calming efforts. Techniques such as widening sidewalks and providing on-street parking separate pedestrians from vehicles and create both the sense and reality of safety. Stop signs and two-way streets, in addition to serving other regulatory functions, also slow traffic as it moves to and through an area.

**Issues:**

Planning participants agreed that Lower Downtown should be a pedestrian friendly environment and that when traffic and pedestrian conflicts occur, the safety of the pedestrian and the continued enhancement of a pedestrian friendly environment should be preserved, including, but not limited to, the use of traffic calming techniques.

**E. Accessibility**

**Background:**

The Americans with Disabilities Act of 1990 (ADA) requires that all new and existing facilities open to the public, with the exception of religious facilities and most residential facilities, provide equal access to all individuals, including the disabled. The ADA prohibits discrimination against individuals with disabilities. This prohibition includes: a failure to remove architectural barriers which are "readily achievable" or easily accomplished with little difficulty or expense; and, where the removal of architectural barriers is not readily achievable, a failure to provide
alternative means to accommodate individuals with disabilities.

The ADA established standards and guidelines for compliance. Alterations to historic properties must comply, to the maximum extent feasible, with specific provisions governing historic properties. Under those provisions, alterations should be done using standards for non-historic buildings. However, if following the usual standards threatens to destroy the significance of an historic feature, alternative standards may be used. The decision to use alternative standards for that feature must be made in consultation with the appropriate historic advisory group.

The City of Denver and State of Colorado also have laws and ordinances that prohibit discrimination and promote accessibility. For the most part, these ordinances are similar to the ADA.

**Issues:**

Participants in public meetings and interviews stressed the importance of making Lower Downtown accessible to all as a place to work, live, play and learn.

**F. Pedestrian/Vehicular Conflicts Resulting from Parking Uses**

**Background:**

In order to access parking, vehicles must pull across the sidewalks as they enter and exit lots and structures. In Lower Downtown, the frequency of the pedestrian/vehicle encounter is amplified by the intensity of use of the sidewalks and, especially at peak hours, the number of entering and exiting vehicles.

**Issues:**

For ingress and egress to parking lots and structures with parking uses, participants recommended using the street with the least foot-traffic.

**G. Parking**

**Background:**

Landmark designation, changes in zoning, and changes in the marketplace have assisted Lower Downtown in its current burst of growth and development. As development encompasses existing parking lots and leads to building renovations, the need to address parking availability becomes more acute.

There are more than 4,300 parking spaces in Lower Downtown, with more than 33,000 spaces in the 120-block Downtown Business Improvement District. The B-7 zoning code governing Lower Downtown requires the provision of parking by all new construction and expansion projects. Generally, a per-square-foot calculation determines the amount of parking that will be
required. Proposals may include construction of parking on-site, or leasing of parking at existing facilities. Developers may also satisfy the parking obligation by agreeing to participate in a parking district if one is formed.

Since parking is not a use by right in Lower Downtown, a project that meets its requirements on-site is precluded from adding more spaces unless approved for “excess parking.” Existing ordinances are largely silent on the circumstances in which excess parking would be approved. A joint meeting of LDD/DRB and the LPC recently heard the only proposal in Lower Downtown that included excess parking.

**Issues:**

The parking market in Lower Downtown is very diverse. With peak utilization during multiple events and development shrinking the parking supply, requiring developers to satisfy parking requirements and perhaps permitting excess parking are one of many strategies that could be implemented to balance the needs for parking in Lower Downtown.

But, meeting demand is just one of the many issues involved in adding parking. Inclusion of parking in a project is a key factor in determining its final size and configuration. The larger size needed to include parking has a direct impact on the ability of a project to fit into Lower Downtown’s historic context. Generally speaking, the larger the project, the harder it is to fit it into the Lower Downtown context. Additionally, the design of parking is unique among building types. This uniqueness, driven by the building use, introduces new architectural patterns into the historic fabric of Lower Downtown. For example, floor-to-floor height, ramping, wall systems, ventilation, and the crossing of pedestrian zones by automobiles are all unique to parking structures. Consequently, when reviewing proposed parking structures or mixed use projects that include parking, design and use cannot be separated. One strategy may be to encourage new development to consider underground parking.

To respond to the parking situation in Lower Downtown will require an agreement by all involved – first on the issues – then on the optimal number of parking spaces for Lower Downtown. The optimal number must consider the impact of parking on transit usage, the environment, and Lower Downtown’s historic character. Then, community consensus will be necessary to determine the means to achieve the optimal number of parking spaces and the best method for efficiently utilizing all available parking at all hours. Community consensus must also determine the cost of achieving “optimal” conditions and who will pay for that achievement.

Continuing education about parking is necessary to achieve optimal conditions. Visitors may perceive there is a parking shortage, when what they are really conveying is that there may not be inexpensive parking located at their destination. Clearly, Lower Downtown experiences peak periods of utilization – baseball days, summer events, weekends and evenings -- when parking prices in the historic district increase as the demand increases. However, within the Downtown Business Improvement District are more than 33,000 parking spaces, most of which are empty during Lower Downtown’s peak periods.
Members of various committees involved in the Lower Downtown neighborhood planning process considered the parking situation. They agreed that the goal of parking responses should continue to promote a mixed use, pedestrian friendly environment. The committees reached five broad conclusions:

- Responses to Lower Downtown parking must be part of a collaborative Downtown effort. Visitors do not clearly distinguish boundaries between Lower Downtown and Downtown.

- New construction projects are more flexible than renovations. New construction projects should meet parking requirements on-site and new construction in some locations may be eligible to provide excess parking. In all cases, maximization of underground parking should be encouraged first.

- Management of the existing parking inventory should be a high priority. This will help to ensure adequate parking in response to times of peak demand. Priority should be given to providing parking for visitors and tourists, while encouraging employees to utilize transit and other alternative modes.

- Lower Downtown should continue to support the use of transit and alternative modes of transportation by employees and visitors. Additionally, Lower Downtown should continue to strive for pedestrian and bicycle amenities to promote a mixed-use, pedestrian-friendly environment.

- Education programs geared toward both visitors and employees will help to manage the parking supply in Lower Downtown. Programs that promote alternative modes of travel, in addition to access and parking locations, will help educate both employees and visitors, resulting in an efficient use of parking resources.

In addition, Lower Downtown should continue to work with other regional constituents to further the role of Denver Union Terminal as a regional, inter-modal facility. Lower Downtown should continue to be an active participant in planning for transportation management activities in the Central Platte Valley, ensuring the CPV is developed to compliment Lower Downtown, Downtown and the adjacent neighborhoods.

In the course of their discussion, Committee members realized that parking in Lower Downtown is diverse, misunderstood, and complex. Questions about the actual inventory, patterns of usage, the impact of proposed transit patterns, and the economic implications of sub-surface parking continued to plague Committee members as they searched for a parking “solution.” Committee members realized that it would take a large community consensus with participation by a variety of groups and individuals to draft meaningful responses to the parking situation. Therefore, Committee members did not propose a comprehensive parking program for the Lower Downtown Neighborhood Plan. However, Committee members have made recommendations in the Plan that will help Lower Downtown respond to parking challenges on an interim basis, and have included a recommendation that stakeholders in the community work collaboratively to find a downtown-wide parking "solution."
H. Excess Parking

*Background:*

During the fall and winter of 1998, a proposed mixed-use building to be located on a surface parking lot in Lower Downtown caused considerable discord. The issue focused on the additional height of the structure caused by inclusion of parking in excess of that required by zoning. The excess parking was to be available for public use, but it added an additional floor to the proposed structure. Opponents of the proposed structure argued that the building was too tall, it blocked residential views, and it concentrated too much parking in a single structure.

Since parking is not a use-by-right in Lower Downtown, a joint meeting of the LPC and the LDD/DRB was convened to address the question of excess parking. Together, the LPC and the LDD/DRB reconfirmed a previous approval of the height and mass of the building, but stipulated that the excess parking spaces be removed from the building program. This resolution neither established a precedent for considering subsequent proposals of buildings with excess parking, nor did it stipulate how similar projects would be reviewed in the future and by whom.

*Issues:*

Although the example cited above is the first project that proposed excess parking, it is clear that there will be similar proposals in the future. Planning participants expressed concern over the height and mass of buildings driven by parking in excess of that required by the uses contained in a project. At the same time, they also felt that under certain circumstances excess parking might be desirable and might serve a community need. As a result, planning participants reviewed existing zoning regulations and recommend some minor changes in minimum parking requirements. They further recommend permitting limited additional parking that, at the applicant’s option, can be included in projects without special approval. However, if a project proposes to include parking over the minimum required amount and over the additional permitted amount, the project includes excess parking. The Plan provides a mechanism and criteria for approving excess parking. The intent of the recommendations is to balance an increasing demand for parking, a decreasing inventory, and the need to preserve the historic character of the District.

I. Design Considerations for Parking Uses – General

*Background:*

Parking uses require a specialized structure circulation, floor-to-floor heights, openings, glazing, lighting, and access are all geared to serve vehicles rather than people.

*Issues:*

Because parking uses are not generally designed for pedestrians and because Lower Downtown
aims to be pedestrian friendly, planning participants felt that parking structures, like other buildings in the Historic District, should be contextually appropriate and should contribute to a pleasant pedestrian experience along the District’s streets. (See Figure 12.) The Plan recommends the adoption of design guidelines that address parking in all buildings, freestanding parking structures, mixed use buildings with parking uses, and any structure with parking uses that abuts residential uses. The objective of the guidelines is to integrate parking uses into the streetscape and to help them be good neighbors.

J. Design Considerations for Parking Uses Adjacent to Existing Residential Uses

Background:

The question of excess parking, discussed in H above, raised considerable discussion about the design of structures containing a significant parking program that were to be located near or could affect an existing residential structure. A number of factors increase the likelihood that in the future structures with parking will be considered adjacent to or near residential uses. These factors include the availability of approximately fifty-percent of the property in Lower Downtown for redevelopment, significant demand for residential development in new and renovated structures, and zoning that encourages mixed-use projects.

Issues:

In order to provide protection for existing residential developments, specific guidelines are recommended by the Plan for parking uses adjacent to residential uses. When viewed in conjunction with design guidelines for all parking uses, the objective is to preserve and enhance quality of life and to mitigate any impacts of proximity.
Figure 12
Parking structures should be positive features in Lower Downtown’s built environment. New structures should embody the same design qualities as other new buildings in the District.
Goals

Lower Downtown’s goals for transportation and mobility include:

- Streets that enhance the pedestrian experience.

- A hierarchy of streets to channel traffic and calm its impact, slowing traffic as it moves through Lower Downtown and discouraging non-destination traffic from traversing the neighborhood.

- Streets and buildings that are accessible to all.

- Parking that is sized, located, and managed to meet Lower Downtown’s needs.

- Parking uses that compliment the pedestrian friendly environment and that are good neighbors to residential uses.

- Efficient and comfortable internal and external circulation for both vehicular and pedestrian traffic.

- Strong pedestrian connections to adjacent neighborhoods and attractions.

- A neighborhood that optimizes the benefit of its location as a regional transit hub.
Principles, Policies And Recommendations

Principle MP1  Enhance the pedestrian experience on Lower Downtown’s streets

Policy MP1.1  Create a sense of safety, intimacy, and separation from traffic on Lower Downtown’s streets.

Recommendations:

MP1.1.1 The goal of the Neighborhood Plan is to convert Wazee Street to two-way, 15th to 20th Streets, no later than the year 2000, subject to funding.

MP1.1.2 Extend 17th to two-way from Blake to Larimer

MP1.1.3 Extend Blake to two lanes, 18th to 20th

MP1.1.4 Extend Market to two lanes, 17th to 20th

Principle MP2  Maintain the historic grid of Lower Downtown’s streets, sidewalks and alleys

Principle MP3  Give top priority to pedestrian movement and safety when resolving pedestrian/vehicular conflict

Policy MP3.1. Install an “All Walk” pedestrian phase on:

- Wazee at 17th, 18th, and 19th
- 17th and Market
- 18th and Blake

Policy MP3.2 An “All Walk” pedestrian phase at Wazee and 15th will be modeled beginning in March of 1999 to determine if a pedestrian friendly and safe environment will be enhanced.

- The modeling of the 15th and Wazee intersection will be developed in cooperation with LDDI.
- The conclusions reached between LDDI and the City as a result of the modeling will be supported by both parties.
- Efforts will be made to make changes, if any, within the nearest practical budget cycle.

Principle MP4  Minimize negative effects of traffic

Policy MP4.1 Channel and contain non-destination traffic into streets designated as arterials

Recommendations:
MP4.1.1 Revise the classification of certain streets in Lower Downtown’s current street hierarchy.

- Wazee should be reclassified as a local street and Wynkoop retained as a local street.
- All numbered streets, including 14th Court, should be classified as collector streets.

MP4.1.2 If a left turn signal is to be installed from southbound Speer onto Wewatta, it could be installed when Wewatta is complete to Park Avenue and to 9th Street.

MP4.1.3 Complete Wewatta as an arterial around Lower Downtown.

Policy MP4.2 Calm traffic as it moves into and through Lower Downtown.

**Recommendations:**

MP4.2.1 Analyze and implement various traffic calming techniques.

MP4.2.2 Traffic calming techniques are aimed at slowing traffic and may include, but are not limited to, such things as:

- Widening sidewalks
- Creating on-street parking
- Conversion of one-way streets to two-way streets and two-way streets to one-way streets
- Use of stop signs, four-way stops, and traffic signals
- Enforcement of traffic laws
- Installation of “All Walk” pedestrian phase traffic signals
- Use of sidewalk bulb-outs, neck-downs, and chokers
- Creation of traffic circles
- Use of speed humps
- Construction of raised pedestrian crossings
- Variation of street surfaces, such as restoration of cobblestones
- Elimination of right and left turn lanes
- Installation of pedestrian controlled crosswalk signals
- Planting trees along streets
- Defining crosswalks with striping and installing crosswalk signage
- Use of diverters and chicanes
- Street closures

Policy MP4.2.3 Endorse the City’s continued effort toward citywide traffic calming

Policy MP4.3 Reduce regional buses traversing Lower Downtown.
Principle MP5  Optimize public transportation opportunities

Policy MP5.1  Capitalize on regional transportation opportunities.

Recommendations:

MP5.1.1  Support relocation of RTD’s Market Street Station into the Central Platte Valley or the proposed multimodal center.

MP5.1.2  Support and advocate on behalf of the Union Station multimodal center.

Policy MP5.2  Extend shuttle service the entire length of the 16th Street Mall.

Principle MP6  Ensure, to the extent feasible, that Lower Downtown’s public and private circulation network is made up of accessible routes

Policy MP6.1  Interior accessible routes to consider may include corridors, floors, ramps, elevators, lifts, and clear floor space at fixtures.

Policy MP6.2  Exterior accessible routes to consider may include parking access aisles, curb ramps, walks, ramps, and lifts.

Recommendations:

MP6.2.1  Make buildings accessible by sharing access on loading docks, where feasible.

MP6.2.2  Make buildings accessible by sharing access from ramping parallel to the facade on widened sidewalks, where feasible.

MP6.2.3  Make buildings accessible using other innovative approaches.

Policy MP6.3  When following standards for non-historic buildings threatens to destroy the significance of an historic feature, alternative standards may be used.

Recommendations:

MP6.3.1  Consider permitting only one accessible route on the site.

MP6.3.2  Consider permitting a slightly steeper ramp than is ordinarily permitted.

MP6.3.3  Consider permitting an accessible entrance other than the one used by the general public.

MP6.3.4  Consider permitting only one accessible toilet which is unisex.

MP6.3.5  Consider permitting accessible routes only on the level of the accessible entrance.
**Principle MP7**  
**Adopt new design guidelines for parking structures and parking located in other buildings**

**Policy MP7.1**  
The objective of parking in Lower Downtown is to meet the needs of the neighborhood’s users without causing the profile of buildings to negatively impact the historic character of the District.

**Policy MP7.2**  
It is important that parking garages and parking located in mixed use buildings be compatible with their context.

**Policy MP7.3**  
Space devoted to automobiles should contribute to a pleasant pedestrian experience along Lower Downtown’s streets.

**Policy MP7.4**  
As a general rule, structured parking is subject to the same guidelines as other types of buildings.

**Policy MP7.5**  
In buildings whose primary use is not parking, the design of parking areas must be an integral element of the structure.

**Policy MP7.6**  
Where parking uses abut residential uses, special care must be taken to ensure quality of life for residents.

**Principle MP8**  
**Revise parking requirements in Lower Downtown**

**Policy MP8.1**  
Establish *minimum parking* requirements as follows:

*Recommendations:*

- **MP8.1.1** *Contributing buildings* shall have no *minimum parking* requirement.
- **MP8.1.2** Residential additions to contributing buildings shall have no parking requirement.
- **MP8.1.3** All other additions to *contributing buildings* shall have a parking requirement of one on-site parking space for each 750 feet of gross floor area constructed.
- **MP8.1.4** New commercial buildings and commercial additions to *noncontributing buildings* shall be required to provide one on-site parking space for each 750 feet of gross floor area constructed.
- **MP8.1.5** New residential buildings and residential additions to any building except *contributing buildings* shall be required to provide one on-site parking space for each unit constructed.
- **MP8.1.6** New *mixed use* buildings and *mixed use* additions to *noncontributing buildings* shall provide parking based on the requirements above in proportion to the uses in the building.
- **MP8.1.7** When use cannot be determined in advance, the parking requirement for commercial use shall be applied.
Policy MP8.2 Establish additional parking permitted as follows:

**Recommendations:**

MP8.2.1 In addition to minimum parking, any project, whether new construction or renovation of, addition to, or a change of use in an existing building, whether contributing or non-contributing, may provide up to the following additional off-street parking:

- Residential uses: one half (.5) space per unit
- Commercial uses: 1 space per 1500 feet of gross floor area

Policy MP8.3 Without the approval of the LDD/DRB, no project shall include excess parking.

**Recommendations:**

MP8.3.1 In the event that a project proposes to include parking in an amount greater than the sum of (i) the minimum parking required in MP8.1, and (ii) the allowed additional parking in MP8.2, the LDD/DRB shall call a special meeting to consider whether excess parking should be permitted.

MP8.3.2 The special meeting may be held immediately before or after a regular meeting.

**Principle MP9** Establish a procedure and criteria for the review of structures with excess parking

Policy MP9.1 Revise Ordinance 109 to designate the LDD/DRB as the body which reviews and approves proposals for excess parking.

**Recommendations:**

MP9.1.1 Establish a process for requests for excess parking.

MP9.1.1.1 Create an application form for requests for excess parking.

MP9.1.1.2 Require that proposers first seek a Part 1 approval from the LDD/DRB for the project.

MP9.1.1.3 Upon completion of Part 1 of the design review process, convene a special meeting of the LDD/DRB to consider the request for excess parking.

MP9.1.1.4 Create a process which provides for input from all interested parties, as defined by statute.

MP9.1.1.5 Provide for appeals of decisions of the LDD/DRB to the LPC.

MP9.1.1.6 Require that appeals be made by interested parties within 15 days of a decision by the LDD/DRB.
MP9.1.2 Establish procedural rules and authorities.

MP9.1.2.1 Require that a request for excess parking be heard no less than 20 days and no more than 30 days following the receipt of a complete application.

MP9.1.2.2 Provide notice of any meetings where structures containing excess parking are to be considered by the LDD/DRB. Notice requirements are met by mailing written notice to registered Lower Downtown neighborhood organizations no less than 14 days prior to the scheduled meeting.

MP9.1.2.3 Adopt Roberts’ Rules of Order Newly Revised as parliamentary authority.

Policy MP9.2 Establish criteria for approving excess parking.

Recommendations:

MP9.2.1 The siting of excess parking within the District shall be carefully considered.

MP9.2.2 Excess parking is appropriate where the project will have a minimal impact on the context and social fabric of the neighborhood.

MP9.2.3 Excess parking may be appropriate in those areas of the District where proposers demonstrate high parking demand and where parking inventory is scarce or fully utilized.

MP9.2.4 Excess parking should be encouraged in the Market Street and Postal Annex SRDs.

MP9.2.5 Excess parking that threatens to disrupt street liveliness should be mitigated or denied.

MP9.2.6 Excess parking that threatens to disrupt established traffic patterns should be mitigated or denied.

MP9.2.7 Excess parking that threatens to create congestion should be mitigated or denied.

MP9.2.8 Excess parking is appropriate only if the environmental impact of noise, air, and light pollution is adequately mitigated.

MP9.2.9 Excess parking may be appropriate where proposers demonstrate a commitment to serving the parking needs of Lower Downtown, as discussed in the Neighborhood Plan.

Principle MP10 Work collaboratively to find a downtown-wide parking solution

Principle MP11 Better manage the existing parking inventory
Policy MP11.1  Encourage operators of idle parking to make their facilities available during periods of peak demand.

Policy MP11.2  Consider funding a free-of-charge or nominal-charge internal circulator.

Policy MP11.3  Consider the creation of an entity to coordinate and manage parking, alternative transportation, and promotional programs.

**Principle MP12**  **Advocate and support a variety of alternative transportation modes serving Lower Downtown**

Policy MP12.1  Establish a Lower Downtown EcoPass-type program.
Policy MP12.2  Advocate and support a light rail spur into Lower Downtown.
Policy MP12.3  Advocate and support AirTrain.
Policy MP12.4  Advocate and support an intermodal facility at DUT.

**Principle MP13**  **Educate city center users about alternative transportation and parking options**

Policy MP13.1  Create and disseminate information for employees about the variety of alternative methods of accessing the city center.
Policy MP13.2  Create and disseminate information for visitors about the availability and siting of parking and the variety of alternative methods of accessing the city center.
Implementation

- Amend City Ordinances, as required, to reflect the principles of the Mobility and Parking section of the Lower Downtown Neighborhood Plan.

- Amend the B-7 Zone District to revise parking regulations.

- Provide input to the City’s Capital Improvements Plan, through the Planning Office, in order to carry out traffic calming and other recommendations of the Lower Downtown Neighborhood Plan.

- In conjunction with RTD, establish an EcoPass-type program.

- Poll the district for interest in creating an entity to construct and/or manage parking. If interest warrants, create the entity.

- Advocate for shuttle service on the entire length of the 16th Street Mall.

- Advocate for development of the Union Station intermodal facility.

- Investigate and, if the community approves, initiate the creation of a privately funded Lower Downtown shuttle.

- Commence the process of seeking a downtown-wide parking solution.
Streetscape
Streetscape

Contents of this Section

Neighborhood Concerns .......................................................................................................................... S-1

A. Streetscape Design and Redevelopment ................................................................................ S-1
B. Modern Uses ............................................................................................................................... S-2
C. Authentic Streets and Alleys ........................................................................................................ S-2
D. Clean Streets .............................................................................................................................. S-7

Goals ..................................................................................................................................................... S-9

Principles, Policies And Recommendations ...................................................................................... S-10

Principle S1 Preserve and enhance Lower Downtown’s streetscape. .......................................... S-10
Principle S2 Design the sidewalks and alleys to create urban places for congregation, interaction, recreation and the conduct of commerce. ......................................................... S-10
Principle S3 Retain Lower Downtown’s "gritty-ness" ..................................................................... S-11
Principle S4 Maintain the sidewalks, streets and alleys. ............................................................... S-11
Principle S5 Adopt the Design Guidelines for the public realm as an interim measure until new design guidelines for the streetscape are approved ........................................ S-11

Implementation ..................................................................................................................................... S-12
Neighborhood Concerns

A. Streetscape Design and Redevelopment

Background:

In 1988, in conjunction with recommendations in the Downtown Area Plan, the City of Denver adopted Streetscape Design Guidelines for Lower Downtown (the Streetscape Plan). The Streetscape Plan includes a master plan for curb-to-curb street widths and the widths of sidewalks, as well as for street furniture, lighting and trees. The City also funded demonstration projects, including the gateway (Mizpah) signs and the extension of the 16th Street Mall. Individual property owners or project proposers have, as their properties were developed, entered into agreements with the City for street-side redevelopment. The result is various degrees of build-out of the streetscape throughout Lower Downtown.

The historic defining elements of Lower Downtown’s streetscape are:

- **Geometry of the Grid**: The District is made up of a regular grid of streets that defines blocks measuring 266 by 400 feet. Blocks are longitudinally bisected by alleys opening onto numbered streets.

- **Simple Design**: In contrast to Lower Downtown’s buildings, the streetscape is simple, reflecting early warehousing and distribution needs.

- **Utility**: The streets, sidewalks, and alleys are functional. Streets accommodate traffic. Sidewalks provide pedestrian mobility, safety and places for interaction. Alleys satisfy commercial and residential “back-of-the-house functions”, including services and utilities.

Issues:

To ensure the liveliness, predictability, sense of safety, and intimacy of the streets, participants recommended near-term redevelopment of the streetscape. They expressed the desire to explore with business and property owners their interest in community-wide build out of a revised Streetscape Plan. A long-term, low-interest source of funds for capital improvements would need to be identified, and some entity would need to be created to manage construction and ongoing maintenance. If community-wide redevelopment occurs, some participants voiced the fear that helter-skelter redevelopment could disrupt the infrastructure and they urged coordinated scheduling to manage construction. Finally, participants suggested that managed build-out efforts should be considered along side district-wide maintenance, because they may require similar management (e.g., a BID sub-district.)
Participants also expressed concern that when streetscape redevelopment is complete, and taken as a whole, the District might take on an undesirable uniformity. There was also concern about “over doing” redevelopment of the streetscape. After all, if its design is simple, what place is there for chairs, benches, planters, trees, vendors, art and other street-side “clutter”? The Neighborhood/Management Committees felt it was timely to review the Streetscape Design Guidelines for Lower Downtown. They recommended that the historic defining elements of the streetscape should be preserved and the lessons they teach about simplicity, navigability, and utility should be the basis for future redevelopment.

B. Modern Uses

Background:

The network created by the streets, alleys and sidewalks constitutes Lower Downtown’s public open space. In the absence of traditional settings, like parks and yards, this network is the place for interaction and personal contact. (See Figure 13) (See Uses, Item C)

Issues:

One question raised during the planning process was how to integrate preservation of the historic elements of the streetscape with the changing requirements of modern usage. Trees and plants, for example, are not traditionally found in commercial, downtown districts, but they provide elements of livability for residents, visitors and workers. The Neighborhood/Management Committees recommended that design guidelines for the streetscape be revised to encourage accommodating modern needs while supporting its historic character. (See Figures 14 & 15)

C. Authentic Streets and Alleys

Background:

In addition to buildings, there remains in Lower Downtown glimpses of past commercial activity found in the streetscape. Included are such things as railroad tracks in the alleys, street and alley loading docks, shipping and receiving functions, cobblestones, historic wall signs, and so forth. Collectively these remnants are referred to as Lower Downtown’s “gritty-ness”. (See Figure 16)

Issues:

Planning participants cautioned against “tarting up” the Historic District. By this they meant Lower Downtown should not look like a movie set, a theme park, a suburban shopping mall, a museum, or anything else it is not. Lower Downtown’s “gritty-ness” and authenticity as a reflection of its historic past is highly valued.
Figure 13
New projects can contribute to enhancing Lower Downtown's pedestrian-oriented streetscape. Small incidental public and private spaces greatly enrich Lower Downtown's livability and character.
Lower Downtown's special character is reflected in its public and private realms. Key characteristics include pedestrian friendly streets marked by occasionally wide sidewalks, public art, and incidental landscaped areas.
Public art enhances Lower Downtown’s public realm and conveys its identity as an arts district. Public art also enhances Lower Downtown’s pedestrian-oriented streetscapes.
Figure 16
Improved alleys can retain their authenticity and reflect Lower Downtown’s historic past. Remnant tracks, cobblestone paving, loading docks, wall signs, and shipping and receiving functions preserve the District’s “grittiness.”
D. Clean Streets

**Background:**

A clean, safe, well-maintained streetscape encourages development. It attracts residents, office users, shoppers, diners, and visitors. These, in turn, attract: retailers; hospitality providers; cultural entities; other owners and lessees of residential, commercial and office space; and outdoor activities and events.

Lower Downtown has periods of heavy pedestrian use. It is a popular thoroughfare for baseball fans on their way to Coors Field and, while Blake, Market and Wazee Streets carry much of the pre-game traffic, the District as a whole sees post-game foot traffic. On spring, summer, and fall evenings, especially Wednesdays through Saturdays, Lower Downtown is also heavily trafficked by diners, bar hoppers, gallery goers, people watchers, and sightseers.

Currently, in Lower Downtown, the 16th Street Mall is maintained from the alley between Market and Larimer to Blake Street jointly by the Regional Transportation District (RTD) and the DDBID. Maintenance includes cleaning, trash collection, snow removal, etc. Individual property owners along the Mall from Blake Street to the Central Mainline tracks in the Central Platte Valley must maintain their own properties while RTD maintains the transitway. Subject to annual appropriation, the DDBID has for the past two years funded limited trash collection, tree maintenance, and the semi-annual planting of flowers on the Mall from Blake Street to Wynkoop Street.

When Mall shuttle service is extended from Market Street Station into Lower Downtown, or when B-7 voters otherwise approve it, the DDBID will maintain the entire length of the 16th Street Mall under one set of maintenance standards, and Lower Downtown’s assessment will increase approximately twenty percent. Only commercial real property is assessed by the DDBID.

After baseball games, the Denver Baseball Stadium District picks up trash in the area bounded by 19th and 20th Streets from Wynkoop to Larimer, as well as in parts of other neighborhoods.

**Issues:**

Participants in the planning process believe the appearance of the streetscape has a direct impact on economic development and quality of life in the Historic District. They expressed concern about overflowing trashcans, broken beer bottles, vomit, excrement, and other debris on the streets and sidewalks after periods of heavy pedestrian use. Such conditions are health and safety hazards and impair livability and development. Sometimes these conditions are the result of failure of the streetscape to provide for users needs (e.g., inadequate number of trash receptacles, long waits for toilet facilities), and sometimes they result from abuse.

Whether by failure or abuse or both, maintenance of Lower Downtown’s streets, alleys, and sidewalks is clearly a problem and its solution can be either individual or collective. Because so
many complaints were voiced by planning participants, it seems that neither individual voluntary nor public maintenance efforts, to date, are able to satisfy the requirements of heavy pedestrian usage.

To fund and manage community-wide maintenance, some participants expressed the desire to explore with business and property owners the creation of a sub-district of the DDBID. Furthermore, if there is to be an entity providing maintenance services for Lower Downtown, some participants urged finding a way to include residential property owners in decision making, management, and funding.
Goals

Lower Downtown’s goals for the streetscape include:

- A revised Streetscape Plan that reflects, in a contemporary way, Lower Downtown’s historic patterns.

- fully redeveloped streetscape.

- A streetscape that attracts both commerce and community.

- Urban places that meet the needs of its users.

- Authenticity and preservation of Lower Downtown’s remaining "gritty-ness."

- Clean, safe, well maintained streets, sidewalks and alleys.

- Ease of mobility.
Principles, Policies And Recommendations

**Principle S1**  
**Preserve and enhance Lower Downtown’s streetscape**

Policy S1.1 Incorporate the principles, policies and recommendations of the Streetscape Section of the Lower Downtown Neighborhood Plan in a revised set of streetscape design guidelines.

Policy S1.2 Ensure that a revised Streetscape Plan is sensitive to the authenticity of the District’s historic commercial uses.

Policy S1.3 Require LDD/DRB approval for streetscape modifications as part of the City’s process for approving design.

Policy S1.4 Explore community-wide redevelopment of Lower Downtown’s unfinished streetscape, pursuant to a revised Streetscape Plan.

Policy S1.5 Secure long term, low-cost funding as an incentive for property owners to redevelop incomplete sections of the streetscape.

**Recommendations:**

S1.5.1 Consider asking the DDBID, or other governmental agency, to issue tax preferred local improvement bonds for redevelopment of incomplete sections of the streetscape.

S1.5.2 Consider other programs to aid sub-districts in Lower Downtown in undertaking streetscape improvements.

Policy S1.6 Seek to use tax increment financing, where available, and other financing alternatives for preservation of the historic streetscape and redevelopment of the unfinished streetscape.

**Principle S2**  
**Design the sidewalks and alleys to create urban places for congregation, interaction, recreation and the conduct of commerce**

Policy S2.1 Streetscape redevelopment should be pedestrian friendly and accommodate the requirements of multiple users.

Policy S2.2 Alleys are a critical thread in the District’s fabric and must be preserved, enhanced, and used.

Policy S2.3 To create well used outdoor places, open space design needs to consider both the historic urban fabric and environmental opportunities.

Policy S2.4 Public art enlivens the urban experience and should be encouraged.
<table>
<thead>
<tr>
<th>Principle</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>S3</td>
<td>Retain Lower Downtown’s “gritty-ness”</td>
</tr>
<tr>
<td>S4</td>
<td>Maintain the sidewalks, streets and alleys</td>
</tr>
<tr>
<td>S4.1</td>
<td>Provide the infrastructure to help users self-maintain the <strong>District</strong>.</td>
</tr>
<tr>
<td>S4.2</td>
<td>Create and disseminate voluntary maintenance standards.</td>
</tr>
<tr>
<td>S4.3</td>
<td>Consider the creation of a sub-district of the <strong>DDBID</strong> to provide community-wide maintenance services.</td>
</tr>
<tr>
<td>S4.4</td>
<td>Find a way to include residents if a maintenance entity is to be formed to provide community-wide services.</td>
</tr>
<tr>
<td>S5</td>
<td>Adopt the Design Guidelines for the public realm as an interim measure until new design guidelines for the streetscape are approved</td>
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</tbody>
</table>
Implementation

- Amend City Ordinances, as required, to reflect the principles in the Streetscape section of the Lower Downtown Neighborhood Plan.

- Review, update, and implement the Streetscape Design Guidelines for Lower Downtown.

- Investigate, poll business and property owners, and if desired, promote the creation of a sub-district of the DDBID to fund community-wide maintenance efforts and capital improvements.

- Complete build-out of undeveloped portions of the streetscape.
Appendix
Appendix A

BY AUTHORITY

ORDINANCE NO. 109
SERIES OF 1988
AS AMENDED 2/29/88

A BILL

FOR AN ORDINANCE DESIGNATING THE LOWER DOWNTOWN AS A DISTRICT FOR PRESERVATION AND TO ADOPT DESIGN STANDARDS, A DESIGN CONSULTATION PROCESS AND DEMOLITION REVIEW PROCESS.

WHEREAS, the Preservation Commission has transmitted to the Council a proposed designation of a district for preservation; and

WHEREAS, the Planning Board has approved the same; and

WHEREAS, the Lower Downtown has character, interest or value as part of the development, heritage or cultural characteristics of the city, state and nation, representing three eras of Denver's development and the impact of the railroad on growth in the west; is the site of an historic event with an effect upon society, being the birthplace of Denver; is identified with a group of persons who had some influence on society, being associated with Denver's first pioneers, founders and entrepreneurs, such as General William Larimer, John Evans, William Byers, David Moffat and Bella Hughes; exemplifies the cultural, political, economic, social and historic heritage of the community, being the last cohesive collection of commercial buildings representative of Denver's growth as the region's commercial, industrial, social and political center; portrays the environment of a group of people in an era of history characterized by a distinctive architectural style, representing the environment of the business community through two eras of commercial expansion; embodies those distinguishing characteristics of an architectural-type specimen, representing two eras of commercial architecture; contains the works of architects or master builders whose individual work influenced the development of the City, including Frank Edbrooke, Aaron Gove, Thomas Walsh, Robert Willison, Montana Falls, E.P. Eberly, F. Goodnow, J.J. Huddart, W.M. Quale, The Barsebros Brothers, and A.M. Stuckert; and is a distinctive area, being the last remaining collection of cohesive historic commercial buildings in the downtown, and should be developed or preserved according to a plan based on an historic, cultural and architectural merit.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That certain property described as follows, together with all improvements situated and located thereon, be and the same is hereby designated as a District for Preservation:

Amended 2-29-88 A and B All of Blocks A, B, C, D and E, all of Blocks 13 through 23, all of Blocks 38 through 44; Lots 1 through 16 of Blocks 45 through 50, East Denver;

Amended 2-29-88 All of Blocks 240, 241 and 242, West Denver;

--- of Block 7, Gastons Addition to the City of Denver;

--- of Block 5, Hoyts and Robinsons Addition to Denver;

--- of a generally triangular-shaped parcel bounded by the 30th Street, 29th Street, and 28th Street, Block 5, Gastons Addition to the City of Denver;

--- of Block 1, Hoyts and Robinsons Addition to Denver;

--- of 19th Street, Block 5, East Denver and Race Street.
Amended 2-29-88

Section 2. Minimum design guidelines.

(a) The purpose of minimum design guidelines is to encourage and allow development compatible with the existing historic character of the Lower Downtown in conjunction with the building permit review process. Historic

(b) The following conditions must be met before a zoning or building permit may be issued in the District, unless the proposed development meets the exemption provisions hereinafter provided for or an exception is granted by the Design Consultation Board:

(1) Façades and Articulation.

a. The rhythm and vertical proportion established by the historic context and the existing street frontage in the vicinity of the site must be maintained;

b. Windows must be punched (set in) at least one (1) brick width;

c. Sills and lintels must be articulated through color, materials, ornamentation or other means;

d. Each floor must be articulated;

e. Street facades must reflect the historical development pattern of the area, generally two to four lots; and

f. Ground level space in multi-lot developments must keep entrances on each street frontage and entrances must occur in each two to four lot facade.

(2) Setbacks and Roofs.

a. At the first two stories the structure must be built to the property line or lines which are adjacent to a street;

b. Buildings over 60 feet in height must be set back at least 15 feet along the front zone lot line which is part of the long dimension of any block at a level between 20 feet and 60 feet above grade and at a level equal to or slightly higher or lower than adjacent buildings; and

c. Building height may not exceed 85 feet without design consultation as hereinafter provided excluding the current provisions for heating, ventilation and air conditioning equipment.
(3) Exterior Materials.
   a. Materials must be in context with the color, proportion and scale of existing historic patterns, such as brick and sandstone, iron storefronts, vertical windows and doorways; and
   b. Black, bronze and 100 percent reflective glass are not permitted.

(4) Existing Industrial Uses.
Exterior alterations required for the continued operation of existing industrial, including but not limited to manufacturing distribution warehousing and wholesaling uses are permitted through review under these design guidelines.

Section 3. Design review process.
(a) The design review process shall be as follows:

(1) A pre-application conference with the Planning Office is required prior to application for any zoning permit and/or any building permit, PUD District or zoning variance with respect to property in the Historic District.

   a. The purpose of the pre-application conference is to inform the applicant of relevant city policies, regulations and procedures, to review the minimum design guidelines for the Historic District and to review preliminarily whether the proposed development, alteration/renovation or additional will comply with the guidelines; and

   b. The pre-application conference will be held with the Planning Director or his designated representative from the Planning Office; and the applicant, developer, architect or other designated representative of the proposed development; and

   c. A review by the Design Consultation Board may be scheduled at the pre-application conference. If review by the Design Consultation Board is desired at this time, the requirements of the design review process shall apply unless review under the Design Consultation criteria is specifically requested except that a zoning permit and/or building permit may not be applied for, nor accepted, even though a pre-application conference has been conducted.

(2) A zoning and/or building permit may be applied for after the pre-application conference; provided, however, no zoning or building permit may be issued with respect to the Historic District until approved by the Planning Office.

(3) All zoning and/or building permit applications with respect to the Historic District must be reviewed and approved for compliance with the minimum design guidelines or eligibility for exemption from the guidelines by the Planning office. Such application shall include 8½ by 11¼ photographs of the face block and the application requirements of subsection 3.b. (2) of this ordinance.

   a. The Planning Office review will be on an as needed basis, to be completed within the standard review procedures for zoning and/or building permits;

   b. The application will be reviewed by the Planning Director, or his designated representative from the Planning Office, and two members of the Design Consultation Board:
c. If approved the zoning and/or building permit may be issued; and

d. If disapproved, the applicant may modify the application to comply with the guidelines or request that the decision of the Planning Office be reviewed by the Design Consultation Board.

(b) Building and/or zoning permit applications which meet any one of the following conditions are exempted from the minimum design guidelines and design consultation provisions:

1. Existing buildings which have received a variance from the Board of Adjustment-Zoning for a specific building renovation plan prior to the adoption of this ordinance;

2. Buildings or developments for which a building permit has been issued prior to the adoption of the amendments to the B-7 zoning district;

3. Applications for a building or zoning permit to authorize work not involving any changes to or work upon the exterior facade of a building; and

4. Proposed development projects which have received approval for the vacation of air rights over alleys in conjunction with a specific development plan for use and architectural design prior to the adoption of this ordinance except that design changes may be authorized by the design consultation board for adjacent parcels which include the use of the air rights in the development. This exemption provision will expire five (5) years from the effective date of the adoption of these provisions unless a building permit has been issued and is active.

Section 4. Design Consultation

(a) The design consultation process shall be as follows:

1. Design Consultation may be requested by the applicant, recommended by the Planning Office or triggered upon the request by the applicant upon a disapproval of a project reviewed under the minimum design guidelines by the Planning Office that the disapproval be reviewed by the Design Consultation Board.

2. The Design Consultation Board is authorized to review appeals of a disapproval of a zoning permit for non-compliance with the minimum design guidelines and applications for the design consultation process.

a. The Design Consultation Board may approve, approve with conditions or disapprove the review or the application;

b. If disapproved, the applicant may appeal the decision to the Landmark Preservation Commission. Appeals shall be made within 30 days of the date of the Design Consultation Board's hearing. The Landmark Preservation Commission shall act on the appeal within 60 days of its receipt in the Planning Office; and

c. Upon approval, the applicant may apply for a zoning and/or building permit.

3. The Design Consultation Board will review the completed application or an appeal of a disapproval within 25 days of its receipt in the Planning Office. If no action is taken within 25 days then the application shall be deemed to be approved unless the review period is extended by mutual agreement of the applicant and the Board.
(4) At least 15 days before the review, the property will be posted indicating the date, time and place of the design consultation review.

(5) At least 10 days before the review, written notice of the review will be mailed to the property owners except the applicant.

(b) The criteria for the design consultation process by the Design Consultation Board shall be as follows:

(1) The purpose of the design consultation process is to protect, enhance, and perpetuate buildings, sites, and areas of the Historic District reminiscent of past era, events, and persons important in local, state, or national history; to encourage rehabilitation of contributing buildings and new construction compatible with contributing buildings; to provide significant examples of architectural styles of the past and to develop and maintain appropriate settings and environments for such buildings, sites, and areas to enhance property values, stabilize neighborhoods, promote economic development, job creation, tourist trade, and foster knowledge of the city’s living heritage.

(2) The design consultation process is intended to draw a reasonable balance between private property rights and the public interest in preserving the cultural, historic, and architectural heritage of the Historic District by providing property owners the opportunity to retain the benefits of property ownership through rehabilitation or alteration of existing buildings or the construction of new buildings which are architecturally compatible with the heritage of the district, ensuring that renovation, rehabilitation, or alteration of buildings and structures contributing to that heritage will be carefully weighted with other alternatives and the economic feasibility of renovation and re-use, and that alterations to such buildings and structures and new construction will respect the character of the District, not by imitating surrounding structures, but by being compatible with them to the extent economically feasible.

(3) In the case of an appeal, the Board will review the appeal in accordance with the minimum design guidelines. At the request of the applicant, an appeal may be reviewed as a regular design consultation application; and

(4) In the case of an application for design consultation, the Board will review the application in accordance with the purposes of the B-7 District, and the design consultation process, and the following guidelines:

a. If the proposed work is related to renovation or rehabilitation of a contributing building, the proposed work preserves, enhances or restores and does not damage or destroy the exterior architectural features building;

b. The proposed work does not adversely affect the special character or special historical, architectural features of the property, and/or the District;

c. The architectural style, massing, texture, scale, color, arrangement of color, and materials used on existing and proposed structures are compatible with the character of the District;

d. The building does not exceed 120-feet in height excluding cornices and current regulations for HVAC equipment. A building between 85 feet and 130 feet may not be denied solely on the basis of height.
Amended 2-29-88

85

e. For buildings greater than 40 feet in height, that portion of the building over 40 feet is setback at least 25 feet along the front zone lot line which is part of the longer dimension of any block; and

f. Contemporary design for additions, alterations, and new construction is not discouraged, and is recognized as an important element in the evolution of individual buildings as well as the district as a whole.

(5) Applications for design consultation shall provide conceptual plans and elevations with enough detail to evaluate height, set back, materials, fenestration, orientation to the street, and relationship to adjacent buildings. For alterations to existing buildings, such plans shall show the effect of the alteration on the existing facade. The Design Consultation Board in conjunction with the Landmark Preservation Commission shall establish the submittal requirements for an application by rule and regulation. Such application shall be filed with the Planning Office upon forms prescribed by the Design Consultation Board.

Section 5. Design Consultation Board.

(a) There shall be and is hereby created a Design Consultation Board which shall consist of 5 members. The 5 members of the Board shall be appointed by the Mayor from nominations from the following organizations or their successors: The lower downtown property owners, nominated jointly by the Development Association of Lower Downtown and the Lower Downtown Property Owners Association and such other property owner group representing Lower Downtown, registered with the Planning Office and designated by the Landmark Preservation Commission; the lower downtown resident association; nominated jointly by the Downtown Residents Organization and Downtown Denver, Inc. and such other resident or business organization representing Lower Downtown; registered with the Planning Office and designated by the Landmark Preservation Commission and who must reside or own a business in Lower Downtown; the Denver Chapter of the American Institute of Architects; a developer, nominated by the Denver Board of Realtors with membership in the Urban Land Institute; a developer, nominated by the district council member, with experience in the rehabilitation of commercial or residential projects similar in scale to the buildings in lower downtown; and one member to be appointed from the Landmark Preservation Commission. Each organization shall nominate three persons, and one of which shall be appointed. The appointments shall be made upon recommendation of the Landmark Preservation Commission by the Mayor with consideration in maintaining a balance of interests and skills, and with consideration of the individual qualifications of the candidates including their training, experience, knowledge or interest in architecture, urban design, real estate, financial analysis, rehabilitation/renovation, preservation or redevelopment;

(b) Each member of the Board (except the first members hereinafter specifically provided for) shall serve a term of 5 years and may be removed only for cause upon written charges. The first members of the Board shall be appointed for terms of one, two and three years, respectively, as designated by the Mayor in the order of appointment. As their term respectively expire, the appointment shall be for a full term of five years. Vacancies shall be filled by the Mayor for the unexpired term of any member whose term becomes vacant; and

(c) A concurring vote of a majority of the Board shall be necessary to decide in favor of the applicant on any matter upon which the Board is required to pass.
Section 6. Demolition review process,

(a) The demolition review process shall be as follows:

(1) No demolition permit may be issued in the District unless reviewed and approved by the Demolition Review Board, or unless exempted as hereinafter provided.

(2) Demolition review applies only to those buildings established as "contributing structures" as shown by the cross hatching on Exhibit A filed in the office of the Clerk and Recorder, Ex-Officio Clerk of the City and County of Denver, on the ___ day of ___ , Filing Number ___ .

(3) The Demolition Review Board will review the completed application at a public hearing within 25 days of its receipt in the Planning Office. If no action is taken within 25 days then the application shall be deemed to be approved unless the review period is extended by mutual agreement of the applicant and the Board.

(4) At least fifteen days before the public hearing, the property will be posted indicating the date, time and place of the hearing.

(5) The Demolition Review Board is authorized to review demolition permits and redevelopment plans. Except as provided in subsection (6) below, no demolition permit may be issued unless redevelopment plans are submitted and approved in conjunction with the demolition review application and any other applicable review processes, and in conjunction with the issuance of a building permit.

a. A demolition review may be requested at any time and may be completed prior to making an application for a building permit provided that post-demolition plans are considered as part of the demolition review.

b. Post-demolition plans shall include, but are not limited to drawings or sketches with sufficient detail to show the exterior appearance and architectural design of the proposed building or use, but does not require construction documents to be completed.

c. The Demolition Review Board may authorize a building for demolition based on such post-demolition plans and compliance with the demolition review criteria. Such authorization shall be valid for two years from the date of the authorization.

d. A demolition permit shall be issued upon the issuance of a building permit based on the post-demolition plans as previously reviewed and approved, or upon a determination that the building to be demolished is imminently dangerous to life, health or property by the Building Inspection Division the Department of Health and Hospitals or the Fire Department and upon notification of such determination to the Demolition Review Board.
(6) The Landmark Preservation Commission shall grant relief if the owner establishes that the enforcement of the requirement that a building permit be issued in conjunction with a demolition permit as provided for in subsection (5) above would deny all economically viable use of the property.

(7) The Board may approve, approve with conditions, or disapprove the demolition permit application and redevelopment plans.

(8) If disapproved, the applicant may appeal the decision to the Landmark Preservation Commission. Appeals shall be made within 30 days of the date of the Demolition Review Board's hearing. The Landmark Preservation Commission must act on the appeal within 60 days of the date of its receipt in the Planning Office.

(9) Upon approval, the applicant may apply for the demolition permit.

(10) Approval of the redevelopment plans in conjunction with a demolition permit constitutes approval as though reviewed under the design consultation process.

(b) The Demolition Review Board shall consider the following factors in making a determination on a request for a demolition permit:

(1) Significant economic hardship to the property owner based on subsection (a) below;

(2) Significant hardship to the public interest based on subsection (b) below;

(3) Extent to which reuse or proposed redevelopment implements the goals of the Downtown Area Plan and the purposes of this district.

a. Economic Factors
   1. Structural condition of the building and practicability of rehabilitation and reuse;
   2. Determination of economic hardship based on a comparison of i. and ii. below:
      i. Economic feasibility of rehabilitation and reuse of the structure.
      ii. Economic feasibility of the proposed redevelopment plans.
      iii. This comparison must establish as a base line the property as it is and what value the property contributes to either i. or ii. above.

b. Preservation Factors
   1. Age of building.
   2. Architectural and historic significance of the building as related to the district.
   3. Extent to which the structure maintains the continuity, scale and massing of adjacent contributing structures, and prominence of structure within the block.
c. Demonstration of Proof and Authority

1. The burden of proof of economic hardship is the responsibility of the property owner.

2. The decision of the Demolition Review Board shall prevail.

3. Appeals are permitted to the Landmark Preservation Commission.

(4) Applications for demolition review shall include, but are not limited to valuation of the property, estimates of the costs and income for rehabilitation of the building, estimates of the costs and income for new development, preliminary development plans, and reports as to the condition of the building prepared by professionals with experience in preservation and rehabilitation. The Demolition Review Board in conjunction with the Landmark Preservation Commission shall establish the submittal requirements for an application by rule and regulation. Such application shall be filed with the Planning Office upon forms prescribed by the Demolition Review Board.

Section 7. Contributing buildings

(a) Contributing buildings are hereby established as indicated on the map contained in Exhibit A, as herein above referred to.

(b) A person may petition City Council for inclusion on the contributing building survey after its adoption, upon the recommendation of the Denver Landmark Preservation Commission; and

(c) A building cannot be deleted from the survey, unless destroyed by fire, flood, or act of God, etc., or major accidental damage not the fault of the owner.

Section 8. Demolition review board.

(a) There shall be and is hereby created a Demolition Review Board which shall consist of 5 members. The 5 members of the Board shall be appointed by the Mayor from nominations from the following organizations or their successors: the Lower Downtown property owners, nominated jointly by the Development Association of Lower Downtown and the Lower Downtown Property Owners Association; and such other property owner group representing Lower Downtown, registered with the Planning Office and designated by the Landmark Preservation Commission; the lower downtown residents or business owners nominated jointly by the Downtown Residents’ Organization and Downtown Denver Inc.; such other resident or business organization representing Lower Downtown, registered with the Planning Office and designated by the Landmark Preservation Commission and who must reside or own a business in Lower Downtown; the Denver Chapter of the American Institute of Architects; a developer nominated by the Denver Board of Realtors; with membership in the Urban Land Institute; district councilmember, with experience in the rehabilitation of commercial or residential projects similar in scale to the buildings in lower downtown; and one member to be appointed from the Landmark Preservation Commission. Each organization shall nominate three persons, and one of which shall be appointed. The appointments shall be made by the Mayor upon the recommendation of the Landmark Preservation Commission with consideration in maintaining a balance of interests and skills, and with consideration of the individual qualifications of the candidates including their training, experience, knowledge or interest in architecture, urban design, real estate, financial analysis, rehabilitation/renovation, preservation or redevelopment.
(b) Each member of the Board (except the first members hereinafter specifically provided for) shall serve a term of 5 years and may be removed only for cause upon written charges. The first members of the Board shall be appointed for terms of one, two and three years, respectively, as designated by the Mayor in the order of appointment. As their terms respectively expire, the appointment shall be for a full term of five years. Vacancies shall be filled by the Mayor for the unexpired term of any member whose term becomes vacant; and

(c) A concurring vote of a majority of the Board shall be necessary to decide in favor of the applicant on any matter upon which the Board is required to pass.

(d) The board shall by rules and regulation establish a designated pool of no less than 10 persons composed of those individuals nominated but not appointed in a given year. The applicant may select two advisors without voting powers.

Section 9. Evaluation of ordinance.

(a) General. To achieve a comprehensive revitalization program for the Lower Downtown Preservation District, it is contemplated that participation in this endeavor is not only the responsibility of the property owners but must include the support and involvement of the Denver City Government, other governmental entities, historic preservationists, and the community as a whole.

(b) Evaluation. Every two years for six years from the effective date of this ordinance, City Council shall hold a public hearing to evaluate the effectiveness of this ordinance. As part of that evaluation, Council shall consider the question of whether to retain or repeal the Demolition Review provisions of the ordinance. In conducting the public hearing, Council must consider the following:

(1) testimony from the Demolition Review Board, including a written report of the Board's activities;

(2) testimony from the Denver Planning Board and appropriate city officials on how the City is meeting its responsibilities as to:

a. compliance with the Downtown Area Plan, as it relates to the Lower Downtown District, including pedestrian environment, quality housing and retail;

b. availability of leveraged financing from governmental and other sources, including revolving loan funds, and

c. provision of sufficient capital improvements for street scaping and lighting to create the needed environment for development goals;

(3) testimony as to how the community as a whole has economically supported the Lower Downtown District.

PASSED by the Council March 7, 1988

President

APPROVED: Mayor March 7, 1988

Clerk and Recorder

EX-OFFICIO CLERK OF THE
City and County of Denver

PUBLISHED In the Daily Journal July 5, 1988 and July 21, 1988

PREPARED BY: City Attorney's Office and Denver Planning

REVIEWED BY: City Attorney 6/28, 1988
Appendix B

ZONING—B-7 DISTRICT § 59-378

DIVISION 22. B-7 DISTRICT

Sec. 59-376. General.

The provisions of this division apply to all lands, uses and structures in a B-7 district. In addition to the other penalties provided in this chapter, any property in violation of any of the provisions of this division or the ordinance designating lower downtown as a district for preservation shall not be eligible for the premiums, bonuses, exemption provisions, or transfer of development rights allowed under the B-7 district.
(Ord. No. 219-88, eff. 4-14-88)

Sec. 59-377. Description of district.

The district is intended to provide for and encourage the preservation and vitality of older areas that are significant because of their architectural, historical and economic value. A variety of land uses will be permitted in order to facilitate the reuse of existing structures without jeopardizing or reducing zoning standards promoting the public safety, convenience, health, general welfare and the preservation of the comprehensive plan. New residential development is encouraged. The design of new structures should recognize the style and character of adjoining building exteriors, i.e., cornice lines and building materials and colors should be similar wherever possible.
(Code 1950, § 612.31-1; Ord. No. 631-82, eff. 11-19-82)

Sec. 59-378. Permitted uses.

No land shall be used or occupied and no structure shall be designed, erected, altered, used or occupied except for either one (1) or more of the following uses by right or for one (1) or more of the following uses by temporary permit; provided, however, that a use by right may be accompanied by lawful accessory uses and/or one (1) or more of the following uses by temporary permit:

(1) Uses by right. The following uses may be operated as uses by right:

  a. Ambulance service;
  a'.5. Amusement center; shall be located no closer than one thousand (1,000) feet from any elementary and/or secondary school;
  (Ord. No. 192-82, eff. 4-26-82)
  b. Amusement or entertainment on the payment of a fee or admission charge;
  c. Amusement or entertainment on the payment of a fee or admission charge, adult;
  d. Apparel and accessory store;
  e. Appliance store;
  f. Art gallery, including studio for sculpturing and allied art;
  g. Assaying office and laboratory;

Supp. No. 59 339
v. Bowling alley and billiard parlor;
v.5. Brewpub;
(Ord. No. 577-88, eff. 9-27-88)
w. Builders' supply and/or specialty store;
x. Business machine store;
y. Camera and photography supply store;
z. Candy, nut and confectionery store;
aa. Caterer;
aa.5. Child care center;
(Ord. No. 565-91, eff. 8-9-91)
bb. Church;
cc. Cleaning with nonflammable cleaning agents only;

dd. Clinic or office, dental or medical;
(Ord. No. 716-94, eff. 9-16-94)

ee. Coal and wood for household use, sale at retail only, must be packaged, subject to the following limitations:
1. Packaging of coal and cutting or splitting of wood is not conducted on the premises; and
2. Not more than two (2) tons of packaged coal and not more than five (5) cords of wood are stored on the premises at any time; need not be enclosed.

ff. Reserved;

gg. Collection and distribution station for laundry and dry cleaner;

gg.5. Computer data processing center;
(Ord. No. 378-83, eff. 7-23-82)

hh. Crating service;

ii. Dairy products store;

jj. Diaper service;

kk. Dance studio, for private instruction;

ll. Delicatessen store;

mm. Department store (sale limited to items which may be sold by any use in this list);

nn. Drug store;

oo. Dry goods stores;

pp. Dwelling unit and/or multiple unit dwelling;

qq. Eating place: need not be enclosed to the extent that tables and seats may be placed out of doors; and food served thereat, subject to all the following conditions:
1. Outdoor eating area shall be contiguous to the eating place to which it is accessory;
2. Outdoor eating area shall be clearly delineated;

rr. Eating place with adult amusement or entertainment;

ss. Egg and poultry store (no slaughtering, eviscerating, plucking or dressing);

tt. Electric substation;

uu. Electric contractor;

uu.5. Emissions inspection station;
(Ord. No. 426-88, eff. 7-19-88)

vv. Employment agencies;

ww. Exterminators;
processing; fungicides, manufacture; gases, other than nitrogen and oxygen, manufacture; glass, manufacture; glue and size, manufacture; grain milling; graphite, manufacture; gypsum and other forms of plaster base, manufacture; insecticides, manufacture; insulation, flammable types, manufacture or fabrication; junk processing; junkyards; matches, manufacture; meat slaughtering or packing; metals, extraction or smelting; metal ingots, pigs, castings sheets or bars, manufacture; oils and fats, animal and vegetable manufacture; paints, pigments, enamels, japans, lacquers, putty, varnishes, whiting and wood fillers, manufacture or fabrication; paper pulp and cellulose, basic manufacture; paraffin, manufacture; petroleum and petroleum products, manufacture or processing; portland and similar cements, manufacture; rubber, manufacture, processing or reclaiming; sawmill or planing mill; serums, toxins, viruses, manufacture; sugars and starches, manufacture; tannery, turpentine, manufacture; wax and wax products, manufacture; wood preserving by creosoting or other pressure impregnation of wood by preservatives; provided, however, that any manufacturing process hereby excluded may be operated as and subject to the limitations of an accessory use;

xxx. Meat, fish or seafood store;

yyy. Metal sharpening;

zzz.5. [Ord. No. 23-87, eff. 1-27-87, added mobile emissions inspection vehicle; repealed by Ord. No. 426-88, eff. 7-19-88];

aaaa. Monument and tombstone sales at retail; need not be enclosed; provided, however, that if the zone lot on which the use is conducted abuts a residential district or is separated from the residential district only by an alley, any outdoor display shall be screened from the residential district by means of some planting or a fence;

bbbb. Mortuary;

cccc. Motel (not including a trailer camp or trailer court);

dddd. Museum;

eeee. Music store;

ffff. Music, musical instruments and phonographic record store;

gggg. Newspaper distribution station;

hhhh. Office;

iiii. Optician;

jjjj. Paint and wallpaper store;

kkkk. Painting and decorating contractor;
b b b b b. Sale at wholesale or storage: the sale at wholesale, the warehousing and/or storage of any commodity except the following:

1. Live animals;
2. Commercial explosives;
3. Above-ground bulk storage of flammable liquids or gases, unless and only to the extent that the storage of such liquids or gases is directly connected with energy or heating devices on the premises or to service railroad locomotives;

c c c c c. Savings and loan association, state or federally chartered;

d d d d d. School of any type;

e e e e e. Shoe repair shop;

f f f f f. Shoe store;

g g g g g. Sign contractor;

h h h h h. Special trades contractor: a contractor specializing in one (1) or more trades of which the following are examples: plumbing, heating, refrigeration and air conditioning; painting, paper hanging and decorating; wiring and electrical work; glass and glazing work; damp proofing; fireproofing; tile, linoleum, floor laying and other floor work; insulation, asbestos and acoustical work; carpentry and cabinet making; excavating, well drilling; masonry and stone work; ornamental iron work. Trucks having a manufacturer's capacity of more than two (2) tons shall not remain on the premises except as necessary to load and discharge contents;

i i i i i. Sporting goods store;

i i i i i. Stationery store;

k k k k k. Swimming pool; need not be enclosed;

l l l l l. [Ord. No. 886-98, eff. 3-15-99, repealed tattoo studio]

m m m m m. [Telephone exchange repealed by Ord. No. 278-97, eff. 5-16-97.]

n n n n n. Terminal for intra-city or intercity vehicles, including railroad passenger station, for movement of persons or freight; need not be enclosed;

o o o o o. Theater;

p p p p p. Theater, adult;

q q q q q. Theatrical studio;

r r r r r. Tobacco store;

s s s s s. Toy store;

t t t t t. Trampoline center; need not be enclosed; provided, however, such center may be enclosed by a fence not to exceed six (6) feet in height;

u u u u u. Utility pumping station;
5. Bookstore, adult;
6. Eating place with adult amusement or entertainment;
7. Photo studio, adult;
8. Theater, adult.
(Ord. No. 886-98, eff. 3-15-99)

d. No liquor store or drugstore licensed to sell package liquors, not existing or operating on the effective date of this provision (August 31, 1997), shall be established, operated, or maintained within one thousand (1,000) feet of another liquor store or drugstore licensed to sell package liquors.
(Ord. No. 385-81, eff. 7-31-81; Ord. No. 350-97, eff. 8-31-97; Ord. No. 343-98, eff. 5-29-98)
(Code 1950, § 612.31-3; Ord. No. 631-82, eff. 11-19-82)

Sec. 59-379. Limitations on external effects of uses.

External effects of uses, as regulated by section 59-81(a).
(Code 1950, § 612.31-2; Ord. No. 126-91, eff. 3-1-91; Ord. No. 931-95, eff. 11-17-95)
Sec. 59-380. Permitted structures.

(a) Zone lot for structures. A separate ground area, herein called the zone lot, shall be designated, provided and continuously maintained for one (1) or more uses by right or for each structure or group of structures containing one (1) or more uses by right. Each zone lot shall have at least one (1) front line and may have for each principal structure no more than one (1) subordinate structure containing only accessory uses. Upon application to and approval by the department of zoning administration, the boundaries and area of a designated zone lot may be amended if full compliance with all requirements of this chapter can be maintained.

(b) Maximum gross floor area in structures:

(1) Basic maximum gross floor area. The sum total of the gross floor area of all structures on a zone lot shall not be greater than two (2) times the area of the zone lot. However, the three (3) types of floor areas listed below may be excluded from the calculation of gross floor area provided two (2) types of setback areas are established as follows: (1) for buildings greater than eighty-five (85) feet in height, the portion of the building over eighty-five (85) feet in height must be set back at least twenty-five (25) feet along the front line of the zone lot which is part of the long dimension of any block; and (2) for buildings greater than sixty (60) feet in height a low level light area which extends a minimum of fifteen (15) feet from the front line, located between twenty (20) feet and sixty (60) feet above the street level and located above a structure the front wall of which is located along the front line of the zone lot. On corner lots, such low-level light area shall be required on only one (1) front line at the discretion of the owner.

(Ord. No. 219-88, eff. 4-14-88)

a. Street-level floor areas meeting the following conditions:
   1. Are located within fifty (50) feet of the front line or lines of the zone lot, excepting access ramps to parking areas;
   2. Shall have direct access to the street or an arcade opening to the street;
   3. The building wall facing the street shall have at least fifty (50) percent of the street-level floor facade area (measured from the street level upward a maximum of twelve (12) feet) devoted to display windows and/or windows affording views into the interior areas;
   4. Shall contain retail, business or personal services, entertainment or cultural uses listed under section 59-378(1) (uses by right) with the exception of the following: sale of automobiles; sale of auto trailers; sale of house trailers; sale of trucks; sale of motorcycles; sale of auto and truck parts; sale of accessories, tires and tubes; sale of fuel for vehicles; sale of boats; sale of home building materials; sale of monuments and tombstones; sale of medical and hospital equipment and supplies; pawnshop; and all adult uses (adult bookstore, adult photo studio, adult theater, sexually oriented commercial enterprise, eating place with adult amusement or entertainment, any use intended to provide adult amusement or entertainment) as listed in section 59-378(4) (separation of certain uses).
the minimum design guidelines set forth in the ordinance designating the lower downtown as a district for preservation or receive approval under the design consultation process of such ordinance and comply with the premium requirements of section 59-380(b)(3).

5. Undeveloped floor area shall be administered according to the following procedures:

i. Applications for certification of undeveloped floor area shall be submitted on a zone lot by zone lot basis by the owners of the zone lot, shall be filed in triplicate and shall include (1) the names and signatures of all owners and security interest holders of the property included in the zone lot, (2) the names of the owners to be designated as owners on the certificate applied for, (3) a legal description of the zone lot, (4) a current endorsement by a reputable title insurance company to the owners’ title policy covering such legal description or other acceptable evidence of title including an opinion of counsel, (5) a survey of the zone lot, (6) a certificate of a licensed engineer or architect as to the gross floor area of the structure designated for preservation or contributing building, (7) a copy of the ordinance designating the property for preservation, (8) satisfactory evidence that the structure designated for preservation or contributing building is utilized by a use by right and that the exterior has been determined to meet or has been renovated or restored according to section 30-6 of the Revised Municipal Code, and (9) such other information as the zoning administrator may reasonably require.

ii. Applications shall be filed with the zoning administrator together with a one-thousand-dollar filing fee. Upon filing, the zoning administrator shall deny the application if it is incomplete. If the application is complete, the zoning administrator shall forward one (1) copy to the planning board and one (1) copy to the landmark preservation commission. The landmark preservation commission shall have thirty (30) days to comment in writing on whether the structure on the zone lot covered by the application has been designated for preservation or is a contributing building. After forty (40) days from the filing date, the zoning administrator, after taking into consideration any comments received from the landmark preservation commission, promptly shall grant the application if it complies with subsection c.5.i, but otherwise shall deny the application. All actions of the zoning administrator in denying the application shall be without prejudice to the owners to resubmit additional applications respecting the same zone lot.

iii. If the application is granted, the zoning administrator shall issue a certificate of undeveloped floor area in the following form:
iv. The original certificate of undeveloped floor area shall be recorded by the zoning administrator in the office of the clerk and recorder of the City and County of Denver and State of Colorado. When the certificate has been recorded, it shall be filed in the office of the department of zoning administration. A copy of the certificate shall be given to the applicants and to the landmark preservation commission.

v. Upon the issuance of a certificate of undeveloped floor area by the zoning administrator, undeveloped floor area shall be created and shall be an independent right in the owner to whom the certificate is issued and may be transferred. Such transfer need not be made appurtenant to another zone lot until a permit is requested using the undeveloped floor area.

vi. The structure designated for preservation or contributing building cannot be demolished unless ordered to do so by the building department after review by the landmark preservation commission under the provisions for demolition review, as set forth in the ordinance designating the lower downtown as a district for preservation.

vii. If the structure designated for preservation or contributing building is partially or completely destroyed after a certificate of undeveloped floor area has been issued, no new structure shall be built exceeding the floor area of the former structure unless undeveloped floor area is acquired or through a combining of zone lots or other transfer procedures.

6. Undeveloped floor area shall be transferred to and made appurtenant to another zone lot according to the following requirements:

i. The instrument of conveyance shall identify the undeveloped floor area transferred by amount, zone lot creating the undeveloped floor area and certification date and be signed by both the transferors and the transferees.

ii. The instrument of conveyance shall legally describe the benefitted property which shall be in the same specific zone district as the zone lot creating the undeveloped floor area transferred.

iii. No subsequent transfer of undeveloped floor area made appurtenant to another zone lot shall become effective until approved by the zoning administrator upon a finding that no construction using the undeveloped floor area has occurred, and any permit authorizing the use of undevel-
ZONING—B-7 DISTRICT

§ 59-382

e. [Ord. No. 631-82, eff. 11-19-82, added premium for underground parking; repealed by Ord. No. 219-88, eff. 4-14-88]
f. [Ord. No. 631-82, eff. 11-19-82, added premium for enclosed plaza; repealed by Ord. No. 219-88, eff. 4-14-88]
g. [Ord. No. 631-82, eff. 11-19-82, added premium for residential development; repealed by Ord. No. 219-88, eff. 4-14-88]

(c) Minimum size of dwellings. Each unit in a multiple unit dwelling and any other structure occupied in whole or in part for residential purposes shall contain a gross floor area of not less than four hundred (400) square feet.

(d) Building and/or zoning permit applications which meet any one (1) of the following conditions are subject to the basic maximum floor area and the premium provisions of the Revised Municipal Code for the B-7 district in effect prior to the adoption of this amendment to the Revised Municipal Code:

1. Existing buildings which have received a variance from the board of adjustment zoning for a specific building renovation plan prior to the adoption of this amendment to the B-7 district;

2. Buildings or developments for which a building permit has been issued prior to the adoption of this amendment to the B-7 district;

3. Applications for a building or zoning permit to authorize work not involving any changes to or work upon the exterior facade of a building; and

4. Proposed development projects which have received approval for the vacation of air rights over alleys in conjunction with a specific development plan for use and architectural design prior to the adoption of this amendment to the B-7 district except that design changes may be authorized by the design consultation board for adjacent parcels which include the use of the air rights in the development. This exemption provision will expire five (5) years from the effective date of the adoption of these provisions [April 14, 1988] unless a building permit has been issued and is active.

(Ord. No. 219-88, eff. 4-14-88)
(Code 1950, § 612.31-4)

Sec. 59-381. Permitted signs.

The provisions of article IV of this chapter on permitted signs shall be in full force and effect in this district.

(Code 1950, § 612.31-5)

Sec. 59-382. Off-street parking requirements.

(a) The provisions of section 59-585 (use and maintenance of off-street parking space) shall be in full force and effect in this district for any structure lawfully erected or altered in conformity with applicable municipal ordinances prior to August 30, 1974.