

**CITY AND COUNTY OF DENVER - BOARD OF ADJUSTMENT FOR ZONING APPEALS**  
201 WEST COLFAX AVENUE, DEPARTMENT 201  
DENVER, COLORADO 80202 - PHONE 720-913-3050  
ZONING APPEAL APPLICATION

\*\*\*\*\*NOTE AMENDED SUBJECT!\*\*\*\*\*

**NOTIFICATION OF APPEAL:**

Case No. 90-08 Date Filed: 5-9-2008  
**Denial amended 8/7/08**  
Date Of Denial: May 5, 2008

Premises: 1048 York Street

Legal Description:  
**Lengthy Legal**

Applicant(s)(Landowners):  
**City and County of Denver/ Denver Botanic  
Gardens by Brian Vogt, CEO**

Address: 909 York Street  
Denver, CO  
ZIP: 80206 Tele: 720-865-3515  
(Home) (Work)  
Filed By: Keith Conner, Tryba Architects

Address: 1620 Logan Street  
Denver, CO  
ZIP: 80203 Tele: 303-894-5361  
(Home) (Work)

**SUBJECT:**

**Appeal of a denial of a permit to erect a parking structure 19 feet into the York Street and  
Josephine Street 20 foot front setbacks in an O-1 zone. (AS AMENDED)**

Ordinance Section(s): 59-356(c)

Possible Remedies: Variance

**APPLICANT STATEMENT:**

See Attached Statement

**NOTIFICATION OF PUBLIC HEARING:**

Hearing Date: August 19, 2008  
Hearing Time: 9:00 O'Clock AM  
201 West Colfax Avenue, Room 2.H.14  
Webb Municipal Office Bldg, Denver, CO  
Pick Up Sign Week of: August 4, 2008  
Post Sign, Saturday: August 9, 2008

Filing Fee: (Section 59-57 R.M.C.)  
Amount: \$200.00 Category: (4)b  
Receipt No: 346706 Date: 5-9-2008

Amount Total: \$200.00

Registered Neighborhood Organization

No(s): 17 35 44 44 87 102 185  
194 269 315 324

City Councilperson: Robb

Signed: C. & C of Denver/ Denver Botanic Gardens  
Owner(s)

By: Keith Conner  
Architect

## **TRYBA ARCHITECTS**

1620 Logan Street  
Denver Colorado 80203  
303-831-4010

August 7, 2008

City and County of Denver  
Board of Adjustment

### **Addendum to Applicant Statement Request for Variance, O-1 Setback**

Dear Board of Adjustment Members,

This is an addendum to the Zoning Appeal Application for a variance to the O-1 Setback for the proposed Parking Garage and Visitor's Center at the Denver Botanic Gardens. The initial applications to the Board of Adjustments were May 9, 2008 for the Parking Structure and June 23, 2008 for the Visitor's Center. The designs have developed since the appeals were made. This addendum is to address all of the elements on the two structures that require review the Board of Adjustments.

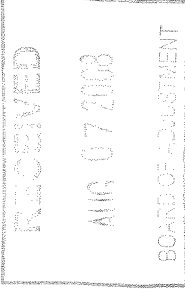
#### **Parking Garage**

As stated in the initial Appeal for Variance submitted on May 9, 2008, Denver Botanic Gardens (DBG) is requesting a variance to construct a new parking structure on the site of the existing surface lot located between York and Josephine Streets. Tryba Architects and their consultant team have been working closely with the City Engineering Staff to vacate a portion of both the York and Josephine Street Right-of-Ways to provide a site that will accommodate a parking structure with the required efficiency. The attached site plan shows the revised property lines as proposed by the City with the setback of 20' as required for the O-1 zone district. As shown on the plan, the design for the new parking structure is 106' wide, fitting within the new property boundary while encroaching up to 19'-0" on both the York and Josephine Street setbacks.

The west elevation of the Parking Structure has a partial cornice on the York Street frontage that accents the central Garden Atrium within the structure. This element projects 3' from the face of the structure to approximately 4' -6" from the property line at the closest point. The O-1 Zone District does not address the encroachment of architectural elements. This encroachment of up to 3' is in accordance with the ordinance for both R-0 and R-3 Districts, which are the classifications of the adjacent properties.

#### **Visitor's Center**

The original Zoning Appeal for the Visitor's Center was to allow for the encroachment of a pedestrian bridge and the associated ramp access. Due to estimated construction costs, the design was revised to provide pedestrian crossing at grade with improved signalization and increased distance between the vehicle stopping point and the crossing.



The current design of the Visitor's Center utilizes a perimeter trellis to provide control of solar exposure. This trellis projects 4'-0" from the face of the building with a maximum encroachment of 2'-9". The O-1 Zone District does not address the encroachment of architectural elements. This encroachment is in accordance with the ordinance for both R-0 and R-3 Districts, the classifications of the adjacent properties, which each allow building elements for the control of light and solar exposure to encroach up to 5'-0" into the front setback. We request a variance to allow for the 2'-9" encroachment of a trellis structure into the front setback.

### **Site Elements**

Stone water feature, 10'-0" high. Inside the Gardens, this element will serve as an entry feature to the future phase Sensory Garden by providing an auditory and temperature indication for vision impaired guests. Additionally, this will provide enclosure and a strong visual termination of the Garden's main walk, and buffer noise and sights at the main entry and gathering areas. The lower level exit of the Boettcher Hall empties to an accessible ramp that travels up to the main walk directly along the setback at this location. Future phase plans call to improve this area, but this accessible route must be maintained for now. Given that a good portion of the path is within the setback and right along the setback line, this improvement will have to fall within the setback. The proposed stone water feature encroaches 9'-4" into the setback.

Adjacent site wall with stone caps to match existing site walls (stone, concrete, and block). These walls are extensions of the water feature above, providing security and a terminus to the main garden pedestrian axis. Heights range from 6'-0" to 10'-0" high to provide increased security for the Garden. Terraced planters outside the wall will serve to reduce the visual scale of these elements by gradually stepping up to the proposed height and providing a buffer of planting materials. The proposed walls will encroach from 4'-0" up to 13'-10" into the front setback. All of the proposed walls are further back from the street than the current fence and entry structure.

Decorative iron fencing to match existing fence. Heights range from 6'-0" to 8'-6" high to provide increased security for the Gardens. The design provides for the top of the fencing to be horizontal in response to the strong horizontal character of the historic Boettcher Memorial Hall located directly behind this new fence. All of the proposed fence is either in the same location as the current fence, or set further back from the street.

We are looking to the Board of Adjustment for support in the development of these facilities that enhance the Denver Botanic Gardens and benefit the surrounding community. Thank you for your consideration of these requests and we look forward to formally presenting our appeals and answering any questions you may have regarding this project.

Sincerely,



Mike Zimski, AIA  
Tryba Architects

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201 WEST COLFAX AVENUE, DEPARTMENT 201  
DENVER, COLORADO 80202 - PHONE 720-913-3050  
ZONING APPEAL APPLICATION

\*\*\*\*\*NOTE NEW SUBJECT!\*\*\*\*\*

**NOTIFICATION OF APPEAL:**

Case No. 121-08 Date Filed: 6-23-2008  
**Amended denial 8/7/08**  
Date Of Denial: June 19, 2008

Premises: 1005 York Street

Legal Description:  
**Lengthy Legal**

Applicant(s)(Landowners):  
**City and County of Denver, by Botanic Gardens**

Address: 909 York Street  
Denver, CO  
ZIP: 80206 Tele: 720-865-3515 (Home) (Work)  
Filed By: Mike Zimski, Tryba Architects

Address: 1620 Logan Street  
Denver, CO  
ZIP: 80206 Tele: 303-947-5409 (Home) (Work)

**SUBJECT:**

**Appeal of a denial of a permit to erect a visitor center 2 feet 9 inches with a water feature 9 feet 4 inches into the 20 foot York Street front setback, and a ten foot front wall (6 foot permitted) in an O-1 zone. (AS AMENDED)**

Ordinance Section(s): 59-356(c)

Possible Remedies: **Variance**

**APPLICANT STATEMENT:**

See Attached Statement (REVISED 8/7/08)

**NOTIFICATION OF PUBLIC HEARING:**

Hearing Date: August 19, 2008  
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Pick Up Sign Week of: **August 4, 2008**  
Post Sign, Saturday: **August 9, 2008**  
Filing Fee: (Section 59-57 R.M.C.)  
Amount: **\$200.00** Category: **(4)b**  
Receipt No: **346731** Date: **6-23-2008**

Amount Total: **\$200.00**

Registered Neighborhood Organization

No(s): 17 35 44 47 87 102 185  
194 269 315 324

City Councilperson: **Robb**

Signed: **City and County of Denver, by Botanic Gardens**  
Owner(s)

By: **Mike Zimski, Tryba Architects**  
Architect

## TRYBA ARCHITECTS

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August 7, 2008

City and County of Denver  
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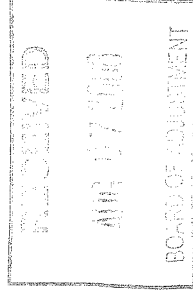
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