



**TO:** Land Use, Transportation and Infrastructure Committee of Denver City Council  
**FROM:** Jason Morrison, AICP, Senior City Planner  
**DATE:** May 21<sup>st</sup>, 2024  
**RE:** Official Zoning Map Amendment Application #2023I-00232

### **Staff Report and Recommendation**

Based on the criteria for review in the Denver Zoning Code, Staff recommends that the Land Use, Transportation and Infrastructure Committee move Application #2023I-00232 forward for consideration by the full Denver City Council.

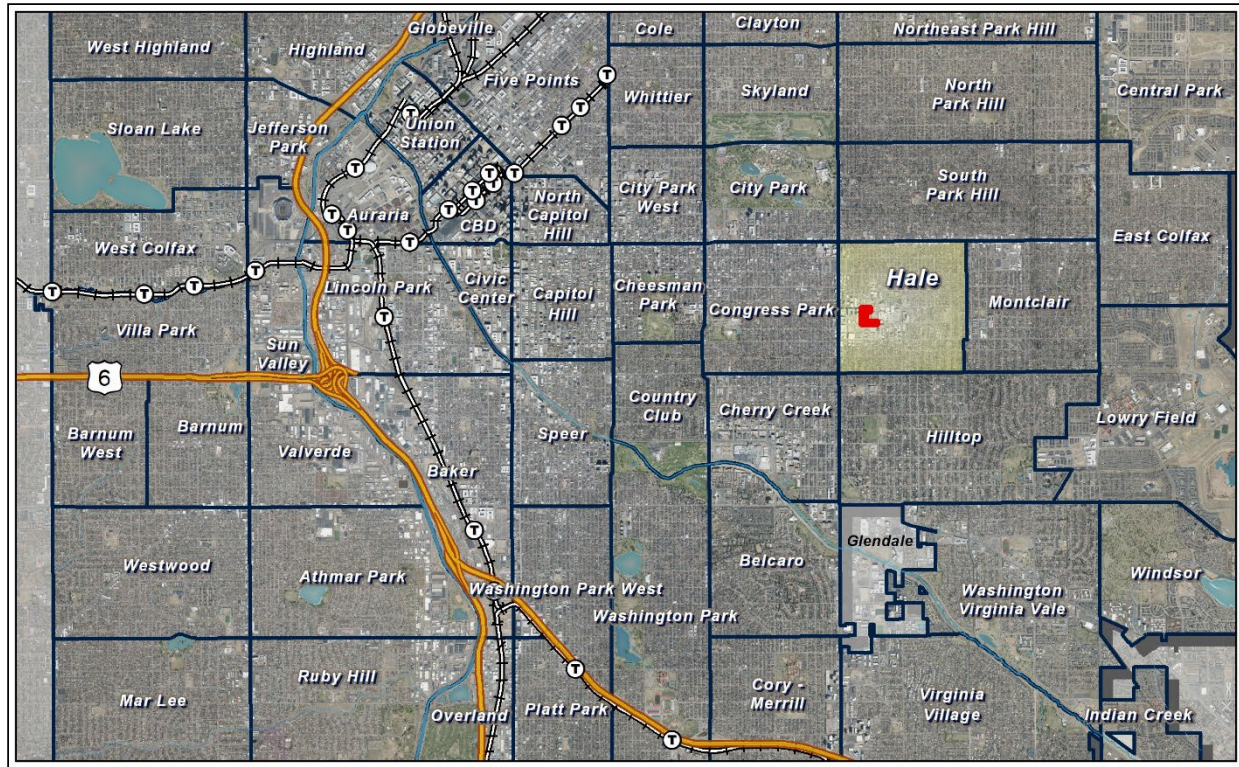
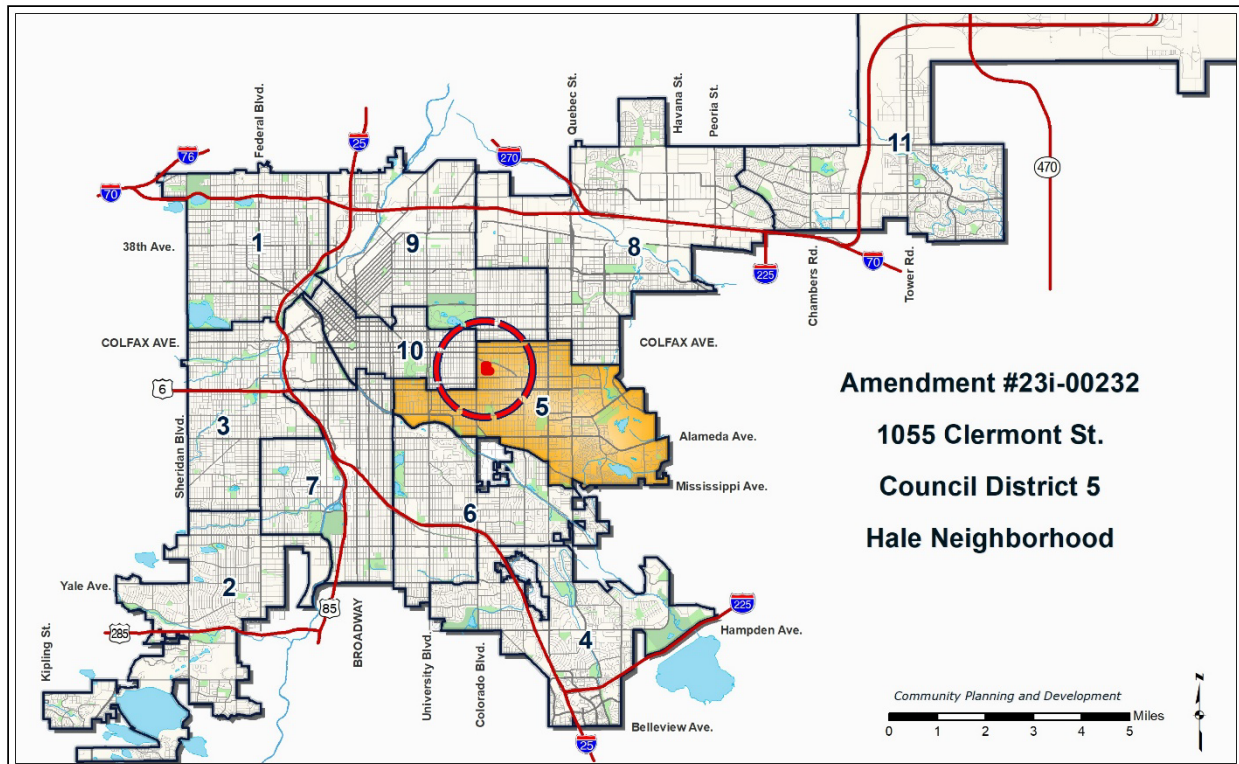
### **Request for Rezoning**

Address: 1055 N. Clermont Street  
Neighborhood/Council District: Hale Neighborhood / Council District 5  
RNOs: Bellevue-Hale Neighborhood Organization, Strong Denver, Inter-Neighborhood Cooperation (INC)  
Area of Property: 173,666 square feet or 3.98 acres  
Current Zoning: CMP-H, UO-3  
Proposed Zoning: C-MX-12  
Property Owner(s): GME, LLC  
Owner Representative: Karl Barton, Kimley-Horn and Associates

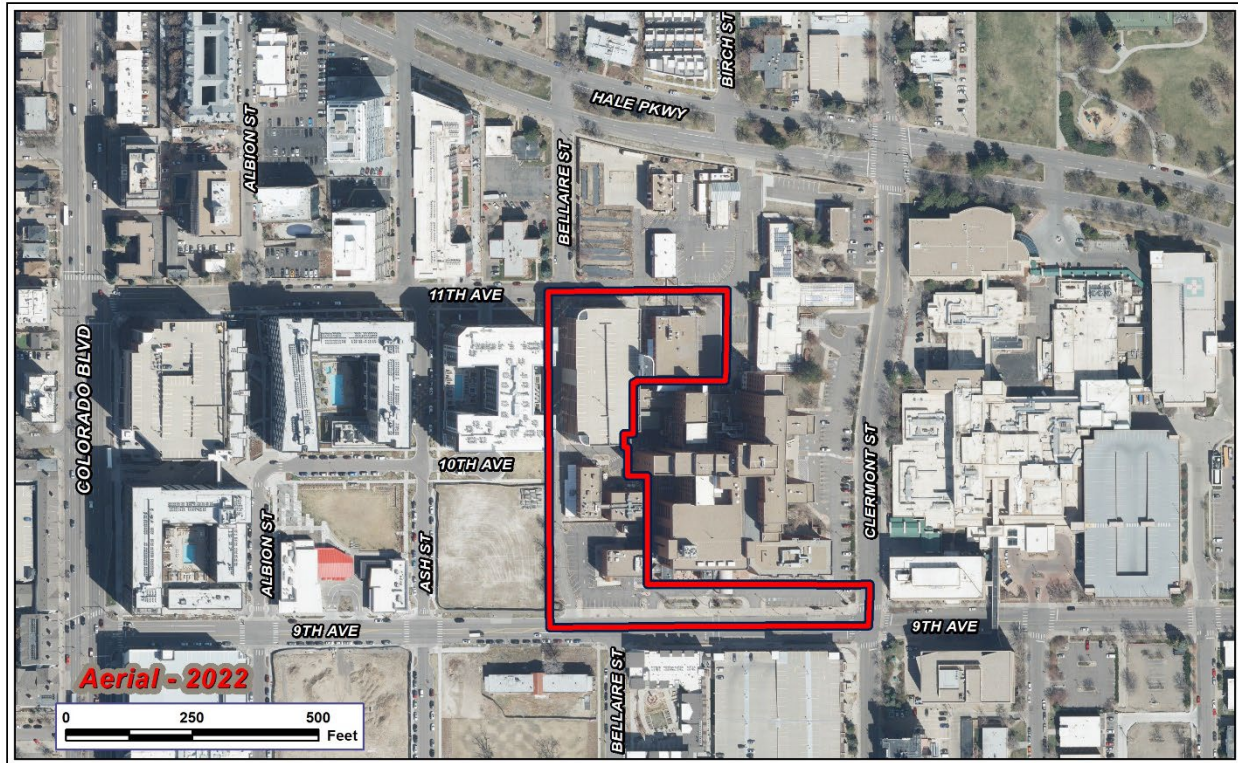
### **Summary of Rezoning Request**

- This rezoning application proposes to rezone approximately four acres of the iconic 13-acre former Veterans Administration Hospital (VA) campus in the Hale statistical neighborhood.
- The site contains multiple healthcare buildings and a parking structure.
- The applicant is requesting the rezoning to facilitate mixed use development including potential residential, retail, office, hotel, open space, and parking uses on parcels adjacent to the former VA hospital, which is undergoing an adaptive reuse conversion to residential/commercial uses.
- The site is subject to a recently approved Large Development Framework (project No. 2022-PM-0000728) that includes a concept plan describing the proposed land uses, and open space and circulation networks. This rezoning is necessary to achieve the development of that concept.
- The site is currently zoned CMP-H, UO-3 which is a non-residential zone district with a maximum building height of 200 feet. The CMP-H zone district is intended to promote the maintenance and concentration of existing and proposed healthcare facilities and in this district the General primary building form is the only allowed building form. Further details of the zone district can be found in Article 9 of the Denver Zoning Code (DZC).
- The Historic Structure Use Overlay (UO-3) is an overlay district designated to encourage preservation, protection, and adaptive reuse of Historic Structures and may only be established in conjunction with an underlying residential zone district.
- The proposed C-MX-12 (Urban Center, Mixed Use, with a maximum height of 12 stories) is a mixed-use zone districts that allow a wide range of residential and commercial uses with minimum build-to and increased transparency requirements intended to promote active pedestrian areas on public streets.

## Existing Context







The subject site is located within the Hale neighborhood near Colorado Boulevard and Hale Parkway and adjacent to the 9<sup>th</sup> + CO redevelopment project. Over the past several years, the area has been transitioning from office and medical uses to a dense mix of residential and commercial/retail uses. The medical uses occurring on the site have ceased and the subject site has since been sold. Surrounding buildings in the area are of a variety of maximum buildings heights and forms. Other than the nearby Hale parkway, the street network consists of a typical urban grid pattern and detached sidewalks with tree lawns and street parking becoming more prevalent with redevelopment.

The subject site is less than ¼ mile from Lindsley Park and Hale Parkway to the northeast. Teller Elementary School and Hill Middle School are located less than ¼ from the subject site as well. RTD bus routes 10 (9<sup>th</sup> Avenue) and 40 (Colorado Boulevard) are within walking distance of the subject site. Additionally, Bus Rapid Transit (BRT) is planned to be fully operational along Colorado Boulevard by 2031.

The following table summarizes the existing zoning proximate to the subject site:

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	CMP-H, UO-3	Vacant medical building	2-10 story medical office buildings, including structured parking and hospital support facilities	Fairly large block sizes generally in a regular grid pattern. Major street connections are provided to Colorado Boulevard, Hale Parkway, and 6 <sup>th</sup> Avenue. Vehicle parking is provided in structures for new residential buildings and in surface lots for industrial uses.
North	CMP-H	Medical building	1-story hospital support facility	
South	R-MU-30 WVRS	Multi-family residential	4-story multi-family building with supporting structured parking	
East	H-1-A	Medical building	6-story medical building (Rose Medical Center)	
West	CMP-H	Vacant	N/A	

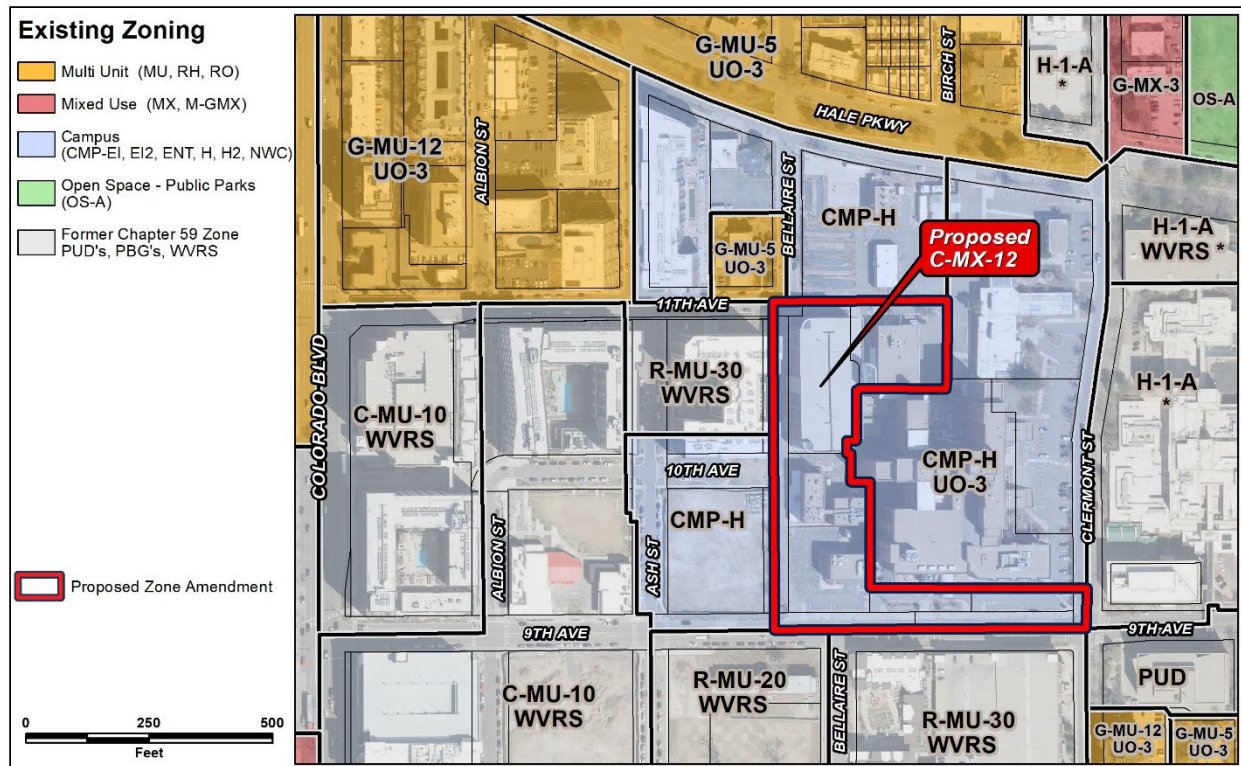
## 1. Large Development Review

This rezoning application was reviewed by the Development Review Committee (DRC) to determine if the proposal would be subject to the Large Development Plan (LDR) process outlined in Section 12.4.12 of the Denver Zoning Code (DZC) and require the creation of a Large Development Framework (LDF).

After review, it was determined that the project would be subject to LDR. Factors that determined the LDR process would be required included:

- Gross land area of the project
- Need for a coordinated master framework
- Potential infrastructure improvements needed for the project
- Proposal for rezoning
- Explicit requirement in the East Area Plan to apply LDR to the site upon request for redevelopment

## 2. Existing Zoning



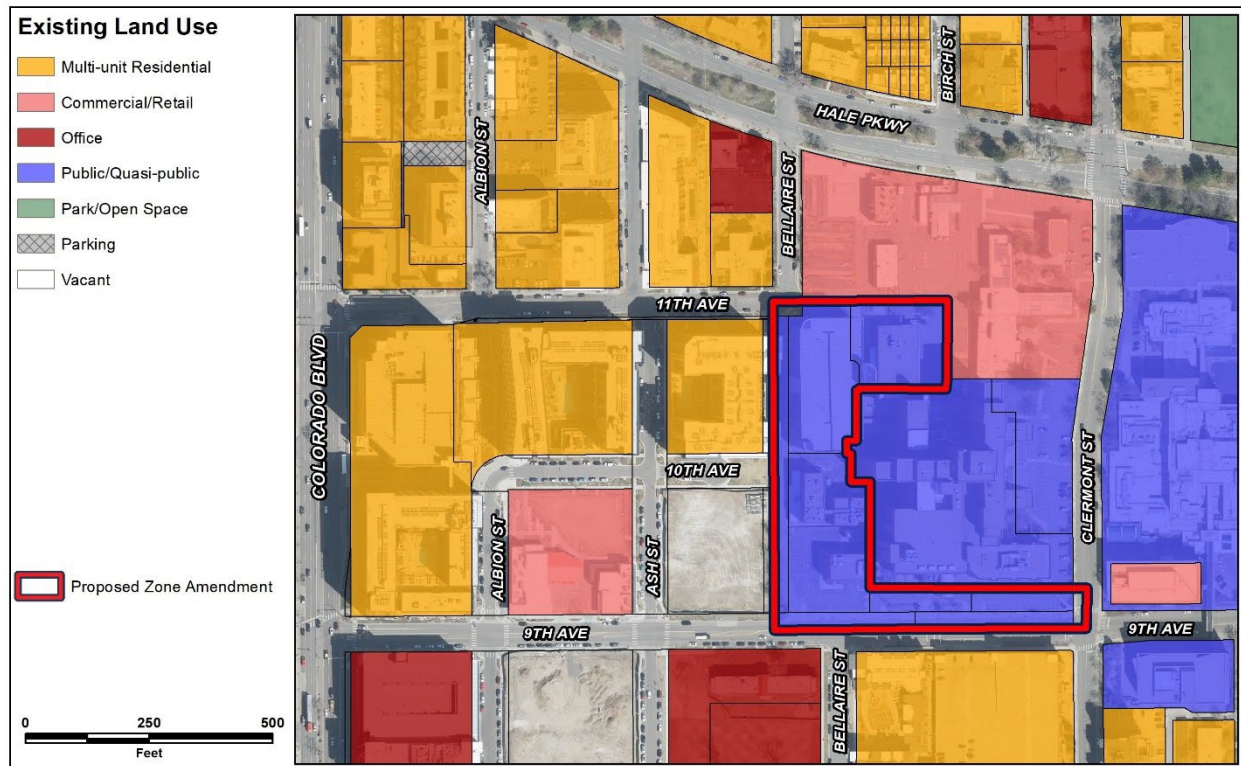
The existing zoning on the subject property is CMP-H, UO-3. CMP-H is a campus healthcare district that is “intended to promote and encourage the maintenance and concentration of existing and proposed healthcare facilities and their related uses” (DZC 9.2.3.1). The zone district allows the General building form with heights up to 200 feet and 75 feet within 125 feet of a protected district. The context allows flexible placement of buildings and a unified treatment of site elements like signage, landscaping and open space. Buildings may be oriented either to a street, or to an internal courtyard, or to an open space area. Further details of the zone district can be found in Article 9 of the Denver Zoning Code (DZC).

The UO-3 Historic Structure Use Overlay District is currently mapped on the property, as well as adjacent properties to the north and west. There is not currently a Landmarked Historic Structure on the subject site. The UO-3 district is intended to encourage preservation, protection, adaptive reuse and enhancement of structures designated as City Landmarks and may only be established in conjunction with an underlying Residential Zone District, which does not include C-MX-16. The overlay allows three commercial uses (with use limitations) in qualifying Historic Structures:

1. Office, not including dental/medical office or clinic
2. Art studio
3. Bed and breakfast lodging

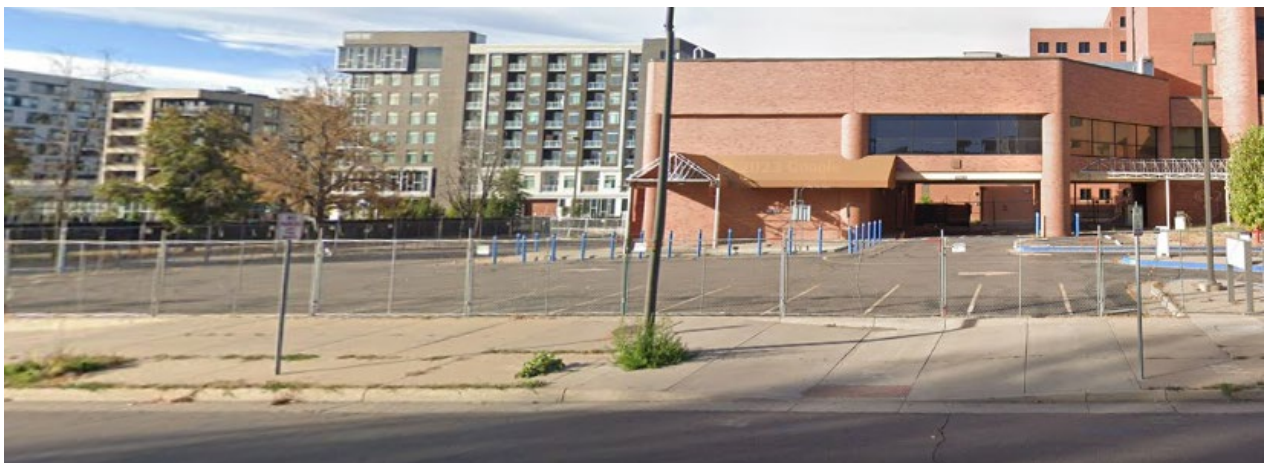


### 3. Existing Land Use Map



### 4. Existing Building Form and Scale

*All images are from Google Street View.*



*Subject property, facing north from E. 9<sup>th</sup> Avenue*



*Subject property, facing north from E. 9<sup>th</sup> Avenue*



*Subject property, facing east from Bellaire Street*



*Subject property, facing south from E. 11<sup>th</sup> Avenue*



*Subject property, facing southwest from E. 11<sup>th</sup> Avenue*





*Subject property, facing west from Clermont Street*

## Proposed Zoning

### C-MX-12 Zone District

The requested C-MX-12 zone district is “intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public street edge” (Section 7.2.2.1). The district allows a variety of residential, civic, commercial, and industrial uses. The maximum height is 150 feet with allowable encroachments. The minimum Primary Street setback is 0’, except for the Town House building form which has a 10’ minimum Primary Street setback. The minimum build-to is 70% with 40% transparency on a Primary Street and 25% transparency on a Side Street. Surface parking is not allowed between the building and the Primary and Side Streets. For additional details regarding building form standards in the C-MX-12 zone district, see DZC Section 7.3.3.4.

Design Standards	CMP-H, UO-3	C-MX-12
Primary Building Forms Allowed	General	Town House; General; Shopfront, Drive Thru <sup>^</sup>
Height in Stories / Feet (max)	200’	12/150’+
Primary Street Build-To Percentages (min)	N/A	70% to 75%*
Primary Street Build-To Ranges	N/A	0’ to 15’*
Minimum Zone Lot Size/Width	N/A	N/A
Primary Street Setbacks (min)	10’	0’ to 10’*
Building Coverage	N/A	N/A

\*Standard varies between building forms

+ The district allows incentive heights up to 16 stories and 200 feet (depending on building form) with the provision of enhanced affordable housing.

<sup>^</sup> Subject to geographic limitations



## **Summary of City Agency Referral Comments**

As part of the DZC review process, the rezoning application is referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

**Assessor:** Approved – No Comments

**Asset Management:** Approved – No Comments

**Denver Public Schools:** Approved – No Response

**Department of Public Health and Environment:** Approved – See Comments Below

1. Approve Rezoning Only. Will require additional information at Site Plan Review
2. The Denver Department of Public Health and Environment, Environmental Quality Division (EQD) performed a limited search for environmental information regarding environmental conditions at the Site. This review was not intended to conform to the ASTM standard practice for environmental site assessments, nor was it designed to identify all potential environmental conditions. The EQD provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided. This review was not intended to assess environmental conditions for any property interest dedication or grant. Nor does this review constitute an approval or action by the EQD concerning any property dedication or grant associated with the project.
3. EQD is not aware of environmental concerns that would affect the proposed zoning Although EQD is not aware of contaminated environmental media (soil, soil vapor, or groundwater) at the project Site, undocumented contamination could be encountered during ground-disturbing activities. If encountered, contaminated environmental media or underground storage tanks should be properly managed in accordance with applicable regulations.
4. EQD does not guarantee approval of any proposed development project at this Site by providing a response to this Official Map Amendment Referral Agency Review Request. Future development is subject to existing land use controls and other environmental requirements in accordance with applicable local, state, and federal environmental regulations and statutes. EQD recommends the Property Owner conduct an environmental site assessment to determine the potential presence, nature, and extent of possible contamination on the site and to identify specific cleanup needs associated with future development. EQD may have additional information about localized potential environmental concerns at the site. However, providing such information about a specific site is beyond the scope of these zoning application comments.

**Denver Parks and Recreation:** Approved – No Comments

**Department of Transportation & Infrastructure – City Surveyor:** Approved – No Comments

**Development Services – Project Coordination:** Approved – No Response

**Development Services - Fire Protection:** Approved – No Comments

**Development Services – Transportation:** Approved – No Response

**Development Services- Wastewater:** Approved – No Response

## Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	3/12/2024
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	4/16/2024
Unanimous approval by Planning Board	5/1/2024
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:	5/10/2024
Land Use, Transportation, and Infrastructure Committee of the City Council:	5/21/2024
Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations:	6/17/2024 (tentative)
City Council Public Hearing:	7/8/2024 (tentative)

- **Registered Neighborhood Organizations (RNOs):** No public comment received.
- **Other Public Comment:** No public comment received.



## Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7 and 12.4.10.8, as follows:

### **DZC Section 12.4.10.7**

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

### **DZC Section 12.4.10.8**

1. Justifying Circumstances
2. Consistency with Neighborhood Context Description, Zone District Purpose, and Intent Statements

## **1. Consistency with Adopted Plans**

The following adopted plans apply to this property:

- *Denver Comprehensive Plan 2040 (2019)*
- *Blueprint Denver (2019)*
- *East Area Plan (2020)*

### **Denver Comprehensive Plan 2040**

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, which are organized by vision element.

The proposed rezoning would allow for mixed-use development, including an increase in allowed housing density, while also enabling additional affordable housing units close to services and amenities. It is therefore consistent with the following strategies in the Equitable, Affordable, and Inclusive vision element:

- Equitable, Accessible and Inclusive Goal 1 – Ensure all Denver residents have safe, convenient, and affordable access to basic services and a variety of amenities (p. 28).
- Equitable, Affordable and Inclusive Goal 2 Strategy A – Create a greater mix of housing options in every neighborhood for all individuals and families (p. 28).

The proposed rezoning would enable mixed-use infill development at a location where services and infrastructure are already in place. The proposed C-MX-12 zoning would allow for a broader variety of uses including housing, retail services, and require enhanced building forms at an intensity consistent with the desire for urban, walkable, mixed-use neighborhoods near future transit, and is therefore consistent with the following strategies in the Strong and Authentic Neighborhoods vision element:

- Strong and Authentic Neighborhoods Goal 1, Strategy D – Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities (p. 34).
- Strong and Authentic Neighborhoods Goal 2, Strategy D – Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture and quality of life (p. 34).

Similarly, the land use pattern detailed in the previous paragraph is also consistent with the following strategies in the Environmentally Resilient vision element:

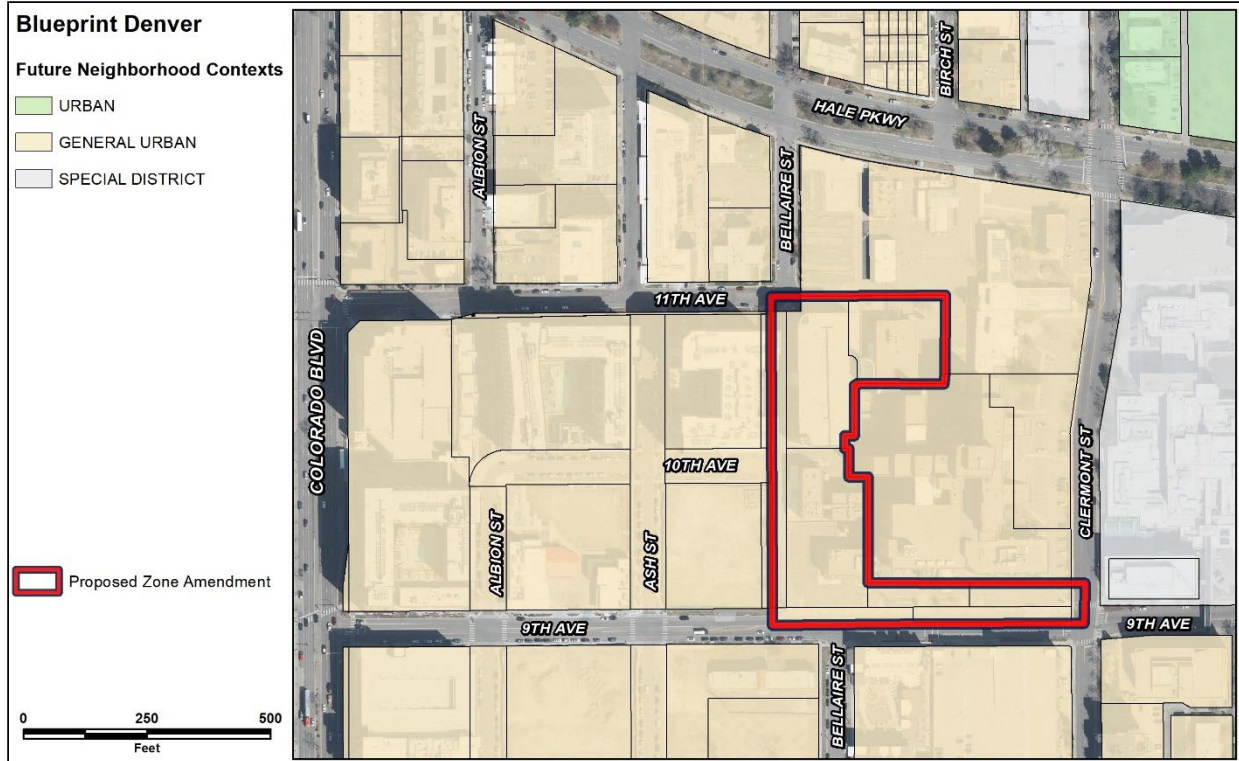
- Environmentally Resilient Goal 8, Strategy A – Promote infill development where infrastructure and services are already in place (p. 54).
- Environmentally Resilient Goal 8, Strategy B – Encourage mixed-use communities where residents can live, work, and play in their own neighborhoods (p. 54).

The requested map amendment will enable mixed-use development at an infill location where infrastructure is already in place. The requested C-MX-12 zone district broadens the variety of uses allowing residents to live, work and play in the area; therefore, the rezoning is consistent with *Denver Comprehensive Plan 2040* recommendations.

### **Blueprint Denver**

*Blueprint Denver* was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city's land use and transportation decisions. *Blueprint Denver* identifies the subject property as "Community Center" within the "General Urban" neighborhood context and provides guidance from the future growth strategy for the city.

### **Blueprint Denver Future Neighborhood Context**

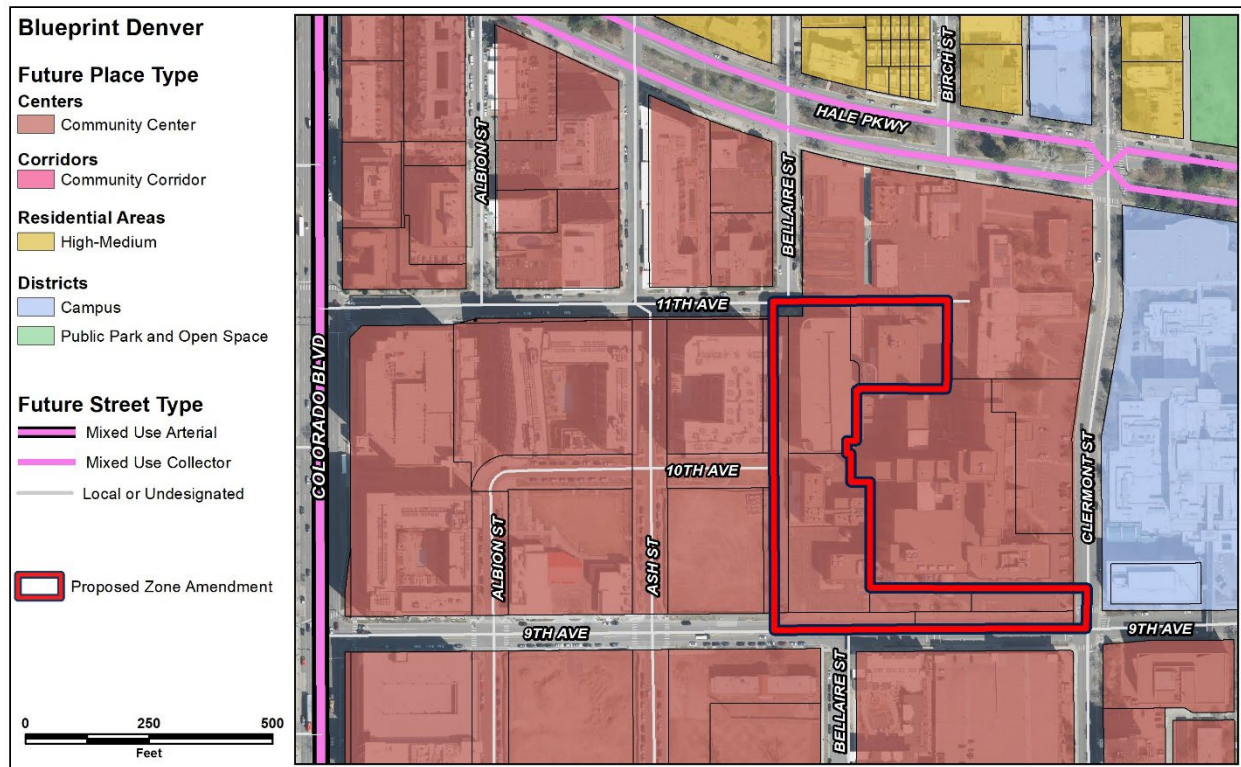




In *Blueprint Denver*, future neighborhood contexts are used to help understand differences in things like land use and built form and mobility options at a higher scale, between neighborhoods. The requested rezoning is shown on the context map as General Urban and the neighborhood context map and description help guide appropriate zone districts in this area (p. 66). The General Urban neighborhood context is described as follows: “Multi-unit residential is the most common with some single-unit and two-unit residential, commercial and mixed-use embedded. Block patterns are generally a regular grid with consistent alley access. Multi-unit residential buildings are low- to mid-scale mixed in with some low-scale residential uses” (p. 239). The C-MX zoning designation also meets small area plan guidance for mix of uses and maximum building height. However, there is currently no MX-12 district within the General Urban context in the zoning code.

*Blueprint Denver* provides additional applicable guidance on how to apply plan direction on neighborhood context to rezonings stating, “The mapping of neighborhood context is at the citywide scale, so the boundaries of the context may be interpreted with limited flexibility if the request furthers the goals of *Blueprint Denver* and is consistent with the overall intent of the neighborhood context map” (p. 66). The context map is aspirational in nature and intended to provide a high-level of understanding as to the differences in land use and built form, mobility options and quality-of-life infrastructure between different neighborhoods (p. 139). For this application, the proposed Urban Center context helps realize the goal of “ensuring all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities” (p. 22) and “focus higher intensity growth in walkable mixed-use centers and along transit priority streets” (p. 23) by allowing a more intense mix of uses than what would be allowed under residential mixed use districts in the General Urban context. The proposed rezoning to C-MX-12 is appropriate and consistent with the plan.

Blueprint Denver Future Places and Street Types

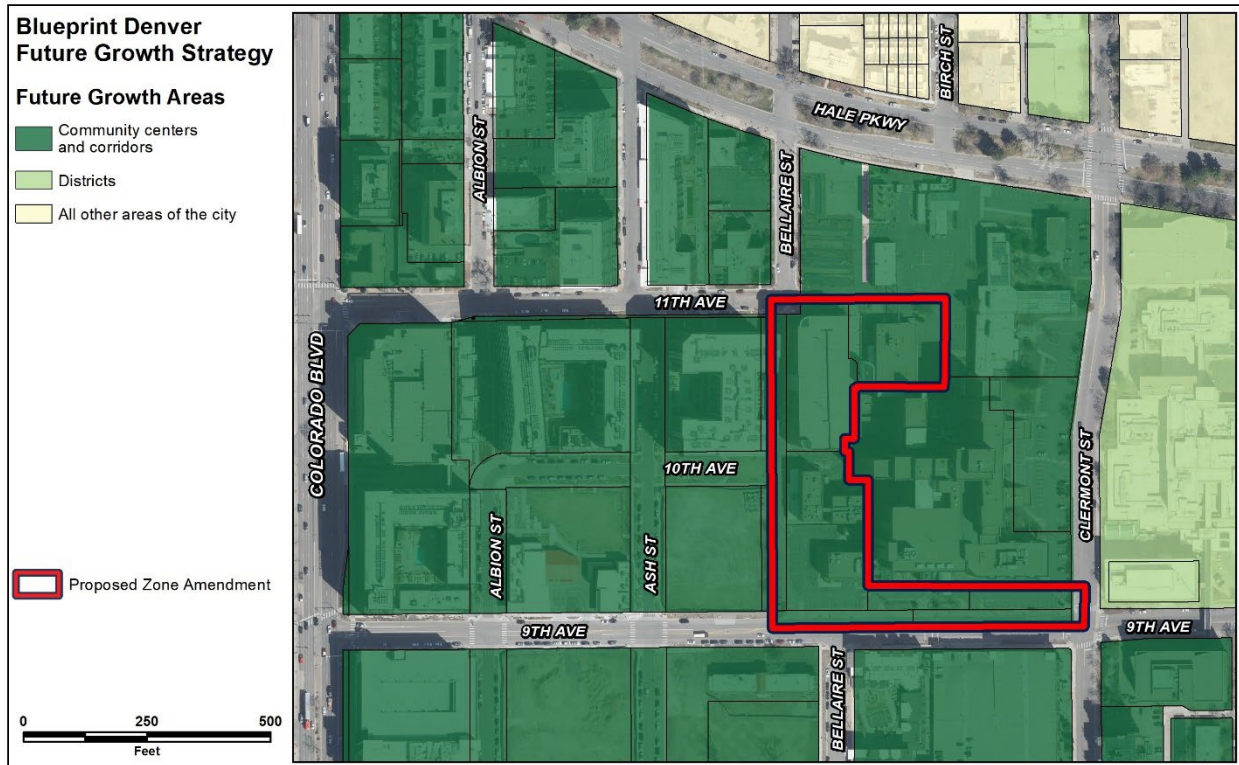


The Future Places map designates the subject site as part of a Community Center place type. *Blueprint Denver* describes the aspirational characteristics of Community Center place types in the General Urban context as having “some mix of office, commercial and residential uses” where “buildings are larger in scale than local centers and orient to the street or other public places” (p.242). Community Center is further described as having a strong degree of urbanism with continuous building frontages to define the public realm.

Consistent with this guidance, the proposed C-MX-12 district provides for a mix of uses and stringent building form standards that create an active street level presence. Given the Community Center height guidance in *Blueprint Denver* and the *East Area Plan* the requested 12-story district height is consistent with the surrounding context and appropriate for Community Center in this location.



## Growth Strategy



*Blueprint Denver's* growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject property is part of Community Centers and Corridors. These areas are anticipated to see around 50% of new housing growth and 20% of new employment growth by 2040 (p. 51). "Focusing growth in centers and corridors helps to provide a variety of housing, jobs and entertainment options within a comfortable distance to all Denverites and is a key element of building complete neighborhoods throughout Denver" (p. 49). The proposed map amendment to C-MX-12 will focus an appropriate intensity of mixed-use growth to a Community Corridor where it has been determined to be most appropriate and, therefore, is consistent with the *Blueprint Denver* Future Growth Areas plan direction.

### Other Applicable *Blueprint Denver* Policy Recommendations and Strategies

#### **Redevelopment of Institutional Sites**

*Blueprint Denver* provides strategies to implement zoning code revisions to facilitate the compatible redevelopment of institutional sites within neighborhoods. Land Use and Built Form: General Policy 6, Strategy B says, "Consider changes to the zoning code that would allow greater land use flexibility for these types of sites that vacate, such as appropriately scaled higher-density housing or limited neighborhood services. This approach could require adaptive reuse of existing structures in exchange for

greater land use flexibility or requirements for providing community improvements such as affordable housing, open space or community-serving spaces” (p.75).

Additionally, Strategy C says, “...individual rezonings of these sites may be an opportunity for more intense residential uses or limited neighborhood services...” (p.75).

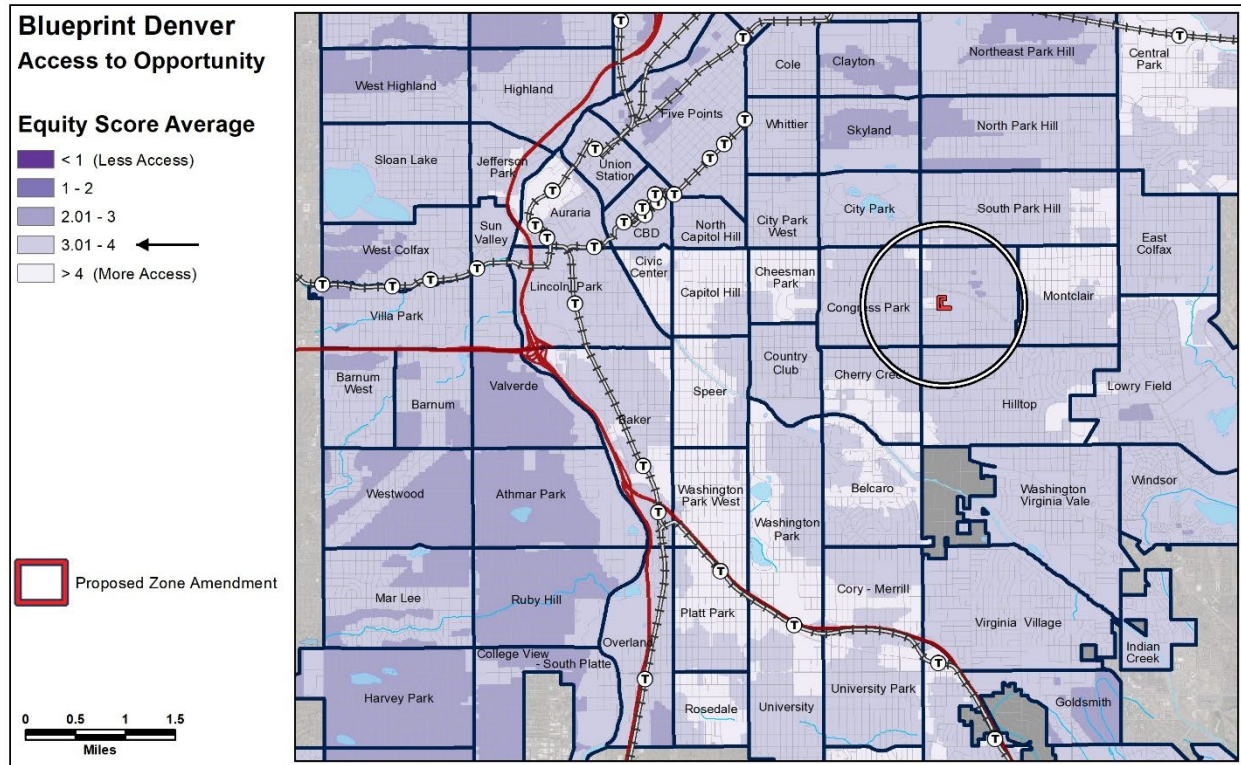
The application notes that the departure of the former Veteran’s Administration Hospital has created the opportunity to reimagine a “new campus” that combines the former site’s singular focus on healthcare with new community-serving affordable housing, employment, education, and retail uses. Additionally, the introduction of the C-MX-12 zone district will positively contribute to the changing conditions in the area by meeting the continuing need for additional housing, amenities, and increased variety of uses.

### **Equity Concepts**

*Blueprint Denver* contains three equity concepts to help guide change to benefit everyone. Each equity concept has associated measurements that helps inform implementation actions through large rezonings along with other implementation actions. This evaluation, also known as an equity analysis, identifies gaps related to equity that should be considered and addressed as part of the Large Development Review and/or rezoning processes. A more detailed equity analysis is included in the signed Large Development Framework.

### **Access to Opportunity**

The basis for measuring access to opportunity is a composite of the neighborhood equity index developed by Denver’s Department of Public Health and Environment, proximity to high-capacity and frequent transit, and access to centers and corridors. Access to opportunity helps us to consider if we are making progress towards achieving the vision for complete neighborhoods across the city.



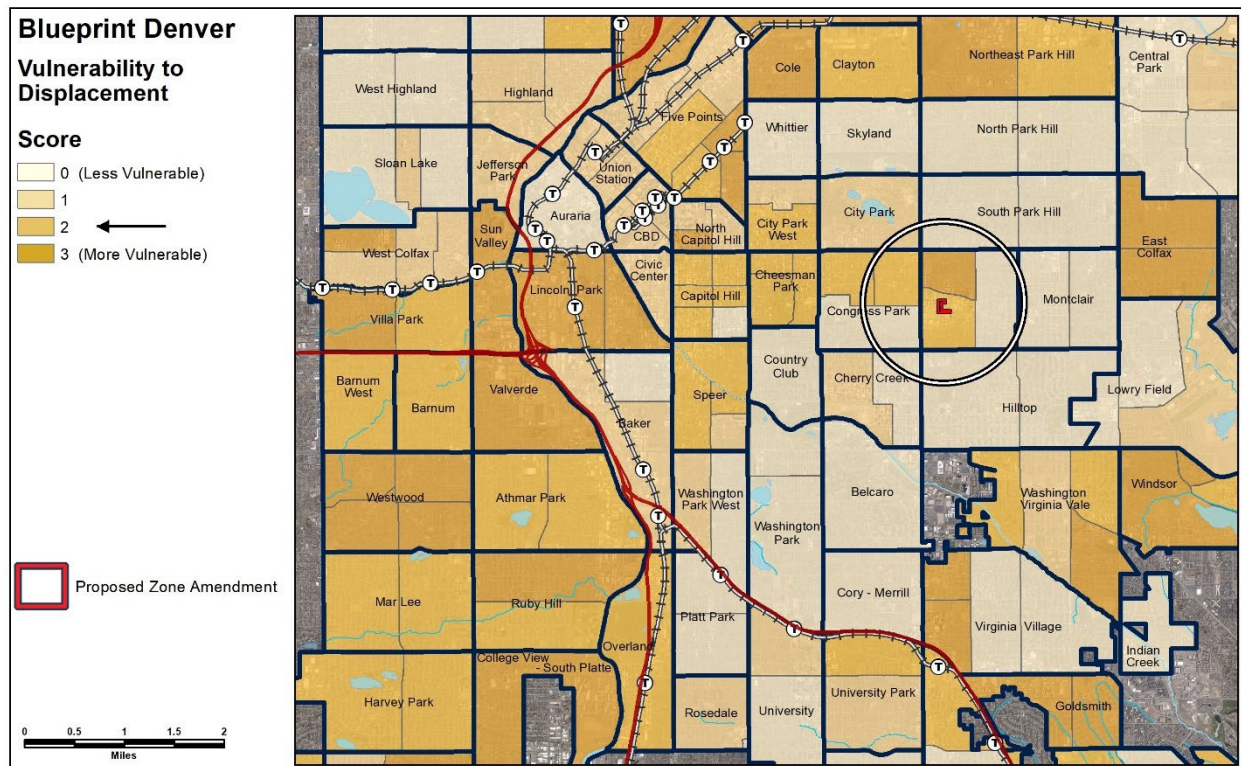
The subject site is in an area with relatively high access to opportunity, specifically for the neighborhood equity index measurement (social determinants of health, access to healthcare, access to parks and childhood obesity). The area has a more moderate score when it comes to access to centers and corridors, including a score of zero for access to transit because it is not located within ½ mile of a light-rail transit station. However, as noted above the site is served by the RTD Route 10 (9<sup>th</sup> Avenue) and Route 40 (Colorado Boulevard).

The proposed rezoning from the CMP-H zone district will enable a greater mix of residential, retail, commercial, and pedestrian-oriented uses within close proximity to the surrounding community. The anticipated development that will result from this rezoning has the potential to bring additional services and amenities, including publicly accessible open space, that draws residents and visitors into the site from surrounding neighborhoods. Additionally, the application notes that the proposed C-MX-12 zone district will help improve the area's walkability through enhanced building siting standards that will improve circulation around the subject property, increasing the area's access to centers and corridors. Establishment of these built form standards will promote improved health outcomes and facilitate improved redevelopment outcomes. Finally, future development within the subject site will support better access to the future implementation of Bus Rapid Transit along Colorado Boulevard. Overall improvements to infrastructure, streetscape, and the existing network of local and regional trails will further improve multi-modal connectivity and greater accessibility in the community.



### Vulnerability to Involuntary Displacement

The basis for measuring vulnerability to involuntary displacement is the vulnerability to displacement index developed by the Denver Economic Development and Opportunity office. This combines data from median household income, percentage of people who rent housing, and percent of population with less than a college degree.

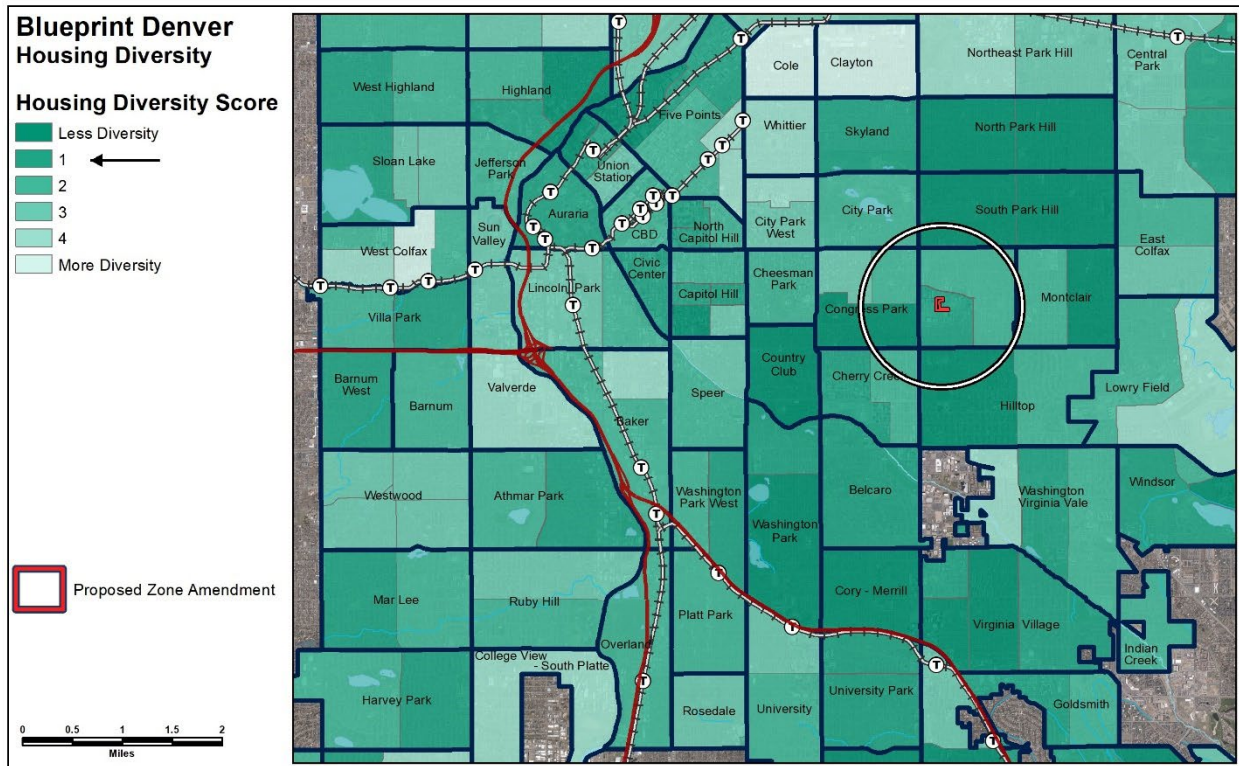


The subject site is in an area that has moderate vulnerability to involuntary displacement, only scoring low in the Educational Attainment indicator. However, in areas with low-moderate vulnerability to involuntary displacement it is important to maintain affordable housing options so that residents of all income levels can continue to live in these neighborhoods.

To address this inequity, the applicant has committed to working with One Main Street Colorado (or other similar non-profit organizations) to provide on-site programming related to employment and training opportunities for neighborhood residents. The applicant has also committed to working with the Office of Housing and Stability (HOST) to identify and address community needs in the provision of income-restricted housing on site. These affordable units will be available to households of diverse income levels, dispersed equitably throughout the site, and sized to accommodate a variety of households. The supply of these affordable housing options is key to encouraging a complete neighborhood where families and households of all types and incomes can choose to live. Staff finds that this rezoning application will have a positive impact on this measurement and has the potential to greatly improve the vulnerability to displacement score for the area over time.

### Expanding Housing and Jobs Diversity

The housing diversity map combines census tract-level data measuring the percentage of middle-density housing (housing with 2-19 units), home size diversity, ownership vs. rental, housing costs and the number of income-restricted units.

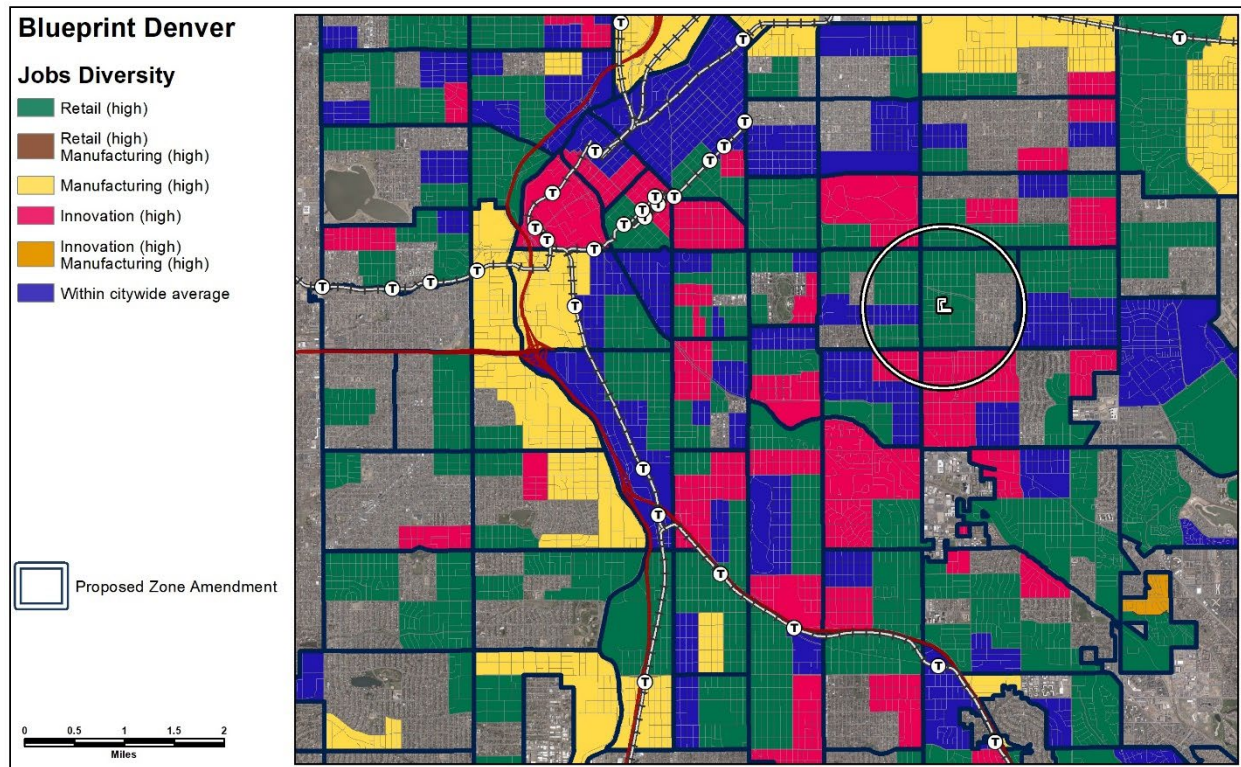


The subject site is in an area that has below-average housing diversity. In fact, the area scores low on all the indicators mentioned above except for the Housing Cost indicator.

It is anticipated that the proposed rezoning from the CMP-H zone district will further increase the diversity of housing options in the area, including both small-scale and large-scale multi-unit options such as townhomes, row houses and apartment building forms. The addition of this middle-density housing will improve this measurement and provide greatly needed housing at a variety of price points. The applicant has also committed to providing a variety of bedroom counts and sizes which will further improve this score. Staff finds that this rezoning application will expand housing diversity in the community.



### Expanding Jobs Diversity



The map above shows the mix of jobs in an area with the dominant industry depicted by color. The subject property has a job mix that is dissimilar to the city's overall mix of job types with a greater emphasis on retail jobs. As a result, there are less-than-average job diversity scores for manufacturing and innovation jobs in the area.

The proposed C-MX-12 zone district will continue to allow various commercial, office and retail jobs in the area consistent with the city-wide average. Increasing access to a range of many quality jobs enables people of different incomes and education levels to find employment and wealth-building opportunities. Staff finds that, on balance, this rezoning application will continue to have a positive impact on the area's jobs diversity.

### **East Area Plan**

The *East Area Plan* was adopted by Denver City Council in 2020 and contains a framework plan for the entire rezoning area. The plan addresses key neighborhood needs like helping local businesses remain and thrive, affordable housing, preserving the diversity of East Colfax Avenue as well as neighborhood architecture, trees, and open spaces. The plan also includes several general recommendations that make it easier and safer to get around east Denver.

In addition to the general plan recommendations, the *East Area Plan* provides several specific recommendations relevant to the former Veteran's Administration Campus and the Hale neighborhood:



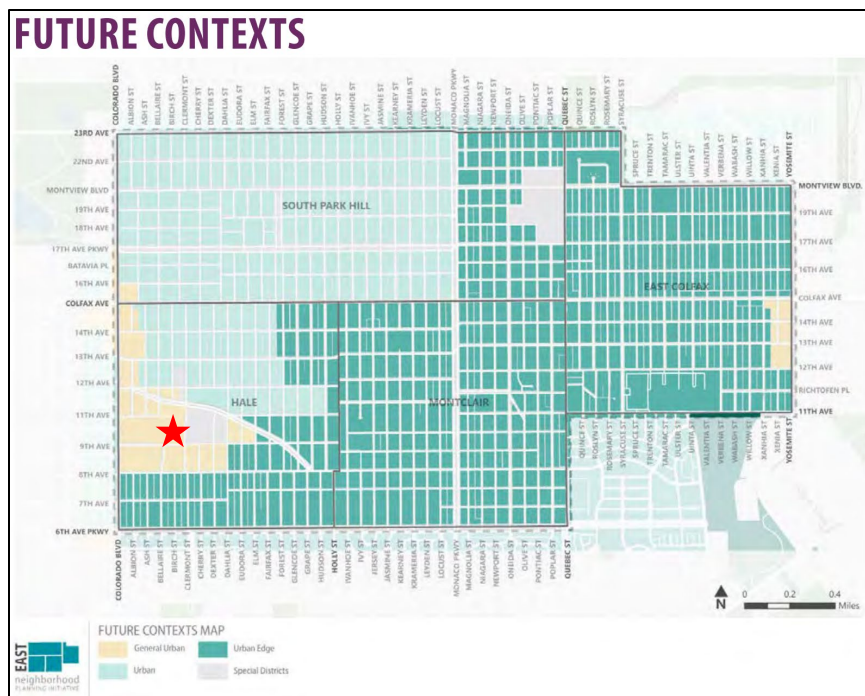
1. "L1 - Ensure compatible development on institutional sites within neighborhoods."
2. "L2 – Encourage shared use and activation of institutional and quasi-public facilities during off-peak times."
3. "E3 - Create new affordable housing with access to transit and amenities."
4. "Q3 - Create new community open space, parks and recreation facilities."

As previously mentioned, the Large Development Review process is applicable to the subject site and has introduced a coordinated master framework process to guide the future redevelopment. While the applicant has committed to adhering to the above recommendations through the Large Development Review process, the proposed C-MX-12 zone district is also consistent with the vision set forth in the *East Area Plan*.

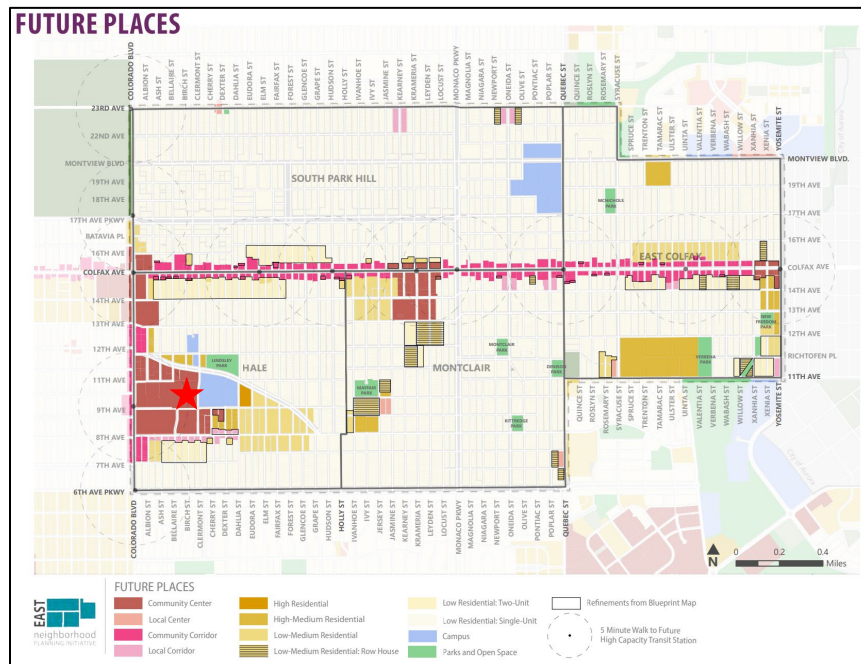
#### East Area Plan Future Context and Future Place Maps

Consistent with the *Blueprint Denver* mapping and analysis (detailed earlier in this staff report), the subject site is mapped as "General Urban" on the Future Context Map in the *East Area Plan*. This context is described as "a mix of residential and office uses and commercial areas, but with higher densities than the Urban contexts. Buildings are generally multi-unit residential or office, although some single and two unit buildings may be mixed in."

The proposed C-MX-12 zone district is part of the Urban Center context in the Denver Zoning Code, so it does not directly match the East Area Plan context designation. However, the C-MX-12 zone district would allow a mid-scale multi-unit residential building with ground floor commercial, retail and office uses, consistent with the intent of the General Urban neighborhood context. The C-MX zoning designation also meets small area plan guidance for mix of uses and maximum building height. However, there is currently no MX-12 district within the General Urban context in the zoning code.

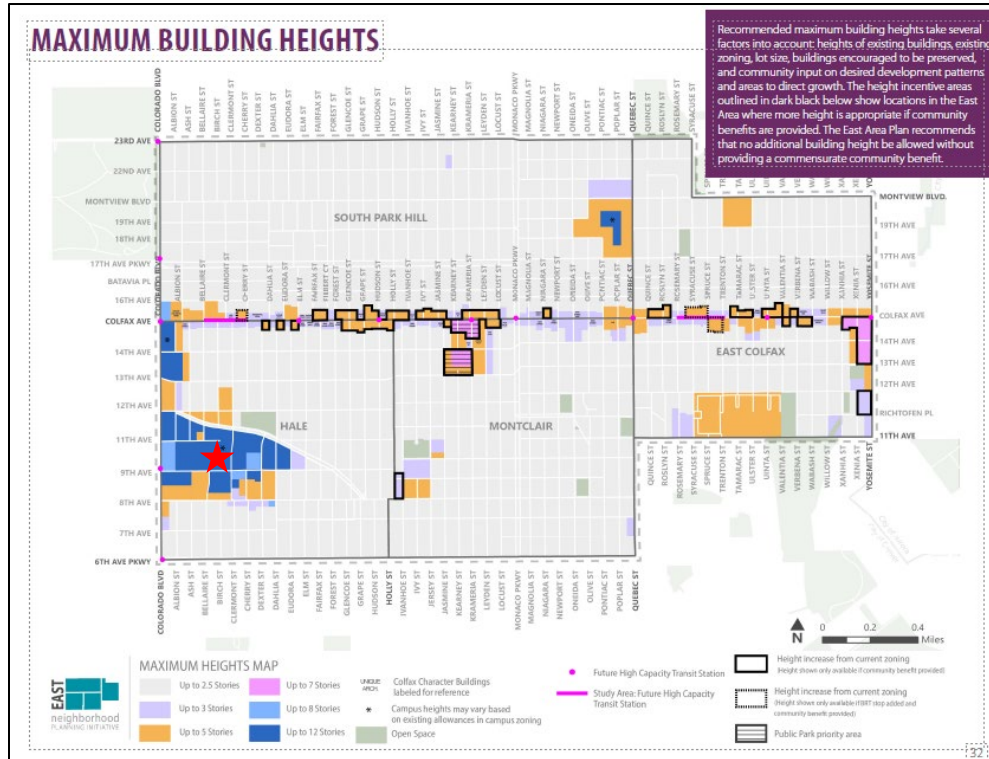


Consistent with the *Blueprint Denver* mapping and analysis (detailed earlier in this staff report), the subject site is mapped as “Community Center” on the Future Places Map in the *East Area Plan*. The *East Area Plan* notes that these areas typically provide some mix of office, commercial and residential uses and accessible to surrounding neighborhoods by a variety of transportation options.



Consistent with this guidance, the proposed C-MX-12 district provides for a mix of uses, stronger building form standards that create an active street level presence, and access to current and future multi-modal transportation options. Given the Community Center height guidance in *Blueprint Denver* and the *East Area Plan* the requested 12-story district height is consistent with the surrounding context and appropriate for Community Center in this location. Staff finds that the proposed rezoning to C-MX-12 is consistent with the general recommendations in the *East Area Plan* as well as the specific recommendations for the former Veteran’s Administration campus and the Hale Neighborhood.

Finally, the subject site is mapped as a maximum building height of up to 12 stories in the *East Area Plan* and the C-MX-12 zone district is compatible with this height guidance.



## 2. Uniformity of District Regulations and Restrictions

The proposed rezoning to C-MX-12 will result in the uniform application of zone district building form, use and design regulations.

## 3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare through implementation of the city's adopted land use plan. The proposed rezoning would also facilitate increased housing density near services and amenities and foster the creation of a walkable, urban area within proximity to downtown. As such, a broadened mix of uses and mobility improvements can provide better health outcomes through increased physical activity and lessen the need for driving as services and amenities can be accessed within walkable and bikeable distances.

## 4. Justifying Circumstance

The application identifies several changed or changing conditions as the justifying circumstance under DZC Section 12.4.10.8.A.4, "Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include: (a.) Changed or changing conditions in a particular area, or in the city generally; or, (b.) A City adopted plan..."



Recent physical changes near the subject site include several new residential buildings in the 9<sup>th</sup> + CO redevelopment, the addition of bicycle and pedestrian connections through the area, and improvements to Lindsley Park and Hale Parkway. The character of this area in particular is rapidly changing with the departure of the Veteran's Administration Hospital, and the rezoning request is justified to recognize the changing conditions. In fact, in recognition of this changing environment, the medical uses occurring on the site have ceased and the property has been sold. The medical uses previously occurring on the site have moved to a new facility and further medical uses of the nature that would require this site are not expected or anticipated. The C-MX-12 zone district will further the positive change that the area is undergoing and support the continuing need for additional housing, amenities, and increased variety of uses in the vicinity. Finally, the upcoming Bus Rapid Transit line on Colorado Boulevard will support and increase the need for this area to continue to evolve. Placing zone districts such as C-MX-12 on land within walking distance of high-capacity transit support the BRT investment by facilitating the higher density land use that will drive ridership and increase the utility of the overall system.

As discussed above, *Blueprint Denver* and the *East Area Plan* specifically mapped this site as Community Center up to 12 stories, consistent with the proposed district of C-MX-12 that provides a wide range and mix of uses in building forms that address the street and define the public realm. These plans were adopted after the date of approval of the existing zone district; therefore, this is also an appropriate justifying circumstance for the proposed rezoning

## **5. Consistency with Neighborhood Context Description, Zone District Purpose, and Intent Statements**

The requested zone district is within the Urban Center Neighborhood Context which generally consists of multi-unit residential and mixed-use commercial strips and commercial centers (DZC 7.1.1). Within this context, the Mixed Use Zone Districts are intended to promote safe, active, pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public realm (DZC 7.2.2.1). The C-MX-12 zone district applies to areas or intersections served primarily by collector or arterial streets where a building scale of 3 to 12 stories is desired (DZC 7.2.2.2.D).

The requested rezoning is consistent with the neighborhood context description, zone district purpose and intent, as the requested zoning is intended to provide for mixed use development at a maximum height of 12 stories. Although the subject site is not adjacent to collector or arterial streets, the broader area is served by collector and arterial streets, it is immediately adjacent to a direct pedestrian connection to Hale Parkway and less than ¼ mile from high-capacity transit along Colorado Boulevard. Additionally, the area is in an area that is recommended for maximum building heights of up to 12 stories by both *Blueprint Denver* and the *East Area Plan*.

### **Attachments**

1. Application

## Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION <input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name	GME 1, LLC	Representative Name	Karl Barton
Address	2079 W 44th Ave	Address	380 Interlocken Crescent, Suite 100
City, State, Zip	Denver, CO 80211	City, State, Zip	Broomfield, CO 80021
Telephone	312-774-8203	Telephone	303-263-4370
Email	sedelson@force7mgmt.com	Email	karl.barton@kimley-horn.com
*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.  ***If contact for fee payment is other than above, please provide contact name and contact information on an attachment.	
SUBJECT PROPERTY INFORMATION			
Location (address):	1055 Clermont Street 0606300068000, 0606300074000, 0606300073000, 0606300072000, 0606300071000, 0606300076000		
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:	3.9868 acres		
Current Zone District(s):	CMP-H		
PROPOSAL			
Proposed Zone District:	C-MX-12		
PRE-APPLICATION INFORMATION			
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?	<input checked="" type="checkbox"/> <b>Yes - State the contact name &amp; meeting date</b> <u>Dec 19, 2023</u> <input type="checkbox"/> <b>No - Describe why not (in outreach attachment, see bottom of p. 3)</b>		
Did you contact the City Council District Office regarding this application?	<input checked="" type="checkbox"/> <b>Yes - if yes, state date and method</b> <u>In person, 10/24/23, 1/4/24</u> <input type="checkbox"/> <b>No - if no, describe why not (in outreach attachment, see bottom of p. 3)</b>		

## REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)

<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm <b>and</b> include sections in the review criteria narrative attachment</p>	<p><input checked="" type="checkbox"/> <b>Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.</b></p> <p>Please provide a review criteria narrative attachment describing <b>how</b> the requested zone district is consistent with the policies and recommendations found in <b>each</b> of the adopted plans below. Each plan should have its' own subsection.</p> <p><b>1. Denver Comprehensive Plan 2040</b></p> <p>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with <i>Denver Comprehensive Plan 2040's</i> a) equity goals, b) climate goals, and c) any other applicable goals/strategies.</p> <p><b>2. Blueprint Denver</b></p> <p>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with: a) the neighborhood context, b) the future place type, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in <i>Blueprint Denver</i>.</p> <p><b>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):</b>        East Area Plan</p>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B &amp; C</p> <p>Check boxes to the right to affirm <b>and</b> include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.</p>	<p><input checked="" type="checkbox"/> <b>Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</b></p> <p><input checked="" type="checkbox"/> <b>Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</b></p> <p>In the review criteria narrative attachment, please provide an additional section describing <b>how</b> the requested rezoning furthers the public health, safety and general welfare of the City.</p>
<p>Review Criteria for Non-Legislative Rezoning: DZC Sec. 12.4.10.8</p> <p>For Justifying Circumstances, check box and include a section in the review criteria narrative attachment.</p> <p>For Neighborhood Context, Purpose and Intent, check box <b>and</b> include a section in the review criteria narrative attachment.</p>	<p><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error;</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact;</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints of development created by the natural characteristics of the land, including, but not limited to , steep slopes, floodplain, unstable soils, and inadequate drainage;</p> <p><input checked="" type="checkbox"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:</p> <p style="padding-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or,</p> <p style="padding-left: 20px;">b. A City adopted plan; or</p> <p style="padding-left: 20px;">c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (overlay Zone Districts) of this Code.</p> <p>In the review criteria narrative attachment, please provide an additional section describing the selected justifying circumstance. If the changing conditions circumstance is selected, describe changes since the site was last zoned. Contact your pre-application case manager if you have questions.</p> <p><input checked="" type="checkbox"/> <b>The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</b></p> <p>In the review criteria narrative attachment, please provide a separate section describing <b>how</b> the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.</p>



## REQUIRED ATTACHMENTS

Please check boxes below to affirm the following **required** attachments are submitted with this rezoning application:

- ☒ Legal Description of subject property(s). **Submit as a separate Microsoft Word document.** View guidelines at: <https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.html>
- ☒ Proof of ownership document for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed, or (c) Title policy or commitment dated no earlier than 60 days prior to application date. If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.
- ☒ Review Criteria Narratives. See page 2 for details.

## ADDITIONAL ATTACHMENTS (IF APPLICABLE)

Additional information may be needed and/or required. Please check boxes below identifying additional attachments provided with this application.

- ☐ **Written narrative explaining reason for the request** (optional)
- ☒ **Outreach documentation attachment(s).** Please describe any community outreach to City Council district office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors. If outreach was via email- please include email chain. If the outreach was conducted by telephone or meeting, please include contact date(s), names and a description of feedback received. If you have not reached out to the City Council district office, please explain why not. (optional - encouraged )
- ☐ **Letters of Support.** If surrounding neighbors or community members have provided letters in support of the rezoning request, please include them with the application as an attachment (optional).
- ☒ **Written Authorization to Represent Property Owner(s)** (if applicable)
- ☒ **Individual Authorization to Sign on Behalf of a Corporate Entity** (e.g. if the deed of the subject property lists a corporate entity such as an LLC as the owner, this is document is required.)
- ☐ **Other Attachments.** Please describe below.

# REZONING GUIDE

Rezoning Application Page 4 of 4

## PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

We, the undersigned represent that we are the owner(s) of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/12/20	(A)	YES
Karl Barton	Kimley-Horn and Associates, Inc 380 Interlocken Crescent, Suite 100, Broomfield, CO 80021		Karl Barton <small>Digitally signed by Karl Barton Date: 2024.01.18 17:20:27 -07'00'</small>	01/18/24	A	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
						YES
						YES
						YES

January 5, 2024

This letter serves as authorization for Kimley-Horn to act on behalf of and represent GME I LLC, the property owner, for the purpose of submitting and processing the rezoning application for 1055 Claremont, Denver, CO.

Sincerely,

DocuSigned by:  
  
EA8D245A64374F8...  
Sam Edelson  
Manager



## GME I CORPORATION BOARD RESOLUTION

January 5, 2024

WHEREAS, GME I LLC needs to provide documentation for an individual to be able to sign on behalf of the Corporate identity.

WHEREAS, Sam Edelson is a manager and authorized signature for GME I LLC.

NOW THEREFORE, BE IT RESOLVED, that the managers hereby approve Sam Edelson to sign on behalf of GME I LLC.

DocuSigned by:

*Sam Edelson*

EA8D245A64374F8...

Sam Edelson  
Manager

## EXHIBIT A

### CONSISTENCY WITH ADOPTED PLANS

This application proposes to rezone approximately 4.19 acres located at 1055 Clermont St from CMP-H UO-3 to C-MX-12 to facilitate mixed use development including potential residential, retail, office, hotel, open space, and parking uses on parcels adjacent to the former VA hospital, which is undergoing an adaptive reuse conversion to residential and commercial uses. The site is subject to a recently approved Large Development Framework (project No. 2022-PM-0000728) that includes a concept plan describing the proposed land uses, and open space and circulation networks. This rezoning is necessary to achieve the development of that concept.

REVIEW CRITERION DZC 12.4.10.7.A – Consistency with Adopted Plans: The proposed official map amendment is consistent with the City’s adopted plans.

The proposed map amendment is consistent with the Denver Comprehensive Plan 2040, Blueprint Denver (2019), and East Area Plan (2020)

- 1) **Denver Comprehensive Plan 2040** - the proposed map amendment is consistent with Denver Comprehensive Plan 2040’s for the following:
  - a) Equity Goals
    - i) Goal 1: Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities.
      - (1) Strategy B: Increase development of housing units close to transit and mixed-use developments.

Analysis: The proposed zone change will allow for mixed use development that will support the development of additional services and amenities that do not currently exist in the neighborhood. It will also promote the development of additional housing near the transit route on E 9<sup>th</sup> Ave and near to transit on Colorado Blvd.

- ii) Goal 2: Support housing as a continuum to serve residents across a range of incomes, ages and needs.
      - (1) Strategy A: Create a greater mix of housing options in every neighborhood for all individuals and families.

Analysis: The proposed zone change will support the development of a variety of multi-family housing types. This will increase the mix of housing options available in the Hale neighborhood.

- iii) Goal 5: Reduce the involuntary displacement of residents and businesses.

Analysis: By creating a place for new construction to meet market demands, instead of existing units facing this demand pressure, this zone change will help to reduce involuntary displacement.

- iv) Goal 6: Integrate equity considerations into city policies, processes and plans.

Analysis: Development under the C-MX-12 zone district will allow for many elements of equity to be improved including: access to employment, healthy food, variety of housing types, and other opportunities.

- v) Goal 7: Make neighborhoods accessible to people of all ages and abilities.

Analysis: The development supported by this zone change will include new residential and commercial development, as well as public spaces that will be accessible to all members of the community.

- vi.) Goal 8: Increase housing options for Denver's most vulnerable populations.

Analysis: All applicable development approved under this zone change will comply with Denver's Expanding Housing Affordability ordinance.

#### b) Climate Goals

- i) Goal 1: Mitigate climate impact by significantly reducing greenhouse gas emissions.

- (1) Strategy B: Reduce energy use by buildings and advance green building design, including green and cool roofs.

Analysis: The zone change will facilitate the development of high-density housing and mixed use development. Both of which reduce greenhouse gas emissions through increased energy efficiency and reduced travel demand. All development will conform with applicable City of Denver green building regulations.

- ii) Goal 2: Prepare for and adapt to climate change.

Analysis: This zone change will support Denver's adaption to climate change by providing a place for climate friendly high density multi-family housing and mixed uses.

- iii) Goal 3: Conserve water and use it more efficiently.

Analysis: This zone change will support water conservation by allowing for mixed use and multi-family development which is inherently more water efficient due to the minimization of private outdoor spaces.

- iv) Goal 4: Integrate storm water into the built environment by using green infrastructure to improve water quality and reduce runoff.

- (1) Strategy D: Encourage low-impact development that reduces impervious surfaces and positively impacts community health by using trees, low water landscaping and green infrastructure.

Analysis: As part of the subsequent development of the site, stormwater infrastructure will be designed and constructed to improve the current inundation issues existing on the site and safely and adequately handle flows resulting from the development.



- v) Goal 6: Protect and expand the city's green infrastructure network.

Analysis: Subsequent development on the site will include stormwater infrastructure to handle the stormwater flows on the site

- vi) Goal 8: Clean our soils, conserve land and grow responsibly.
  - (1) Strategy A: Promote infill development where infrastructure and services are already in place.
  - (2) Strategy B: Encourage mixed-use communities where residents can live, work and play in their own neighborhoods.
  - (3) Strategy C: Focus growth by transit stations and along high- and medium capacity transit corridors.

Analysis: C-MX-12 zoning will encourage the development of mixed use buildings that will contain residences, business, and employment opportunities that will allow residents to live, work, and play in their own neighborhood. This rezone will promote the infill redevelopment of the former VA site by allowing for a wider range of uses than would be possible under the CMP-H zone district. Transit service exists directly adjacent to the site on E 9<sup>th</sup> Ave and nearby along Colorado Blvd.

c) Any Other Applicable Goals/Strategies

- i) Strong and Authentic Neighborhoods Goal 1, Strategy D –Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities.

Analysis: The C-MX-12 zone district will allow for development that is consistent with surrounding neighborhoods in terms of building height, building type, and use. It will complement the remaining medical uses and provide for public space and increased amenities for uses of the medical campus and surrounding neighborhoods.

- ii) Strong and Authentic Neighborhoods Goal 1, Strategy A –Build a network of well connected, vibrant, mixed-use centers and corridors.

Analysis: The C-MX-12 zone district will allow for the construction of a mixed-use center that is well connected to the immediately surrounding neighborhood and City as a whole. This site features excellent transit connections along E 9<sup>th</sup> Ave and Clermont St is a designated bike route.

2) **Blueprint Denver** - describe how the proposed map amendment is consistent with:

- a) Neighborhood Context
  - i) General Urban: Predominantly multi-unit structures. 1-unit and 2-unit residential and low scale mixed-use are embedded within the multi-unit areas. Buildings are medium scale and close to the street. Proximity to Denver's major centers. Homes in this context vary from multi-unit complexes to compact single-unit homes. Development should be sensitive to the existing neighborhood character and offer residents a mix of uses, with good street activation and connectivity. Residents living in this context are well served by transit and enjoy access to abundant amenities and entertainment options.

The general urban context is navigable and accessible due to a predictable street grid in residential areas and the availability of dedicated transit options and bike lanes. These areas offer great walkability and access to neighboring areas and commercial nodes.

Block patterns are generally a regular grid with consistent alley access. Multi-unit residential buildings are low- to mid-scale mixed in with some low-scale residential use.

Larger mixed-use areas are often located along key streets.

Typically provides some mix of office, commercial and residential uses. A wide customer draw both of local residents from surrounding neighborhoods and from other parts of the city. Activity levels will vary depending on the type and mix of uses. Buildings are larger in scale than local centers and orient to the street or other public spaces. Strong degree of urbanism with mostly continuous building frontages to define the public realm.

Open spaces promote social interaction and respond to the distinct uses within the center.

Accessible to a larger area of surrounding neighborhood users by a variety of transportation options including frequent transit service as part of the transit priority street network. Pedestrian priority areas are typical and cyclists have access with high or medium ease of use bicycle facilities.

Analysis: There are many elements of the General Urban Neighborhood Context plan guidance that are met by the General Purpose of the C-MX zone districts and the Intent of the C-MX-12 zone district in particular. These include that the C-MX zone districts “are intended to promote safe, active, and pedestrian scaled, diverse areas through the use of building forms that clearly define and activate the public street edge,” which supports the General Urban context’s guidance to create areas that have good street activation and a high degree of walkability and transit access. Further, “The Mixed Use zone districts are intended to enhance the convenience, ease, and enjoyment of transit, walking, shopping, and public gathering between commercial development and adjacent residential neighborhoods,” and that, “....Mixed Use districts are intended for broader application at the neighborhood scale,” which supports the plan guidance that residents should be offered a mix of uses, abundant amenities, and open spaces that promote social interaction and respond to the distinct uses within the center. The high build-to requirements of the MX zone districts which supports the plan guidance that there be continuous building frontages to define the public realm. The C-MX-12 zone district in particular is applied to areas where a building scale of 3 to 12 stories is desired which fulfills the plan guidance of buildings that are medium scale and that larger mixed-use areas are located along key streets, such as E 9<sup>th</sup> Ave.

b) Future Place Type

- i) Community Center - Multi-unit residential is the most common with some single-unit and two-unit residential, commercial and mixed-use embedded. Buildings are low-to mid-scale mixed in with some low-scale residential uses

Analysis: The C-MX-12 zone district will allow for multi-unit residential as well as mixed-use to feature potential, retail, commercial and employment uses, in mid-scale buildings.

c) Growth Strategy

- i) Community Centers and Corridors: 20% of new jobs and 25% of new housing by 2040. Most growth is guided to regional centers, community centers and corridors, select districts and high and medium-high intensity residential areas. Other areas of the city are still expected to see some growth, however more limited.

Analysis: C-MX-12 zoning will allow this site to accommodate the growth that is to be directed at Community Centers.

d) Adjacent Street Types

- i) Local immediately adjacent: Local streets can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses. Local streets provide the lowest degree of through travel but the highest degree of property access. Street trees within a lawn or planted area is generally used to separate people walking or rolling from traffic.

Analysis: The C-MX-12 zone district will facilitate development that features a mix of uses, residential, retail, office that require and thrive on the easy access provided by local streets.

e) Plan Policies and Strategies

- i) Policy 6: Implement zoning code revisions to facilitate compatible redevelopment of institutional sites within neighborhoods.
  - (1) Strategy C: Until a citywide approach is implemented, individual rezonings of these sites may be an opportunity for more intense residential uses or limited neighborhood services to be provided if done in a way that minimizes impacts to surrounding character

Analysis: C-MX-12 zoning on this site will allow for the development of more intense residential uses and neighborhood services. C-MX-12 zoning is compatible with the surrounding zoning and development of the former medical campus areas.

f) Blueprint Denver Equity Concepts

- i) Equity Concept 1: Access to Opportunity - Advancing the vision for all Denver's neighborhoods to be complete, with more equitable access to amenities and quality-of-life infrastructure throughout the city.

Analysis: The site's Access to Opportunity Score is 3.28 out of 4. The C-MX-12 zone district will increase the Access to Opportunity by 1) through multi-family development placing more households in an area of relatively high access to opportunity and 2) through mixed use development creating opportunities for more of the use and amenities such as employment and retail opportunities. The site is adjacent to transit on E 9<sup>th</sup> Ave and less than a quarter mile from the Colorado Blvd corridor.

- ii) Equity Concept 2: Reducing Vulnerability to Displacement – Stabilizing residents and businesses who are vulnerable to involuntary displacement due to increasing property values and rents.

Analysis: The site's vulnerability score is 2 out of 3 which means that the area is considered vulnerable to displacement. C-MX-12 zoning can address vulnerability to displacement be



promoting development of additional housing units on a site that currently does not contain any, thus increase the overall number of dwelling units in the area and providing opportunity for market demand to be absorbed by new units and not through displacement of existing residents from existing units.

- iii) Equity Concept 3: Expanding Housing Diversity - providing a better and more inclusive range of housing in all neighborhoods.

Analysis: The site's Expanding Housing Diversity score is 3 out of 5 with the area scoring low on the amount of income restricted units. C-MX-12 zoning will promote the construction of additional multi-family dwellings. All residential development will conform to Denver's housing ordinance, resulting in either an increase in the number of income restricted units or the payment of fees that will support the development of additional units.

### 3) Neighborhood/ Small Area Plan and Other Plans : East Area Plan (2020)

The proposed map amendment is consistent with the objectives of the East Area Plan.

#### a) East Area Plan Overall Goals

- i) Policy L1: Ensure compatible development on institutional sites within neighborhoods.
  - (1) Strategy B: When new development occurs on larger campuses, including the former VA Hospital, Rose Medical Center, National Jewish, and Johnson & Wales University campus, new public open space, pedestrian connections, and pedestrian-friendly building frontages should be encouraged."

Analysis: The C-MX-12 zone district will promote the redevelopment of the former VA hospital in a manner that creates new public open space, pedestrian connections, and pedestrian orientated building frontages. When redeveloped, the site will have interconnected public spaces with pedestrian connections from surrounding streets and through and across the site. Buildings will front onto and face E 11<sup>th</sup>, Bellaire, E 9<sup>th</sup> Ave, and Clermont.

- ii) Policy L2: Encourage shared use and activation of institutional and quasi-public facilities during off-peak times
  - (1) Strategy A: Encourage community use of institutional sites by creating shared use agreements.

Analysis: The C-MX-12 zone district will provide opportunities for shared use of the public spaces created through the development

- iii) Policy L3: Allow taller buildings in key locations along Colfax Avenue, within the Mayfair Town Center, and the 9th and Colorado area (see Maximum Building Height Map) when significant community benefits are provided.

Analysis: The Maximum Building Height Map indicates a recommended building height of 12 stories, which C-MX-12 zoning would facilitate.

- iv) Policy E3: Create new affordable housing with access to transit and amenities.
  - (1) Strategy B: Ensure that the value of increased development potential is shared with the community through the provision of on-site affordable housing or other community benefits.

Analysis: The C-MX-12 zone district will promote the development of additional residential units which will comply with applicable affordable housing requirements.

- v) Policy Q3: Create new community open space, parks and recreation facilities.
  - (1) Strategy E: Work with large campuses to explore opportunities to establish public open spaces through future redevelopment.

Analysis: The C-MX-12 zone district will promote the redevelopment of the site and the creation of public open spaces. These open spaces will connect through the site and provide amenities that area available to the general public.

- vi) Policy HL.2: Prioritize land use policies that aim to maintain character in Hale.
  - (1) Strategy C. Encourage high-quality design and neighborhood compatibility in commercial and mixed-use areas.

Analysis: The area of the Hale neighborhood where this site is located has transformed in recent years as the medical campus uses have relocated and new development has occurred. Development under the C-MX-12 zone district will be consistent with the character of the new development in this area of the Hale neighborhood. This site is far enough away from the primarily residential area of Hale further south that it will not have an impact on its character. Future development will utilize high quality design.

- vii) East Area Plan :: Future Context & Future Place -The future context in the applicable East Area Plan is General Urban; the future place designation is Community Center.

Analysis: As described for the analysis related to Blueprint Denver, the CMX-12 zone district will promote development that meets the criteria of the General Urban context, multi-unit structures, mixed-use, and medium scale structures located close to the street. The CMX-12 zone district will also promote the creation of the Community Center future place designation. CMX-12 zoning will allow development that contains multi-unit residential and mixed uses and mid-scale buildings.

If the site will no longer be used as a hospital campus, the East Area Plan recommends a rezoning to be consistent with the land use policies and recommendations. Additionally, a mixed-use district of up to 12 stories maximum height is recommended.

Analysis: C-MX-12 zoning is consistent with land use policies and recommendations. The C-MX-12 zone district will promote the development of a mixed-use district of up to 12 stories in height.

## EXHIBIT B

### PUBLIC HEALTH SAFETY AND WELFARE

- 1) **Public Health, Safety and General Welfare** - describing how the requested rezoning furthers the following:
  - a) **Public Health**
    - i) The map amendment to C-MX-12 zoning will further the public health by facilitating new development that complies with all current building codes, increases the environmental health of the City by complying with current stormwater, potable water, and sanitary sewer requirements, and increase the environmental sustainability of the City through higher density and mixed uses. Public health will also be supported by the creation of a walkable development with a mix of uses that provides a destination for community members and visitors to walk to. The mixed use development in the neighborhood where there are existing residents within walking distance to the new amenities will reduce car trips and improve air quality. The public space to be included with the development will provide opportunities for outdoor recreation that are a benefit to the public health.
  - b) **Safety**
    - i) The map amendment to C-MX-12 will further the safety of the City by facilitating development that complies with all current building codes and standards and development regulations. The redevelopment of the site supported by the zone change will increase public safety by removing a source of blight and attractive nuisance in the neighborhood.
  - c) **General Welfare of the City**
    - i) The map amendment to C-MX-12 will further the general welfare of the City by providing additional opportunities for residential and commercial development, upgrading infrastructure, and increasing City revenue. The map amendment will support the redevelopment of the site, putting a currently vacant site back into productive use.



## EXHIBIT C

### JUSTIFYING CIRCUMSTANCES

1) **Justifying Circumstances** - describing how the rezoning aligns with the following:

a) Changed or changing conditions in a particular area,

Analysis: In general, this area has seen significant change in the recent years. First, the closure of the medical campus directly to the west and its redevelopment as the 9<sup>th</sup>+Co project has resulted in a changed environment typified by mixed uses and high density residential so that now the uses supported by the C-MPH zone district are not as appropriate for this site.

In fact, in recognition of this changing environment, the medical uses occurring on the site have ceased and the property has been sold. The medical uses previously occurring on the site have moved to a new facility and further medical uses of the nature that would require this site are not expected or anticipated. The C-MX-12 zone district will further the positive change that the area is undergoing and support the continuing need for additional housing, amenities, and increased variety of uses in this vicinity.

The upcoming Bus Rapid Transit line on Colorado Blvd will support and increase the need for this area to continue to evolve. Placing zone districts such as C-MX-12 on land within walking distance of the BRT, such as this parcel, support the BRT investment by facilitating the higher density land use that will drive ridership and increase the utility of the overall system.

Therefore, the conditions in the area have changed and C-MX-12 is an appropriate zone district to apply to the property.

b) A City adopted plan

Analysis: The City adopted the East Area Plan in 2020. This plan recognizes the redevelopment potential of the former VA hospital campus. As described above, the C-MX-12 zone district is consistent with the goals, policies, and strategies included in the East Area plan for this site. Therefore, C-MX-12 zoning will further the East Area Plan.

## EXHIBIT D

### CONSISTENCY WITH NEIGHBORHOOD CONTEXT AND ZONE DISTRICT PURPOSE AND INTENT

#### a) Consistency with Urban Center Neighborhood Context Description

Analysis: The zone map amendment to C-MX-12 is consistent with the context description for the Urban Center neighborhood because the subject site location is an appropriate place for development that meets that context description. Development under the C-MX-12 zone district will facilitate multi-unit residential and multi-story buildings that achieves the goals of relevant plans and is consistent with the surrounding neighborhood. The block pattern in the area is regular and orthogonal. Setbacks in the general vicinity are shallow and new development that meets the requirements of the C-MX-12 zone district will be consistent with this aspect of neighborhood context. Surrounding development is characterized by moderate to high building heights; C-MX-12 is consistent with this neighborhood context. High levels of pedestrian, bicycle, and multi-modal transit use exist in this area and C-MX-12 zoning will support and enhance the accessibility and use of this multi-modal transportation network.

#### b) General Purpose Statement

Analysis: The proposed map amendment is consistent with the general purpose statement of the mixed use districts because:

- it will facilitate a safe, active, and pedestrian scaled area by placing buildings and uses in a manner to activate the public street edge
- it will enhance the convenience in the Hale neighborhood by providing opportunities for additional residential, commercial, and employment uses
- It will improve the transition between the redevelopment of the former medical campuses and the existing Hale neighborhood
- It will facilitate the creation of a mixed use and diverse neighborhood with multi-family residential, commercial and retail uses , and new open space and pedestrian connections
- Pedestrian enhancements along and through the site will be provided
- Development that conforms to the setback and build-to requirements will enhance the neighborhood and be consistent with adopted plans.
- 

#### c) the specific intent statement found in the Denver Zoning Code

Analysis: The specific intent statement for the C-MX-12 zone district indicates that it is an appropriate zone district for this site because the East Area Plan has identified it as allocation where mixed-use development of up to 12 stories is desired.

# EXHIBIT E

## LAND DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE CENTER-WEST SIXTEENTH CORNER OF SAID SECTION 6, AS MONUMENTED BY A FOUND 3-1/4" ALUMINUM CAP, STAMPED "AZTEC CONSULTANTS INC. 2013 PLS 38064", IN RANGE BOX, WHENCE THE CENTER QUARTER CORNER OF SAID SECTION 6, AS MONUMENTED BY A 3-1/4" ALUMINUM CAP, STAMPED "AZTEC CONSULTANTS INC. 2005 LS 36580", IN RANGE BOX, BEARS N 89°54'29" E, A DISTANCE OF 1330.10 FEET, FORMING THE BASIS OF BEARINGS USED IN THIS DESCRIPTION;

THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, N 89°54'29" E, A DISTANCE OF 55.88 FEET;  
THENCE DEPARTING SAID NORTH LINE, S 00°03'40" W, A DISTANCE OF 161.31 FEET;  
THENCE S00°00'00"E, A DISTANCE OF 15.22 FEET;  
THENCE N90°00'00"W, A DISTANCE OF 178.69 FEET;  
THENCE S00°00'00"E, A DISTANCE OF 3.79 FEET;  
THENCE N90°00'00"W, A DISTANCE OF 6.20 FEET;  
THENCE S00°00'00"E, A DISTANCE OF 102.00 FEET;  
THENCE N90°00'00"W, A DISTANCE OF 19.00 FEET;  
THENCE S00°00'00"E, A DISTANCE OF 26.25 FEET;  
THENCE N90°00'00"E, A DISTANCE OF 7.88 FEET;  
THENCE S00°00'00"E, A DISTANCE OF 57.10 FEET;  
THENCE N90°00'00"E, A DISTANCE OF 39.00 FEET;  
THENCE S00°00'00"E, A DISTANCE OF 215.48 FEET;  
THENCE N90°00'00"E, A DISTANCE OF 411.28 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF CLERMONT STREET;  
THENCE ALONG SAID WEST RIGHT-OF-WAY LINE S 00°07'39" E, A DISTANCE OF 80.92 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 6;  
THENCE DEPARTING SAID WEST RIGHT-OF-WAY LINE AND ALONG SAID SOUTH LINE S 89°58'46" W, A DISTANCE OF 320.10 FEET TO A POINT ON THE WEST LINE OF VACATED BIRCH STREET AND EAST LINE OF PARCEL DESCRIBED IN BOOK 2250, PAGE 221 AND RESOLUTION 2008-0146;  
THENCE ALONG THE EAST AND NORTH LINE OF SAID PARCEL THE FOLLOWING TWO (2) COURSES:  
1) N 00°04'06" W, A DISTANCE OF 31.00 FEET;  
2) S 89°58'46" W, A DISTANCE OF 284.82 FEET;  
THENCE N 00°03'40" E, A DISTANCE OF 630.74 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 6;  
THENCE ALONG SAID NORTH LINE N 89°54'29" E, A DISTANCE OF 294.12 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 173,666 SQ. FT. OR 3.9868 ACRES, MORE OR LESS.

I, DARREN R. WOLTERSTORFF, DO HEREBY STATE THAT THIS EXHIBIT WAS PREPARED BY ME OR UNDER MY RESPONSIBLE CHARGE, IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, AND IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

---

DARREN R. WOLTERSTORFF, PLS 38281  
FOR AND ON BEHALF OF KIMLEY-HORN AND ASSOCIATES, INC.

## EXHIBIT E

LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 6,  
TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH P.M.,  
CITY AND COUNTY OF DENVER,  
STATE OF COLORADO

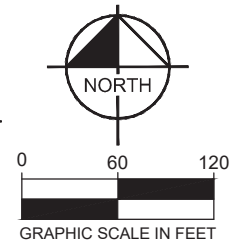
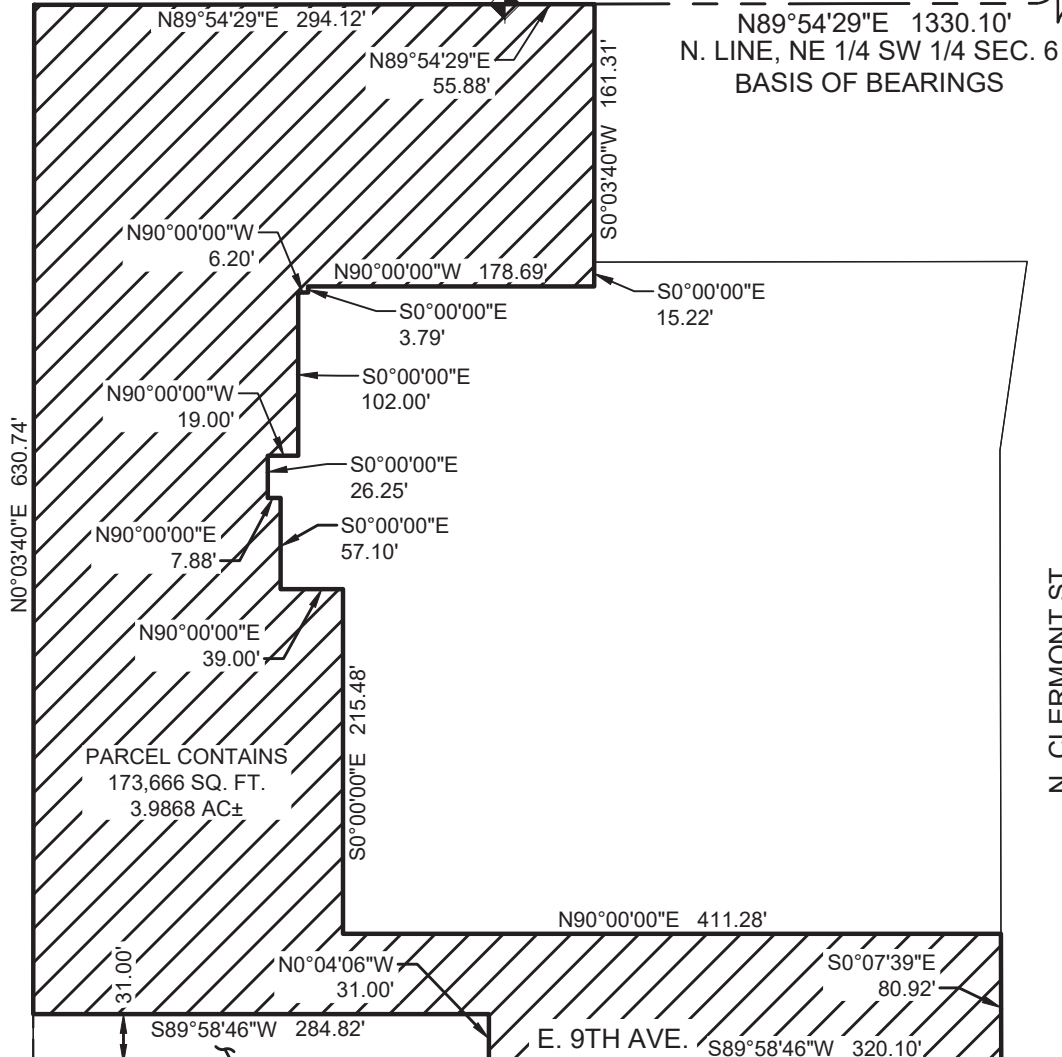
N. BELLAIRE ST.

POINT OF BEGINNING  
C-W 1/16 COR. SEC. 6  
FOUND 3-1/4" ALUM. CAP  
"AZTEC CONSULTANTS INC.  
2013 PLS 38064"  
IN RANGE BOX

C 1/4 COR. SEC. 6  
FOUND 3-1/4" ALUM. CAP  
"AZTEC CONSULTANTS  
INC. 2005 LS 36580"  
IN RANGE BOX

E. 11TH AVE.

N89°54'29"E 1330.10'  
N. LINE, NE 1/4 SW 1/4 SEC. 6  
BASIS OF BEARINGS



### NOTES:

1. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

2. THIS DOCUMENT IS NOT A LAND SURVEY PLAT OR AN IMPROVEMENT SURVEY PLAT AND DOES NOT REPRESENT A MONUMENTED LAND SURVEY. IT IS INTENDED TO DEPICT THE ATTACHED PARCEL DESCRIPTION ONLY.

# Kimley»Horn

6200 S SYRACUSE WAY, #300  
GREENWOOD VILLAGE, COLORADO 80111

Tel. No. (303) 228-2300  
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 120'	CAD	DRW	Jan. 2024	196755000	2 OF 2



EXHIBIT F

1055 N CLERMONT ST

Owner	GME I LLC 2079 W 44TH AVE DENVER, CO 80211-1520
Schedule Number	06063-00-064-000
Legal Description	S6 4S 67W PT SW/4 S6 COM SW COR S6 TH N37.3404E 2508.21 TPOBTH N 383.25FT N08.1351E 119.18FT W 270.66FT N 161.31FT W350FT S 661.74FT E 604.98FT EXC PTN IN E 11TH AVE & EXC PTNIN E 9TH AVE
Property Type	COMMERCIAL-MEDICAL OFFICE
Tax District	DENVER

Print Summary

Property Description			
Style:	OTHER	Building Sqr. Foot:	691563
Bedrooms:		Baths Full/Half:	0/0
Effective Year Built:	1952	Basement/Finish:	0/0
Lot Size:	357,928	Zoned As:	CMP-H
<div>Note: Valuation zoning may be different from City's new zoning code.</div>			

Current Year			
Actual	Assessed	Exempt	
Land	\$40,500,000	\$11,291,130	\$0
Improvements	\$500,000	\$139,500	
Total	\$41,000,000	\$11,430,630	

Prior Year			
Actual	Assessed	Exempt	
Land	\$40,500,000	\$11,745,000	\$8,600,040
Improvements	\$500,000	\$145,000	
Total	\$41,000,000	\$11,890,000	

Real Estates Property Taxes for current tax year

**System Upgrade Underway:**  
Due to a system upgrade, payment information is taking longer to update and may not reflect the current status of your account.

Mill Levy \* **79..525** \*  
Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

	Installment 1 (Feb 28 Feb 29 in Leap Years)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)
Date Paid	2/24/2023	6/8/2023	
Original Tax Levy	\$130,817.04	\$130,817.04	\$261,634.08
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Paid	\$130,817.04	\$130,817.04	\$261,634.08
Due	\$0.00	\$0.00	\$0.00

Additional Information

Note: If "Y" is shown below, there is a special situation pertaining to this parcel. For additional information about this, click on the name to take you to an explanation.

Additional Assessment ⓘ	N	Prior Year Delinquency ⓘ	N
Additional Owner(s) ⓘ	N		
Adjustments ⓘ	N	Sewer/Storm Drainage Liens ⓘ	N
Local Improvement Assessment ⓘ	N	Tax Lien Sale ⓘ	N
Maintenance District ⓘ	N	Treasurer's Deed ⓘ	N
Pending Local Improvement ⓘ	N		

Real estate property taxes paid for prior tax year: **\$0.00**

Assessed Value for the current tax year

Assessed Land	\$11,745,000.00	Assessed Improvements	\$145,000.00
Exemption	\$8,600,040.00	Total Assessed Value	\$11,890,000.00