

**Rezoning Application Page 1 of 4** 

## **Zone Map Amendment (Rezoning) - Application**

PROPERTY OWNER INFORMATION*			PROPERTY OWNER(S) REPRESENTATIVE**		R(S) REPRESENTATIVE**
☐ CHECK IF POINT OF CONTACT FOR APPLICATION				☐ CHECK IF POINT OF CONTACT FOR APPLICATION	
☐ CHECK IF POINT OF CONTACT FOR FEE PAYMENT***				CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name				Representative Name	
Address				Address	
City, State, Zip				City, State, Zip	
Telephone				Telephone	
Email				Email	
*All standard zone map ame	endment applications must be in	nitiat	ted	**Property owner shall representative to act or	provide a written letter authorizing the his/her behalf.
by owners (or authorized re area of the zone lots subject	presentatives) of at least 51% of t to the rezoning. See page 4.	tne total	total	***If contact for fee pay contact name and conta	ment is other than above, please provide act information on an attachment.
SUBJECT PROPERTY	INFORMATION				
Location (address):					
Assessor's Parcel Numbers:					
Area in Acres or Square Feet	t:				
Current Zone District(s):					
PROPOSAL					
Proposed Zone District:					
PRE-APPLICATION IN	PRE-APPLICATION INFORMATION				
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-			Yes - St	ate the contact name &	meeting date Pre-app meeting held 11/8/24
application meeting with Development Services?			No - De	scribe why not (in outre	ach attachment, see page 3)
Did you contact the City Council District Office, applicable Registered Neighborhood Organization, and adjacent property owners and tenants regarding this application?			Yes - Stapage 3	ate date below and desc	ribe method in outreach attachment, see

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REZONING REVIEW C	RITERIA (ACKNOWLEDGE EACH SECTION)
General Review Criteria DZC Sec. 12.4.10.7.A Check box to affirm <b>and</b> include sections in the review criteria narrative attachment	Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans.  Please provide a review criteria narrative attachment describing how the requested zone district is consistent with the policies and recommendations found in each of the adopted plans below. Each plan should have its own section.  1. Denver Comprehensive Plan 2040  In this section of the attachment, describe how the proposed map amendment is consistent with Denver Comprehensive Plan 2040's a) equity goals, b) climate goals, and c) any other applicable goals/strategies.  2. Blueprint Denver  In this section of the attachment, describe how the proposed map amendment is consistent with: a) the neighborhood context, b) the future place, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in Blueprint Denver.  3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):
General Review Criteria DZC Sec. 12.4.10.7.A.1 Only check this box if your application is not consistent with 12.4.10.7.A	Community Need Exception: The City Council may approve an official map amendment that does not comply with subsection 12.4.10.7.A if the proposed official map amendment is necessary to provide for an extraordinary community need that was not anticipated at the time of the adoption of the city's plans.  Please provide a narrative attachment describing how the requested zone district is necessary to provide for an extraordinary community need that was not anticipated at the time of the adoption of the city's plans.
General Review Criteria: DZC Sec. 12.4.10.7. B & C  Check boxes to the right to affirm <b>and</b> include a section in the review criteria for the public interest narrative attachment and for consistency with the neighborhood context and the stated purpose and intent of the proposed zone district.	<ul> <li>□ Public Interest: The proposed official map amendment is in the Public Interest.</li> <li>In the review criteria narrative attachment, please provide an additional section describing how the requested rezoning is in the public interest of the city.</li> <li>□ 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.</li> <li>In the review criteria narrative attachment, please provide a separate section describing how 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.</li> </ul>

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RE	REQUIRED ATTACHMENTS					
Plea	se check boxes below to affirm the following <b>required</b> attachments are submitted with this rezoning application:					
	<b>Legal Description of subject property(s).</b> Submit as a <b>separate Microsoft Word document.</b> View guidelines at: <a href="https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.">https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.</a>					
	<b>Proof of ownership document</b> 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.					
	<b>Outreach documentation.</b> Pre-application outreach is required. The minimum requirement is outreach to the City Council District Office, Registered Neighborhood Organizations, and adjacent neighbors. Please describe all community outreach and engagement to these and any other community members or organizations. The outreach documentation must include the type of outreach, who was contacted or met with, the date of the outreach or engagement, and a description of feedback received, if any. If outreach was via email, please include a copy of the email. The outreach documentation attachment should be sent as a PDF or Word Doc, separate from other required attachments.					
AD	DITIONAL ATTACHMENTS (IF APPLICABLE)					
	ditional information may be needed and/or required. Please check boxes below identifying additional attachments provided in this application.					
	Written narrative explaining reason for the request (optional)					
	<b>Letters of Support.</b> 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)					
	<b>Individual Authorization to Sign on Behalf of a Corporate Entity</b> (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.) (if applicable)					
	Affordable Housing Review Team Acceptance Letter (if applicable)					
	Other Attachments. Please describe below.					



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## 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%	John Alan Smith Jesie O. Smith	01/12/20	(A)	YES
William G. Martinic	801 15+55+. Dravel, 10 80202	1006	4	Yey	(A)	YES NO
						YES NO
						YES NO
						YES NO

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**Brownstein Hyatt Farber Schreck, LLP** 

303.223.1100 main 675 Fifteenth Street, Suite 2900 Denver, Colorado 80202

February 25, 2025

Matthew Nilsen Attorney at Law 303.223.1261 direct mnilsen@bhfs.com

City and County of Denver Community Planning and Development Attn: Matthew Bossler 201 W. Colfax Ave., Dept 205 Denver, CO 80202

RE: Cover Letter to 801 15<sup>th</sup> St, Rezoning Application to D-TD

Mr. Bossler:

This application is submitted on behalf of Stout BL LLC d/b/a Home2 Suites (the "<u>Applicant</u>"), with respect to the enclosed application to rezone the 18,450 sq. ft. parcel located at 801 15<sup>th</sup> St (the "<u>Property</u>") from D-C, UO-1 to D-TD, UO-1 (the "<u>Rezoning</u>"). The Property is located in Denver City Council District 10, within the Upper Downtown neighborhood of the City and County of Denver, Colorado (the "<u>City</u>").

This letter is provided as part of the application for the Rezoning and to provide the City with additional information that may aid City staff and City Council in reviewing and approving the application. This letter addresses the zone map amendment criteria in the Denver Zoning Code ("Code"), effective as of February 25, 2025 as part of the City's Advancing Equity in Rezoning project.

#### **BACKGROUND**

The Property is currently zoned Downtown Core District (the "<u>D-C Zone District</u>") and Adult Use Overlay District (the "<u>UO-1 Overlay District</u>") and is directly adjacent to the existing boundaries of the Downtown Theater District (the "<u>D-TD Zone District</u>"). The Property contains an existing hotel which supports the Colorado Convention Center (one (1) block away) and the performing arts venues which define the theater district (two (2) blocks each from the Denver Performing Arts Complex ("<u>DPAC</u>") and Bellco Theatre). Orange Barrel Media (the "<u>Media Operator</u>"), has a longstanding relationship with the Denver Theatre District 501(c)3 public-private partnership, which oversees programming and initiatives in the D-TD Zone District. The Property is also located one (1) block from the RTD Theatre District-Convention Center Station, one (1) block from the 16<sup>th</sup> & Stout Station, and one block from the 16<sup>th</sup> & California Station, as well as within one (1) to two (2) blocks of nine (9) RTD bus stops.

The proposed Rezoning will enhance the cultural vibrancy in the urban core by expanding the D-TD Zone District into a new, adjacent area. The inclusion in the D-TD Zone District will allow the construction of

electronic message center signage ("<u>Digital Signage</u>") that will serve as a gateway to the Denver Theatre District and provide multiple community benefits, including:

- Vibrancy and Placemaking: Digital Signage will add a dynamic, visually appealing element to the building, enhancing its attractiveness and contributing to the vibrancy of 15<sup>th</sup> Street and the surrounding area.
- Contribution to the Denver Theatre District: Fifteen percent (15%) of the gross advertising revenue generated by Digital Signage will be shared with the Denver Theatre District to support reinvestment in the downtown community and the development of public art projects and public lighting installations.
- Arts and Community Content: A portion of the Digital Signage display time will be dedicated to
  arts and community content. The Media Operator will partner with local non-profits to
  communicate their programming to a broader public and will showcase artwork by local and
  national artists. Local artists will be compensated for their contributions.
- Secondary Revenue Stream to Property Owner: The Rezoning will provide the Property owner
  with an additional stream of revenue to cushion against economic shifts in the tourism and
  hospitality industry.

The Digital Signage will effectively replace two previously existing billboards at the corner of Stout Street and 15<sup>th</sup> Street. Prior to the construction of the hotel on the Property, the adjacent building (827 15<sup>th</sup> Street) displayed two building-attached billboards, facing the alley and Stout Street. The proposed Rezoning will facilitate the construction of modern and visually dynamic Digital Signage to replace the two previously existing billboards (and the associated revenue source for the Denver Theatre District), which were removed as a result of the construction of the hotel on the Property.

As set forth below, the proposed Rezoning is consistent with the recommendations and policy goals found in the Denver Comprehensive Plan 2040, Blueprint Denver (2019), and the Downtown Area Plan (2007).

#### **NEIGHBORHOOD OUTREACH**

The Applicant group has been proactive in its community outreach activities. Beginning in December, 2024, the Media Operator met and/or corresponded with multiple City Councilmembers and community organizations to explain the project and share information about the proposed Rezoning. A timeline of the Media Operator's community outreach is attached to this application. The Councilmembers and community groups contacted include:

- Members of the City Council's Land Use, Transportation & Infrastructure Committee;
- Councilmember Hinds (District 10);

- Councilmember Kashmann (District 6);
- Upper Downtown Neighborhood Association ("UpDoNa");
- Downtown Denver Partnership ("DDP");
- Colorado Convention Center; and
- Denver Center for the Performing Arts

UpDoNa, DDP, and the Colorado Convention Center all submitted letters of support for the Rezoning (attached to this application). These groups indicated that a single parcel expansion of the D-TD and construction of Digital Signage would be an appropriate pilot expansion that would allow for an improved pedestrian experience, additional liveliness, and economic development. Additionally, certain groups, including UpDoNa, requested that the Media Operator coordinate with UpDoNa and Home2 Suites to beautify landscaping in the area and limit Digital Signage operating hours for the portion of the screen facing the neighboring Aloft Hotel, both of which the Media Operator has agreed to do.

The Media Operator will continue to meet with neighbors and community groups, as needed, throughout the Rezoning process.

#### **ANALYSIS**

For the Rezoning of the Property from D-C, UO-1 to D-TD, UO-1 City Council may approve a zone map amendment if the proposed rezoning complies with specified criteria. Code, § 12.4.10.7. What follows is an analysis of how the application for the Rezoning satisfies each of these criteria.

#### I. Criteria for Zone Map Amendments

City Council may approve an official zone map amendment if the proposed rezoning complies with specified criteria. Code, § 12.4.10.7. The Rezoning of the Property to D-TD complies with those criteria, as explained in detail below.

a. The proposed official map amendment is consistent with the City's adopted plans. Code, § 12.4.10.7.A.

The Rezoning of the Property from D-C, UO-1 to D-TD, UO-1 is consistent with the City's adopted plans. No change is proposed to the existing UO-1 Overlay District zoning.

i. Comprehensive Plan 2040

The City's Comprehensive Plan 2040 ("Comp Plan 2040") is the vision for Denver and its people for the next twenty years. The vision is composed of six elements that set long-term, integrated goals to guide

the future of the City and provide guidance for City leaders, institutions and community members to shape the City. The Rezoning aligns closely with several of these elements, including, but not limited to:

- Equitable, Affordable and Inclusive
  - Goal 1: Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities.
    - Strategy C. Improve equitable access to resources that improve quality of life, including cultural and natural amenities, health care, education, parks, recreation, nutritious food and the arts.
    - Strategy D. Improve equitable access to city resources and city meetings through proactive and transparent communications, easy-to-access information and materials available in more than one language.

A portion of the Digital Signage display time will be dedicated to city messaging and community content. The Media Operator has established relationships with local arts and community organizations and has worked with them to feature content and community messages on the Media Operator's existing Digital Signage and its network of Interactive Kiosk Experience ("IKE") kiosks throughout the D-TD Zone District.

Additionally, fifteen percent (15%) of the gross advertising revenue generated by the Digital Signage will be shared with the Denver Theatre District to support reinvestment in the downtown community and creation of public art.

- Strong and Authentic Neighborhoods
  - Goal 1: Create a city of complete neighborhoods.
    - Strategy A. Build a network of well-connected, vibrant, mixed-use centers and corridors.
    - Strategy C. Ensure neighborhoods are safe, accessible and well-connected for all modes.
    - Strategy D. Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities.

The Property is immediately adjacent to the D-TD Zone District boundary, provides accommodations to visitors to the district, and supports the purpose of the D-TD Zone District, to "enable over-scale, lively, and dynamic billboards and signage to promote Denver's preeminent entertainment district." Code, § 8.2.2.2.B. The Property is located one (1) block from the Colorado Convention Center, one (1) block from the Theatre District-Convention Center RTD light rail station, two (2) blocks from the DPAC, and two (2) blocks from Bellco Theatre. The addition of Digital Signage will create a sense of vibrancy and illuminate pedestrian areas, promoting evening safety and supporting the nearby RTD stations. The

Rezoning will expand the mixed-use nature of the D-TD Zone District and bring digital arts and community content to the Property, including content which promotes the Denver Theatre District.

- Goal 2: Enhance Denver's neighborhoods through high-quality urban design.
  - Strategy A. Enhance collaboration between city agencies to ensure quality design and innovation across the public and private realm.
  - Strategy C. Create people-oriented places that embrace community character with thoughtful transitions, aspirational design and an engaging public realm.
  - Strategy D. Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture, and quality of life.

The Rezoning will allow the incorporation of Digital Signage on the Property. The Media Operator will design the sign in an iterative process taking feedback from the Denver Theatre District and the City's Community Planning and Development Department ("CPD"). If the Rezoning is approved, there is a second round of process as the Digital Signage must go through the CPD review and feedback process and Comprehensive Sign Plan review by Planning Board. The Digital Signage will activate the hotel's parking deck with a mix of arts, community, and commercial content. The Digital Signage will enhance the unadorned corner for pedestrians and vehicular travelers and connect the Property to the vibrancy of the D-TD Zone District.

- o Goal 7: Leverage the arts and support creative placemaking to strengthen community.
  - Strategy A. Infuse arts, culture and creativity into all aspects of community planning and design.
  - Strategy B. Embrace existing communities and their cultural assets.
  - Strategy C. Integrate community-inspired art and artistic expression into the public realm.

The Rezoning will represent a minor expansion of the D-TD Zone District, and the Digital Signage will extend the vibrant pedestrian experience of the district. The Media Operator has committed to sharing fifteen percent (15%) of the gross advertising revenue generated by the Digital Signage with the Denver Theatre District to support reinvestment in the downtown community and the creation of new public art projects and public lighting installations. A portion of the display time on the Digital Signage will be dedicated to arts and community content which will promote Denver's arts community through partnerships with local arts institutions and artists. Local artists will be compensated for their contributions.

- Connected, Safe and Accessible Places
  - o Goal 3: Maximize the public right-of-way to create great places.
    - Strategy A. Create streets to foster economic activity, contribute to great urban design and accommodate green infrastructure, including street trees.

The Rezoning will provide a gateway to the D-TD Zone District and better link the Property to the vibrant arts and cultural venues that hotel patrons support through tourism and economic activity. The Digital Signage will activate an unadorned parking garage with engaging content that will enhance the adjacent public right-of-way and improve the overall downtown pedestrian experience.

- Economically Diverse and Vibrant
  - Goal 2: Grow a strong, diversified economy.
    - Strategy A. Broaden the tax base with a focus on fiscal activity that is resilient to changes over time.
    - Strategy B. Facilitate the growth of a diverse business sector that serves as the foundation for a global, innovative economy.

The Rezoning will provide the Property owner with an additional stream of revenue to cushion against past and future economic shifts in the tourism and hospitality industry. This will increase the tax-base of the hotel and support long-term viability of the hotel, which serves two of Denver's cultural and tourism hubs: the Colorado Convention Center and Denver Theatre District.

- o Goal 3: Sustain and grow Denver's local neighborhood businesses.
  - Strategy A. Promote small, locally-owned businesses and restaurants that reflect the unique character of Denver.

As it does with current signage elsewhere in the Denver Theatre District, the Media Operator's sales team will work with local businesses to post engaging advertising campaigns to support their unique needs. Additionally, the Media Operator's community engagement team will support local non-profits and arts organizations, providing them with dedicated display time on the Digital Signage. Together, these efforts will ensure the Digital Signage promotes local small businesses, arts organizations, and non-profits.

- Goal 5: Strengthen Denver as a global city that will be competitive in the economy of today and tomorrow.
  - Strategy B. Create a business environment that supports new investment and that values cultural diversity.

The Rezoning will expand the boundary of the adjacent D-TD Zone District and increase revenue to the Denver Theatre District, whose public programming and vibrant streetscape draws global tourism. The Media Operator will dedicate display time to community content from arts and non-profit organizations and will support a culturally diverse set of Denver artists.

- o Goal 7: Accelerate Denver's economic vitality through arts, culture and creativity.
  - Strategy A. Encourage the development of creative districts.
  - Strategy B. Advance cultural tourism and expand the city's diversity of innovative industries
  - Strategy C. Grow public-private partnerships and create tools to support creative businesses and job creation.

The Rezoning will represent a minor expansion of the D-TD Zone District, which encompasses the Denver Theatre District, a premier creative district in the City. The Theatre District is built on public-private partnerships between the Denver Theatre District, DDP, and media operators. The D-TD Zone District is at the core of the City's cultural tourism sector and attracts thousands of tourists and residents to enjoy the arts each month. Expanding the D-TD Zone District will contribute to higher levels of visitors, increased job creation, and economic development of the downtown core.

- Goal 8: Expand participation in arts and culture and ensure that arts and culture are accessible to all.
  - Strategy B. Remove barriers that limit participation in arts and culture including physical, economic and cultural barriers.

The Rezoning will serve as a pilot for further expansion of the D-TD Zone District. District programming and dedicated display time on the proposed Digital Signage will support a diverse set of local artists to bring their work to the public realm, and allow for more members of the public to engage with art on a daily basis.

- Environmentally Resilient
  - o Goal 11: Cultivate safe, prepared and resilient communities through emergency planning.
    - Strategy B. Promote community safety through outreach and education on emergency preparedness.

The Rezoning will allow for Digital Signage that can be used for public safety announcements, civic educational campaigns, and emergency messaging on a highly visible and well trafficked intersection and corridor.

- Denver and the Region
  - o Goal 2: Embrace Denver's role as the center of regional growth.
    - Strategy A. Direct significant growth to regional centers and community centers and corridors with strong transit connections.
    - Strategy C. Add a significant amount of jobs and housing in downtown.

The Rezoning's expansion of the D-TD Zone District will facilitate the growth of jobs, the economy, and the tax base in the urban core of the City. This area is specifically recognized as the engine of Denver's economy and the district's sustainability is critical to Denver maintaining its role as the center of regional growth. The Property's location at the intersection of 15<sup>th</sup> Street and Stout Street is along a high priority corridor for the City and is one (1) block from a major RTD light rail station. This location is at the heart of the City's regional transportation connections and will support further regional growth.

#### ii. Blueprint Denver (2019)

Blueprint Denver: A Blueprint for an Inclusive City ("<u>Blueprint</u>") implements and provides further structure around the six elements that comprise the vision for Denver set forth in Comp Plan 2040 and sets forth the recommendations and strategies for achieving the six elements of the City's vision. The Rezoning aligns closely with many of the strategies and recommendations in Blueprint, including, but not limited to:

- Land Use & Built Form: General Policy 01 Promote and anticipate planned growth in major centers and corridors and key residential areas connected by rail service and transit priority streets.
  - Strategy A. Use zoning and land use regulations to encourage higher-density, mixed-use development in transit-rich areas including: regional centers and community centers, community corridors where transit priority streets are planned, and high and mediumhigh residential areas in the downtown and urban center contexts.

The Property is located one (1) block from the RTD Theatre District-Convention Center Station, one (1) block from the 16<sup>th</sup> & Stout Station, and one block from the 16<sup>th</sup> & California Station, as well as within one (1) to two (2) blocks of nine (9) RTD bus stops. The proposed Rezoning and Digital Signage will support tourism and economic activity in this high priority transit area, as well as high density uses both on the Property and in the immediate surrounding area.

- Land Use & Built Form: Economics Policy 01 Capture 90 percent of job growth in regional centers, community centers and corridors, certain districts and high-intensity residential areas in downtown and urban center contexts. Of the 90 percent job growth, focus 30 percent downtown.
  - Strategy B. Promote the development and redevelopment of regional centers, including downtown, to meet the land use and transportation needs of targeted industries. This means encouraging regional centers to have strong connections to transportation options, especially passenger rail and transit priority streets, and fostering the mix of uses needed to attract businesses with a wide variety of jobs.

The targeted industries for the D-TD Zone District include community, tourism, and arts and cultural uses provided by the Colorado Convention Center, DPAC, and other venues within the district. The proposed Rezoning and Digital Signage will help support those uses through dedicated display time and general promotion of the City's arts and cultural amenities. Additionally, as mentioned above, the Media Operator has committed to share fifteen percent (15%) of the gross revenue from the Digital Signage with the Denver Theatre District to support reinvestment and development in the district. All of this will occur within one (1) to two (2) blocks of multiple high capacity RTD light rail and bus stations.

- Land Use & Built Form: Economics Policy 02 Improve equitable access to employment areas throughout the city to ensure all residents can connect to employment opportunities.
  - Strategy A. Invest in transit priority streets to connect all Denver residents to the city's regional, community centers and community corridors.

Blueprint identifies the D-TD area as a Regional Center, which "provides a dynamic environment of residential, dining, entertainment and shopping [uses]," and in which "pedestrian and bicycle movement to, from and within these centers is essential." Blueprint Section 4.3, pg 144. The proposed Rezoning and Digital Signage will bring vibrancy and illuminate the multimodal transportation corridors of 15<sup>th</sup> Street and Stout Street. This illumination will enhance the safety and visibility of pedestrians near high-capacity public transit.

- Land Use & Built Form: Economics Policy 04 Promote creative industries, maker spaces, artists and small businesses as vital components of Denver's innovation economy.
  - Strategy B. Support Denver's creative districts and align land use strategies to support the goals of *Imagine 2020*, the city's cultural plan.
  - Strategy C. Develop programs and identify potential incentives to maintain existing spaces, reduce rent costs and other business costs and help create new spaces for hand crafted manufacturing, maker spaces, artists and other small, locally-owned businesses, especially in areas that score high for Vulnerability to Displacement.

The Rezoning will serve as a minor expansion of the D-TD Zone District, which will help support one of the City's key creative districts – the Denver Theatre District. Fifteen percent (15%) of the gross advertising revenue generated by the Digital Signage will be shared with the Denver Theatre District to support reinvestment in the district including new public art projects and public lighting installations. Additionally, a portion of the Digital Signage display time will be dedicated to local artists and cultural uses. Lastly, the Rezoning will provide the Property owner with an additional stream of revenue to cushion against economic shifts in the tourism and hospitality industry. The existing hotel on the Property supports critical cultural institutions in the City, including the Colorado Convention Center, DPAC, and the other arts and cultural venues located in the D-TD Zone District.

- Land Use & Built Form: Economics Policy 06 Ensure Denver and its neighborhoods have a
  vibrant and authentic retail and hospitality marketplace meeting the full range of experiences
  and goods demanded by residents and visitors.
  - Strategy A. Support locally-owned businesses—new and old—to expand and evolve to meet the changing needs of residents and visitors. Support could include assisting businesses, especially in the most underserved or distressed neighborhoods, with regulatory processes, education, training, helping with marketing or increasing access to capital
  - Strategy D. Build on Denver's national and regional entertainment options to continue to blend the arts, entertainment, shopping and hospitality into unique Denver experiences.

The proposed Rezoning will facilitate the construction of Digital Signage that will display a mix of commercial, community and arts content. As it does with current signage in the Denver Theatre District, the Media Operator's sales team will work with local businesses to post engaging advertising campaigns to support their unique needs. Additionally, the Media Operator's community engagement team will support local non-profits and arts organizations with dedicated display time on the Digital Signage.

- Land Use & Built Form: Design Quality and Preservation Policy 04 Ensure an active and pedestrian-friendly environment that provides a true mixed-use character in centers and corridors.
  - Strategy A. Require strong street-level active use standards for local centers and corridors. This may include a prohibition on residential units for a portion of the street level building. Given the intent of these small-scale places to provide services embedded in the neighborhood, it is important for them to provide more than residential uses.
  - Strategy B. Study and implement stronger street-level active use requirement for community and regional centers and community corridors. Tools could include regulations on floor-to-floor heights for the first story to facilitate conversion to commercial uses and reconsideration of appropriate street-level uses.

Five (5) of the bottom six (6) floors of the existing hotel on the Property are occupied by parking, which does not create a memorable public or pedestrian experience. The proposed Rezoning will allow for the installation of vibrant Digital Signage that will wrap around the parking floors and display creative and engaging content. The proposed Digital Signage will activate what is currently an unadorned pedestrian corner on the heavily trafficked 15<sup>th</sup> Street.

• Quality-of-Life Infrastructure: Policy 05 – Ensure attractive streets and outdoor spaces in all centers and corridors, giving priority to pedestrian spaces and amenities.

> Strategy C. Identify public safety improvements to streets, including appropriate levels of lighting

The proposed Rezoning will facilitate the installation of wrap-around Digital Signage facing both 15<sup>th</sup> Street and Stout Street. This Digital Signage will enhance public safety on an unadorned corner by providing additional lighting at the intersection.

#### iii. Downtown Area Plan (2007)

The Downtown Area Plan outlines a comprehensive vision for the urban core, focused on creating a vibrant, sustainable, and livable downtown. It emphasizes five key elements: a prosperous city, a walkable city, a diverse city, a distinctive city, and a green city. The Rezoning aligns closely with many of the strategies and recommendations in the Downtown Area Plan, including, but not limited to:

- A Prosperous City: A1 Downtown of the Rocky Mountain Region.
  - Policy A1c. Create a brand identity that promotes Downtown as a place to live, work, play, visit and learn.
  - Policy A1e. Cultivate arts and culture as key economic drivers.
    - Retain and expand the clusters of world-class arts, cultural, and performance facilities in Downtown.
    - Provide temporary and permanent creative space to meet the broad spectrum of needs for administrative, rehearsal, performance and studio functions.

The Rezoning will facilitate the installation of Digital Signage that directly raises the profile of the City's world-class arts venues. The Digital Signage will be used to promote the Denver Theatre District as the entertainment center for the City, and will appeal to visitors and residents alike. The minor expansion of the D-TD Zone District facilitated by the proposed Rezoning, and the subsequent installation of Digital Signage, will support the economic revitalization of downtown through an improved pedestrian experience, dynamic promotion of arts and cultural venues, and the shared revenue to support the Denver Theatre District's public arts and lighting initiatives.

- A Diverse City: C2 A Family-Friendly Place.
  - Policy C2b. Launch a series of events aimed at attracting children and youth to Downtown
  - Policy C2d. Create and distribute a marketing piece aimed at families living, visiting and shopping Downtown.

If the Rezoning is approved, the Media Operator has committed to sharing fifteen percent (15%) of gross advertising revenue from the Digital Signage with the Denver Theatre District. This contribution will help fund family-friendly lighting and public art programming in public spaces within the district.

- A Distinctive City: D1 District Evolution.
  - Policy D1b. Use distinctive ground floor retail, other active uses, and the street environment to reinforce district identity.

The Rezoning will expand the D-TD Zone District and its digital arts programming along the 15<sup>th</sup> Street and Stout Street corridors. The existing digital signage in the D-TD Zone District provides a dynamic pedestrian experience for tourists and residents and the proposed Rezoning would expand this pedestrian-friendly environment, strengthening the Denver Theatre District's identity.

b. The proposed official map amendment is in the in public interest. Code, § 12.4.10.7.B.

The proposed Rezoning is in the public interest. First, the Rezoning furthers the goals, policies, and strategies in the relevant City plans analyzed above, including Comp Plan 2040 and Blueprint. Each of these plans represents unique aspects of the future vision for the City, as established by the City's policymakers and residents. By furthering the goals and policies of each of these plans, the proposed Rezoning is, by definition, in the public interest. Second, the Rezoning will result in the installation of Digital Signage on the Property, which will serve the public interest by improving the pedestrian experience and safety along 15<sup>th</sup> Street and Stout Street with vibrant and visually appealing design elements, highlighting local artists and arts and cultural venues and programming, and resulting in increased financial contributions to the Denver Theatre District.

c. 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. Code, § 12.4.10.7.C.

The specific intent of the D-TD Zone District is "an area of the Central Business District associated with the Denver Performing Arts Center, and which specifically enables over-scale, lively, and dynamic billboards and signage to promote Denver's preeminent entertainment district." Code, § 8.2.2.2.B. The location of this Property and the Rezoning will reinforce this zone district intent. Rezoning will allow the Media Operator to install Digital Signage to promote arts and culture in the theater and entertainment district. The Digital Signage will effectively replace two previously existing billboards at the corner of Stout Street and 15<sup>th</sup> Street, which were removed as a result of the construction of the hotel on the Property. The proposed Rezoning will facilitate the installation of modern Digital Signage, which will provide a lively and dynamic pedestrian experience. As described in this letter, the Rezoning is consistent with the D-TD context and stated purpose and intent of the D-TD Zone District. In addition,

for the reasons detailed above, because the Rezoning is consistent with Comp Plan 2040, Blueprint, and the Downtown Area Plan, this criterion is met.

#### **CONCLUSION**

We hope the foregoing information proves helpful in the City's review of the proposed Rezoning. As discussed in detail above, the Rezoning satisfies all the criteria in the Code for approval of a zone map amendment and a rezoning to D-TD. The Applicant and Media Operator have coordinated with the City, City Councilman Hinds, UpDoNa, DDP, community and business organizations, and various other interested parties to ensure that the Rezoning could be conducted in a harmonious way that will enhance the neighborhood. Therefore, we respectfully request that the City approve the proposed Rezoning.

Sincerely,

Matthew Nilsen

Muli-S

## LEADER IN DENVER THEATRE DISTRICT

- ▶ Orange Barrel Media entered the Denver market in 2009 and is now the leading operator of large format signage in The Denver Theatre District.
- ▶ OBM's sister company, IKE Smart City, owns and operates interactive digital kiosks (IKE) along the 16th Street Mall.
- Our local and national media sales teams have proven their ability to deliver revenue through advertising sales.
- ▶ OBM's financial contributions to the Denver Theatre District have funded public commissions that activate the District.

Since the formation of the Denver Theatre District, OBM has consistently generated the highest revenue and occupancy within the DTD...They are the most creative of all of the companies I have worked with, and go above and beyond to support the initiatives of the DTD...I cannot recommend them strongly enough.

#### **DAVID EHRLICH**

EXECUTIVE DIRECTOR, DENVER THEATER DISTRICT





## **COMMUNITY ENGAGEMENT**

OBM's Community Engagement team regularly meets with local partners to identify opportunities to support their causes. Denver partnerships include:

- ▶ OBM works closely with the City to disseminate messages that are critical to public welfare, such as access to medical care, transit and traffic issues, and weather emergencies.
- ▶ OBM has ongoing partnerships with Digerati Denver and Denver Theatre District to support public events such as Night Lights Denver at the Daniels & Fisher Clocktower and the Supernova Digital Animation Festival.
- ▶ OBM annually sponsored Denver's Day of Rock in partnership with Amp the Cause.
- ▶ OBM supports the small and independent businesses that define the unique character of downtown Denver. In 2020, when COVID-19 swept the nation, OBM provided small businesses and non-profits with free promotional time on IKE and OBM digital screens.

OBM and IKE's commitment to the Denver community has been on full display in all my dealings with them, both as chair of the Denver Theatre District and through their ongoing support of charitable activities in Denver. I regard OBM as one of the best performing and most creative of the media company's operating in the Denver Theatre District. Beyond being a great business partner, they provide time on their IKE and digital screen displays in support of fundraising drives and free advertising for many worthy non-profits and arts organizations throughout our community. Their genuine goal of contributing to the Denver community makes them an excellent partner for the City and County of Denver.

#### **WALTER ISENBERG**

EXECUTIVE DIRECTOR, DENVER THEATER DISTRICT CEO, SAGE HOSPITALITY GROUP, DENVER, CO







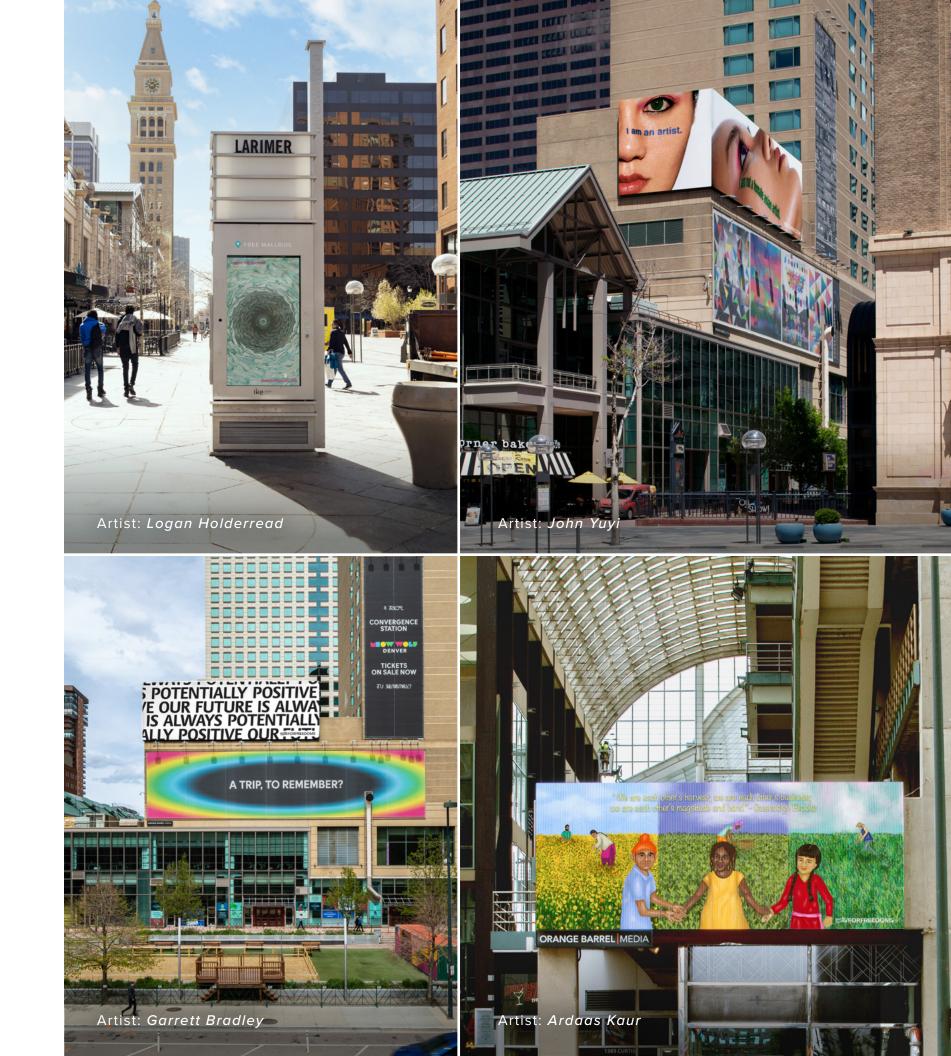


## **ARTS PROGRAMMING**

OBM collaborates with art institutions, independent curators, and artists to develop media programs that showcase the work of established and emerging voices.

### **DENVER ART PARTNERSHIPS**

- ▶ OBM's network of prominent digital assets has featured the work of local artists including Alex Pangburn, Emilie Trice, JayCee Beyale, and Logan Holderread.
- ▶ OBM's arts curation team brought nationally recognized artists and curators to Denver's public spaces including Nari Ward, For Freedoms, Garrett Bradley, Maia Ruth Lee, Otherward, Ardaas Kaur, and John Yuyi.
- ▶ OBM regularly partners with local arts institutions to bring awareness of their events and programming to a broader audience.



## INSTITUTIONAL PARTNERSHIPS

### CASE STUDY - NARI WARD

The Museum of Contemporary Art Denver (MCA Denver) reopened on July 1, 2020, with Nari Ward: We the People, a major retrospective of the artist's work, featuring a selection of sculptures, paintings, videos and large-scale installations that highlight Ward's status as one of the most influential sculptors working today.

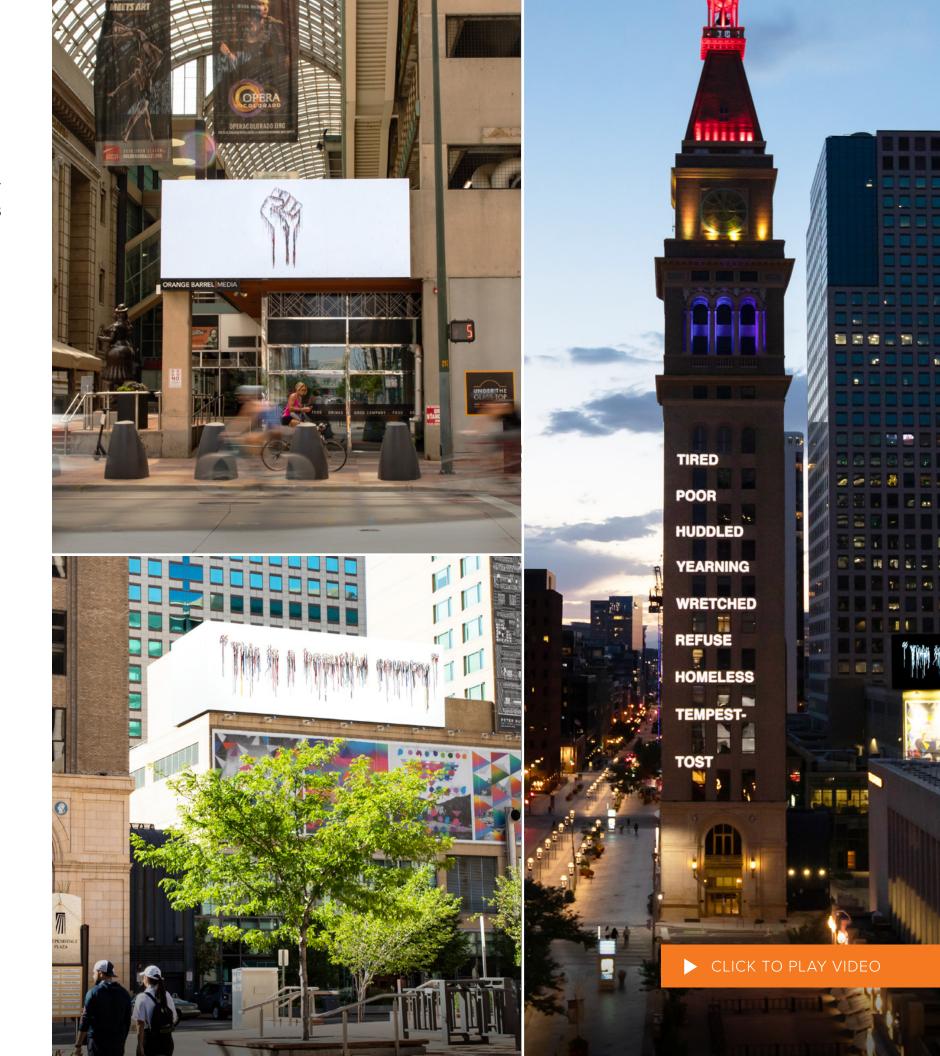
Ward and MCA Denver partnered with Orange Barrel Media, IKE Smart City, and the Denver Theatre District to launch a companion public art project throughout downtown Denver, on view from July 1 to September 20, 2020. The public exhibition debuted a major, new site-specific work by Ward projected on the Daniels and Fisher Clocktower, a historic 325' tall structure at the center of the City.

Through this expanded project, the artist and MCA Denver radically widened the audience for Ward's work, which directly addresses many of today's most urgent issues concerning racial justice and equity. This project was curated by Diana Nawi on behalf of Orange Barrel Media and MCA Denver.

We are so pleased to partner with Orange Barrel Media to bring Nari Ward's profound, poignant works to a broader audience in the center of Denver. We hope these digital works foster meaningful dialogue, especially at this critical moment in our city and nation, as we reckon with so many of the issues raised by Ward's work, such as the legacy of slavery, systemic racism, and police brutality.

NORA BURNETT ABRAMS

MCA DENVER'S MARK G. FALCONE DIRECTOR



# 801 15TH ST

Owner STOUT BL LLC

4949 S NIAGARA ST STE300 DENVER, CO 80237-3342

**Schedule Number** 02345-31-039-000

**Legal Description** EAST DENVER B130 L17 TO 22 EXC NWLY 2FT

Property Type HOTEL W/MIXED USE

Tax District 320A

### **Print Summary**

yle:	OTHER	Building Sqr. Foot:	196596
edrooms:		Baths Full/Half:	0/0
fective Year Built:	2018	Basement/Finish:	0/0
ot Size:	18,450	Zoned As:	D-C

Current Year			
Actual Assessed Exempt			
Land	\$6,457,500	\$1,748,480	\$0
Improvements	\$40,572,500	\$11,034,100	
Total	\$47,030,000	\$12,782,580	

Prior Year			
Actual Assessed Exempt			
Land	\$6,457,500	\$1,793,270	\$0
Improvements	\$40,572,500	\$11,319,730	
Total	\$47,030,000	\$13,113,000	

## 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..202** \* 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			
Original Tax Levy	\$506,202.95	\$506,202.95	\$1,012,405.90
Liens/Fees	\$30,151.86	\$0.00	\$30,151.86
Interest	\$0.00	\$0.00	\$0.00
Paid	\$0.00	\$0.00	\$0.00
Due	\$536,354.81	\$506,202.95	\$1,042,557.76

## **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 6	N Sewer/Storm Drainage Liens <b>1</b>	N
Local Improvement Assessment 6	N Tax Lien Sale 🚯	N
Maintenance District •	Y Treasurer's Deed <b>1</b>	N

Pending Local Improvement 

N

Real estate property taxes paid for prior tax year: \$1,016,073.92

## Assessed Value for the current tax year

Assessed Land	\$1,748,480.00	Assessed Improvements	\$11,034,100.00
Exemption	\$0.00	Total Assessed Value	\$12,782,580.00

### **LEGAL DESCRIPTION:**

Lots 17, 18, 19, 20, 21 and 22,

Block 130, East Denver,

EXCEPT that portion conveyed to the City and County of Denver, a Colorado municipal corporation of the State of Colorado and home rule city in Special Warranty Deed recorded May 3, 2018 at Reception No. 2018052114,

City and County of Denver,

State of Colorado

## STATEMENT OF AUTHORITY

1.	This Statement of Authority relates to an entity named Stout BL, LLC d/b/a Home2 Suites, and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.
2.	The type of entity is a:
	□ corporation       □ registered limited liability partnership         □ nonprofit corporation       □ registered limited liability limited partnership         □ limited liability company       □ limited partnership association         □ general partnership       □ government or governmental subdivision or agency         □ limited partnership       □ trust         □ other:       □
3.	The entity is formed under the laws of: The State of Colorado
4.	The mailing address for the entity is: 4949 S Niagara St, STE 300, Denver, CO 80237, United States
5.	The name or position of the person(s) authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is:
6.	The authority of the foregoing person(s) to bind the entity is $\square$ not limited $\boxtimes$ limited as follows: Limited to matters pertaining to the requested rezoning.
7.	Other matters concerning the manner in which the entity deals with interests in real property:
Exe	ecuted this 24th day of February, 2025.
	Signature (Type or Print Name Below)
	William Martinic
ST	ATE OF COLORADO )
	) ss.
CC	OUNTY OF Venyer ) ss.
N	The foregoing instrument was acknowledged before me this <u>24th</u> day of <u>February</u> , 20 <u>25</u> , by <u>Jilliam Martinic</u>
	Witness my hand and official seal.
	MATTHEW ANTHONY COOGAN NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20214012868 MY COMMISSION EXPIRES 03/31/2025  My commission expires: 03/31/2025

City and County of Denver Community Planning and Development 201 W. Colfax Avenue, Dept. 205 Denver, CO 80202

To Whom it May Concern,

As the owners of 801 15<sup>th</sup> St (Parcel # 02345-31-039-000), we affirm ownership of the property and hereby authorize Caitlin Quander, Matthew Nilsen, Logan Fry, and Brownstein Hyatt Farber Schreck, LLP to represent us in the rezoning application for the property listed above.

Please contact us with any questions.

Regards,

William G. Martinic VP of Development

Stonebridge Development Company

303.717.1226