



Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***		<input type="checkbox"/> 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 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):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
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 type="checkbox"/> Yes - State the contact name & meeting date _____ <input type="checkbox"/> No - Describe why not (in outreach attachment, see bottom of p. 3)	
Did you contact the City Council District Office regarding this application ?		<input type="checkbox"/> Yes - if yes, state date and method _____ <input type="checkbox"/> No - if no, describe why not (in outreach attachment, see bottom of p. 3)	

REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)	
<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm and include sections in the review criteria narrative attachment</p>	<p><input type="checkbox"/> 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.</p> <p>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 subsection.</p> <p>1. Denver Comprehensive Plan 2040</p> <p>In this section of the attachment, describe how 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>2. Blueprint Denver</p> <p>In this section of the attachment, describe how 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>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):</p> <hr/>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B & C</p> <p>Check boxes to the right to affirm and include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.</p>	<p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p> <p>In the review criteria narrative attachment, please provide an additional section describing how 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 and include a section in the review criteria narrative attachment.</p>	<p>Justifying Circumstances - One of the following circumstances exists:</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 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 type="checkbox"/> 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.</p> <p>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.</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 document is required.)
- Other Attachments.** Please describe below.

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)
EXAMPLE 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

Exhibit to Application

- Rezoning Review Criteria
 - o Denver Comprehensive Plan 2040
 - Equity Goals: Goal 1, Strategy A: Increase development of housing units close to transit and mixed-use developments.
 - Equity Goals: Goal 2, Strategy A: Create a greater mix of housing options in every neighborhood for all individuals and families.
 - Environmentally Resilient, Goal 8 Strategy A: Promote Infill Development where infrastructure and services are already in place.
 - Strong & Authentic Neighborhoods, Goal 8, Strategy C: Ensure neighborhood plan recommendations are consistent with the local vision and with this comprehensive plan
 - Create a city of “complete” neighborhoods
 - o Blueprint Denver
 - Future Neighborhood Context: General Urban. This area has been identified as predominately multi-unit structure. 1-unit and 2-unit residential and low scale mixed-use are embedded within the multi-unit areas. Block patterns are generally regular with consistent alley access. Buildings are medium scale and close to the street.
 - Future Place: High Residential. A high mix of uses throughout, including many large scale multi-unit residential uses. Commercial uses are prevalent. Buildings are generally the tallest of the residential places in this context. There is high lot coverage and shallow setbacks.
 - o Consistency with Adopted Plans – East Central Neighborhood
 - Land Use & Built Form Concepts: Incentivize the preservation of structures and features that contribute to the established character of an area, even if they are not designated as landmarks or historical districts. Goals 6,7,8,9
 - Land Use & Built Form Concepts, Concept #1: Enhanced Residential Design Quality Area: Standards to preserve traditional neighborhood character by adjusting design standards to be more consistent with the existing architecture in the neighborhood, and encouraging context sensitive additions instead of demolition.
 - Recommendations – Building Heights (L3): Allow taller buildings when significant community benefits are provided.
- Review Criteria Narrative
 - o Justifying Circumstances: Since the date of approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. The change was City adopted plans – Comprehensive Plan 2040, Blueprint Denver and East Central Area Plan (2020).
 - o Consistency with Neighborhood Context, Zone District Purpose and Intent Statement. The requested G-MU-3 rezoning is a multi-unit district allowing urban house, duplex, row house, garden court, town house, and apartment building forms. The tallest building form has a maximum height of five stories.

- The current PUD zoning is not consistent with the surrounding neighborhood and has outlived its usefulness. This new zoning designation will fit the general character of the area; building height is in line with the surrounding neighborhood, and elimination of the PUD will provide for a better mobility balance with less reliance on cars.

Written Narrative Explaining Reason for Request

Built in 2002 and designed specifically for therapy clients, the building has seen significantly reduced use and increased vacancy due to the lingering effects of COVID and structural changes in the office market that have been occurring over the prior number of years. Many therapists have moved to either a fully remote or hybrid therapy model, thereby eliminating or lessening the demand for office space. The entire office market is undergoing structural changes and many office buildings are having to reevaluate their uncertain futures. Being located in a predominantly residential area of Denver, rezoning the property will allow for the addition of desperately needed housing, reduced parking and traffic demand in the immediate area, and will allow the building to be brought up to current energy efficiency standards. Our intent is to keep the building substantially in its current form, preserving the beautiful and aesthetically pleasing architectural details that are currently in place – we are not planning any additional stories or façade changes other than what is required to adhere to current building codes and life safety.

750 E 9TH AVE

Owner	CAPITOL HILL HEALING CENTER LLC 6183 ELDORA ST GOLDEN, CO 80403-2205
Schedule Number	05038-19-126-000
Legal Description	SOUTH DIVISION OF CAPITOL HILL B125 L1 & 2
Property Type	COMMERCIAL-OFFICE
Tax District	DENVER

Print Summary

Property Description			
Style:	OTHER	Building Sqr. Foot:	6250
Bedrooms:		Baths Full/Half:	0/0
Effective Year Built:	2002	Basement/Finish:	0/0
Lot Size:	6,257	Zoned As:	PUD

Note: Valuation zoning may be different from City's new zoning code.

Current Year				
	Actual	Assessed	Exempt	
Land		\$446,400	\$129,460	\$0
Improvements		\$1,582,600	\$458,950	
Total		\$2,029,000	\$588,410	

Prior Year				
	Actual	Assessed	Exempt	
Land		\$446,400	\$129,460	\$0
Improvements		\$1,582,600	\$458,950	
Total		\$2,029,000	\$588,410	

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 * **74..618** *

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	2/28/2022	6/9/2022	
Original Tax Levy	\$21,952.99	\$21,952.99	\$43,905.98
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Paid	\$21,952.99	\$21,952.99	\$43,905.98
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: **\$45,185.51**

Assessed Value for the current tax year

Assessed Land	\$129,460.00	Assessed Improvements	\$458,950.00
Exemption	\$0.00	Total Assessed Value	\$588,410.00

[Name of owner] Darrell wagner
[Address] 6183 Eldora St
Golden, CO 80403
[phone number] 720-361-6494
[email] inca.king.dw@gmail.com

To Whom It May Concern,

This letter is to certify that I [Name of Owner], am the authorized signatory for the Capitol Hill Healing Center LLC, owner of the property located at 750 E 9th Avenue, Denver, CO, Schedule Number 05038-19-126-00. Should you have any questions or concerns, please feel free to contact me at the information above.

Sincerely,

[Name of owner]

[Title]

DocuSigned by:
Darrell Wagner
84668543325C45A...

Managing Partner

[Name of owner] Darrell Wagner
[Address] 6183 Eldora St
Golden, CO 80403
[phone number] 720-361-6494
[email] inca.king.dw@gmail.com

To Whom It May Concern,

This letter is to certify that I [Name of Owner] acknowledge and authorize Max Odom, Manager, RCG Colorado LLC, to represent us during the rezoning process for the property located at 750 E 9th Avenue, Denver, CO, Schedule Number 05038-19-126-00. Should you have any questions or concerns, please feel free to contact me at the information above.

Sincerely,

[Name of owner]

DocuSigned by:
Darrell Wagner
84668543325C45A...

Outreach for 750 E 9th Rezoning

Building Address	Owner	Owner address	Contact Method	Date
Councilman Hinds			In Person Meeting on 10/11/2022	10/11/2022
900 N Clarkson St. Denver, CO 80218	Elizabeth Wassenaar and Adam Leahey	900 N Clarkson St. Denver, CO 80218	Mailed Letter - Included	9/20/2022
872 N Clarkson St. Denver, CO 80218	872 CLARKSON LLC	2090 Ash St. Denver, CO 80207	Mailed Letter - Included	9/21/2022
864 N Clarkson St. Denver, CO 80218	William Williams and Jennifer Quinn	6105 E 23rd Ave. Denver, CO 80207	Mailed Letter - Included	9/22/2022
852 N Clarkson St. Denver, CO 80218	Boom 9.8 LLC	5856 S Lowell Blvd. Littleton, CO 80123	Mailed Letter - Included	9/23/2022
844 N Clarkson St. Denver, CO 80218	Amy and Judson Robertson	15436 W. Adriatic Ave. Lakewood, CO 80228	Mailed Letter - Included	9/24/2022
909 N Clarkson St. Denver, CO 80218	Paul and David Reynolds, Sarah Houston	PO Box 181336 Denver, CO 80218	Mailed Letter - Included	9/25/2022
751 E 9th Ave. Denver, CO 80218	Paul Bindel, Samantha Hinshaw, Stephen Polk	751 E 9th Ave. Denver, CO 80218	Mailed Letter - Included	9/26/2022
901 N Clarkson Ave. Denver, CO 80218	Paul Bindel, Samantha Hinshaw, Stephen Polk	901 N Clarkson Ave. Denver, CO 80218	Mailed Letter - Included	9/27/2022
			Mailed Letter - Included	9/28/2022
900 N Washington St. Denver, CO 80218	SM 900 Washington LLC	1550 E Tufts Ave. Englewood, CO 80113	Mailed Letter - Included	9/29/2022
700 E 9th Ave. Denver, CO 80218	Beyond US Investment Corp	3750 S Ogden St. Englewood, CO 80113	Mailed Letter - Included	9/30/2022
840 N Waahington St. Denver, CO 80218	Park Admiral LLC	789 N Sherman St. STE 320 Denver, CO 80203	Mailed Letter - Included	10/1/2022
851 N Clarkson St. Denver, CO 80218	851 Clarkson St.	851 N Clarkson St. Denver, CO 80218	Mailed Letter - Included	10/2/2022
857 N Clarkson St. Denver, CO 80218	Sue Lopez, Sara Lukowski	857 N Clarkson St. Denver, CO 80218	Mailed Letter - Included	10/3/2022
834 N Clarkson St. Denver, CO 80218	Budd Legacy Properties LLC	1601 S Sansing St. Aurora, CO 80012	Mailed Letter - Included	10/4/2022
Capital Hill United Neighbors	Registered Neighborhood Organization (RNO)		Email Outreach with Confirmation of Receipt	10/17/2022
Inter-Neighborhood Cooperation	Registered Neighborhood Organization (RNO)		Email Outreach. Email Bounceback. Called Number on Record and was not able to leave a message	10/17/2022
Capital Hill United Neighborhoods, Inc.	Registered Neighborhood Organization (RNO)		Email Outreach with Confirmation of Receipt	10/17/2022

To: Neighbors of 750 E 9th Street

From: RCG Colorado

Re: Intent to File a Rezoning Request for 750 E 9th Street

Dear Neighbor,

We are reaching out to notify you of our intent to file for a rezoning of the property located at 750 E 9th Street from PUD 499 to G-MU-5 or G-MU-3. Currently the property operates as an office building and our intent is to convert it to multifamily and build between 6-8 residential apartments. The current building, built in 2002, is a beautifully designed red brick building with an underground parking garage for up to 11 cars. We plan to work within the current design and enact only minimal changes to the façade (namely, adding windows for life safety and to bring more light into the interior of the building).

Why the Request: As you may be aware the office market has and is undergoing substantial structural changes nationwide, which has significantly reduced demand and restructured how offices are being used. This particular building has the added issue of being primarily built, and designed, for therapists and their clients – a market which is undergoing the most significant of changes. The building is lightly occupied and has no prospects for full capacity.

The rezoning requests fits with the City of Denver's Comprehensive Plan 2040, Blueprint Denver, and East Central Area Plan – more information can be found here (https://www.denvergov.org/content/dam/denvergov/Portals/Denveright/documents/comp-plan/Denver_Comprehensive_Plan_2040.pdf), and will be a welcome addition to the current makeup of the immediate neighborhood.

Impacts on the Neighborhood: We believe the rezoning will have a positive impact on the neighborhood through reduced traffic counts, added housing for the city's severely constrained housing market, and bringing the building up to current energy efficient standards.

- Traffic & Parking: Office creates a higher demand for parking and traffic; rezoning the property to allow multi-family will reduce parking and traffic. The building currently has 11 underground garage parking space and also uses the Church parking lot for clients during the business day. By converting to apartments we will have at least a 1-to-1 parking ratio for apartments and we will no longer need to use the Church parking lot.
- Added Housing Stock: One of the top concerns for city residents and leaders is the lack of housing in the city. By converting under-utilized office space to residences we can make a small but positive dent in the city's housing stock.
- Energy Efficiency: The building, first built in 2002, has not been updated since completion. Energy standards in 2002 are severely outdated and inefficient. After the rezoning we plan to do our part by employing the latest in energy efficient standards (heating, cooling, windows, etc.).

While not necessary, it would be appreciated if you would support our application to rezone the property. Enclosed is a letter that can be filled out and returned to us for submission to the city as part of our application package.

Should you have any questions please feel free to contact us via email at modom@rcg-llc.com.

Regards,

Max Odom
on Behalf of RCG Colorado LLC