

Zone Map Amendment (Rezoning) - Application

| | | | |
|---|--|--|--|
| PROPERTY OWNER INFORMATION* <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT*** | | PROPERTY OWNER(S) REPRESENTATIVE** <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION <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 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) |
|--|---|--|---|----------|--|--|
| 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 |
| TOWN VIEW MHA LTD | 1600 Hooker Street Denver, CO 80203 (312) 618-5732 mmarshall@rmcommunities.org | 100% | Mark S. Marshall <small>Digitally signed by Mark S. Marshall Date: 2023.03.07 13:45:53 -0700</small> | 3/7/23 | (B) | YES |
| | | | | | | YES |
| | | | | | | YES |
| | | | | | | YES |

List of Exhibits

- Exhibit A:** Property Legal Description
- Exhibit B:** Description of Consistency with Adopted City Plans (DRMC 12.4.10.7 (A, B & C))
- Exhibit C:** Description of Justifying Circumstances and Neighborhood Context (DRMC 12.4.10.8 (A&B))
- Exhibit D:** Letter of Authorization for STARBOARD Realty Group, LLC to act as Representative
- Exhibit E:** Proof of Ownership, Deed & Assessors Record
- Exhibit F:** Signature Authority Authorization for Town View MHA LTD

EXHIBIT A

Property Legal Description

1600 Hooker Street

LOTS 1 TO 35 INCLUSIVE, BLOCK 23, TOGETHER WITH THE VACATED ALLEYS IN SAID BLOCK, RE-SUBDIVISION OF BLOCKS 2, 6, 8, 23, 29, AND 34, CHELTENHAM HEIGHTS
CITY AND COUNTY OF DENVER, STATE OF COLORADO

EXHIBIT B

Description of Consistency with Adopted City Plans

Exhibit B

Statement of Compliance with General Review Criteria (DZC § 12.4.10.7)

This application proposes to rezone the approximately 3-acre property located at 1600 Hooker Street - from Former Chapter 59 Zoning R-2-A with a Planned Building Group (PBG) to G-RX-5 (the “Property”) to facilitate use of the Property that is consistent with the recommendations in the City’s adopted Plans.

The Property is located in the West Colfax Neighborhood occupying the entire block between 16th and 17th Avenue and between Grove Street and Hooker Street. Today the Property is a Former Chapter 59 R-2-A allowing predominantly residential uses. The PBG on the property limits any redevelopment to exactly replicating what is there today, a low-density suburban model with only 84 dwelling units on 3 acres. Existing context surrounding the Property include G-MU-3, C-MX-5, C-MX-8, C-MX-12, R-MU-30, U-MS-5, U-TU-C, C-MU-30. Located within ½ mile of the Decatur-Federal Transit Station. ¾ mile from the Knox Transit Station and within ¼ mile of major RTD transit routes via Federal Boulevard, 17th Avenue and West Colfax Avenue. There is a future Bicycle Priority street designation on 17th Avenue.

The Property is owned by Rocky Mountain Communities (“RMC”) a non-profit organization whose mission is to provide affordable housing and resident-focused services. For over 30 years, RMC has leveraged resources and partnerships to invest in resident-focused affordable housing solutions across Colorado. This RMC community is named Townview, a LIHTC community serving residents in the 30% to 50% AMI ranges. Townview has been an asset as a foothold of affordability in a quickly gentrifying West Colfax. After many years of serving the community, Townview is in need of reinvestment after years of deferred maintenance. Townview can be better, including five stories of permanent affordable housing. A better Townview would support other West Colfax assets, including Cheltenham Elementary, Johnson Boys & Girls Club, and Girls Inc. Supporting Townview in turn supports the West Colfax community and invests in its future.

Denver as a city has been experiencing exponential growth. A problem occurring with these new developments is that only few of them accommodate a range of different economic backgrounds. As these types of developments multiply, the need for affordable housing increases with them. These changes have resulted in the need to rezone the Property to meet community wants and needs. Affordable housing is an integral part of mitigating displacement and allowing our community members the opportunity to thrive.

The map amendment requests to rezone the Property to the G-RX-5 Zone District. This would allow the Property to be used for both residential and ground floor community supporting services rather than restricted uses per the Former Chapter 59 R-2-A PBG zoning. The successful rezoning will allow for a mix of uses which will blend in with, support, and sustain the existing character of the neighborhood.

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.

This proposed map amendment is consistent with the Denver Comprehensive Plan 2040, Blueprint Denver (2019), Decatur-Federal Station Area Plan (2013) and West Area Plan (2023).

The proposed map amendment is consistent with many objectives of Denver Comprehensive Plan 2040 including:

VISION ELEMENTS: EQUITABLE, AFFORDABLE AND INCLUSIVE

- Diverse, Friendly and Open
- Affordable Housing and Transportation Choices
- Access to Amenities and Services
- Equity

Under redevelopment, RMC will continue to operate Townview as an affordable housing community, replicating AMI levels mirroring the existing units. Townview can also provide wrap around social services.

GOAL 1: Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities.

STRATEGIES:

- Increase development of housing units close to transit and mixed-use developments.
- 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.

A redeveloped Townview will add much needed affordable housing stock to the community.

GOAL 2: Build housing as a continuum to serve residents across a range of incomes, ages and needs.

STRATEGIES:

- Create a greater mix of housing options in every neighborhood for all individuals and families.
- Increase the development of senior-friendly and family-friendly housing, including units with multiple bedrooms in multifamily developments.

RMC envisions a mixed income community serving families and also anticipates incorporating affordable senior housing in the master plan.

GOAL 3: Develop housing that is affordable to residents of all income levels.

STRATEGIES:

- Use land use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing, especially where close to transit.

A redeveloped Townview will add much needed affordable housing stock to the community.

GOAL 4: Preserve existing affordable housing.

VISION ELEMENTS: STRONG AND AUTHENTIC NEIGHBORHOODS

- Diverse, Friendly and Open
- Affordable Housing and Transportation Choices
- Access to Amenities and Services
- Walkable, Bikeable, Accessible and Transit-friendly
- Equity
- Access to Opportunity

- Sense of History and Cultural Heritage

Townview will be able to deliver more and better affordable housing outcomes once rezoned.

GOAL 1: Create a city of complete neighborhoods.

STRATEGIES:

- Ensure neighborhoods offer a mix of housing types and services for a diverse population.
- Ensure neighborhoods are safe, accessible and well-connected for all modes.
- Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities.

A redeveloped Townview will mitigate the significant displacement and gentrification experienced in West Colfax, assuring a more diverse population while providing quality infill development consistent with the neighborhood and expanded amenities.

GOAL 4: Ensure every neighborhood is economically strong and dynamic

VISION ELEMENTS: CONNECTED, SAFE AND ACCESSIBLE PLACES

- Walkable, Bikeable, Accessible and Transit-Friendly
- Access to Opportunity
- Safe and Inviting
- Mobility Choices

G-RX-5 Zoning will enable these complete neighborhood attributes.

GOAL 8: Strengthen multimodal connections in mixed-use centers and focus growth near transit.

STRATEGIES:

- Promote transit-oriented development and encourage higher density development, including affordable housing, near transit to support ridership.

Townview's new G-RX-5 zoning will enable greater density near multi modal transit opportunities.

SUMMARY:

The proposed G-RX-5 zone district would allow a mix of uses in an area that has yet to achieve its full potential. The Property is in close proximity to multiple RTD transit routes and close to multiple transit stations allowing it to be accessible by multiple forms of transportation. This rezoning will enable redevelopment of a property to allow an increase of affordable housing units along with the option to incorporate community serving commercial uses. The proposed rezoning directly addresses the plan's vision of an "equitable, affordable and inclusive" Denver by allowing increased density of an existing affordable housing complex with convenient access to services and amenities via multi-modal transportation options. By promoting a compact, mixed-use, pedestrian-oriented development in an appropriate location, the proposed rezoning is consistent with Denver Comprehensive Plan 2040's visions, goals, and strategies.

The proposed map amendment is consistent with the objectives of Blueprint Denver 2019 including:

The **Blueprint Denver Place** designation for the subject property is **High-Medium Residential** in a **General**

Urban neighborhood context.

General Urban neighborhoods are described as:

- “General urban neighborhoods are vibrant places with proximity to Denver’s major centers like Downtown and Cherry Creek. Homes in this context vary from apartment/condo 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. (BPD pg. 213)

Residential areas are described as:

- “Areas where the predominate use is residential. Although they are primarily residential, they are supported by a variety of embedded uses needed for a complete neighborhood such as schools, parks, and commercial/retail uses.” (BPD pg. 229)

Townview will remain primarily residential and contribute to a complete neighborhood by, for example, bringing much needed student demand to neighborhood DPS schools.

High-Medium Residential Land use and Built Form:

- “There is a mix of low- to medium-scale multi-unit residential uses with some neighborhood-serving mixed-use distributed throughout. Buildings are generally up to 8 stories in height. Block patterns are consistent and pedestrian-scaled building forms clearly define and activate the street.” (BPD pg. 246)

G-RX-5 allows five story buildings, satisfying the High-Medium criteria.

High-Medium Residential Mobility:

- “A consistent pedestrian network with detached sidewalks. Bicycle network can be protected on key arterials and often integrated into on street facilities. Vehicular access is often taken from an alley but also from street. (BPD pg. 246)

Future Bicycle Priority street designation:

- 17th Avenue

Growth Strategy for this area is designated as:

- All other areas of the city: 10% of new jobs and 20% of new households.

Street Type for this area is designated as:

Residential Collector - Land use and Built form:

- “Primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses. Buildings on residential streets usually have a modest setback. The depth of the setback varies by neighborhood context.” (BPD pg. 160)

SUMMARY:

The G-RX-5 zoning, by introducing a mix of uses, is an appropriate district that compliments the characteristics of General Urban neighborhoods and complies with the vision of a High-Medium

Residential areas in both Land use, Built form, and Mobility. It will appeal to the desired uses of multi-unit residential and community serving commercial uses through modest density. With the multiple Transit Stations and RTD bus routes nearby along with bike friendly routes, this makes it an excellent multi modal accessible location for both residents and those visiting. The RX zoning will contribute to the overall goal of a “complete neighborhood” for this area.

The RX zoning appeals to the City’s growth strategy for this area by modestly increasing density for residential uses. While High-Medium residential designations allow up to 8 stories, the proposed zone district is only asking for 5 stories to better fit the existing character of the neighborhood. While the proposed district is intended to accommodate residential uses, commercial uses are secondary. The allowance for commercial uses increases the potential for new jobs. The Property is located on 17th Avenue a Residential Collector and the RX zoning presents residential and mixed uses which are appropriate and comply with the characteristics for this street type.

Blueprint Equity Concepts:

Applying Equity Concepts for Small Rezonings:

In Blueprint Denver Section 3.1; Plan In Action: Applying Blueprint Denver to Rezoning, Blueprint states:

“Equity Concepts: Because the data available to measure the equity concepts is not available at the parcel-level scale, and they are intended to show patterns across large areas, they cannot be effectively applied to small-scale rezonings. Given the above, they are not intended to be part of the evaluation for smaller rezonings. However, they should be used to evaluate large area rezonings”.

While Blueprint Denver acknowledges that Equity Concepts are difficult to apply to small parcel rezonings such as this one we believe these are important criteria to address in our city. This rezoning may help this small property contribute to a more equitable Denver in the following ways:

Equity Concept 1: Expanding Housing and Jobs Diversity - *providing a better and more inclusive range of housing and employment options in all neighborhoods.*

The Importance of Housing and Jobs Diversity:

It is the desire of many residents and stakeholders for all neighborhoods to accommodate some level of growth and to incorporate a greater variety of housing and employment options. If done right, this can enable more inclusive and diverse communities.” (BPD pg. 40)

SUMMARY:

This area has an average score of 2 out of 5 for Housing Diversity. It is low in: its housing stock of missing middle and affordable housing, a healthy mix of rented and owned homes, and a variety of bedroom counts in homes. The G-RX-5 will allow the property to increase residential density which will further RMC’s mission of providing rent restricted affordable housing to families that include units with various bedroom counts. In addition to maintain and expanding affordability, the proposed development will remain affordable forever.

Equity Concept 2: Improving Access to Opportunity - creating more equitable access to quality-of-life amenities, health, and quality education.

The proximity of an amenity (including quality jobs, schools, parks, health care services and healthy food), the affordability of that amenity, and the safety and ease of access to that amenity are important elements of access to opportunity. Equitable access to opportunity strengthens our collective prosperity and improves outcomes for all. In areas with high access to opportunity, it is important to increase the range of affordable housing options so that residents of all income levels can live in these neighborhoods.” (BPD pg. 32-35)

Nearby Amenities (within a mile):

Grocery with fresh fruit and vegetables:

- Safeway

Transit:

- RTD Bus Routes 31, 20, & 16
- RTD Transit Stations: Decatur-Federal Station & Knox Transit Station
- Bike lanes: 17th Avenue

Parks and Recreation:

- Sloan’s Lake
- Jefferson Park
- Hallack Park
- Paco Sanchez Park
- Rude Recreation Center

Schools, Libraries, Community Services:

- Cheltenham Elementary School
- Lake Middle School
- Brown Elementary School
- Colfax Elementary School
- STIVE Prep – Lake Campus
- Rodolfo “Corky” Gonzales Branch Library
- Boys & Girls Club
- Girls Inc

SUMMARY:

This area has an average score of 2.33 out of 4 for Access to Opportunity. The Property has less access to amenities such as groceries stores and healthcare. For the G-RX-5 zone district, commercial uses are secondary to the primary residential use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance. This allows the Property to be utilized for more quality-of-life amenities than the current residential zoning. Successful rezoning will allow the opportunity for RMC to expand their community-serving commercial efforts.

Equity Concept 3: Reducing Vulnerability to Displacement - stabilizing residents and businesses who are vulnerable to involuntary displacement due to increasing property values and rents.

SUMMARY:

This area has an average score of 2 out of 3 for Vulnerability to Involuntary Displacement. This area is highly renter occupied with a lower than average median household incomes. This area will undoubtedly

benefit more housing diversity and reinvestment in affordable housing. This proposed district would allow for residential density along with commercial, office, retail and neighborhood serving uses that could create new job and housing opportunities. The addition of housing and jobs that cannot be fulfilled by the current zoning could help mitigate displacement.

The proposed map amendment is consistent with the objectives of the Decatur-Federal Station Area Plan (2013) including:

The Property is located in the *West Colfax Statistical Neighborhood* and located at the edge of the **Decatur-Federal Station Area Plan** study area. While the plan focuses on the *Sun Valley Statistical neighborhood*, it gives guidance to areas that fall in the study area.

Recommendation A.2: Encourage Diversity

A.2.A. SUPPORT A MIXTURE OF INCOMES

- Encourage population growth, a mixture of residential options and a more seamless integration of low income, workforce and market rate residential choices.

A.2.C. ATTRACT BUSINESSES

- Attract a diversity of large and small businesses to the area that serve the shopping, entertainment, services, training and employment needs of residents, employees and visitors.

Recommendation D.1: Healthy for People

D.1.A. INCREASE ACCESS TO DAILY NEEDS

- Allow for a greater mix of land uses in the neighborhood; mixed use zone districts are generally encouraged over those that allow single land uses.
- Encourage new development to include commercial spaces that support neighborhood-serving businesses.

Transformative Project 4: High Quality Residential Communities Recommendations:

Create a mixed income neighborhood

- Target new multifamily residential development within the TOD area and along the riverfront to achieve greatest proximity to transit, parks, and neighborhood amenities.
- Encourage development of a variety of high quality and attainably priced residential options to meet the needs of families, young professionals, students and elderly households of various income levels.
- Encourage development of new high quality affordable housing units while seamlessly integrating them with workforce and market rate units

Continue to create and enhance community amenities

- Incorporate public gathering spaces and play spaces into residential areas, parks and streetscapes to encourage community building and chance meetings with neighbors

The **Decatur-Federal Station Area Plan** designates the subject property as ***Urban Residential*** in a ***Area of Change***.

Area of Change

- “Locations where Denver intends to direct residential and employment growth taking advantage of existing and planned transit infrastructure.” (DFSAP 32)

Maximum Building Height Recommendation:

- Up to 3 Stories

SUMMARY:

The Decatur-Federal Station Area plan recognizes the Property as an Area of Change. The plan directly speaks to encouraging developments that support a mix of incomes and promotes and attracts business to the area. The plan recognizes that developments that include commercial spaces that support neighborhood-serving businesses increases residents access to daily needs, this contributes to the overall health of people. Today, Townview has an on site food pantry, a playground, and a main courtyard that many residents use as gathering space for BBQs in the summer. Successful rezoning will allow for reinvestment and increased amenities for the Townview community and surrounding neighborhood. The Proposed zone district supports the recommendations and vision of the plan.

The proposed map amendment is consistent with the objectives of the West Area Plan (2023) including:

Land use and Built Form Recommendations – General Urban:

- High Medium Residential: “Mix of low- to medium-scale multi-unit residential uses with some neighborhood-serving mixed-use development distributed throughout.”

Future Base Height Guidance:

- Up to 5 Stories

HIGH PRIORITY ELEMENTS FOR CREATING COMPLETE NEIGHBORHOODS IN WEST DENVER

Land use and Built Form:

- Mixed-use development on-site with a focus on commercial, retail and community uses that are needed and desired in the area.

Economy:

- Permanent affordable housing that can accommodate a range of Area Median Income (AMI) levels, especially for very low-income households
- Affordable childcare

Quality of Life:

- Fresh food uses on-site such as community gardens, local markets, produce boxes, food distribution/food delivery, or full-service grocery stores.

SUMMARY:

The proposed G-RX-5 zoning meets the recommendations in the West Area Plan. It appeals to the recommendation of a mixed use development at 5 stories. Today, Townview provides affordable housing to the area along with an on site food pantry, and a playground. Future goals for Townview would be to be able to offer more affordable unites, other amenities such as a daycare or community garden. Successful rezoning will allow for reinvestment and increased amenities for the Townview community and surrounding neighborhood. The Proposed zone district supports the recommendations and vision of the plan.

REVIEW CRITERION DZC § 12.4.10.7.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

Future development of the Property will result in uniformity of G-RX-5 district regulations and restrictions.

REVIEW CRITERION DZC § 12.4.10.7.C – Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.

The proposed map amendment will further the public health, safety, and general welfare of the City by facilitating the improvement and development of the Property as desired by the City's adopted plans

EXHIBIT C

Description of Justifying Circumstances and Neighborhood Context

Exhibit C

Statement of Compliance of Additional Review Criteria for Non-Legislative Rezoning (DZC § 12.10.8)

CRITERION DZC § 12.4.10.8.A - Justifying Circumstances - One of the following circumstances exists:

“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*
- b) A City adopted plan*
- c) That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning”*

This rezoning is necessary for the following reasons:

1. Redevelopment and reinvestment in a rapidly growing, and quickly gentrifying, area of Denver - through expanding much needed affordable housing opportunities and diversifying the housing stock.
2. Conformance with the recently adopted West Area Plan (2023)
3. Departure from Former Chapter 59 zoning.
4. Further implementation of Blueprint Denver (2019).

Today, the Property is under a Former Chapter 59 Zoning R-2-A PBG.

The approximately 3-acre Property is in an area of Denver that has experienced and is continuing to experience substantial change. West Colfax has become one of the more rapidly gentrified neighborhood in Denver as dozens of new housing units have been delivered in recent years and more are on the way. With Denver’s expansion comes the need and desire to provide housing options for people who come from all social-economic backgrounds. This goal can be accomplished through the development of more affordable housing units.

After years of deferred maintenance that has resulted in aging infrastructure, roofs and building systems, in addition to quickly fleeting affordability in the neighborhood, Townview today requires considerable reinvestment. To ensure that Townview can continue to offer affordable housing to the area, Rocky Mountain Communities plans to invest heavily in Townview’s redevelopment by demolishing the existing structure and construct a larger, permanent, all-affordable property. However, to achieve significant affordability, RMC requires the property’s zoning to support five stories.

With the tremendous growth in Denver in recent years, this part of Denver continues to be a desirable neighborhood to live in, this warrants the need for higher density and introduction of mixed uses which are not allowed in its current R-2-A zoning. Rezoning to G-RX-5 would allow for reinvestment and redevelopment of the existing property to increase the number of affordable housing units as well as incorporate community serving commercial uses that this neighborhood wants and could benefit from.

CRITERION DZC § 12.4.10.8.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.

G-RX-5 is in the General Urban Neighborhood Context, which is characterized in the Denver Zoning Code as multi-unit residential uses in a variety of building forms. Commercial uses occur in a variety of building forms that may contain a mixture of uses within the same structure. Commercial uses are primarily located along mixed-use arterial and main streets but may be located at or between intersections of local streets (DZC 6.1.1).

The Denver Zoning Code's intent for G-RX-5 is states as "applies to residentially-dominated areas served primarily by local or collector streets where a building scale of 2 to 5 stories is desired." (DZC 6.2.4.2).

This General Purpose of Residential Mixed Use districts is to promote safe, active, and pedestrian-scaled commercial streets through the use of building forms that clearly define and activate the public realm. The Residential Mixed Use zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering along the city's residential neighborhoods. The Residential Mixed Use zone districts are intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods. Compared to the Mixed Use districts, the Residential Mixed Use districts are primarily intended to accommodate residential uses. Commercial uses are secondary to the primary residential use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance. Buildings in a Residential Mixed Use district can have commercial uses, but upper stories are reserved exclusively for housing or lodging accommodation uses (DZC 6.2.4). Building forms allowed in G-RX-5 include townhome and shopfront as its primary permitted uses (DZC 6.3.3.3)

Today, the neighborhood context around the Property is a mix of Mixed-Use and Multi Unit zoning. The proposed G-RX-5 Zone District of the Property will allow the West Colfax neighborhood area to continue to grow into the Town Center in General Urban Neighborhood that the city plans are envisioning. It will also allow for moderately scaled residential-focused mixed-use developments in an appropriate, transit-served location. It will promote a safe, active, pedestrian-scaled residential area while improving access to jobs, housing and services. Rezoning to G-RX-5 on the Property meets the intent and purpose of the zone district.

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.

EXHIBIT D

Letter of Authorization for STARBOARD Realty Group, LLC to act as Representative



ROCKY MOUNTAIN
Communities
Building Brighter Futures at Home

March 6, 2023

Mr. Bruce O'Donnell
STARBOARD Realty
Group, LLC 1115 Acoma
Street, Suite 107
Denver, CO 80204
bodonnell@starboardrealtygroup.com
720-441-3310

Dear Bruce,

This letter serves as authorization for STARBOARD Realty Group, LLC to act on behalf of and represent TOWN VIEW MHA LTD, the property owner, for the purpose of submitting and processing the rezoning application for the property located at 1600 Hooker Street in Denver, CO.

Sincerely,

Mark Marshall
Vice President of Real Estate
(Authorized Representative of TOWN VIEW MHA LTD)

EXHIBIT E

Proof of Ownership, Assessors Record & Deed

1600 N HOOKER ST

| | |
|-------------------|---|
| Owner | TOWN VIEW MHA LTD 225 E 16TH AVE STE600 DENVER, CO 80203-1675 |
| Schedule Number | 02323-23-009-000 |
| Legal Description | CHELTENHAM HEIGHTS RESUB 02323 ALL OF B23 TOG WITH VAC ALYSTHEREIN |
| Property Type | RESIDENTIAL-MULTI UNIT APTS |
| Tax District | DENVER |

Print Summary

| Property Description | | | |
|---|---------|---------------------|-------|
| Style: | OTHER | Building Sqr. Foot: | 73805 |
| Bedrooms: | | Baths Full/Half: | 0/0 |
| Effective Year Built: | 1963 | Basement/Finish: | 0/0 |
| Lot Size: | 130,320 | Zoned As: | R-2-A |
| <div>Note: Valuation zoning may be different from City's new zoning code.</div> | | | |

| Current Year | | | |
|--------------|--------------|-----------|-----|
| Actual | Assessed | Exempt | |
| Land | \$7,449,100 | \$506,540 | \$0 |
| Improvements | \$3,731,400 | \$253,740 | |
| Total | \$11,180,500 | \$760,280 | |

| Prior Year | | | |
|--------------|--------------|-----------|-----|
| Actual | Assessed | Exempt | |
| Land | \$7,449,100 | \$532,610 | \$0 |
| Improvements | \$3,731,400 | \$266,800 | |
| Total | \$11,180,500 | \$799,410 | |

1.3

SPECIAL WARRANTY DEED

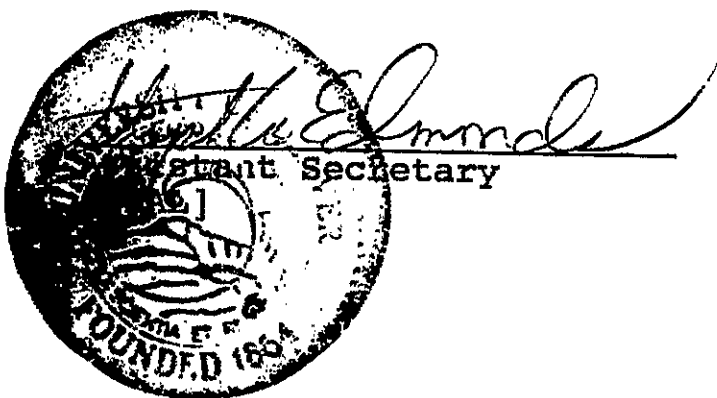
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240

COLORADO SEMINARY (Grantor), a Colorado nonprofit corporation, whose street address is 2199 South University Boulevard, Denver, Colorado 80210, City and County of Denver and State of Colorado, for the consideration of Two Million Four Hundred Thousand Dollars, in hand paid, hereby sells and conveys to TOWN VIEW MHA, LTD., a Colorado limited partnership, whose street address is 1550 Park Avenue, Suite 300, Denver, Colorado 80218, the real property in the City and County of Denver and State of Colorado, described on Exhibit A hereto, incorporated herein by this reference, with all its appurtenances, including without limitation, Grantor's interest as Lessor in all existing tenant leases on interests in said property, and warrants the title to said property against all persons claiming under Grantor, excepting, however, for those items listed on Exhibit B hereto.

Signed this 14th day of February, 1997.

ATTEST:

COLORADO SEMINARY



By

William K. Coors, as Vice
Chairman of its Board of
Trustees

STATE OF COLORADO)

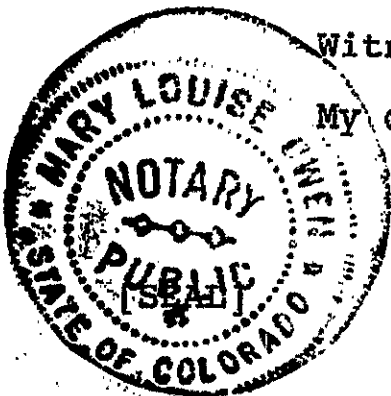
: ss.

COUNTY OF JEFFERSON)

The foregoing instrument was acknowledged before me this 14th day of February, 1997, by William K. Coors, as Vice Chairman of the Board of Trustees of Colorado Seminary, a Colorado nonprofit corporation.

Witness my hand and official seal.

My commission expires: 6-2-97



Notary Public



KL33857B96

Exhibit "A"

Parcel 1:

Lots 1 to 8 inclusive, and the North 3/4 of Lot 9, and all of Lots 35 to 38 inclusive, Resubdivision of the East 1/2 of Block 22, Cheltenham Heights; Lots 1 to 35 inclusive, Block 23, Together with the vacated alleys in said Block, Resubdivision of Blocks 2, 6, 8, 23, 29 and 34, Cheltenham Heights, and Lots 19 to 24, inclusive, Block 24, Cheltenham Heights, and Lot B. Le Fevre's Plat of the Re-Subdivision of the SW 1/4 of Block 24, Cheltenham Heights, City of and County of Denver, State of Colorado.

Parcel 2:

A part of Block 2, Villa Park Subdivision, more particularly described as follows:

Commencing at the Northeast corner of said Block 2;

Thence South 100.00 feet along the West line of Knox Court to the True Point of Beginning;

Thence South 175.11 feet along said West line to the Southeast corner of Lot 38 in said Block 2;

Thence on an angle to the right of 90°16'37" and along the South line of said Lot 38 a distance of 124.97 feet to the East line of alley in said Block 2;

Thence on an angle to the right of 89°43'00" and along said East line of alley a distance of 274.97 feet to a point on the South line of West 13th Avenue, said point being the Northwest corner of Lot 48 in said Block 2;

Thence on an angle to the right of 90°13'24" and along the South line of West 13th Avenue a distance of 115.99 feet to a point 9.00 feet West of the West line of Knox Court;

Thence on an angle to the right of 84°38'11" a distance of 100.43 feet to the True Point of Beginning, said part of Block 2 also described as Lots 38 through 48, Block 2, Villa Park Subdivision, except triangular portion of Lots 46, 47, and 48, more particularly described as follows:

Said triangular portion having as one leg the East 9.00 feet on the North line of said Lot 48 and having as the other leg the North 100.00 feet of the East line of Lots 46, 47 and 48,

City and County of Denver,
State of Colorado.

EXHIBIT B
TO DEED FROM COLORADO SEMINARY TO
TOWN VIEW MHA, LTD. - EXCEPTIONS

- Taxes and assessments for the current year, including all taxes now or heretofore assessed, due or payable.
- An easement to construct, operate and maintain its electric transmission, distribution and service lines and incidental purposes granted to Public Service Company of Colorado by the instrument recorded December 11, 1963 in Book 9150 at Page 534.
- Any existing tenant leases or tenancies.
- An easement for right of way and incidental purposes granted to The Mountain States Telephone and Telegraph Company, a Colorado corporation by the instrument recorded February 3, 1977 in Book 1385 at Page 506.
- Terms, conditions, provisions, agreements and obligations specified under the Special Zone Lot Plan for Planned Building Group by and between the City and County of Denver and The D. C. Eurns Realty & Trust Company recorded February 11, 1963 in Book 8930 at Page 470.
- Terms, conditions, provisions, obligations and agreements as contained in Lease between Townview Plaza, Inc., Lessor, and Web Service Co., Lessee, as evidenced by Memorandum of Lease recorded September 17, 1985 at Reception No. 065804.
- Terms, conditions, provisions and agreements as contained in Special Zone lot plan for a Planned Building Group recorded September 24, 1963 in Book 9104 at Page 288.
- Terms, conditions, provisions, obligations and agreement as contained in lease between Townview Annex, Inc., lessor and Web Service Co., lessee as evidenced by memorandum recorded September 17, 1985 at Reception No. 065805.
- Covenants, conditions and restrictions as contained in Deed recorded March 23, 1964 in Book 9205 at Page 445.

(All recording references are to the records of the Clerk and Recorder for the City and County of Denver)

EXHIBIT F

Signature Authority Authorization for

Town View MHA LTD

ROCKY MOUNTAIN MUTUAL HOUSING ASSOCIATION, INC.
BOARD RESOLUTION

December 7, 2022

WHEREAS, Rocky Mountain Mutual Housing Association, Inc. dba Rocky Mountain Communities (the "Corporation") seeks to refinance the real property commonly known as Townview Village, located at 1600 and 1699 Hooker Street, 1660 N. Grove Street, and 3222 and 3224 W. 17th Avenue, Denver, Colorado 80204 (the "Property"); and

WHEREAS, the Board of Directors of the Corporation has determined that it is in agreement with the Corporation to refinance the Property; and

WHEREAS, in November, the Corporation agreed to refinance the existing permanent debt associated with the Property (the "Agreement") with a permanent loan in the approximate amount of \$1,568,706 (the "Loan") with NeighborWorks Capital (the "Lender"); and

WHEREAS, Town View MHA, Ltd., a Colorado limited liability limited partnership (the "LLLP") is the borrowing entity for the Property with Townview Mutual Housing Association, Inc., a Colorado nonprofit corporation ("Townview" with the Corporation as its sole voting member) the sole general partner and RMC Affordable Properties, Inc. ("RMC") as the sole limited partner of the LLLP; and

WHEREAS, the Corporation is the sole voting member of RMC and RMC is subject to the Corporation's general control and supervision as an affiliate of the Corporation; and

WHEREAS, the Board desires to approve the refinancing of the Property on behalf of the Corporation, Townview, RMC and the LLLP, utilizing the LLLP on the terms and conditions specified in the Agreement (a copy of which has been provided to the Board and is attached to these resolutions as Exhibit A); and

WHEREAS, the Board desires to ratify the Agreement and all of the actions of Mark Marshall as the Vice President of Real Estate of the Corporation and Mark Marshall as the Vice President of Real Estate of RMC in connection with the negotiations for the refinancing of the Property, the Agreement and all associated documents; and

WHEREAS, the Board desires to approve the Loan that is to be fully recourse to the assets of the LLLP from NeighborWorks in the approximate amount necessary for the refinancing of the Property; and

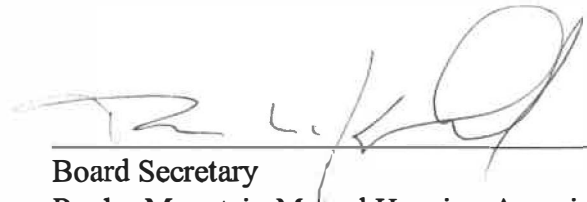
WHEREAS, the Board desires to approve the Corporation as an indemnitor to the Hazardous Substances Indemnity Agreement by and among the Borrower, the Lender and the Corporation for the Loan necessary for the consummation of the refinancing of the Property; and

WHEREAS, all the documents necessary to effectuate the above in this resolution are referred to as the "Transaction Documents."

NOW THEREFORE, BE IT RESOLVED, that the Board hereby approves the refinancing of the Property, ratifies the execution of the Agreement, and all actions taken by Mark Marshall as the Vice President of Real Estate and any of the officers of the Corporation on behalf of the Corporation, the LLLP, Townview as sole general partner of the LLLP and RMC as the sole limited partner of the LLLP taken in connection with the refinance of the Property and the execution of the Agreement and all Transaction Documents, including all necessary associated documents; and the Board further authorizes and directs Mark Marshall as the Vice President of Real Estate for the Corporation and RMC and any of the officers of the Corporation to sign and execute all documents required to consummate the refinance of the Property and the Transaction Documents on behalf of the Corporation, the LLLP, Townview as the sole general partner of the LLLP, and RMC as the sole limited partner of the LLLP.

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THE FOREGOING RESOLUTION WAS ADOPTED VIA ELETRONIC MAIL BY THE
ROCKY MOUNTAIN MUTUAL HOUSING ASSOCIATION, INC., BOARD OF
DIRECTORS ON THE 7th DAY OF December, 2022, BY WHICH A QUORUM APPROVED.



Board Secretary
Rocky Mountain Mutual Housing Association, Inc.
Thomas L. Konkel