



Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name	CAPITOL HILL HEALING CENTER LLC	Representative Name	Max Odom
Address	6183 Eldora St	Address	1490 N Lafayette, #208
City, State, Zip	Golden, CO 80403	City, State, Zip	Denver, CO 80218 +
Telephone		Telephone	617.201.3427
Email		Email	modom@rcg-llc.com
*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf. ***If contact for fee payment is other than above, please provide contact name and contact information on an attachment.	
SUBJECT PROPERTY INFORMATION			
Location (address):	750 E 9th Ave, Denver, CO		
Assessor's Parcel Numbers:	05038-19-126-000		
Area in Acres or Square Feet:	6,257sf		
Current Zone District(s):	PUD		
PROPOSAL			
Proposed Zone District:	G-MU-3		
PRE-APPLICATION INFORMATION			
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?	<input checked="" type="checkbox"/> Yes - State the contact name & meeting date <u>Chelsea Bennouna, Zoom; 8/23/22</u> <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 checked="" type="checkbox"/> Yes - if yes, state date and method <u>in person meeting; 10/11/22</u> <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 checked="" 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): East Central Area Plan</p>
<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 checked="" 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 checked="" 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 checked="" type="checkbox"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:</p> <p style="padding-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or,</p> <p style="padding-left: 20px;">b. A City adopted plan; or</p> <p style="padding-left: 20px;">c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (overlay Zone Districts) of this Code.</p> <p>In the review criteria narrative attachment, please provide an additional section describing the selected justifying circumstance. If the changing conditions circumstance is selected, describe changes since the site was last zoned. Contact your pre-application case manager if you have questions.</p> <p><input checked="" type="checkbox"/> 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.



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
			Max Odom <small>Digitally signed by Max Odom DN: cn=Max Odom, o=Max Odom, +US United States, +US United States, email=mxodom@mp-llc.com mxodom@mp-llc.com Reason: I am the author of this document Location: Date: 2023-01-10 08:21:47-00</small>	1/10/23		YES
						YES
						YES
						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
900 N Washington St. Denver, CO 80218	SM 900 Washington LLC	1550 E Tufts Ave. Englewood, CO 80113	Mailed Letter - Included	9/28/2022
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



Application For Zone Map Amendment

City and County of Denver
Department of Zoning Administration
200 W. 14th Ave. Room 201
Phone 303-640-1572 Fax 303-640-2364

Application Number

4442 (Revised)

Date Received
7/18/00

Fee
\$600.00

1. Applicant (attach completed ownership information sheet Form U.A.)

Kartlton Terry
The Consulate Healing Center

2. Applicant's Address

700 E. 9th Avenue #106
Denver, Co 80203

3. Phone Number
303-832-1117

4. Fax Number
303-832-2404

5. Interest
 Owner
 Agent
 Other

6. Contact Person

Karlton Terry

7. Contact Person's Address

700 E. 9th Avenue #106
Denver, CO 80203

8. Contact's Phone Number
303-832-1117

9. Contact's Fax Number
303-832-2404

10. Property address of proposed change

750 E. 9th Avenue

11. Legal Description of property: (If Legal Description is lengthy, attach additional sheet.)

Lots:

1 and 2

Block:

125

Addition:

South Division of Capitol Hill,
City and County of Denver

12 Area of subject property:

6458 sq. ft. 0.148 acres

13. Present Zone

R-3

14. Proposed Zone

PUD #499

15. Explain in detail the legal basis for the proposal: either (a) an error in the zoning map as approved by City Council, or (b) the changed or changing conditions that in the public interest make the map amendment necessary.

As the neighborhood has developed over the years, there has been an increased demand for our type of facility. We have outgrown our existing facility in terms of number of tenants we can house. In order to install the required new therapeutic pools and other needed facilities, we need to build a new structure.

16 State the land use and development proposed for the property to be rezoned. Include the time schedule (if any) for development. The time schedule aims for completion by Summer 2001.

The development is a two storey clinic or office, limited to Holistic, Naturopathic Practitioners and educators, including, but not limited to, massage therapists, chiropractors, pre and perinatal educators, acupuncturists, rollers, yoga practitioners, watsu, cranial sacral therapists or similiar type practices ~~with garden level parking~~ with garden level parking constructed in similiar design to the National Historic Registered Consulate next door.

17. Describe the nature and effect of the proposed amendment.

The proposed amendment allows for reduced street parking through construction of a building which will provide treatment rooms for Naturopathic Healers, a workshop space, off-street parking and a therapeutic Watsu Pool. Practitioner tenants shall be required to park on the church lot so that clients may park on site. The growing demand for Naturopathic care requires an expansion of our existing facility and the desire of the neighborhood to have a classic structure built where there has been an open parking lot warrant this proposed zoning change.

18. List all attachments:

Exhibit A- Written Statement. Exhibit B- Existing Conditions, District Plan, Parking Plan and elevations. Exhibit C- Setback Exceptions.

19. Applicant's signature

1. SCHEDULE

- a. Date of pre-application conference October 1998
 City representative(s) present Boug-Hendrixson, Teresa Lucero
- b. Submittal date of preliminary application 3/20/00
- c. Submittal date of completed application 5/10/00
- d. Application is scheduled for a:
 Planning Board Hearing on _____
 Planning Office Hearing on 6/14/00
 Planning Staff Review. _____

2. DESCRIPTION OF PLANNED UNIT DEVELOPMENT (PUD)

The use of terms "Article" or "Section" refer to portions of the Revised Municipal Code of the City and County of Denver. It is required that the current terms and uses already defined in Section 59-2 of the Zoning Ordinance be used in describing this proposal. Terms like "retail" or "light industrial" require further definition. Gross floor area shall include interior balconies and mezzanines, but shall not include parking garages, any story of a building where at least seventy-five percent (75%) of that floor is occupied by mechanical equipment or any story where the ceiling is less than four (4) feet above grade. Attach additional sheets if necessary.

a. MAXIMUM GROSS FLOOR AREA FOR EACH PROPOSED USE

	Use	Maximum Sq. Ft.
A.	Parking of vehicles (see notes in 2G)	0
B.	Clinic or office, medical or dental*, including a lecture workshop space, (not to exceed 1,000 sq. feet) Also a Yoga Room (not to exceed 800 sq. feet) and/or a maximum of two (2) dwelling units (not to exceed 2,000 sq. feet each or Total Sq. Ft. 4,000 sq. feet total.)	7,000
		7,000

MAXIMUM FLOOR AREA RATIO (F.A.R) (1.084:1)

The floor area ratio is the ratio between the gross floor area of a building to the area of the zone lot on which the building is constructed. **NOTE:** Land area dedicated for public streets is not included in the area of the zone lot.

MAXIMUM NUMBER OF DWELLING UNITS: 2

MAXIMUM NUMBER OF DWELLING UNITS PER ACRE 13.5 D.U./AC.

* Limited to Holistic, Naturopathic Practitioners and educators, including, but not limited to, massage therapists, chiropractors, pre and perinatal educators, acupuncturists, rolfers, yoga practitioners, watsu, cranial sacral therapists or similiar type practices.

P.U.D. at 750 W. 9th Ave.
(Address)

b. LAND COVERAGE BY BUILDINGS AND IMPERVIOUS SURFACES

	SQ. FT	% OF SITE AREA
Maximum area of building coverage (including garage(s) and all other accessory structures):	3340.2	51.72
Maximum area of drives and parking:	500	7.74
Maximum area of other impervious surfaces:	1,441	22.31
MAXIMUM TOTAL OF BUILDING AND IMPERVIOUS SURFACES	5,281.2	81.78

c. LANDSCAPED AND/OR PERMEABLE AREAS

	SQ. FT.	% OF SITE AREA.
Minimum area of live or organic landscaped lot coverage:	1,176.8	18.22
Approximate area of non-live material coverage (graveled or other areas with permeable surfaces):	0	0
MINIMUM TOTAL OF LANDSCAPED AND/OR PERMEABLE AREAS:	1,176.8	18.22

d. PROJECT AREA TOTALS (totals of "b" and "c" above)

	SQ. FT.
Building and impervious surfaces:	5,281.2
Landscaped and/or permeable areas:	1,176.8
TOTAL SITE AREA: (This area must equal the site area listed on page 1)	6,458

e. SETBACKS

The minimum setbacks for buildings are shown on the District Plan. A building envelope may be used to graphically depict the minimum setbacks required.

North:	<u>10</u> ft.	OR	Front:	_____ ft.
South:	<u>5</u> ft.		Rear:	_____ ft.
East:	<u>20</u> ft.		Side:	_____ ft.
West:	<u>10</u> ft.			

The minimum spacing between structures shall be n/a ft.

Permitted encroachments into the minimum setbacks for buildings shall conform to Section 59 - 179(b) of the B-3 zone district. Except as indicated in Exhibit C. (4)

P.U.D. at

750 E. 9th Ave.

(Address)

Official Parkway Setback requirements for this P.U.D. are: n/a ft. for buildings and n/a ft. for signs.

f. MAXIMUM HEIGHTS OF STRUCTURES

The maximum height of structures shall be 2 stories which shall not exceed a total of 35 ft. **NOTE:** The height of a building shall be determined by the vertical distance from the highest point of a pitched roof or the top of parapet around a flat roof to the average elevation of the corners of the proposed building at the finished grade.

Rooftop features (such as solar collectors, antennas, chimneys, flues, vents and air conditioning equipment) may exceed the maximum height of structures by 5 feet.

Bulk plane restrictions shall shall not be required. If required, bulk plane restrictions shall conform to Section 59 - _____ of the _____ zone district. **NOTE:** Solar collectors and mechanical equipment are not exempted from bulk plane regulations!!

g. OFF-STREET PARKING

This project shall contain off-street parking spaces at the ratios shown in the following chart. If completed to the maximum floor area, the project shall contain a minimum of 10* off-street parking spaces. Parking for residential uses should be expressed in number of spaces per dwelling unit. **NOTE:** Any floor area utilized by a permitted use listed under 2.a. in a story where the ceiling is less than four (4) feet above grade shall be calculated into the off-street parking requirement. *See bottom of page.

----- Use A	Special off-street parking plan for 700 E. 9th Avenue	----- Parking Ratio four (4) spaces
----- Use B	Clinic or office, medical or dental	----- sq. ft. Parking Ratio 1:1, 167
----- Use C		----- sq. ft. Parking Ratio
----- Use D		----- sq. ft. Parking Ratio

MINIMUM NUMBER OF OFF-STREET PARKING SPACES FOR PERSONS WITH DISABILITIES: none

* Four parking spaces required by a special off-street parking plan for 700 E. 9th Avenue shall be located on 750 E. 9th Avenue. Six (6) parking spaces required for 750 E. 9th Ave. shall be located on 750 E. 9th Ave. Fourteen spaces for 750 E. 9th Avenue shall be provided pursuant to companion application on 901 Emerson St.

k:\zoning\clerical\word\pudapp1.doc
Rev. 1/1/98 Practitioner tenants shall be required to park at 901 Emerson St. Clients may park at 750 E. 9th Ave. or 901 Emerson St.

P.U.D. at

750 E. Arch Ave.

(Address)

Does this P.U.D. comply with the use and maintenance requirements of Section 59-585(2)-(9)? Yes No

Do the parking spaces and/or aisles in this P.U.D. comply with the requirements of Section 59-586, Chart No. 1? Yes No. If no complete the following section:

PARKING SPACE

Universal space dimensions	8.5 x 17.5
Compact space dimensions	8.0 x 15.5
Large space dimensions	n/a
Ratio of compact spaces to large spaces	3/7

DRIVING AISLES

Aisle widths	23
Angle of stalls	90°

Will this project contain parking for bicycles? Yes No If yes, bicycle parking requirements shall be (4) four. Will this (these) bicycle parking area(s) comply with the rules and regulations for dimensional and equipment standards of Section 59-582(e)? Yes No . If not, bicycle parking fixtures and locations shall be approved by the City Bicycle Planner (640-2453).

h. OFF-STREET LOADING

This project contains 0 off-street loading space(s). Will this (these) space(s) conform with dimensions required in Section 59-599? Yes No If not, off-street loading space dimension requirements shall be: _____.

i. SURFACE DRAINAGE

The rules and regulations of the Wastewater Management Division will require certain design and construction considerations to control surface water runoff. Does the site contain a flood hazard area as identified by the Federal Emergency Management Agency? Yes No Does the site contain wetland areas? Yes No For assistance in answering these questions, contact the Wastewater Management Division at 446-3400.

P.U.D. at 750 E. 7th Ave.
(Address)

j. INTERIOR STREETS, DRIVES, PARKING AREAS AND PEDESTRIAN WALKWAYS

Interior streets, drives, parking areas and pedestrian walkways within the P.U.D. district, if any, are shown on the District Plan.

k. EASEMENTS

Existing and/or proposed utility and/or access easements are shown on the District Plan or are located as follows: n/a.

l. LANDSCAPING AND BUFFERING

Areas to be landscaped must be shown on the District Plan. However, a more detailed landscaping plan may be required by the Planning Office as a part of this application. All foliage shall be maintained in a healthy, growing and safe condition. NOTE: A detailed landscaped plan is required as a part of the site plan review phase after the rezoning is approved.

MINIMUM NUMBER OF TREES ON PRIVATE PROPERTY: 4

MINIMUM SIZE OF TREES AT TIME OF PLANTING:

Evergreens/Coniferous (height):

Deciduous (caliper):

Ornamental (caliper): 1-1/2"

MINIMUM % OF EVERGREEN OR CONIFEROUS TREES: n/a

MINIMUM NUMBER OF SHRUBS ON PRIVATE PROPERTY: 30

MINIMUM SIZE OF CONTAINER AND HEIGHT AND/OR SPREAD REQUIREMENTS FOR PLANTED SHRUBS:

5 gal. min.
18"-24" min. height
spread

Does the proposed P.U.D. comply with parking lot landscaping requirements of Section 59-585(10) Yes No

NUMBER OF STREET TREES PROPOSED IN THE PUBLIC RIGHT OF WAY: 5

If street trees are proposed or required in the public right-of-way, such trees shall be installed in accordance with the requirements of the City Forester (964-2580). If street tree plantings are required within the right-of-way of a state highway, contact the Colorado Department of Transportation for approval

P.U.D. at

750 E. 7th Ave.

(Address)

(757-9930).

All foliage shall be maintained in a healthy, growing and safe condition.

FENCES AND/OR WALLS

The height of fences and/or walls which may be built in the P.U.D. district, except for the front setback space, shall be a minimum of 4 ft. and a maximum of 8 ft.

The height of fences and/or walls which may be built within the P.U.D. district front setback space shall be a minimum of 4 ft. and a maximum of 8 ft.

Size and types of materials permitted for such fences and/or walls are shown on the District Plan. Fences and/or walls shall be either solid and view obscuring or open and view permitting as required by the District Plan. **NOTE:** Any fence heights exceeding the preceding requirements shall be subject to Section 59-38(11), Overheight Fences and Walls.

Will earthen berms or mounds be installed? Yes No Such earthen berms or mounds shall be landscaped and shown on the District Plan. The height of earthen berms or mounds shall be a minimum of _____ ft. and a maximum of _____ ft.

m. BOAT, CAMPER, TRAILER AND RECREATIONAL VEHICLE STORAGE

Boat, camper, trailer and recreation vehicle storage is is not permitted on the property. All such storage facilities shall be shown on the District Plan. If boat, camper, trailer and recreation vehicle storage areas are permitted, screening fences ~~are required~~. Such fences shall be ~~solid and view obstructing~~. Fences shall be a minimum of _____ ft. and a maximum of _____ ft. in height.

MAXIMUM LENGTH OF BOAT, CAMPER, TRAILER AND/OR RECREATION VEHICLE PERMITTED: _____.

n. DEDICATIONS AND IMPROVEMENTS

The owner understands that City ordinances and agency rules and regulations may require the dedication of additional street right-of-way and the construction of certain public improvements. **VACATIONS AND/OR DEDICATIONS MUST BE APPROVED PRIOR TO OR AT THE PUBLIC HEARING ON THIS PROPOSAL.** If this proposal involves the vacation of certain public rights-of-way for incorporation into the project area, contact the Public Works Department at 640-5405.

P.U.D. at 750 E. 9th Ave.
(Address)

o. EXTERNAL EFFECTS

Vibration, heat, glare, radiation and fumes shall be regulated by Section 59-81(a) of the R-3 zone district.

Reflective glass ~~may be~~ ^{NOT} used.

Every use, unless expressly exempted, shall be operated within a completely enclosed structure. Yes No

p. NATURAL TERRAIN

The existing grade of the site ~~will be~~ ^{NOT} altered.

q. UTILITIES

Describe where the utilities (public and private) serving the property are located
Water main and gas main under Clarkson Street, sewer- in alley, electricity and phone- overhead in alley.

For information contact the following:

Denver Water Board	628-6100
U.S. West	451-2706
Public Service Company	571-6636
Wastewater Management	446-3590

r. SIGNS

The project is regulated by the following:

Section 59-537, Signs permitted in all districts

Section 59-538, Sign area measurement

Section 59- 548 , Sign regulations for the R-3 zone district, *except as noted below:*

If no specific regulations are referenced above, please indicate the following:

MAXIMUM NUMBER OF SIGNS: -----

MAXIMUM SIGN AREA: -----

TOTAL MAXIMUM SIGN AREA: 48 sq. feet

NUMBER OF GROUND SIGN AREA: -----

NUMBER OF JOINT ID SIGNS ALLOWED: -----

MAXIMUM SIGN AREA PER JOINT ID SIGN: -----

TOTAL MAXIMUM JOINT ID SIGN AREA: -----

TEMPORARY SIGNS ALLOWED: -----

NUMBER OF CANOPIES AND AWNINGS: -----

CANOPIES AND AWNINGS WILL BE BACKLIT? Yes No

NOTE: All ground, monument, and joint ID sign locations and setbacks must be shown on the District Plan.

s. **OUTDOOR STORAGE OF PRODUCTS, MATERIALS OR SOLID WASTE**

Outdoor storage of products and/or materials is is not permitted. If permitted, what products and/or materials are allowed? _____

_____ are not
Fences for outdoor storage areas ~~shall be~~ provided. Said fences are solid and shall be a minimum of _____ ft. and a maximum of _____ ft. in height.

Outdoor storage of solid waste is ~~not~~ permitted. If permitted, fences for such outdoor storage areas shall be provided. Said fences shall be solid and shall be a minimum of 4 ft. and a maximum of 6 ft. in height.

Trash enclosure shall utilize screening material with masonry matching the proposed building.

NOTE: All outdoor storage areas must be shown on the District Plan.

t. **TRANSPORTATION**

The current traffic volumes on streets in or adjacent to the project must be shown on the Existing Conditions Map. These volumes are available for major streets from the Transportation Engineering Division (640-3958), the Planning Office (640-2736) or may be estimated by the applicant based on a professional traffic study. Streets for which no estimate is available should be so noted on the Existing Conditions Map.

The projected traffic volumes (current traffic volumes on streets in or adjacent to the project + site generated traffic) must be shown on the District Plan. Site generated traffic should be estimated based on the proposed project type, size, and other relevant factors. Ratios for estimating traffic are available in the Institute of Transportation Engineers reference books at the library.

For projects with total daily site generated traffic of more than 200 vehicle trips, or for projects in areas with special problems, a more detailed analysis may be required, and the applicant should contact the Transportation Engineering Division for further guidance.

PUBLIC TRANSPORTATION

The nearest bus stop is located (where?): 8th and Washington, Northwest corner

P.U.D. at 750 E. 9th Ave.
(Address)

u. **SCHOOLS**

Future school sites **will not** be dedicated as a part of this project.

v. **HOME OCCUPATIONS**

Home occupations are permitted. If so permitted, home occupations shall conform to Section 59-80(7) of the R-3 zone district.

w. **USES BY TEMPORARY PERMIT**

Uses by temporary permit are regulated by Section 59-80(5) of the R-3 zone district.

x. **ACCESSORY USES**

Accessory uses are regulated by Section 59-80(6) of the R-3 zone district.

y. **INTERIM USES**

Prior to the development of this project, the property will be used on an interim basis for the following uses within the existing buildings: Parking for Consulate Healing Center until the beginning of construction for Annex.

z. **PHASING**

Will the project be developed in phases? Yes No. If yes, specify the phasing and the improvements to be constructed in each phase. _____

Anticipated starting date

Summer 2000

Anticipated completion date

Summer 2001

NOTE: A separate site plan review is required for all P.U.D.'s prior to obtaining zoning or building permits for construction. Contact the Zoning Administration (640-2191) for more details. This process may be started after the Planning Board hearing has been completed.

3. **WRITTEN STATEMENT**

On an attached page a written statement is given generally describing:

- a. The proposed P.U.D. and the market which it is intended to serve.
- b. The proposed P.U.D. and its relationship to the Denver Comprehensive Plan. Where the applicant's objectives are not in substantial conformance with the Denver Comprehensive Plan, the applicant should discuss the changing conditions that justify approval of the proposed P.U.D. District. For help on

P.U.D. at 750 E. 9th Ave.
(Address)

this contact the Planning Office (640-2736).

- c. How, the proposed P.U.D. District is to relate to the character of the surrounding neighborhood.

4. EXISTING CONDITIONS MAP

The Existing Conditions Map is attached following the written statement described above.

5. DISTRICT PLAN

The District Plan is attached following the Existing Conditions Map.

This application includes the following listed and attached drawings or renderings:

- architectural concepts
- building elevations
- facade treatments
- exterior building materials
- landscape plan
- and/or other important features (list): Setback exceptions (Exhibit C); parking plan.

6. ACKNOWLEDGMENT

The applicant for this P.U.D. is the owner or owners of all the property contained within the proposed P.U.D. District or is the agent for the owner of owners of all the property contained within the proposed P.U.D. District. **NOTE:** Agents must supply proof of agency from the owner or owners of the property at the time of application.

The applicant understands that vested property rights shall be created ninety (90) days after the approval of this District Plan by the Denver City Council. These vested property rights shall remain vested for a period of three (3) years in accordance with Section 59-29.

Karlton Terry
Print or type Applicant's Name(s)


Applicant's Signature(s)

P.U.D. at 750 E. 9th Ave. (Address)

PUD SUMMARY SHEET

Application # 4442 (Revised)
 Address/Location 750 E. 9th Avenue
 Total Land Area 0.148 Acres

Permitted Uses	
Use A	Parking of vehicles (below grade)
Use B	Clinic office, medical or dental, as limited in <i>2a page 2</i>
Use C	Two dwelling units maximum.

	Proposed Uses			
	Use A	Use B	Use C	Total
Maximum Gross Floor Area (sq. ft.)	7,000 sq ft.			7,000 sq ft.
Floor Area Ratio (nonresidential uses)	1,084:1			1,084:1
Maximum Number of Dwelling Units	2			2
Density (dwelling units per acre)	13.5 DU per acre			13.5 DU per acre
Land Coverage				
Buildings:	3340.2 sq ft.			3340.2 sq ft.
Drives and Parking:	500			500
Other impervious surfaces	1,441 sq. ft.			1,441 sq. ft.
Parking				
Number of Spaces	10			10
Ratios (spaces:gross floor area):	1:1, 167			1:1, 167
Landscaping				
Area of Live Landscaping (sq. ft.):	1176.8 sq. ft.			1176.8 sq. ft.
Area of Non-Live Landscaping (sq.ft.):	0			0

Building Setbacks					
North	10	feet	Front		feet
South	5	feet	Rear		feet
East	20	feet	Side		feet
West	10	feet			

Parkway Setbacks					
Buildings	n/a	feet	Signs	n/a	feet
Required Separation Between Buildings:			n/a	feet	
Maximum Building Height					
Stories	2 (plus below grade park.)		Feet	35	

NOTE: FOR COMPLETE PUD REQUIREMENTS, REFER TO APPLICATION # 4442 (Revised)

EXHIBIT A

3. WRITTEN STATEMENT

- 3a. The proposed PUD is a structure to provide naturopathic and holistic practitioners treatment rooms similiar in nature to the National Historic Registered Building across the alley, The Consulate Healing Center, which has been operating in the neighborhood for over seven years. A meeting room/ workshop space as well as a theraputic Watsu pool will be included. While the tenants of the building are licensed degreed professionals, the market served by the PUD are individuals in the neighborhood and surrounding neighborhoods who are interested in improving their health and happiness.
- 3b. The proposed PUD satisfies the Denver Comprehensive Plan for our neighborhood in the following ways:

Parking Principal parking for the Consulate Healing Center Annex is substantially below grade and minimizes visual impact in the neighborhood. To preclude the possibility of increased parking density on the street, 14 additional off-street parking spaces for 750 E. 9th Avenue are provided pursuant to companion application at 901 Emerson Street.

Encouraging Business Diversity Our building is a "small pedestrian oriented building" which encourages the small business practices of individuals in naturopathic and holistic health practices. Diversity is encouraged because unlike practitioners in our existing health center, the annex will have a chiropractor, a yoga teacher, and Watsu practitioners.

Historic Preservation Issues The Consulate Healing Center Annex will look very similiar to the National Historic Consulate Healing Center Building. The Annex's "flagstone sidewalk" will be "preserved and repaired". Streetscape improvements will be undertaken and the structure will be "architecturally interesting" and "historic" in appearance.

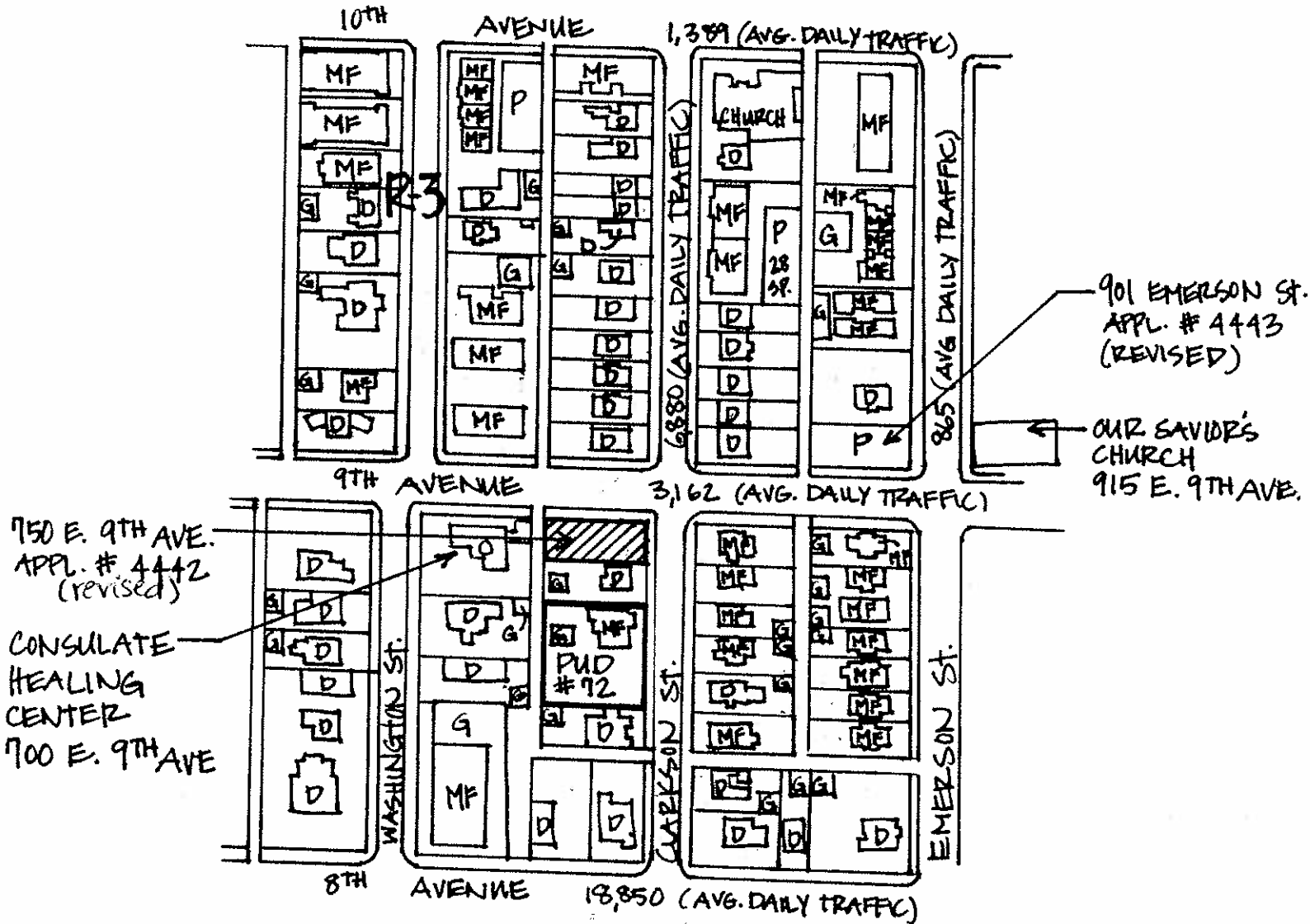
- 3c. The proposed PUD District will reflect the architecture of the Landmark Mansion, now called The Consulate Healing Center Building. It will appear residential in nature with brick and wood surfaces similiar in height to the surrounding structures. It will fit in with the more historic and elegant buildings in the neighborhood.

Exhibit C

Setback Exceptions

- 1) Stairs may encroach any distance into North setback space, eight (8) feet into West setback space, and four feet six inches (4'6") into South and East setback spaces.
- 2) Unwalled terraces may encroach eight (8) feet into East and West setback spaces.
- 3) Unwalled terraces may encroach five (5) feet into South setback space.
- 4) Bike racks may encroach any distance into the East or South setback spaces.

PROJECT AREA = 0.148 ACRES



NORTH

EXISTING CONDITIONS MAP

SCALE: 1" = 200'



0' 100' 200'

LEGEND

- O OFFICE
- D SINGLE UNIT DWELLING
- G GARAGE
- MF MULTIPLE UNIT DWELLING
- P PARKING
- PROPOSED P.U.D.

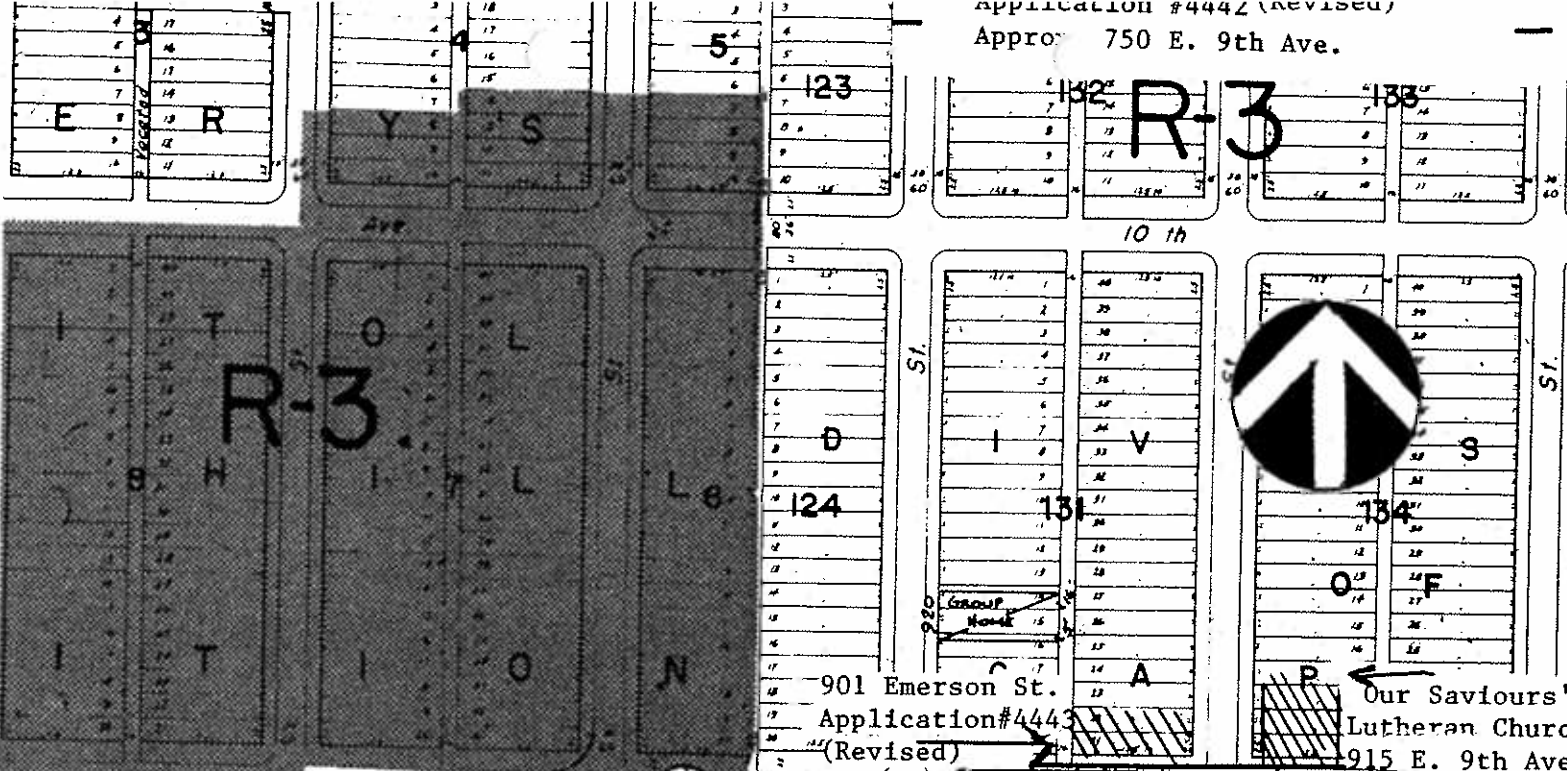
APPLICATION NO. #4442 (REVISED)

750 E. 9TH AVENUE

JUNE 2000

MURPHY • STEVENS
Architects

1517 Blake, Suite 202, Denver, CO 80202
 (303) 825-2595 (Fax) 825-2597
 (800) 896-2595 murphystevens@h2net.net

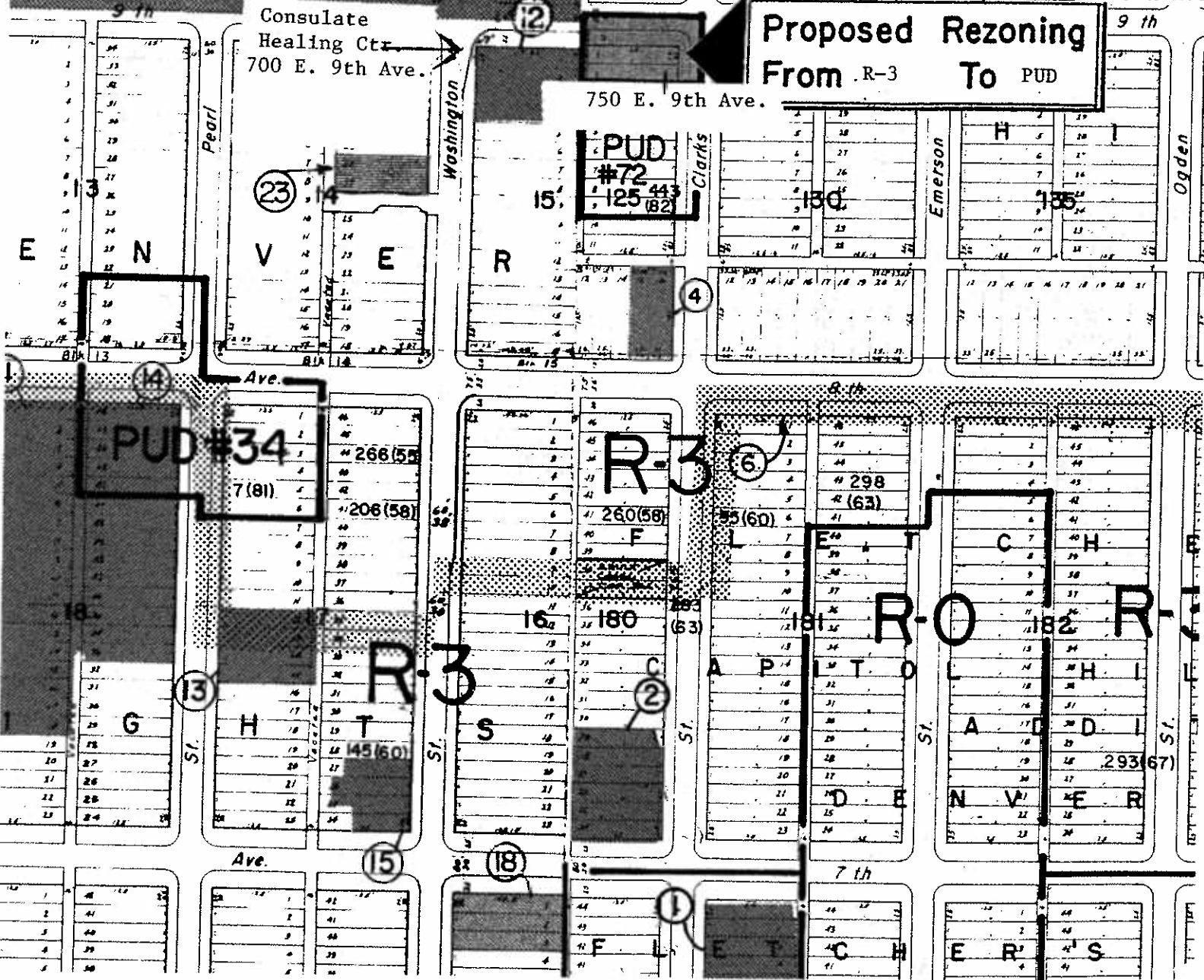


Consulate
Healing Ctr
700 E. 9th Ave.

Proposed Rezoning
From R-3 To PUD

750 E. 9th Ave.

PUD
#72
125 443
82



PUD #34

R-3

R-O

R

**CITY AND COUNTY OF DENVER, COLORADO
REGISTERED NEIGHBORHOOD ORGANIZATION
POSITION STATEMENT**

Following a vote of the Registered Neighborhood Organization, please complete this form and email to rezoning@denvergov.org. You may save the form in *.pdf format if needed for future reference. Questions may be directed to planning staff at rezoning@denvergov.org or by telephone at 720-865-2974.

Application Number	20221-00167
Location	750 East 9th Avenue
Registered Neighborhood Organization Name	Strong Denver
Registered Contact Name	John Inzina
Contact Address	1255 N Ogden St APT 102, Denver, CO 80218
Contact E-Mail Address	DenverVoters@gmail.com
Date Submitted	12/4/22

As required by DRMC § 12-96, a meeting of the above-referenced Registered Neighborhood Organization

was held on , with members in attendance.

With a total of members voting,

voted to support (or to not oppose) the application;

voted to oppose the application; and

voted to abstain on the issue.

It is therefore resolved, with a total of members voting in aggregate:

The position of the above-referenced Registered Neighborhood Organization is that Denver City Council

Application # .

Comments:

Planning Board Comments



Submission date: 13 February 2023, 2:38PM
Receipt number: 474
Related form version: 3

Your information

Name	Nina Pesochinsky, PsyD
Address or neighborhood	750 E. 9th Avenue, Suite 109, Denver, Colorado
ZIP code	80203
Email	nina@earthnet.net

Agenda item you are commenting on

Rezoning

Rezoning

Address of rezoning	750 E. 9th Avenue, Denver, CO 80203
Case number	20221-00167

Draft plan

Plan area or neighborhood

Proposed text amendment

Project name

Historic district application

Name of proposed historic district

Comprehensive Sign Plan

Address of comprehensive sign plan

Case number

DURA Renewal Plan

Address of renewal project

Name of project

Other

Name of project you would like to comment on

Submit your comments

Would you like to express support or opposition to the project? **Strong opposition**

Your comment:

Dear Zoning Board Members,

Thank you for this opportunity to submit my comments in opposition of the proposed rezoning of this beautiful property. I am a multi-lingual, multi-cultural Doctor of Psychology in private practice at 750 E, 9th Avenue, Suite 109, Denver, CO 80203, since 2012. I have been teaching dance at the same location in a different suite upstairs since 2006.

In 2001, a friend who was a practitioner of five element acupuncture planning to soon move into our then newly constructed building showed it to me prior to its completion and I was stunned by the beauty of the interior clearly designed for healing. It was obvious that the creator of the building, Karlton Terry has poured his heart, soul and creativity into constructing something that was completely dedicated to healing arts. Even now, all these years later, it is obvious that he spared no expense creating a unique,

welcoming, and beautiful space.

This building became the only place where I wanted to base my private practice. My first private practice was briefly located elsewhere, and I had to wait for a space to become available because no one was moving out and many practitioners were there from the beginning having no plans to move anywhere else.

Our building remains the only center dedicated to healing arts, which allows all of us to refer and introduce our often multi-lingual, multi-cultural clients to other practitioners that our clients would not discover on their own due to lack of knowledge of existence of the resources that may be available and that we offer in the building. Having many healing arts present in one location makes them accessible to individuals from different walks of life including minorities, such as my Hispanic clients, newly arrived Ukrainian and Russian refugees with no transportation, and LGBTQ clients many of whom have been grateful to have our healing center within the walking distance from their homes or community centers or medical clinics around Downtown.

The value of the diversity of the healing practices housed together within our building must not be overlooked. Many practitioners work with under-served populations and minorities who may not have access to these services otherwise because they have no transportation. Our location is within walking distance of many neighborhoods and easily accessible by public transport.

The building is unique. It has a beautiful yoga room upstairs that has antique plaster fixtures from Argentina and exquisite bamboo parquet floor. Unfortunately, it was converted into more offices by the current owner, but it probably could be returned to its full glory. There is a Japanese Watsu pool on the first floor, which is extremely valuable and rare for Watsu therapies and massage. Unfortunately, the current owners of the building have not promoted or utilized these resources, but they remain available to integrate more diverse practices into an already busy and full healing center expanding further its offerings to the community and financial stability of the property.

The interdisciplinary healing arts that are present in our

building are essential to the community and they must continue being presented together in one central location. This was Karlton Terry's vision to fill a void in the community and he succeeded. And all of us that have remained in the building for many years have carried forward his vision.

Our building is extremely busy. Most of the tele-practitioners have left after the pandemic because they no longer needed office space. Then many new practitioners that work in person moved in. The building is full. According to the building website, there are no vacant office spaces. Our waiting rooms are full every day, including Saturdays.

I know of no other integrative healing center in Capitol Hill or other central neighborhoods. I do not know of another healing center anywhere else other than in Boulder.

Any change in the zoning of the building for any other use will carry a risk of a great loss of services that the healing center is providing for an extremely densely populated community of several ethnically, economically, and culturally diverse communities.

Please do not hesitate to contact me at 720-434-4342 if I may be able to answer any questions that you may have or provide additional information.

Thank you very much for reading this note. This matter is very important to me and to all of us who are practicing in our beautiful building and serving our community. I appreciate your time and attention.

Warm regards,

Nina Pesochinsky, PsyD, LPC
720-434-4342

If you have an additional document or image that you would like to add to your comment, you may upload it below. Files may not be larger than 5MB.

Planning Board Comments



Submission date: 10 February 2023, 11:17AM
Receipt number: 470
Related form version: 3

Your information

Name	Linda K Rice
Address or neighborhood	750 E 9th Ave Denver CO
ZIP code	80203
Email	lindalcsw99@hotmail.com

Agenda item you are commenting on

Rezoning

Rezoning

Address of rezoning	750 E 9th Ave Denver CO 80203
Case number	#20221-00167

Draft plan

Plan area or neighborhood

Proposed text amendment

Project name

Historic district application

Name of proposed historic district

Comprehensive Sign Plan

Address of comprehensive sign plan

Case number

DURA Renewal Plan

Address of renewal project

Name of project

Other

Name of project you would like to comment on

Submit your comments

Would you like to express support or opposition to the project? **Strong opposition**

Your comment:

This building is called The Capitol Hill Healing Center. It is a Healing Arts building which houses 23 offices occupied by many Practitioners in the Healing Arts discipline such as Mental Health Therapists, Massage Therapists, an Acupuncture Studio, a Chiropractor, a Natural Path Practitioner and many others who offer services for health and well being. I myself, Linda K Rice, am a Licensed Clinical Social Worker. My clients include members of the Military who use their free counseling sessions with the Military One Source, employees of companies using free counseling with their Employee Assistance Programs, and I am credentialed with most insurance companies. Most of my clients come into the building for face to face counseling. We have 3 waiting rooms in the building which are occupied by patients waiting to see their particular Therapeutic Practitioner. We are open seven days a week. Many people walk to The Capital Hill Healing Center as they live in the neighborhood. I have practiced in this building for over 14 years. I and my colleagues are heart sick over the possibility that we may lose this beautiful building because the owner wants to sell and make a profit. There are numerous apartment buildings in the area and the need for another, in place of a unique Healing Center, does not serve members of this community. With the above information, I am requesting that the Planning Board oppose this rezoning request

If you have an additional document or image that you would like to add to your comment, you may upload it below. Files may not be larger than 5MB.

From: [Sandra Easter](#)
To: [Planningboard - CPD](#)
Subject: [EXTERNAL] Zoning change: Zoning change from PUD 499 to G-MU-3 Case number: 2022I-00167
Date: Wednesday, February 8, 2023 8:47:24 PM

I'm writing to object to the proposed zone change for the building at 750 E 9th Ave. I'm a psychotherapist who rents an office in this building. I've read the proposal which states that one of the reasons for this proposed change is that therapists are now seeing clients virtually and are no longer seeing clients in person. While it's true that virtual sessions are now an option for both therapists and clients, most of my clients prefer in-person sessions. This is true for many of the psychotherapists I know. The need for more office space for psychotherapists is crucial as most of us are now going back to working with clients in person. It's even more crucial because more people are seeking therapy now than before. Taking care of one's mental health is now recognized as essential as getting a yearly physical.

This building was originally conceived of as a healing center - the Capitol Hill Healing Arts Center. It's not only psychotherapists who have offices at CHHC; there are acupuncturists, massage therapists, Reiki practitioners, hypnotherapists and a nurse practitioner who specializes in psychotherapeutic medications. It truly is a healing arts center.

Many of my clients live in this area - Capitol Hill, Congress Park, all along Speer Blvd, and Wash Park. This building and the practitioners who rent space provide a valuable service to the surrounding community. I've had clients see other practitioners here for massage and acupuncture. And have referred friends and spouses of clients to other psychotherapists in the building. It really is a healing center. There's nothing like it in this area.

During Covid we couldn't see clients in person. Many of us were fortunate to be able to continue to offer services virtually. The practitioners who could, continued to rent space in the Center but many couldn't afford to continue paying rent resulting in offices being vacant reducing the income for the owner. I know the owner must have suffered significant financial losses as a result. As of today, all of the offices are occupied. It might make financial sense to either sell the building to a developer or to gut and remodel the offices into apartments, but the loss of this asset to the community would be significant. And, I believe, now that the building is fully occupied, the income for the owner will increase and be consistent.

With regard to the proposal's assertion that the center is no longer needed; that instead more residential spaces are needed - that isn't supported by the facts. I did a google search for office rentals and for residential - apartment or home - rentals in the area. There's an abundance of residential offerings and only one office space that would possibly work for a psychotherapist. And nothing that would work for any of the other practitioners. The offices in this building are specifically designed to meet the needs of a variety of practitioners. From this simple google search it seems that office space for practitioners is needed much more than more residential space for this area.

The building itself is beautiful and the offices and layout are specifically designed for practitioners to have the optimal space to do their work. I've never had an office or a building environment that was as supportive of the work I do as this one. I know the other practitioners who rent here feel the same way.

If this building is replaced by a residential apartment building, it will be a loss to so many

people - clients, practitioners and the community. I've had people who are just walking by 750 ask me what we do in the building. It often leads to them coming in and getting the card or cards for practitioners in the building. The clients I've told about this rezoning are so upset that they're taking the time to write to you directly. It's a place where people who need healing feel comfortable and cared for. The building itself and the understanding between practitioners of what kind of atmosphere supports healing is an important part of this. I've worked in offices in beautiful buildings that have lawyers, accountants, photographers. The atmosphere is completely different. The clients who have seen me in both kinds of spaces not only prefer this center, but aren't happy with the idea of losing this kind of safe space.

The proposal states that the intention is to preserve the uniqueness and beauty of the building modifying it only on the inside. I have little confidence that what is written in the proposal will be honored especially if it's sold to a developer. The proposed change is for a 3-5 story building. This building is 2 floors.

I encourage the Board to consider this proposed zoning change carefully with regard to the needs of the community and the uniqueness of what is offered. This building is devoted to supporting practitioners who serve healing and well-being in the variety of ways we all do. This building and what is offered here is much needed at this time.

I try to see the line which leads through my life into the world, and out of the world again. ~
Carl Jung

Sandra Easter, PhD

805-705-4892

<https://www.sandraeasterphd.com>

From: Crystal Siddall <marieburnsc@gmail.com>

Sent: Thursday, February 9, 2023 7:22 PM

To: Penafiel Vial, Maria F. - CPD CE0429 City Planner Senior <Francisca.Penafiel@denvergov.org>

Subject: [EXTERNAL] Case # 2022I-00167

Hello Tony,

My name is Crystal Siddall and I wanted to reach out to you in regards to the zoning change for 750 E. 9th Ave. This building is full of medical practices that individuals including myself use. I see a therapist who runs her private practice in this building. She just moved in there after renting a space off of 10th street and Logan. Her original space was just not safe. If the city rezone this building that leaves hardly anywhere for these private practices to go. The amount of rental space for practices in that area is far less sparse than apartments. The ripple affect for this rezoning idea can seriously negatively impact a lot of us. Especially for someone like myself who has lived in the Denver area her whole life. Please reconsider and keep the building as is.

Have a great day.

Crystal

From: [Joan Rowland](#)
To: [Planningboard - CPD](#)
Cc: [dencc - City Council](#); [City Council District 10](#); [Clark, Haley - CC YA2245 City Council Aide](#); [Oren, Shelly - CC City Council Aide](#)
Subject: [EXTERNAL] Zoning Change: Zoning Change from PUD 499 to G-MU-3 Case number : 20221-00167
Date: Thursday, February 9, 2023 4:55:16 PM

I am writing to object to the proposed zone change for the Capital Healing Arts Center at 750 East 9th Avenue. I am a patient of one of the practitioners who has an office in this building. It is a lovely building and an asset to Capital Hill and the surrounding areas. One of the reasons given for the proposed change is that therapists are no longer seeing their clients in person, and therefore are not using their offices. I vehemently disagree. I see my therapist IN PERSON for every appointment and so do all the other people I see in the building. I feel safe and protected in this beautiful building. It is truly a healing center. Please consider this proposal carefully with regards to the needs of the community that use it.

Kind Regards

Joan Rowland

From: Jill Reiter <Jill@jillreiterlcswpllc.com>

Date: February 13, 2023 at 10:47:38 PM MST

To: "Penafiel Vial, Maria F. - CPD CE0429 City Planner Senior" <Francisca.Penafiel@denvergov.org>

Subject: [EXTERNAL] 750 E 9th Ave Re zoning hearing Feb 15th

I am a Licensed Clinical Social Worker in private practice serving families who struggle with separation and divorce. I office in the Capital Hill Healing Center at 750 E 9th Ave, with other wonderful practitioners. Our unique building is a place of solace and healing for so many! The safety and security of this unique building is something that we will not be able to recreate if our building and those in control of zoning give in to creating yet another high rise dwelling in an already overcrowded area. Our center offers something that benefits the community at a different level. Our city needs healing not just housing units. Please consider the need for healing professionals in the heart of an urban community and the accessibility that the Capital Hill Healing Center provides. Help us preserve our professional impact on a community that genuinely needs our services.

From: Allison Lewis <allisonlew22@gmail.com>

Date: February 13, 2023 at 9:34:03 PM MST

To: "Penafiel Vial, Maria F. - CPD CE0429 City Planner Senior" <Francisca.Penafiel@denvergov.org>

Subject: [EXTERNAL] Zoning change from PUD 499 to G-MU-3 Case number: 20221-00167

Good evening,

I'm emailing you with regard to a proposed zoning change at 750 E 9th Ave. The zoning is specifically for the Capitol Hill Healing Arts Center. The hearing for this proposal is scheduled for February 15.

My therapist is based out of this building. I began seeing her virtually in 2020, and have been seeing her in person for almost a year now in her office at 750 E 9th Ave. It's been extremely convenient for me as I live about 5 minutes away, parking is easy, access is easy, and I know how much she enjoys her office space.

I always see guests in the building visiting other practitioners. The need for this building space for them to offer their services is clearly needed, and heavily utilized by clients.

I encourage the Board to consider this proposed zoning change carefully with regard to the needs of the community and the uniqueness of what is offered. This building is much needed at this time.

Thank you,
Allison Lewis

From: [Carrie Reel](#)
To: [Planningboard - CPD](#)
Subject: [EXTERNAL] Zoning change: Zoning change from PUD 499 to G-MU-3 Case number: 2022I-00167
Date: Monday, February 13, 2023 5:49:52 PM

To Whom it May Concern,

I'm emailing you in regard to a proposed zoning change at 750 E 9th Ave. The zoning is specifically for the Capitol Hill Healing Arts Center.

I've been a patient of a practitioner at the CHHC (Capitol Hill Healing Arts Center) for almost a year and am very upset to hear of the proposed rezoning and conversion of the building. The CHHC has been a sanctuary of healing for me personally, and to lose such a space would be devastating. The loss of such a space, as well as all the inconveniences of a major construction project, would be a huge burden to the businesses and members of the surrounding community as well.

The offices are dedicated to practitioners focused on healing modalities for the body, mind and spirit. Walking through the doors evokes a feeling of sacredness and calm that I have never experienced anywhere else. It is quiet, private, and very peaceful - not a typical office building or medical complex. I have an online business that I run out of a small, multi-use office building and there is a night and day difference from the atmosphere of the CHHC. The office building I work out of houses a security company, a construction company, a recording studio, a small used car dealer, and more. There are times when it is loud, dirty, busy, and chaotic. I am happy to run my small business out of this type of space, but I can't imagine going there for any kind of care or healing. Not all spaces are conducive to what these practitioners offer. To suggest that it would be a simple matter for these practitioners to just find another office space does not take into account the environment needed for people to feel comfortable and safe in their search for well-being. People need places like the CHHC, especially after the turmoil and strain of the last few years. Virtual appointments are wonderful, but there is no substitute for the profound shifts that can happen when given in-person care within a safe space.

The conversion to residential space, as well as adding a 3rd or 4th story to the building, would mean that most, if not all, of the lovely existing finishes and fixtures of the current offices would go into a landfill. The surrounding residents and business would have to deal with at least a year of noisy heavy machinery, closed down streets, and construction debris, just to create a few more, probably overpriced, apartments in an area that already has many unoccupied (non-affordable) housing units. The horrible waste of time and resources, negative impact on the surrounding community, and loss of access to essential therapies in an intentionally designed space, far outweigh any potential gain from converting the CHHC to a residential building. The CHHC is a peaceful anchor for the community and provides so much to so many, myself included.

Sincerely,

Caroline Reel

Sent from my iPhone

Lechuga, Tony D. - CPD CE0429 City Planner Senior

From: Penafiel Vial, Maria F. - CPD CE0429 City Planner Senior
Sent: Tuesday, February 14, 2023 12:32 PM
To: Lechuga, Tony D. - CPD CE0429 City Planner Senior
Subject: FW: [EXTERNAL] Attending tomorrow's meeting

From: Sandra Easter <sandraeasterphd@yahoo.com>
Sent: Tuesday, February 14, 2023 12:02 PM
To: Penafiel Vial, Maria F. - CPD CE0429 City Planner Senior <Francisca.Penafiel@denvergov.org>
Subject: [EXTERNAL] Attending tomorrow's meeting

I'm writing to let you know that I was planning to be at tomorrow's meeting regarding the rezoning of 750 E 9th Ave, Capitol Hill Healing Arts Center. I submitted an email last week that will be included in the board's package. Thank you for including that.

I was planing to attend and speak at the hearing tomorrow but will be unable to because of 2 client emergencies. One of my clients has just been diagnosed with a very serious illness and the other has been suicidal. Although I'm deeply concerned about the possibility of the center being replaced by apartments and hoped to communicate that in person tomorrow, my first priority is my responsibility to the well being of my clients. I'm sorry I won't be able to attend. I would appreciate it if you could share this with the Board members. I didn't want them to think that it wasn't important enough for me to be there tomorrow.

Thank you for your service to the city in this way.

I try to see the line which leads through my life into the world, and out of the world again. ~ Carl Jung

Sandra Easter, PhD

805-705-4892

<https://www.sandraeasterphd.com>

Planning Board Comments



Submission date: 15 February 2023, 2:37PM
Receipt number: 480
Related form version: 3

Your information

Name	Linda K Baird
Address or neighborhood	750 E 9th Ave #201
ZIP code	80203
Email	firewoman619@gmail.com

Agenda item you are commenting on

Rezoning

Rezoning

Address of rezoning	750 E 9th Ave
Case number	20221-00167

Draft plan

Plan area or neighborhood

Proposed text amendment

Project name

Historic district application

Name of proposed historic district

Comprehensive Sign Plan

Address of comprehensive sign plan

Case number

DURA Renewal Plan

Address of renewal project

Name of project

Other

Name of project you would like to comment on

Submit your comments

Would you like to express support or opposition to the project? **Strong opposition**

Your comment:

The Capitol Hill Healing Center was build in 2022 by Karlton Terry as a healing center (formerly the Consulate Healing Center). I am an original tenant of this building. I knew Karlton personally. This building has widely served the community with mental health and healing practices for over 20 years. We, as tenants, have our businesses tied to this building. It would be a tragedy and disservice to the community to allow this building to be rezoned residential, as well as displacing all of our businesses. Additional residences would also pose an additional parking issue. I strongly oppose rezoning and ask that the City consider the needs of the community and our businesses.

If you have an additional document or image that you would like to add to your comment, you may upload it below. Files may not be larger than 5MB.

From: [Katie Hoadley](#)
To: [Rezoning - CPD](#)
Subject: [EXTERNAL] 750 East 9th Avenue - City Council Meeting 4/10
Date: Thursday, March 30, 2023 11:04:47 AM

To City Council, re: the rezoning of 750 East 9th Avenue:

Dear Councilmembers,

My name is Katie Hoadley. I'm a Denver resident and I have lived in the Capitol Hill neighborhood since 2016. I have been a client at the Capitol Hill Healing Center since the summer of 2019. This center is a fantastic resource for the wellbeing and mental health of residents in Capitol Hill. I have benefited tremendously from its location in my neighborhood, as it is well within walking distance from my apartment.

I understand that there is an effort to rezone this building in favor of it being refitted as an apartment building. I must voice my opinion that this building should remain as it is: a critical mental health resource for residents of Capitol Hill.

While I understand that the City of Denver is undergoing a housing crisis, apartments in newer buildings, such as 750 East 9th Avenue (c. 2002), typically retain pricing that is out of reach for individuals such as myself. I make well below the median annual salary in Denver of \$61,700. The average Denver rental, according to the Denver Post in January of this year, is \$1,838; to afford this rent and not be at a significant rent burden, an individual would have to bring in a salary of nearly \$80,000/year. As someone who is employed at a non-profit, this is out of my reach and the reach of many young Denver residents; this apartment building will only aid in housing those who are comfortably in the middle class.

I am, however, able to afford the services provided by my therapist, at \$25 per session as my co-pay. Many therapists in the area do not accept insurance or are out of my health insurance network. I rely on this mental health service and my ability to access it easily.

Additionally, it is cited by the owner of 750 E. 9th Street that many therapists are moving to hybrid or fully remote positions; a quick review of therapy apps such as *Betterhelp* reveals poor business practices where private mental health data is shared with companies such as Facebook and Google, expensive rates, and claims that they burden therapists with unrealistic caseloads. I value my ability to visit my therapist in-person and in a clean and safe environment.

Denver needs to prioritize affordable mental health resources for its community over the profit driven rental market. Please take time to consider the overall benefits that the Capitol Hill Healing Center provides for its community.

Thank you for your time,

Katie Hoadley

From: [linda rice](#)
To: [Rezoning - CPD](#)
Subject: [EXTERNAL] rezoning for 750 E 9th Ave 80203
Date: Wednesday, March 29, 2023 4:02:03 PM

Dear Council Members,

I am writing in regard to the vote to rezone my office building at 750 E 9th Ave Denver 80203 on April 10, 2023. The name of our building, The Capitol Hill Healing Center, is exactly what the name implies. The building was constructed in 2002 because of one mans' vision, Carlton Terry, to have a healing space where practitioners could offer people in our community services for healing their mind, body and spirit. We have over 23 offices in this sacred space. Some of the practitioners are Mental Health Therapists, some are Massage Therapists, we have an Acupuncture Studio, a Chiropractor, a Marriage and Family Counselor and several Naturopathic Practitioners just to name a few. All are licensed professionals who offer their services to local people who can walk, take public transportation or drive from farther distances. The need for these services vs another apartment building can hardly be considered a superior choice. Would you tear down the King Soopers at 9th and Corona to build more living space? I hardly think so. The need for this building to remain as it is abundantly clear.

Nearly 94,000 residents have reported experiencing poor Mental Health in 2019, enough to fill Coors Field 2 times over. Mayor Michael Hancock reported this statistic in his report "Road To Wellness, A Strategic Framework To Improve Behavioral Health in Denver. To take this wonderful building away would be a tragic loss for the clients who come here for help, and for the Practitioners who make their living in these lovely healing spaces. There is no other building of this kind in Denver, the exterior and interior has a healing effect by just being in it. It has no sterile office atmosphere and the clients feel comfortable and at ease in these dedicated offices.

I, myself, am a Licensed Clinical Social Worker practicing Behavioral Health. I see a wide variety of people needing my services. I am a Military One Source Provider helping the Military men and women in active duty as well as some Veterans and their families. I am an Employee Assistance Provider where employees of major and small companies can utilize their EAP benefits for urgent personnel problems. I am a Provider with many national insurance companies in which policy holders can receive mental health therapy using their benefits. I have practiced in this Center for over 12 years.

The number of people walking through these doors are abundant. All the waiting rooms are full. We all have leases that the owner has threatened to break which brings the legality of this rezoning proposal into question. The clients will suffer, the practitioners livelihood is a big concern as well. To pass this proposal would be a disastrous mistake for the citizens of Capitol Hill and the City and County of Denver.

With Kind Regards,
Linda K Rice, LCSW

From: [Rezoning - CPD](#)
To: [Weigle, Elizabeth K. - CPD Rezoning Planning Supervisor](#)
Subject: EXTERNAL] Capitol Hill Healing Center
Date: Thursday, April 6, 2023 12:01:25 PM

From: Sarah Callaway <sarah.v.callaway@gmail.com>
Sent: Thursday, April 6, 2023 10:09 AM
To: Rezoning - CPD <Rezoning@denvergov.org>
Subject: [EXTERNAL] Capitol Hill Healing Center

Hello,

My name is Sarah Callaway and I am a tenant of the CHHC in Room 204. I have been using this space to see clients since 2016. I LOVE this space and the character of the building. It is such a lovely place for my clients and my fellow colleagues. The location and parking make it such a gem in the city. Please consider our suggestions to keep the zoning in place so we can continue practicing here.

Sarah Callaway
Sent from my iPhone