



TO: Denver Planning Board
FROM: Sara White, AICP, Senior City Planner
DATE: August 29, 2018
RE: Official Zoning Map Amendment Application #2018I-00007

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2018I-00007.

Request for Rezoning

Address: 3740-3750 York St.
Neighborhood/Council District: Clayton / City Council District 9
RNOs: UCAN; The Points Historical Redevelopment Cop.; Five Points Business District; Clayton United; Opportunity Corridor Coalition of United Residents; Cole Neighborhood Association; Denver Arts and Culture Initiative; Inter-Neighborhood Cooperation
Area of Property: 212,974 square feet or 4.89 acres
Current Zoning: U-MX-3, B-2 with Waivers and Conditions
Proposed Zoning: PUD-G 20
Property Owner(s): Multiple, see application
Owner Representative: Frederick D. Glick

Summary of Rezoning Request

- The properties are located on the east side of York Street, north of 37th Avenue and in the northwest portion of the Clayton neighborhood.
- The property contains several structures used in the World War II-era as army supply depot offices and currently contains a mix of office uses. The property owners propose to rezone the property for redevelopment that includes the reuse of those older structures.
- The property owner seeks custom zoning to allow for flexibility in accommodating development while preserving the existing World War II-era buildings.

The proposed **PUD-G 20** is based upon the **I-MX-3** (**I**ndustrial-**M**ixed **U**se, **3**-story) zone district in Subarea A and the **U-MX-3** (**U**rban-**M**ixed **U**se, **3**-story) zone district in Subarea B.

The proposed redevelopment of the subject property in Subarea A would be subject to the I-MX-3 zone district standards with several exceptions. Those deviations include:

- Flexibility in the reserved area of a phased development in order to allow additions to existing buildings and development of new buildings to the rear without complying with the typical reserved area for future development along the primary street,
- Public open space shall be required to provide significant public benefit, and
- The build-to may be measured from the required open space.

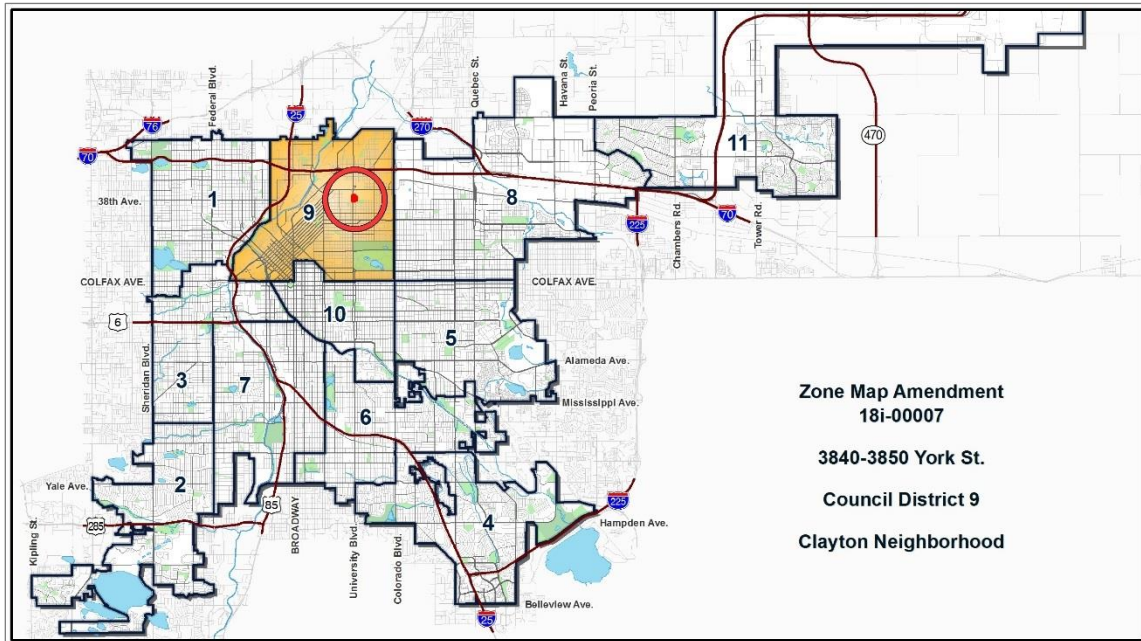
The proposed redevelopment of the subject property in Subarea B would be subject to the U-MX-3 zone district standards with several exceptions. Those deviations include:

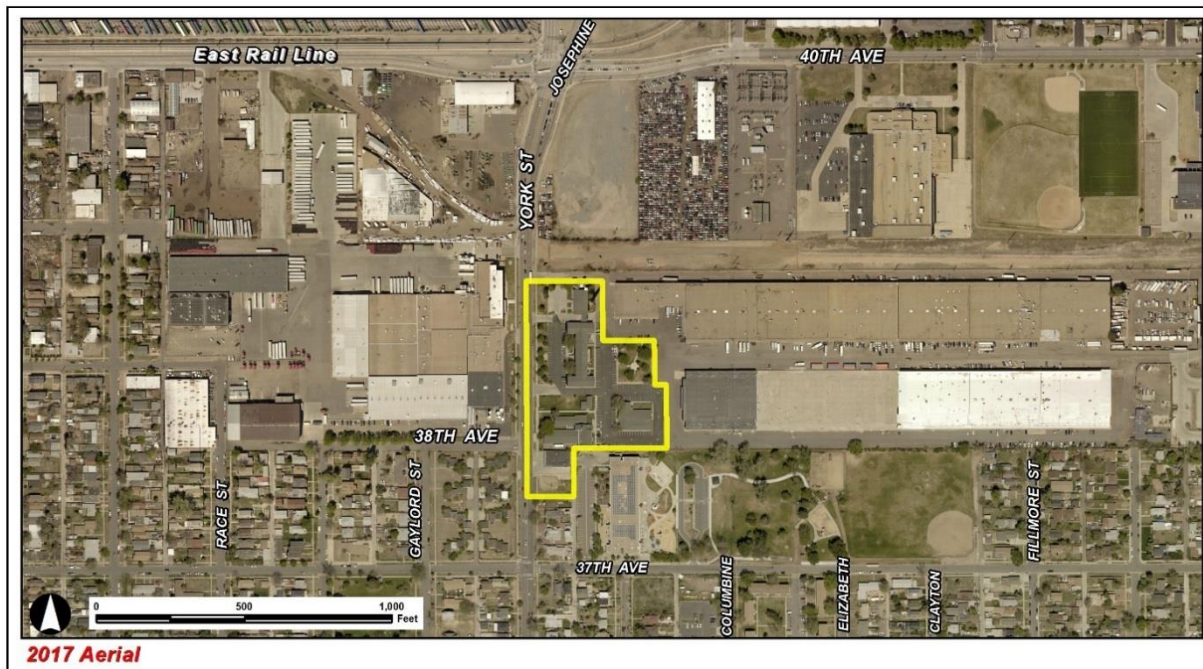
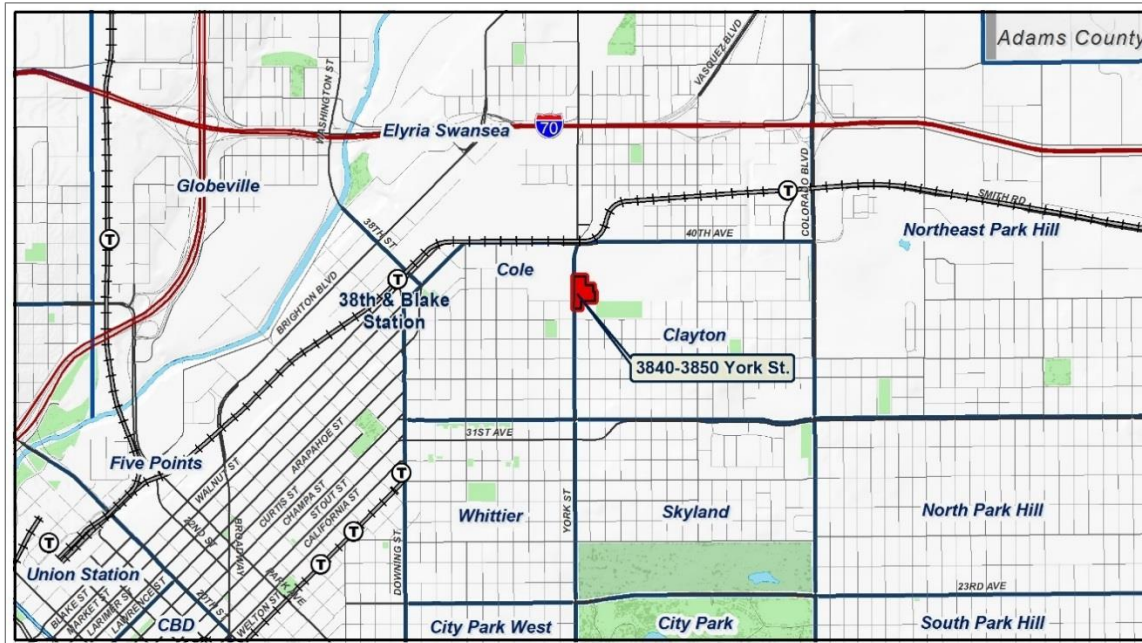
- Flexibility in the reserved area of a phased development, which typically requires reserving area along the primary street for future development with no parking or stormwater detention, and
- Flexibility in the modification of compliant structures.

In exchange for such flexibility, the deviations also include:

- A higher standard for Street Level activation, and
- Higher standards for perimeter surface parking lot landscaping.

Mixed use districts in the Denver Zoning Code are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of development forms with uses that clearly define and activate the public street edge. Further details of the base zone districts can be found in Articles 5 (Urban) and 9 (Special Contexts) of the Denver Zoning Code (DZC); customized zoning details are found in the attached PUD G-20.





Existing Context

The subject property is located on the northwestern edge of Clayton neighborhood on the east side of York Street, south of the proposed 39th Avenue right-of-way and greenway. The Clayton neighborhood is generally characterized by single family development in the southern portion, and industrial

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3740-3850 York St

August 29, 2018

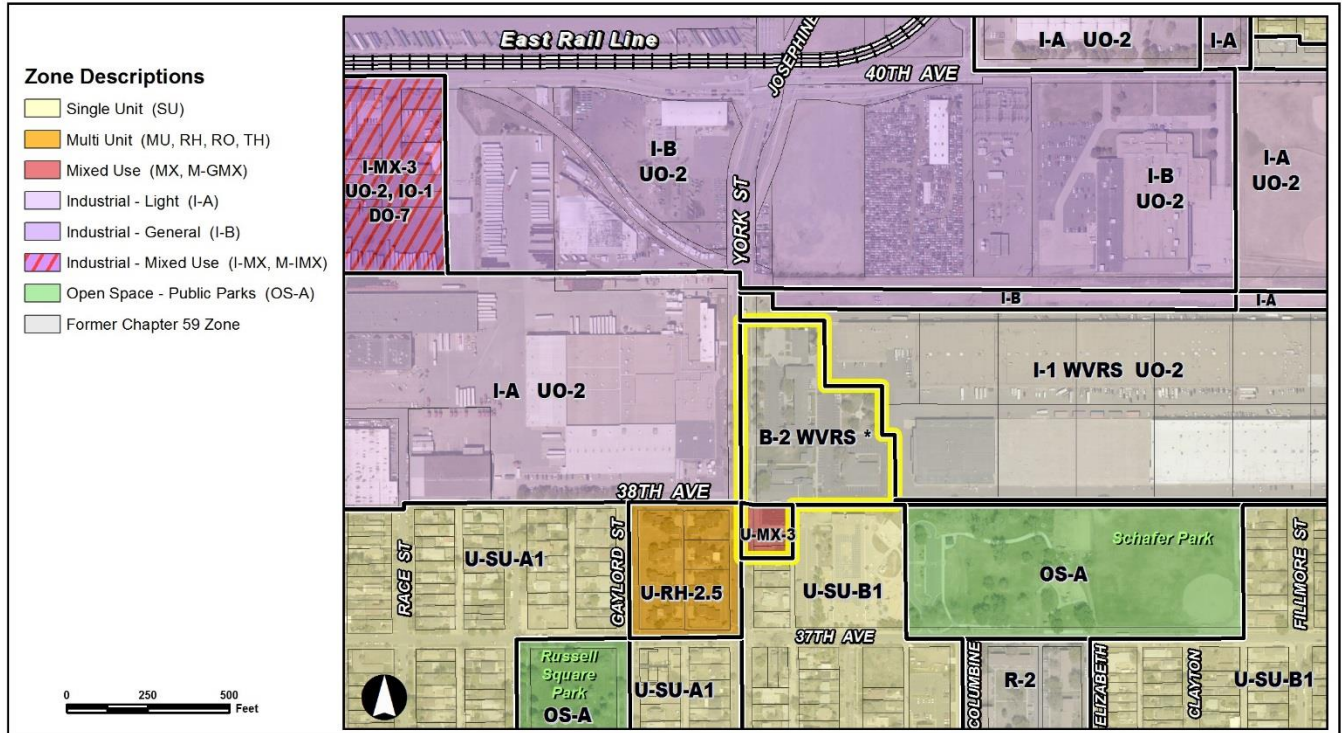
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development along the northern edge. In the general area of the subject property are the Coca-Cola bottling plant to the west, single family homes to the south, boarded up low-rise multi-unit structures to the southwest, industrial warehouses to the north and east and Harrington Elementary School to the southeast. In the vicinity are Schafer Park, east of Harrington Elementary School, and Russell Square Park, one block south and west.

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

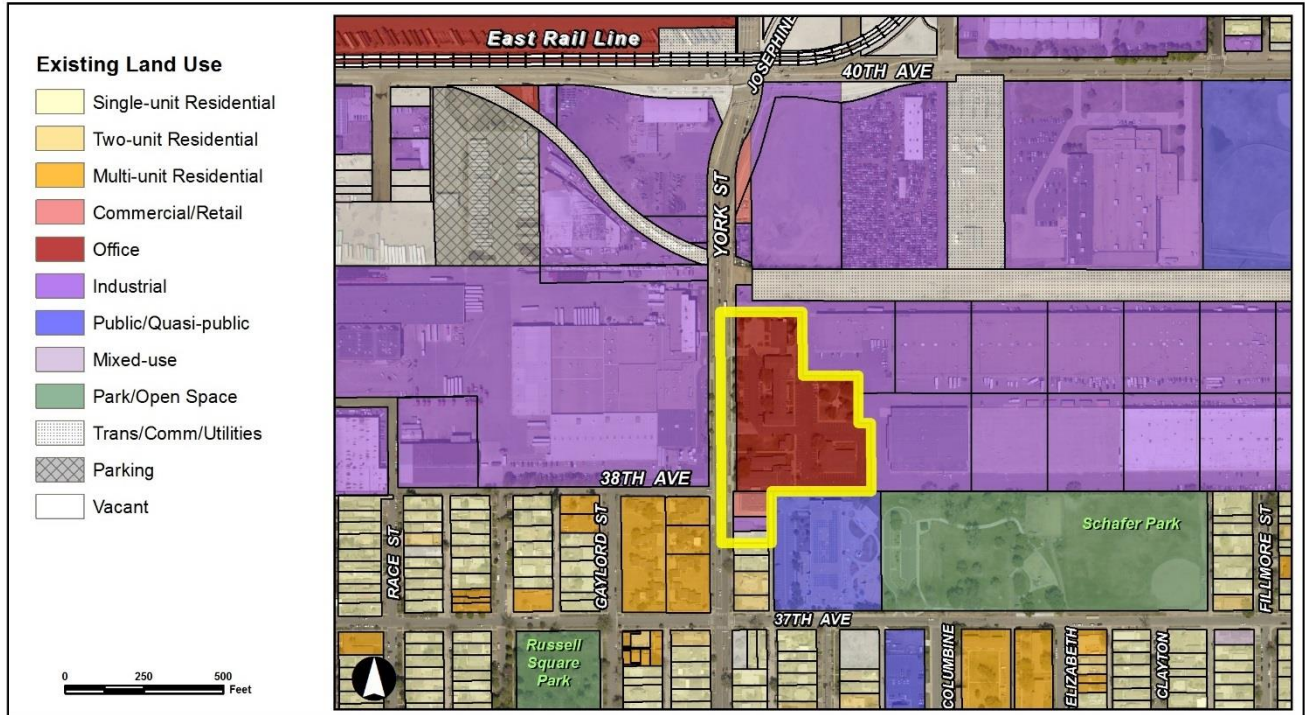
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	U-MX-3, B-2 with waivers and conditions	Mix of office uses and health clinic	1-3 story office buildings	The local block pattern south of 38th Avenue consists primarily of traditional rectilinear blocks shaped by a grid street pattern with alleys and detached sidewalks. The block patterns north of 38th Avenue are larger industrial lots of varying size, typically with no sidewalks and alleys.
North	I-1 with Waivers, I-B	Junkyard	No Structures immediately north	
South	U-SU-B1	Single unit residential	1-2 story Single unit residential structures	
East	I-1 with waivers, U-SU-B1	Mix of industrial uses with some commercial, single unit residential	1 story industrial warehouses, 1-2 story Single unit residential structures	
West	I-A UO-2, U-RH-2.5	Bottling plant, multi-unit residential	2-3 story industrial warehouses, Vacant 1 story multi-unit residential structures	

1. Existing Zoning



There are two zone districts mapped across the subject site. The U-MX-3 zone district allows a mix of commercial and residential uses. The primary building forms allowed are Town House, Drive Thru Services and Restaurant, General and Shopfront. The maximum height is 3 stories/45 feet. The B-2 zone district is a Former Chapter 59 designation and is a medium-intensity commercial district. The height is primarily controlled by a bulk plane. There is a waiver applied to the zone district which prohibits an auto polishing shop or liquor store use. There is a condition applied to the zone district that requires development to conform with a filed Plat Map.

2. Existing Land Use Map



3. Existing Building Form and Scale



Northern portion of Subject Property



Inner City Health Center on subject property



View of Subject Property at south end



Single Family Residential south of subject property



Vacant multi-unit residential west of subject property.



Bottling plant west of Subject Property

Summary of City Agency Referral Comments

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

Assessor: Approved – No Response

Asset Management: Approved – No Response

Denver Public Schools: Approved – No Response

GIS: Approved – No Response

Environmental Health (Dave Erickson): Approved - See Comments

Notes. The Denver Department of Public Health and Environment (DDPHE) concurs with the rezoning request; however, DDPHE is aware of environmental issues on this property including past uses as an automobile service and garage, tire shop and accounting center where leaking underground storage tanks historically were present. Residual petroleum products may be encountered in soil because of these historical uses. Additionally, the site is within Operable Unit 1 of the VB-170 superfund site. The parcel at 3750 York street was tested by the EPA and found to contain elevated arsenic and lead in soil; the soil was subsequently remediated and existing soil conditions meet cleanup criteria at that location. However, commercial property and open spaces were not tested or remediated by EPA and may contain metals at concentrations greater than standards established for residential property within Operable Unit 1. If the site is used for residential development DDPHE recommends soil sampling to document soil conditions are suitable for residential use.

General Notes: Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas intrusion into buildings, DEH suggests installation of a radon mitigation system in structures planned for human occupation or frequent use. It may be more cost effective to install a radon system during new construction rather than after construction is complete. If renovating or demolishing existing structures, there may be a concern of disturbing regulated materials that contain asbestos or lead-based paint. Materials containing asbestos or lead-based paint should be managed in accordance with applicable federal, state and local regulations.

Parks and Recreation: Approved – No Response

Public Works – ROW – Surveyor: Approved

Public Works – Wastewater: DS Wastewater approves the subject zoning change. The applicant should note that redevelopment of this site may require additional engineering including preparation of drainage reports, construction documents, and erosion control plans. Redevelopment may require construction of water quality and detention basins, public and private sanitary and storm sewer mains, and other storm or sanitary sewer improvements. Redevelopment may also require other items such as conveyance of utility, construction, and maintenance easements. The extent of the required design, improvements and

easements will be determined during the redevelopment process. Please note that no commitment for any new sewer service will be given prior to issuance of an approved SUDP from Development Services.

Development Services: Approved – No Response

Office of Economic Development: Approved – No Response

City Attorney’s Office: Approved – No Response

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, Registered Neighborhood Organizations, and property owners:	07/23/18
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, Registered Neighborhood Organizations, and property owners:	08/20/18
Planning Board public hearing.	09/05/18
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and Registered Neighborhood Organizations, at least ten working days before the meeting.	TBD
Land Use, Transportation and Infrastructure Committee of the City Council (tentative)	10/03/18
Property legally posted for a period of 21 days and CPD written notice of the City Council public hearing sent to all affected members of City Council and Registered Neighborhood Organizations.	TBD
City Council Public Hearing (tentative)	11/13/18

Registered Neighborhood Organizations (RNOs)

- As of the date of this staff report, CPD has received a letter of support from the Clayton United RNO. The RNO held a vote at their August 13th meeting and had a unanimous vote to support the proposed rezoning.

Other Public Comment

- To date, CPD has received 15 letters in support of the rezoning to allow ICHC to expand their operations.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7, 12.4.10.8, and 12.4.10.9 as follows:

DZC Section 12.4.10.7

- A. Consistency with Adopted Plans
- B. Uniformity of District Regulations and Restrictions
- C. Public Health, Safety and General Welfare

DZC Section 12.4.10.8

- A. Justifying Circumstances
- B. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

DZC Section 12.4.10.9

- A. The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of the Zoning Code;
- B. The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in Division 9.6;
- C. The development proposed on the subject property is not feasible under any other zone districts, and would require an unreasonable number of variances or waivers and conditions;
- D. The PUD District and the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property; and
- E. The PUD District and the PUD District Plan establish permitted building forms that are compatible with adjacent existing building forms, or which are made compatible through appropriate transitions at the boundaries of the PUD District Plan (e.g., through decreases in building height; through significant distance or separation by rights-of-way, landscaping or similar features; or through innovative building design.

1. Consistency with Adopted Plans

The following adopted plans apply to this property:

- Denver Comprehensive Plan 2000
- Blueprint Denver (2002)
- Elyria & Swansea Neighborhoods Plan (2015)

Comprehensive Plan 2000

The proposal is consistent with many Denver Comprehensive Plan strategies, including:

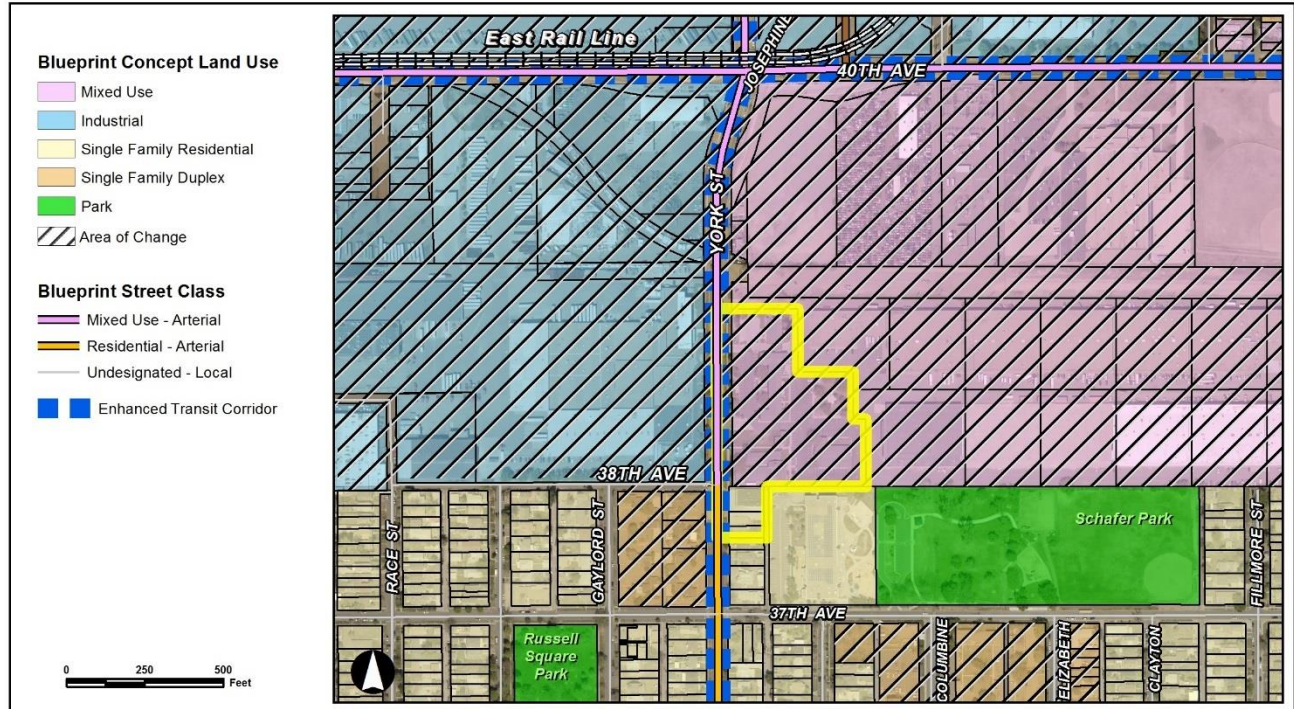
- Environmental Sustainability Strategy 2-E: *“Conserve raw materials by: [...] Promoting efforts to adapt existing buildings for new uses, rather than destroying them”* (p. 39)
- Environmental Sustainability Strategy 2-F – *“Conserve land by promoting infill development within Denver at sites where services and infrastructure are already in place”* (p. 39).
- Land Use Strategy 3-B – *“Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses”* (p. 60).
- Land Use Strategy 3-D – *“Identify and enhance existing focal points in neighborhoods, and encourage the development of such focal points where none exist”* (p. 60).
- Legacies Strategy 9-B – *“Integrate sufficient open space and recreational amenities, including small urban parks, into large-scale development plans”* (p. 102).

The proposed map amendment will enable the preservation and re-use of the existing character-defining buildings through flexibility in rules for compliant structures and phased development. The proposed required open space will serve as a focal point for the neighborhood to access the anticipated 39th Avenue Greenway project and will also contribute to open space in the area generally. The proposed zoning will facilitate development at an infill location where services and infrastructure are already in place. The proposed base zone districts match the existing 3-story zoning that is in place on part of the existing property. The I-MX-3 zone district standards serve as a transition from the more intense industrial uses along the northern side into the lower density residential neighborhood along the southern side. The rezoning is consistent with the Comprehensive Plan policies that encourage infill development where services and infrastructure are already in place, where the infill development is in character with the existing neighborhood, and promoting open space.

Blueprint Denver

According to the Blueprint Denver Plan Map, most of the subject property has a concept land use of Mixed Use and is in an Area of Change, while a small area at the southern portion has a concept land use of Single Family Residential and is in an Area of Stability. Blueprint Denver defines mixed use areas as having a sizable employment base as well as housing, with uses that are within walking distance of one another. Land uses are not necessarily mixed in each building or development or even within each block but are mixed within walking distance of each other. Single Family Residential is primarily made up of single family homes and the employment base is significantly smaller than the housing base.

Future Land Use



The proposed map amendment supports the *Blueprint Denver* mixed use concept land use designation by allowing for a mix of uses at intensities sufficient enough to support existing businesses and serve additional services within the surrounding area. The General building form and proposed customized elements implements the design recommendations stated in *Blueprint Denver* for a pedestrian-friendly mixed-use area within close proximity to transit. Facilitating the reuse of the existing buildings further contributes to preserving neighborhood character while accommodating change. The small portion of the site that is designated as Single Family Residential has historically contained a commercial use and currently has non-residential zoning, and is therefore appropriate to continue the mixed-use allowance. This is also consistent with the recommendation on page 124 that “in some cases it may be appropriate to change the zoning in an area to create a better match between existing land uses and the zoning.”

Area of Change / Area of Stability

The subject site is primarily within an Area of Change. In general, “the goal for Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips.” Areas of Change provide Denver with the opportunity to focus growth in a way that benefits the City as a whole (pg 127). A small portion of the site is within an Area of Stability. In general, “The goal for the Areas of Stability is to identify and maintain the character of an area while accommodating some new development and redevelopment.”

Overall, the rezoning application is consistent with the *Blueprint Denver* Area of Change and Area of Stability recommendations by facilitating mixed-use redevelopment at an appropriate scale where walking, biking and transit are used to access the nearby jobs, housing, and services. The portion of

the request that is designated an Area of Stability is already zoned for mixed-use and has been primarily commercial for the recent past, therefore the proposed rezoning is appropriate.

Street Classifications

Blueprint Denver classifies York Street as a Mixed-Use Arterial and an Enhanced Transit Corridor. Mixed Use Arterials provide “a high degree of mobility” (p. 51) and “are located in high-intensity mixed-use commercial retail and residential areas with substantial pedestrian activity” (p. 57). Blueprint Denver encourages “evaluating and implementing enhanced bus transit service” (p. 98) on Enhanced Transit Corridors like York Street, and “developing transit-supportive incentives like shared or reduced parking, and a mix of transit-supportive land uses” (p. 100). The proposed map amendment to PUD G-20 will facilitate redevelopment and reuse in an area that Blueprint Denver identifies as appropriate to locate mixed-use projects that are accessible by transit. The proposed zoning is appropriate to apply along these street types.

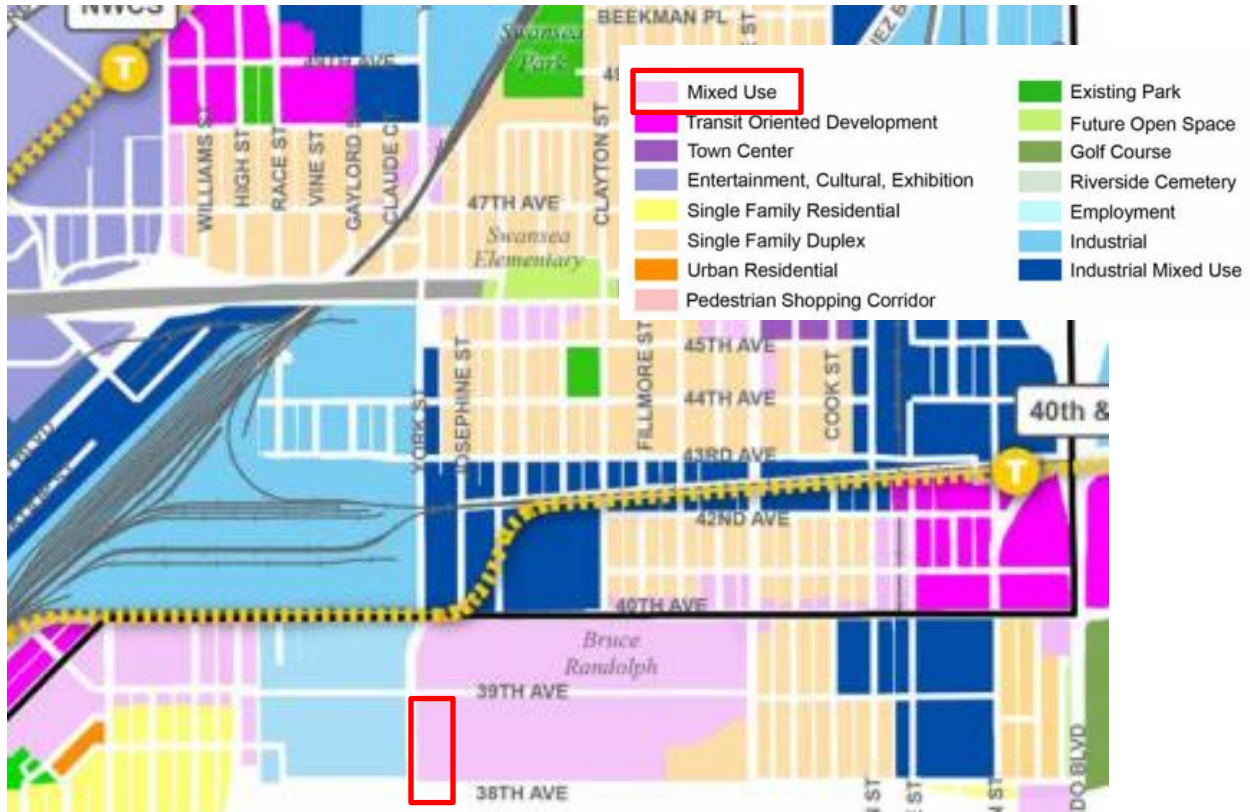
Use of PUD (Planned Unit Development)

Blueprint Denver provides the following policy guidance regarding the use of PUD zoning (p. 82-83):
“Concerns with PUDs are that their widespread proliferation has increased the complexity of regulating land use, and the conditions they place on development sometimes perform poorly and inflexibly once the PUD has been adopted....to reduce the proliferation of zone districts, the city should reclassify obsolete, unbuilt PUDs into more appropriate general zoning categories. To limit the future excess of PUDs, the city should reserve them for special situations and should provide tighter standards that define what type and scale of development will qualify for this zone definition.”

Consistent with this adopted plan direction, CPD has, with the 2010 Denver Zoning Code, put into place stricter zoning standards that limit the use of PUDs to unique and extraordinary circumstances. CPD also changed the way PUDs are written. PUDs are now based on the zoning standards in a specific DZC zone district, with any specific exceptions to the zoning standards listed within the PUD. In this way PUD standards are tightened to now conform to existing zoning standards apart from very specific alterations. The proposed PUD is consistent with this Blueprint Denver plan direction, as it meets the requirement for PUDs only to be used in exceptional situations (See section 6.A below for further description of special circumstances).

Elyria & Swansea Neighborhoods Plan (2015)

The Elyria & Swansea Neighborhoods Plan was adopted by City Council in 2015 and includes many recommendations for parts of the area of the subject property, which is on the edge of the plan. The subject property is designated Mixed Use in the concept land use map and is not given a character area classification. The plan states “These areas have both a sizable employment base as well as a variety of mid-to high-density housing options. Intensity is higher in mixed-use areas than in predominantly residential areas.” (p. 26). The plan also designates maximum heights of 3 stories across the subject property.



Elyria & Swansea Neighborhoods Plan Concept Land Use Map

The proposed PUD based on I-MX-3 and U-MX-3 would allow a mix of commercial, office, residential and commercial uses. The map amendment would facilitate infill development on a parcel while reusing the existing structures. The PUD would allow buildings in the drive thru, general, shopfront, and industrial forms up to 3 stories and 45 feet, and in the town house form up to 3 stories and 38 feet tall. These are all consistent with the plan guidance of a maximum height of 3 stories. Evaluating and balancing all the Elyria & Swansea Neighborhoods Plan goals, the proposed map amendment is consistent with the plan recommendations.

2. Uniformity of District Regulations and Restrictions

The proposed PUD-G 20 rezoning will result in the uniform application of zone district building form, use and design regulations across the site. The PUD is based on the I-MX-3 and U-MX-3 zone districts with appropriate customized elements in support of the unique reuse, development, and open space opportunities on the site.

3. Public Health, Safety and Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City primarily through implementation of the City's adopted land use plans, and will also further public welfare through the creation of additional public open space.

4. Justifying Circumstances

The application identifies changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, *“Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest.”*

The identified change on the majority of the subject property is that the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning. Although a small portion of the subject site did receive “new code” zoning in 2010, structures on a portion of the site have been demolished in recent years and the remaining existing commercial structure has become vacant. To facilitate the development of this underutilized site, it is in the public interest to include it in the comprehensive planning of the remainder of the site.

5. Consistency with Neighborhoods Context Description, Zone District Purpose and Intent Statements

The zoning standards in the proposed PUD district are based upon the Urban neighborhood context and the Industrial neighborhood context. The Urban context is *“characterized by small-scale single-unit and two-unit residential uses. Multi-unit residential uses and commercial areas are typically embedded in residential areas. Commercial uses are located along mixed-use arterial or main streets.”* (DZC p. 5.1-1). The Urban context consists of a regular pattern of blocks formed by a grid street system. The Industrial Context *“consists of areas of light industrial, heavy industrial and general industrial areas, as well as areas subject to transitions from industrial to mixed-use.”* (DZC p. 9.1-1) While the Industrial context consists of a more irregular block pattern, *“The Industrial Mixed Use Districts have a more urban context with a rectangular street grid and alley access.”*

The PUD’s U-MX-3 district zoning standards 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.”* (DZC p. 5.2-4). The PUD’s I-MX-3 zoning standards are *“intended to provide a transition between mixed use areas and I-A or I-B Industrial Districts.”* (DZC p. 9.1-2) The 3-story maximum height allowed by both base zone districts is consistent with the adjacent Urban neighborhood to the south and provides a transition to the Industrial context to the north.

6. Additional review criteria for rezoning to PUD district

- A. The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of the Zoning Code;
 - The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of the Zoning Code to respond to “Unique and extraordinary circumstances”.
 - The unique and extraordinary circumstances of the subject site are its location adjacent to the planned major city investment of the new 39th Avenue right-of-way and greenway, as well as unique structures that would be difficult to repurpose without customization due to their location on the site.

- According to Section 9.6.1.1.D., “in return for the flexibility in site design a PUD District should provide significant public benefit not achievable through application of a standard zone district, including but not limited to diversification in the use of land; innovation in development; more efficient use of land and energy; exemplary pedestrian connections, amenities, and considerations; and development patterns compatible in character and design with nearby areas and with the goals and objectives of the Comprehensive Plan.” The PUD District provides significant public benefit not achievable through application of a standard Zone District, including:
 - Requirement to provide privately owned and operated but publicly accessible open space. The required open space will serve as a gateway into the new 39th Avenue Greenway from the Clayton and Cole neighborhoods.
 - Requirements for a higher amount of street level activation than would otherwise be required for building forms other than Shopfront and additional requirements for parking lot screening and landscaping in Subarea B will ensure pedestrian-friendly development.

- B. The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in Division 9.6;
 - As stated in item A above, the PUD District complies with standards and criteria stated in Division 9.6.

- C. The development proposed on the subject property is not feasible under any other zone districts, and would require an unreasonable number of variances or waivers and conditions;
 - The PUD District is necessary because there is no zone district available that would allow modifications to compliant structures under the existing site configuration which does not meet the reserved area requirement for phased development, or that would require the applicant to provide open space.

- D. The PUD District establishes permitted uses that are compatible with existing land uses adjacent to the subject property;
 - The PUD District proposes uses consistent with those allowed in U-MX-3, which is already zoned for part of the area, and the uses allowed in I-MX-3. These uses are compatible and appropriate to transition from the industrial uses to the north into the residential area to the south.

- E. The PUD District establishes permitted building forms that are compatible with adjacent existing building forms, or which are made compatible through appropriate transitions at the boundaries of the PUD District Plan.
 - The PUD District allows building heights and building forms that are compatible with the surrounding neighborhoods, especially serving as a transition from intense industrial development to low-density residential neighborhoods.

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Attachments

1. Application
2. PUD-G 20
3. Copy of current B-2 zoning with waivers and conditions
4. Comment Letters

Zone Map Amendment (Rezoning) for PUD - Application

PROPERTY OWNER INFORMATION*	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	See Attachment A
Address	
City, State, Zip	
Telephone	
Email	
*If More Than One Property Owner: All official map amendment applications for a PUD District shall be initiated by all the owners of the entire land area subject to the rezoning application, or their representatives authorized in writing to do so.	

PROPERTY OWNER(S) REPRESENTATIVE**	
<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Representative Name	Fredrick D Glick
Address	1600 Wynkoop St., Suite 200
City, State, Zip	Denver, CO 80202
Telephone	303-578-2041
Email	fred@innoabrd.com
**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.	
See Attachment B	

Please attach Proof of Ownership acceptable to the Manager for all property owners, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.

SUBJECT PROPERTY INFORMATION	
Location (address and/or boundary description):	3740-3850 York St.
Assessor's Parcel Numbers:	02243-00-026-000; 02252-08-001-000; 02252-08-002-000, 02252-08-003-000
Area in Acres or Square Feet:	212,974 sq ft
Current Zone District(s):	U-MX-3, B-2 with Waivers

PROPOSAL		
Proposed Zone District:	<input checked="" type="checkbox"/> General PUD	<input type="checkbox"/> Detailed PUD
Proposing SubAreas:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Intent of PUD:	See Attachment C	
Standard Zone District: Please list the zone district(s) on which the PUD will be based:	U-MX-3, I-MX-3	
Deviations from Standard Zone District: Please provide a list of proposed deviations and an explanation of why the deviation is needed. Please provide as an attachment if necessary:	Deviation	Why deviation is necessary
	See Attachment D	

Last updated: September 29, 2015

Return completed form to rezoning@denvergov.org

311 FOR INFORMATION & CITY SERVICES For Office Use Only:
 Date _____ Fee _____

201 W. Colfax Ave., Dept. 205
 Denver, CO 80202
 720-865-2974 • rezoning@denvergov.org

REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</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 an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need. See Attachment E</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>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</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 on 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"/> The land or its surroundings has changed or is changing to such a degree that rezoning that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area</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>Please provide an attachment describing the justifying circumstance.</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>Please provide an attachment describing how the above criterion is met.</p>
<p>Additional Review Criteria for Rezoning to PUD District: The proposal must comply with all of the additional review criteria DZC Sec. 12.4.10.9</p>	<p><input checked="" type="checkbox"/> The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development).</p> <p><input checked="" type="checkbox"/> The PUD District and the PUD District Plan comply with all applicable standards and criteria station in Division 9.6.</p> <p><input checked="" type="checkbox"/> The development proposed on the subject property is not feasible under any other Zone Districts, and would require an unreasonable number of variances or waivers and conditions.</p> <p><input checked="" type="checkbox"/> The PUD District, the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property.</p> <p><input checked="" type="checkbox"/> The PUD District, the PUD District Plan establish permitted building forms that are compatible with adjacent existing building forms, or which are made compatible through appropriate transitions at the boundaries of the PUD District Plan (e.g., through decreases in building height; through significant distance or separation by rights-of-way, landscaping or similar features; or through innovative building design).</p> <p>Please provide an attachment describing how the above criteria are met.</p>

REZONING GUIDE



REQUIRED ATTACHMENTS

Please ensure the following required attachments are submitted with this application:

- Legal Description (required to be attached as a Microsoft Word document) See Attachment F
- Proof of Ownership Document(s) See Attachment A
- Review Criteria See Attachment E

ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s) See Attachment B
- Deviations from Standard Zone District See Attachment D

Please list any additional attachments: Attachment C: Intent of PUD

Attachment G: Proposed PUD-G 20

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

We, the undersigned represent that we are the owners 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 to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (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>	01/01/12	(A)	NO

REZONING GUIDE



Rezoning Application for PUD Page 3 of 3

REQUIRED ATTACHMENTS

Please ensure the following required attachments are submitted with this application:

- Legal Description (required to be attached as a Microsoft Word document)
- Proof of Ownership Document(s)
- Review Criteria

ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)
- Deviations from Standard Zone District

Please list any additional attachments:

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

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Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (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>	01/01/12	(A)	NO
Inner City Health Center	3740 York Street Denver, CO 80205	1.94%	<i>Kraig Buelson</i>	6/23/18	(A)	Yes
Inner City Health Center	3750 York Street Denver, CO 80205	2.26%	<i>Kraig Buelson</i>	6/23/18	(A)	Yes
Inner City Health Center	3758 York Street Denver, CO 80205	3.83%	<i>Kraig Buelson</i>	6/23/18	(A)	Yes

Last updated: September 29, 2015

Return completed form to rezoning@denvergov.org



REZONING GUIDE



Rezoning Application for PUD Page 3 of 3

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ADDITIONAL ATTACHMENTS

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- Deviations from Standard Zone District

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PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

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Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (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>	01/01/12	(A)	NO
Inner City Health Center	3800 York Street Denver, CO 80205	41.44%	<i>Kraig D. Sullivan</i>	06/23/18	(A)	Yes

Last updated: September 29, 2015

Return completed form to rezoning@denvergov.org



REZONING GUIDE

Rezoning Application for PUD Page 3 of 3

REQUIRED ATTACHMENTS

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ADDITIONAL ATTACHMENTS



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- Deviations from Standard Zone District

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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>	01/01/12	(A)	NO
York 38 LLC	3840 York St Denver, CO 80205	38.00% (Tenants in Common)		06/23/18	(B)	Yes
Dahlia 2501 LLC	3840 York St Denver, CO 80205	38.00% (Tenants in Common)		06/23/18	(B)	Yes

Last updated: September 29, 2015

Return completed form to rezoning@denvergov.org

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- Review Criteria

ADDITIONAL ATTACHMENTS



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- Deviations from Standard Zone District

Please list any additional attachments:

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

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Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as ap- proved	Property owner repre- sentative written authori- zation? (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>	01/01/12	(A)	NO
Jerrold L Glick	3840 York St Denver, CO 80205	38.00% (Tenants in Common)		06/23/18	(B)	Yes
3850 York LLC	3850 York St Denver, CO 80205	12.48%		06/23/18	(B)	Yes

Attachment A: Ownership

Property Address	Owner
3740 York Street	Inner City Health Center 3800 YORK ST DENVER , CO 80205 720-833-5097 KraigB@innercityhealth.org
3750 York Street	Inner City Health Center 3800 YORK ST DENVER , CO 80205 720-833-5097 KraigB@innercityhealth.org
3758 York Street	Inner City Health Center 3800 YORK ST DENVER , CO 80205 720-833-5097 KraigB@innercityhealth.org
3800 York Street	Inner City Health Center 3800 YORK ST DENVER , CO 80205 720-833-5097 KraigB@innercityhealth.org
3840 York Street	<p>York 38 LLC 1600 Wynkoop Street Suite 200 Denver, CO 80202 303-623-1221 jlglick@cglc.net</p> <p>Dahlia 2501 LLC 1600 Wynkoop Street Suite 200 Denver, CO 80202 303-623-1221 jlglick@cglc.net</p> <p>Jerrold L Glick 1600 Wynkoop Street Suite 200 Denver, CO 80202 303-623-1221 jlglick@cglc.net</p>
3850 York Street	3850 York LLC 1600 Wynkoop Street, Suite 200 Denver, CO 80202 303-578-2041 fred@innoabrd.com

3740 YORK ST

Owner	INNER CITY HEALTH CENTER 3800 YORK ST DENVER , CO 80205
Schedule Number	02252-08-003-000
Legal Description	L 6 & N1/2 OF L 7 BLK 1 CHEESMAN & MOFFATS ADD & L 6 & N1/2 OF L 7 BLK 1 LESSIG ADD
Property Type	VACANT LAND
Tax District	DENV

Print Summary

Property Description			
Style:	OTHER	Building Sqr. Foot:	0
Bedrooms:		Baths Full/Half:	0/0
Effective Year Built:	0000	Basement/Finish:	0/0
Lot Size:	4,125	Zoned As:	U-MX-3

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

Current Year				
	Actual	Assessed	Exempt	
Land		\$61,900	\$17,950	\$0
Improvements		\$0	\$0	
Total		\$61,900	\$17,950	

Prior Year				
	Actual	Assessed	Exempt	
Land		\$61,900	\$17,950	\$0
Improvements		\$0	\$0	
Total		\$61,900	\$17,950	

Real Estates Property Taxes for current tax year

Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

	Installment 1 (Feb 28 Feb 29 in Leap Years)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)
Date Paid			
Original Tax Levy	\$692.28	\$692.27	\$1,384.55
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$27.69	\$6.92	\$27.70
Paid	\$0.00	\$0.00	\$0.00
Due	\$719.97	\$699.19	\$1,412.25

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	Scheduled to be Paid by Mortgage Company ⓘ	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: **\$1,171.01**

Assessed Value for the current tax year

Assessed Land	\$17,950.00	Assessed Improvements	\$0.00
Exemption	\$0.00	Total Assessed Value	\$17,950.00

3750 YORK ST

Owner	INNER CITY HEALTH CENTER 3800 YORK ST DENVER , CO 80205
Schedule Number	02252-08-002-000
Legal Description	L 5 & S 19FT OF L 4 BLK 1 LESSIG ADD & L 5 & S 19FT OF L4 BLK 1 CHEESMAN & MOFFATS ADD
Property Type	VACANT LAND
Tax District	DENV

Print Summary

Property Description			
Style:	OTHER	Building Sqr. Foot:	0
Bedrooms:		Baths Full/Half:	0/0
Effective Year Built:	0000	Basement/Finish:	0/0
Lot Size:	4,810	Zoned As:	U-MX-3

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

Current Year				
	Actual	Assessed	Exempt	
Land		\$72,200	\$20,940	\$0
Improvements		\$0	\$0	
Total		\$72,200	\$20,940	

Prior Year				
	Actual	Assessed	Exempt	
Land		\$72,200	\$20,940	\$0
Improvements		\$0	\$0	
Total		\$72,200	\$20,940	

Real Estates Property Taxes for current tax year

Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

	Installment 1 (Feb 28 Feb 29 in Leap Years)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)
Date Paid			
Original Tax Levy	\$807.60	\$807.59	\$1,615.19
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$32.30	\$8.08	\$32.30
Paid	\$0.00	\$0.00	\$0.00
Due	\$839.90	\$815.67	\$1,647.49

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	Scheduled to be Paid by Mortgage Company ⓘ	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: **\$1,453.98**

Assessed Value for the current tax year

Assessed Land	\$20,940.00	Assessed Improvements	\$0.00
Exemption	\$0.00	Total Assessed Value	\$20,940.00

3758 YORK ST

Owner	INNER CITY HEALTH CENTER 3800 YORK ST DENVER , CO 80205
Schedule Number	02252-08-001-000
Legal Description	L 1 TO 3 & N 6FT OF L 4 BLK 1 CHEESMAN & MOFFATS ADD & L 1 TO 3 & N 6FT OF L 4 BLK 1 LESSIG ADD
Property Type	INDUSTRIAL - SPA
Tax District	DENV

Print Summary

Property Description			
Style:	OTHER	Building Sqr. Foot:	4649
Bedrooms:		Baths Full/Half:	0/0
Effective Year Built:	1953	Basement/Finish:	0/0
Lot Size:	8,160	Zoned As:	U-MX-3

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

Current Year				
	Actual	Assessed	Exempt	
Land		\$122,400	\$35,500	\$0
Improvements		\$207,700	\$60,230	
Total		\$330,100	\$95,730	

Prior Year				
	Actual	Assessed	Exempt	
Land		\$122,400	\$35,500	\$0
Improvements		\$207,700	\$60,230	
Total		\$330,100	\$95,730	

Real Estates Property Taxes for current tax year

Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

	Installment 1 (Feb 28 Feb 29 in Leap Years)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)
Date Paid			
Original Tax Levy	\$3,692.02	\$3,692.02	\$7,384.04
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$147.68	\$36.92	\$147.68
Paid	\$0.00	\$0.00	\$0.00
Due	\$3,839.70	\$3,728.94	\$7,531.72

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	Scheduled to be Paid by Mortgage Company ⓘ	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: **\$6,200.84**

Assessed Value for the current tax year

Assessed Land	\$35,500.00	Assessed Improvements	\$60,230.00
Exemption	\$0.00	Total Assessed Value	\$95,730.00

3810 YORK ST UNIT -3850

Owner	INNER CITY HEALTH CENTER 3800 YORK ST DENVER , CO 80205-3540
Schedule Number	02243-00-026-000
Legal Description	T3 R68 S24 SW/4 & S23 SE/4 BEG47.94FT W OF SE COR SE/4 TH N 576.18FT E 210FT S 200FT E 175FT S 150FT E 40FT S 226.19FT W425FT TO POB
Property Type	COMMERCIAL - OFFICE BUILDING
Tax District	420A

Print Summary

Property Description			
Style:	OTHER	Building Sqr. Foot:	51851
Bedrooms:		Baths Full/Half:	0/0
Effective Year Built:	1972	Basement/Finish:	0/0
Lot Size:	195,879	Zoned As:	B-2

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

Current Year				
	Actual	Assessed	Exempt	
Land		\$2,791,300	\$809,480	\$1,242,250
Improvements		\$2,332,200	\$676,340	
Total		\$5,123,500	\$1,485,820	

Prior Year				
	Actual	Assessed	Exempt	
Land		\$2,791,300	\$809,480	\$1,242,250
Improvements		\$2,332,200	\$676,340	
Total		\$5,123,500	\$1,485,820	

Real Estates Property Taxes for current tax year

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			3/15/2018
Original Tax Levy	\$9,393.77	\$9,393.76	\$18,787.53
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Paid	\$9,393.77	\$9,393.76	\$18,787.53
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	Scheduled to be Paid by Mortgage Company ⓘ	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: **\$17,142.81**

Assessed Value for the current tax year

Assessed Land	\$809,480.00	Assessed Improvements	\$676,340.00
Exemption	\$1,242,250.00	Total Assessed Value	\$243,570.00



03/13/2018 08:42 AM R \$13.00 MIS
City & County of Denver
Electronically Recorded

D \$0.00

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity named **Inner City Health Center, a Colorado non-profit corporation**
And is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.
2. The type of entity is a:

<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Registered Limited Liability Partnership
<input type="checkbox"/> Nonprofit Corporation	<input type="checkbox"/> Registered Limited Liability Limited Partnership
<input type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Limited Partnership Association
<input type="checkbox"/> General Partnership	<input type="checkbox"/> Government or Governmental Subdivision or Agency
<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Trust
<input type="checkbox"/>	
3. The entity is formed under the law of the State of Colorado
4. The mailing address for the entity is 3800 York Street, Denver, CO 80205
5. The name and position of each person authorized to execute instruments conveying, encumbering or otherwise affecting title to real property on behalf of the entity is:
Kraig W. Burleson as Chief Executive Officer
6. The authority of the foregoing person(s) to bind the entity is not limited limited
as follows: _____
7. Other matters concerning the manner in which the entity deals with interests in real property:
None
8. The Statement of Authority is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.
9. This Statement of Authority amends and supersedes in all respects any prior Statement of Authority executed on behalf of the entity.

Executed on March 12, 2018.

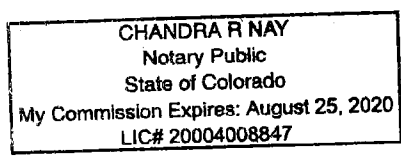
SELLER:

**Inner City Health Center,
a Colorado non-profit corporation**
By: Kraig W. Burleson
Kraig W. Burleson, Chief Executive Officer

State of Colorado) ss
County of Denver

The foregoing instrument was acknowledged before me this 12th day of March, 2018 by Kraig W. Burleson as Chief Executive Officer of Inner City Health Center, a Colorado non-profit corporation.

Witness my hand and official seal



Chandra R Nay
Notary Public
My commission expires: 2/25/2020

Recording Requested by:
ENTG-NCS Colorado



03/13/2018 08:42 AM
City & County of Denver
Electronically Recorded

R \$33.00

WD

D \$466.90

After Recording Return to:

York 38 LLC
Attn: Jerrold L. Glick
1600 Wynkoop Street, Suite 200
Denver, Colorado 80202

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is dated March 12, 2018, and is made by INNER CITY HEALTH CENTER, a Colorado nonprofit corporation, the "**Grantor**," and York 38 LLC, a Colorado limited liability company ("**York**"), Dahlia 2501 LLC, a Colorado limited liability company ("**Dahlia**") and Jerrold L. Glick ("**Glick**"), collectively the "**Grantee**," whose legal address is 1600 Wynkoop Street, Suite 200, Denver, Colorado 80202.

WITNESS, that Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms an undivided 64.03% interest unto York, an undivided 30.21% interest unto Dahlia, and an undivided 5.76% interest unto Glick, as tenants in common, in all of the real property, together with any improvements thereon, located in the City and County of Denver, and State of Colorado, described as follows ("**Property**"): SEE ATTACHED EXHIBIT 1

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversions, remainders, rents, issues and profits thereof, and all the right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto Grantee forever. Grantor does covenant and agree that Grantor shall and will WARRANT THE TITLE AND DEFEND the above described premises in the quiet and peaceable possession of Grantee, against all and every person or persons claiming the whole or any part thereof, by, through or under Grantor, subject to taxes for the current year and subsequent years, and subject to those matters described on the attached Exhibit 2.

[SIGNATURE PAGE FOLLOWS]

Recording Requested by:
FNTG-NCS Colorado

N0016460

Exhibit 1

(Property)

THE FOLLOWING REAL ESTATE LOCATED IN THE CITY AND COUNTY OF DENVER, COLORADO:

A PARCEL OF LAND BEING A PART OF THE SOUTHEAST ONE QUARTER OF SECTION 23 AND PART OF THE SOUTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, CHEESMAN AND MOFFAT'S ADDITION TO THE CITY OF DENVER, WHICH POINT IS ON THE SOUTH LINE OF THE SOUTHEAST ¼ OF SAID SECTION 23, 47.94 FEET WEST OF THE SOUTHEAST CORNER OF SAID SOUTHEAST ¼ AND WHICH POINT IS ALSO ON THE EAST LINE OF YORK STREET;

THENCE NORTH 00°07'00" WEST PARALLEL WITH AND 47.94 FEET WEST OF THE EAST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 23 AND ALONG THE EAST LINE OF YORK STREET, A DISTANCE OF 225.69 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 89°56'24" EAST, A DISTANCE OF 46.57 FEET;

THENCE SOUTH 75°42'55" EAST, A DISTANCE OF 46.50 FEET;

THENCE NORTH 89°56'24" EAST, A DISTANCE OF 136.23 FEET;

THENCE SOUTH 00°07'00" EAST, A DISTANCE OF 17.00 FEET;

THENCE NORTH 89°56'24" EAST, A DISTANCE OF 197.17 FEET;

THENCE NORTH 00°07'00" WEST, A DISTANCE OF 29.24 FEET;

THENCE SOUTH 89°56'24" WEST, A DISTANCE OF 40.00 FEET;

THENCE NORTH 00°07'00" WEST, A DISTANCE OF 150.00 FEET;

THENCE SOUTH 89°56'24" WEST, A DISTANCE OF 175.00 FEET;

THENCE NORTH 00°07'00" WEST, A DISTANCE OF 64.60 FEET;

THENCE SOUTH 89°56'24" WEST, A DISTANCE OF 117.15 FEET;

THENCE NORTH 00°07'00" WEST, A DISTANCE OF 19.99 FEET;

THENCE SOUTH 89°56'24" WEST, A DISTANCE OF 92.85 FEET TO THE EAST LINE OF YORK STREET;

THENCE SOUTH 00°07'00" EAST ALONG THE EAST LINE OF YORK STREET, A DISTANCE OF 235.31 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE DESCRIBED CONTAINS 80,929 SQ. FT. OR 1.8579 ACRES, MORE OR LESS

Exhibit 2

(Permitted Exceptions)

1. Water rights, claims of title to water, whether or not these matters are shown by the Public Records.
2. Terms, conditions, provisions, agreements and obligations contained in the Declaration of Easements recorded July 8, 1998 at Reception No. 9800108333.

NOTE: Release of Easement recorded February 16, 2001 at Reception No. 2001022403.

3. Reservation of right of access for remedial or corrective action by the United States of America as set forth in the Deed recorded July 8, 1998 at Reception No. 9800108329.
4. Covenants and agreements as contained in the Deed from the United States of America to the Denver Urban Renewal Authority recorded July 8, 1998 at Reception No. 9800108329 and in the Deed from the Denver Urban Renewal Authority to Inner City Community Development Corporation recorded July 8, 1998 at Reception No. 9800108331.
5. Terms, conditions and provisions of the Redevelopment Agreement as evidenced by the Memorandum recorded July 8, 1998 at Reception No. 9800108335. First Amendment recorded November 7, 2006 at Reception No. 2006178760 and Estoppel Certificate recorded November 7, 2006 at Reception No. 2006178761. Assignment, Assumption and Consent Agreement recorded December 11, 2007 at Reception No. 2007189937.
6. Terms, conditions, provisions, agreements and obligations specified under Easement Agreement by and between Inner-City Community Development Corporation, a Colorado nonprofit corporation and the City and County of Denver recorded April 13, 2000 at Reception Nos. 2000052524 and Reception No. 2000052525.
7. An easement for utilities and incidental purposes granted to Public Service Company of Colorado by the instrument recorded December 6, 2001 at Reception No. 2001207198.
8. Terms, conditions, provisions, agreements, easements and obligations contained in the Easement Agreement recorded January 31, 2002 at Reception No. 2002021324.
9. An easement for utilities and incidental purposes granted to Public Service Company of Colorado by the instrument recorded July 25, 2008 at Reception No. 2008103312.
10. Tenants in possession under unrecorded leases according to the rent roll dated March 9, 2018.

11. An easement for utilities and incidental purposes granted to Public Service Company of Colorado by the Electric Transmission Line Easement recorded November 16, 2017 at Reception No. 2017150661.

After Recording Return to:
3850 York LLC
1600 Wynkoop Street, Suite 200
Denver, Colorado 80202

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is dated March 12, 2018, and is made by INNER CITY HEALTH CENTER, a Colorado nonprofit corporation, the "**Grantor**," and 3850 York LLC, a Colorado limited liability company, the "**Grantee**," whose legal address is 1600 Wynkoop Street, Suite 200, Denver, Colorado 80202.

WITNESS, that Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto Grantee, all of the real property, together with any improvements thereon, located in the City and County of Denver, and State of Colorado, described as follows ("**Property**"): SEE ATTACHED EXHIBIT 1

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversions, remainders, rents, issues and profits thereof, and all the right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto Grantee forever. Grantor does covenant and agree that Grantor shall and will **WARRANT THE TITLE AND DEFEND** the above described premises in the quiet and peaceable possession of Grantee, against all and every person or persons claiming the whole or any part thereof, by, through or under Grantor, subject to taxes for the current year and subsequent years, and subject to those matters described on the attached Exhibit 2.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed and acknowledged on the date set forth above.

GRANTOR:

INNER CITY HEALTH CENTER,
a Colorado nonprofit corporation

By: Kraig W. Burleson
Printed Name: Kraig W. Burleson
Title: CEO
Date: 3-12-18

STATE OF Colorado)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 12th day of March, 2018, by Kraig W. Burleson, as CEO of Inner City Health Center, a Colorado nonprofit corporation.

Witness my hand and official seal.

Chandra R Nay
Notary Public

My commission expires: 8/25/2020

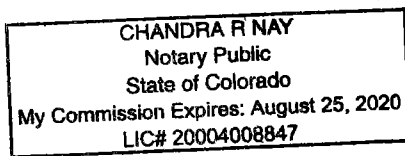


Exhibit 1

(Property)

THE FOLLOWING REAL ESTATE LOCATED IN THE CITY AND COUNTY OF DENVER, COLORADO:

A PARCEL OF LAND BEING A PART OF THE SOUTHEAST ONE QUARTER OF SECTION 23 AND PART OF THE SOUTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, CHEESMAN AND MOFFAT'S ADDITION TO THE CITY OF DENVER, WHICH POINT IS ON THE SOUTH LINE OF THE SOUTHEAST $\frac{1}{4}$ OF SAID SECTION 23, 47.94 FEET WEST OF THE SOUTHEAST CORNER OF SAID SOUTHEAST $\frac{1}{4}$ AND WHICH POINT IS ALSO ON THE EAST LINE OF YORK STREET;

THENCE NORTH 00°07'00" WEST PARALLEL WITH AND 47.94 FEET WEST OF THE EAST LINE OF THE SOUTHEAST $\frac{1}{4}$ OF SAID SECTION 23 AND ALONG THE EAST LINE OF YORK STREET, A DISTANCE OF 461.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 89°56'24" EAST, A DISTANCE OF 92.85 FEET;

THENCE SOUTH 00°07'00" EAST, A DISTANCE OF 19.99 FEET;

THENCE NORTH 89°56'24" EAST, A DISTANCE OF 117.15 FEET;

THENCE NORTH 00°07'00" WEST, A DISTANCE OF 135.40 FEET;

THENCE SOUTH 89°56'24" WEST, A DISTANCE OF 210.00 FEET TO THE EAST LINE OF YORK STREET;

THENCE SOUTH 00°07'00" EAST ALONG THE EAST LINE OF YORK STREET, A DISTANCE OF 115.41 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE DESCRIBED CONTAINS 26,578 SQ. FT. OR 0.6101 ACRES, MORE OR LESS

Exhibit 2

(Permitted Exceptions)

1. Water rights, claims of title to water, whether or not these matters are shown by the Public Records.
2. Terms, conditions, provisions, agreements and obligations contained in the Declaration of Easements recorded July 8, 1998 at Reception No. 9800108333.

NOTE: Release of Easement recorded February 16, 2001 at Reception No. 2001022403.

3. Reservation of right of access for remedial or corrective action by the United States of America as set forth in the Deed recorded July 8, 1998 at Reception No. 9800108329.
4. Covenants and agreements as contained in the Deed from the United States of America to the Denver Urban Renewal Authority recorded July 8, 1998 at Reception No. 9800108329 and in the Deed from the Denver Urban Renewal Authority to Inner City Community Development Corporation recorded July 8, 1998 at Reception No. 9800108331.
5. Terms, conditions and provisions of the Redevelopment Agreement as evidenced by the Memorandum recorded July 8, 1998 at Reception No. 9800108335. First Amendment recorded November 7, 2006 at Reception No. 2006178760 and Estoppel Certificate recorded November 7, 2006 at Reception No. 2006178761. Assignment, Assumption and Consent Agreement recorded December 11, 2007 at Reception No. 2007189937.
6. Terms, conditions, provisions, agreements and obligations specified under Easement Agreement by and between Inner-City Community Development Corporation, a Colorado nonprofit corporation and the City and County of Denver recorded April 13, 2000 at Reception Nos. 2000052524 and 2000052525.
7. An easement for utilities and incidental purposes granted to Public Service Company of Colorado by the instrument recorded December 6, 2001 at Reception No. 2001207198.
8. Terms, conditions, provisions, agreements and obligations specified under the Wireless Communication Easement and Assignment Agreement by and between Inner City Health Center d/b/a York Street Properties recorded February 5, 2010 at Reception No. 2010014022.
9. Tenants in possession under unrecorded leases according to the rent roll dated March 9, 2018.
10. An easement for utilities and incidental purposes granted to Public Service Company of Colorado by the Electric Transmission Line Easement recorded November 16, 2017 at Reception No. 2017150661.

11. Any rights, interests, or claims which may exist or arise by reason of the following matters disclosed by survey,

Project No.: 17182

Dated: 9/11/17

Last Revised: 2/9/2018

Prepared by: Rubino Surveying

Matters shown: a) 1.5 foot encroachment of a brick building along the north property line

**REAL PROPERTY TRANSFER DECLARATION
(TD-1000)**

Escrow No.: N0013787-020-CN1

GENERAL INFORMATION

Purpose: The Real Property Transfer Declaration provides essential information to the county assessor to help ensure fair and uniform assessments for all property for property tax purposes. Refer to 39-14-102(4), Colorado Revised Statutes (C.R.S.).

Requirements: All conveyance documents (deeds) subject to the documentary fee submitted to the county clerk and recorder for recordation must be accompanied by a Real Property Transfer Declaration. This declaration must be completed and signed by the grantor (seller) or grantee (buyer). Refer to 39-14-102(1)(a), C.R.S.

Penalty for Noncompliance: Whenever a Real Property Transfer Declaration does not accompany the deed, the clerk and recorder notifies the county assessor who will send a notice to the buyer requesting that the declaration be returned within thirty days after the notice is mailed.

If the completed Real Property Transfer Declaration is not returned to the county assessor within the 30 days of notice, the assessor may impose a penalty of \$25.00 or .025% (.00025) of the sale price, whichever is greater. This penalty may be imposed for any subsequent year that the buyer fails to submit the declaration until the property is sold. Refer to 39-14-102(1)(b), C.R.S.

Confidentiality: The assessor is required to make the Real Property Transfer Declaration available for inspection to the buyer. However, it is only available to the seller if the seller filed the declaration. Information derived from the Real Property Transfer Declaration is available to any taxpayer or any agent of such taxpayer subject to confidentiality requirements as provided by law. Refer to 39-5-121.5, C.R.S and 39-13-102(5)(c), C.R.S.

1. **Address and/or legal description of the real property sold: Please do not use P.O. Box numbers.**
3850 York Street, Denver, CO

2. **Type of property purchased:** Single Family Residential Townhome Condominium Multi-Unit Res
 Commercial Industrial Agricultural Mixed Use Vacant Land Other _____

3. **Date of Closing:**
March 12, 2018
Month Day Year
Date of Contract if different than date of closing:
November 15, 2017
Month Day Year

4. **Total sale price: Including all real and personal property.**
\$ 631,011.42

5. **Was any personal property included in the transaction?** Personal property would include, but is not limited to, carpeting, draperies, free standing appliances, equipment, inventory, furniture. If the personal property is not listed, the entire purchase price will be assumed to be for the real property as per 39-13-102, C.R.S.
 Yes No If yes, approximate value: \$ 500 Describe SMALL APPLIANCES

6. **Did the total sale price include a trade or exchange of additional real or personal property?** If yes, give the approximate value of the goods or services as of the date of closing.
 Yes No If yes, value: \$ _____
If yes, does this transaction involve a trade under IRS Code Section 1031? Yes No

7. **Was 100% interest in the real property purchased?** Mark "no" if only a partial interest is being purchased.
 Yes No If no, interest purchased: _____ %

8. **Is this a transaction among related parties?** Indicate whether the buyer or seller are related. Related parties include persons within the same family, business affiliates, or affiliated corporations.
 Yes No

9. **Check any of the following that apply to the condition of the improvements at the time of purchase.**
 New Excellent Good Average Fair Poor Salvage

If the property is financed, please complete the following.

10. **Total amount financed:** \$ _____

11. **Type of financing: (Check all that apply)**
 New
 Assumed
 Seller
 Third Party
 Combination; Explain _____

12. **Terms:**
 Variable; Starting interest rate _____ %
 Fixed; Interest rate _____ %
 Length of time _____ years
 Balloon Payment Yes No If yes, amount \$ _____ Due date: _____

13. **Mark any that apply:**
 Seller assisted down payments, Seller concessions, Special terms or financing
If marked, please specify: _____

For properties other than residential (Residential is defined as: single family detached, townhomes, apartments and condominiums) please complete questions 14-16 if applicable. Otherwise, skip to #17 to complete

14. Did the purchase price include a franchise or license fee? Yes No
If yes, franchise or license fee value \$ _____
15. Did the purchase price involve an installment land contract? Yes No
If yes, date of contract _____
16. If this was a vacant land sale, was an on-site inspection of the property conducted by the buyer prior to the closing?
 Yes No

Remarks: Please include any additional information concerning the sale you may feel is important.

17. Signed this 12th day of March 18 _____
Enter the day, month, and year, have at least one of the parties to the transaction sign the document, and include an address and a daytime phone number. Please designate buyer or seller.

BUYER:

3850 York LLC,
a Colorado limited liability company

By: _____
Fredrick Glick, Managing Member

Signature of Grantee (Buyer) Or Grantor (Seller)

18. All future correspondence (tax bills, property valuations, etc.) regarding this property should be mailed to:
1600 Wynkoop Street, Suite 200
Address (mailing) _____ Daytime Phone _____
Denver, CO 80202
City, State and Zip Code



RE: Authorization to Represent Owner

June 27, 2018

Denver Community Planning and Development
201 West Colfax
Denver, CO 80202

To Whom It May Concern:

Fredrick D Glick is authorized to represent Inner City Health Center in the rezoning application process for the property at 3740 York Street.

A handwritten signature in blue ink, which appears to read "Kraig Burleson". The signature is fluid and cursive.

Kraig Burleson
Chief Executive Officer
Inner City Health Center
3800 York Street
Denver, CO 80205



Attachment B: Authorization to Represent Owner

June 23, 2018

Denver Community Planning and Development
201 West Colfax
Denver, CO 80202

To Whom It May Concern:

Fredrick D Glick is authorized to represent Inner City Health Center in the rezoning application process for the property at 3750 York Street.

A handwritten signature in blue ink that reads "Kraig Burleson".

Kraig Burleson
Chief Executive Officer
Inner City Health Center
3800 York Street
Denver, CO 80205



Attachment B: Authorization to Represent Owner

June 23, 2018

Denver Community Planning and Development
201 West Colfax
Denver, CO 80202

To Whom It May Concern:

Fredrick D Glick is authorized to represent Inner City Health Center in the rezoning application process for the property at 3758 York Street.

A handwritten signature in blue ink, appearing to read "Kraig Burlison".

Kraig Burlison
Chief Executive Officer
Inner City Health Center
3800 York Street
Denver, CO 80205



Attachment B: Authorization to Represent Owner

June 23, 2018

Denver Community Planning and Development
201 West Colfax
Denver, CO 80202

To Whom It May Concern:

Fredrick D Glick is authorized to represent Inner City Health Center in the rezoning application process for the property at 3800 York Street.

A handwritten signature in blue ink, appearing to read "Kraig Burleson".

Kraig Burleson
Chief Executive Officer
Inner City Health Center
3800 York Street
Denver, CO 80205

Attachment B: Authorization to Represent Owner

June 23, 2018

Denver Community Planning and Development
201 West Colfax
Denver, CO 80202

To Whom It May Concern:

Fredrick D Glick is authorized to represent York 39 LLC in the rezoning application process for the property at 3840 York Street.



Jerrold L Glick
Managing Manager
York 38 LLC
1600 Wynkoop St, Suite 200
Denver, CO 80202

Attachment B: Authorization to Represent Owner

June 23, 2018

Denver Community Planning and Development
201 West Colfax
Denver, CO 80202

To Whom It May Concern:

Fredrick D Glick is authorized to represent Dahlia 2501 LLC in the rezoning application process for the property at 3840 York Street.



Jerrold L Glick
Manager
Dahlia 2501 LLC
1600 Wynkoop St, Suite 200
Denver, CO 80202

Attachment B: Authorization to Represent Owner

June 23, 2018

Denver Community Planning and Development
201 West Colfax
Denver, CO 80202

To Whom It May Concern:

Fredrick D Glick is authorized to represent me in the rezoning application process for the property at 3840 York Street.



Jerrold L Glick
1600 Wynkoop St, Suite 200
Denver, CO 80202

Attachment B: Authorization to Represent Owner

June 23, 2018

Denver Community Planning and Development
201 West Colfax
Denver, CO 80202

To Whom It May Concern:

Fredrick D Glick is authorized to represent 3850 York LLC in the rezoning application process for the property at 3840 York Street.



Fredrick D Glick
Managing Member
3850 York LLC
1600 Wynkoop St, Suite 200
Denver, CO 80202

PUD-G 20 Application
Attachment C: Intent of PUD

PUD-G 20 is intended to:

- Allow mixed use development that contributes to the vibrancy of the surrounding neighborhood and facilitates a transition between mixed use and residential areas to the south and Industrial Districts to the north.
- Facilitate compatible development through the use of appropriate building form and design standards and guidelines.
- Allow for flexibility to encourage ongoing use and adaptive reuse of a complex of World War II-era Army supply depot administrative structures.
- Allow flexibility for phased redevelopment of underutilized portions of the site.

PUD-G 20 Application

Attachment D: Deviations from Standard Zone Districts

Deviation	Why Deviation is Necessary
Increased primary street transparency requirements in Subarea B (See PUD-G 20 Section 4.2.1)	To provide pedestrian-friendly building design where greater setbacks are allowed to facilitate use and adaptive reuse of existing structures.
Allow parking of vehicles and water quality and detention/retention facilities in areas reserved for future development. (See PUD-G 20 Sections 6.2.1.A and 6.2.2.A)	To allow flexibility for phased redevelopment of underutilized portions of the site.
Requirement to provide Publicly Accessible Open Space that serves as a gateway to the adjacent 39 th Avenue Greenway (See PUD-G 20 Section 6.2.1.B)	To foster a “sense of place” and enhance the pedestrian environment.
Additional Requirements for Surface Parking Lot Garden Wall to include 50’ of seating or pergola in Subarea B (See PUD-G 20 Section 6.2.2.B)	To enhance the pedestrian environment.
Exception for Voluntary Demolition of Compliant Structures in Subarea B (See PUD-G 20 Section 6.4.2.A)	To facilitate use and adaptive reuse of existing structures.

PUD-G 20 Application
Attachment E: Review Criteria

CONSISTANCY WITH ADOPTED PLANS

The proposed map amendment is consistent with the stated objectives and strategies of the two applicable plans, Denver Comprehensive Plan 2000, Blueprint Denver and 2015 Elyria & Swansea Neighborhoods Plan.

Denver Comprehensive Plan 2000

Environmental Sustainability

Strategy 2-B Protect and improve air quality by: Reducing vehicular pollution by expanding the use of transit and other travel alternatives, supporting telecommuting and home-based employment, increasing the mix of uses within neighborhoods, and expanding the use of alternative fuels.

Rezoning of the subject property will enable development and re-development of underutilized properties, increasing the mix of uses within the neighborhood and along an enhanced transit corridor (York Street). In addition, the 39th Avenue gateway feature will help to encourage the use of the 39th Avenue Greenway as an important corridor for the use of active transportation modes to access existing commuter rail.

Strategy 2-C Conserve water and improve water quality.

Rezoning of the subject property will enable the reduction of impermeable area (not possible under the current zoning) and the creation of green stormwater infrastructure to address water quality and detention in Subarea B.

2-E Conserve raw materials by: Promoting efforts to adapt existing buildings for new uses, rather than destroying them.

The proposed modification of the Exceptions for Phased Development standards in the proposed rezoning will enable and incentivize re-development of the property and development of underutilized portions of the property without demolition of the existing historic buildings.

Strategy 4-F Introduce natural ecosystem strategies into the maintenance of our public and private lands.

The proposed rezoning will enable the use of green stormwater management strategies which the site's current zoning prevents.

Land Use

Strategy 3-B Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.

The proposed rezoning enables infill development on under-utilized land, which is prevented by the site's current zoning.

Strategy 3-D Identify and enhance existing focal points in neighborhoods, and encourage the development of such focal points where none exist.

The proposed rezoning requires the development of a 1500 square foot privately-owned public space which will serve as a gateway to the 39th Avenue Greenway, a planned neighborhood focal point. This feature will enhance the Greenway, making it more readily accessible and visible to residents.

Strategy 4-B Ensure that land-use policies and decisions support a variety of mobility choices, including light rail, buses, paratransit, walking and bicycling, as well as convenient access for people with disabilities.

The proposed rezoning will support the use of the 39th Avenue Greenway as an active transportation mobility corridor with access to existing commuter rail by enhancing access to the Greenway.

Mobility

Strategy 8-A Ensure safe and convenient access and accommodation of bicycle riders, pedestrians and transit riders.

The gateway feature required under the proposed rezoning will enhance safe pedestrian and bike access to the mixed-use path along the 39th Avenue Greenway.

Legacy

Strategy 9-B Integrate sufficient open space and recreational amenities, including small urban parks, into large-scale development plans.

The proposed rezoning requires the development of a small, privately-owned publicly-accessible open space.

Strategy 11-C Encourage metrowide cooperation to further develop regional trail systems, bicycle and pedestrian amenities, and transit access to parks, recreation and open space.

The proposed rezoning requires the development of privately-owned, publicly-accessible open space which is intended to function as a gateway to the 39th Avenue Greenway, creating a unique public-private collaboration to enhance access to an important new pedestrian a bicycle amenity.

Economic Activity

Strategy 5-A: Support small-scale economic development in neighborhoods using the following key strategies...Support development of neighborhood business centers that serve adjacent residential areas in existing neighborhoods and new neighborhoods within development areas.

The proposed rezoning would enable the future development of underutilized land within the site to further develop the site as a neighborhood business center.

Blueprint Denver

According to Blueprint Denver, the proposed rezoning site is located within an area of change.

As per Blueprint Denver, “The purpose of Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips. Areas of Change are parts of the city where most people agree that development or redevelopment would be beneficial.”

As anticipated by Blueprint Denver, the site is “incorrectly zoned for future development.” Current zoning includes a “Plat Map” which was waived in as part of the 1999 rezoning of the site. This map prevents major changes to the existing building footprints and **for any substantial development to take place a rezoning is required.**

The proposed rezoning is consistent with Blueprint Denver’s plan for the site to experience future development or redevelopment.

2015 Elyria & Swansea Neighborhoods Plan

Though the site falls outside of the Elyria and Swansea neighborhoods, it was included in the 2015 Elyria & Swansea Neighborhoods Plan.

This plan also includes the site within the Areas of Change and the Plan specifies its concept land use as “mixed use” with a maximum building height of three stories.

The proposed rezoning is consistent with this plan as it provides for mixed-use and limits the height to three stories.

The designation of U-MX-3 as the base zone district for Subarea A is compatible with the plan and provides a transition between the residential districts within the Urban Neighborhood Context to the south and the industrial districts to the north, west and east.

The designation of I-MX-3 as the base zone district for Subarea B is compatible with the plan and provides a transition between the industrial districts which surround it to the west, north and east and the mixed-use district envisioned for Subarea A.

The proposed rezoning is also consistent with the following Plan recommendations:

Showcase the history of Elyria and Swansea.

The proposed rezoning allows for development, redevelopment and adaptive reuse on the National Register-listed site without requiring or incentivizing the demolition of contributing structures.

Establish a strong compilation of land uses that balances the needs of residents, commerce, and industry.

The proposed rezoning would enable the development of under-utilized land on the site for a variety of uses.

Improve transition between industrial and residential uses.

The proposed rezoning is designed to improve the transition between industrial and residential uses through the use of mixed-use and industrial mixed-use base zone districts.

Introduce gateways and key vistas.

Improve pedestrian character with enhanced streetscapes.

The proposed rezoning requires the provision of a 1500 sq ft gateway feature along York Street.

Promote water quality through best practices.

Increase the use of low impact development and green infrastructure.

The proposed rezoning enables the implementation of green stormwater on Subarea B.

Explore opportunities to integrate new community spaces and parks into the neighborhood.

The proposed rezoning requires the provision of 1500 sq ft of publicly-accessible open space along York Street.

Improve walking and cycling routes between parks and recreation facilities.

Connect to greenspace.

The proposed rezoning requires the provision of a 1500 sq ft gateway feature along York Street to serve “as a gateway to the adjacent 39th Avenue Greenway and...[foster] a “sense of place” and enhance the pedestrian environment.

UNIFORMITY OF DISTRICT REGULATIONS AND RESTRICTIONS

The proposed rezoning would result in the uniform application of zone district building form, use, and design regulations. The proposed deviations from the standard zone districts are designed to facilitate the continued use and enlargement of existing institutional buildings without altering form and design regulations for future development.

PUBLIC HEALTH, SAFETY AND GENERAL WELFARE

The proposed rezoning furthers the public health, safety, and general welfare of the City through the implementation of the City's adopted land use plans, including Comprehensive Plan 2000, Blueprint Denver and 2015 Elyria & Swansea Neighborhoods Plan.

- The proposed zoning would allow future redevelopment and development, bringing increased residential and business density to the neighborhood.
- The proposed zoning would also enable the construction of green stormwater infrastructure to improve the quality of stormwater entering the stormwater system. Currently there is no water quality treatment of water flowing off the parking areas. The current zoning prevents this from being altered.
- The proposed zoning requires the provision of a 1500 sq ft publicly-accessible open space.

JUSTIFYING CIRCUMSTANCES

DZC 12.4.10.8.A.4

“Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:

- a. Changed or changing conditions in a particular area, or in the city generally; or,*
- b. A City adopted plan; or*
- c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.”*

The majority of the property retained Former Chapter 59 zoning when the City adopted the Denver Zoning Code.

CONSISTANCY WITH NEIGHBORHOOD CONTEXT, AND WITH THE STATED PURPOSE AND INTENT OF THE PROPOSED ZONE DISTRICT.

The proposed rezoning of Subarea A with a base zone district of U-MX-3 for Subarea A is consistent with neighborhood context and with the stated purpose and intent of the proposed zone district. Subarea A provides a transition along the York Street arterial corridor between the residential districts within the Urban Neighborhood Context to the south and the industrial/commercial districts to the north, west and east. It contains a mixture of single-story and two-story buildings with a mixture of commercial uses.

The proposed rezoning of Subarea B with a base zone district of I-MX-3 for Subarea B is consistent with neighborhood context, and with the stated purpose and intent of the proposed zone district. Subarea B provides a transition along the York Street arterial between the industrial districts which surround it to the west, north and east and the mixed-use district envisioned for Subarea B.

ADDITIONAL REVIEW CRITERIA FOR REZONING TO PUD DISTRICT

The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development).

The PUD District and the PUD District Plan comply with all applicable standards and criteria station in Division 9.6.

PUD-G 20 responds to the unique and extraordinary circumstances of the 1942 Denver Army Medical Depot site. Numerous standard zone districts were explored for rezoning, but none enabled the site to be effectively developed or redeveloped. The existing zone lot is large and fronts York Street, but there is no other ROW adjacent to the site. Though the existing zoning is not a PUD, the waivers and conditions adopted as part of that zoning, specifically the “plat map” prevent redevelopment without an act of Council. The proposed PUD brings the site closer to conformance with current zoning regulations and adopted plans.

Even without the proposed required privately-owned public space, the proposed PUD provides significant public benefit. The area is called out in Blueprint Denver as a mixed-use area of change. Furthermore, the Denveright draft maps presented at the 22 February 2018 Blueprint Denver Taskforce Meeting show the area in the "Transform" category of change with a "most" planned character change score and a "least" existing diversity of choice score. Thus, further development on the property, including the diversification of use of land such development would enable, is in keeping with the goals and objectives of Denver's Comprehensive Plan.

Given the siting of the existing buildings, the build-to requirements of a standard mixed-use zone district, when coupled with the unique physical characteristics of the site (particularly the numerous underground utilities services, including high-voltage electrical, water and telecommunications infrastructure), would provide a constraint which would almost certainly make future development on the ICHC parcel (and the CrossFit land to the south) or on the 3840 parcel uneconomic without the demolition of the existing buildings. While these buildings are not Historic Structures within the definition of the DZC, they are recognized as contributing structures in National Register listing for the Medical Depot site. Perhaps more importantly, their demolition would represent a significant waste of the embodied energy contained within these buildings. Such inefficient use of land and energy would conflict with the sustainability goals of the Comprehensive Plan.

Thus, the PUD provides significant public benefit not achievable through application of a standard zone district by:

- promoting diversification of land use;

- promoting more efficient use of land and energy; and
- promoting development patterns in keeping with the goals and objectives of Denver's Comprehensive Plan.

The development proposed on the subject property is not feasible under any other Zone Districts, and would require an unreasonable number of variances or waivers and conditions.

As stated above, numerous standard zone districts were explored for rezoning, but none enabled the site to be effectively developed or redeveloped without requiring significant demolition of existing buildings. Given the siting of the existing buildings, the build-to requirements of a standard mixed-use zone district, when coupled with the unique physical characteristics of the site (particularly the numerous underground utilities services, including high-voltage electrical, water and telecommunications infrastructure), would provide a constraint which would almost certainly make future development on the ICHC parcel (and the CrossFit land to the south) or on the 3840 parcel uneconomic without the demolition of the existing buildings.

The PUD District, the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property.

The proposed permitted uses are not altered from the base standard zone districts. These districts (U-MX-3 and I-MX-3) were specifically chosen based on their compatibility with the surrounding land uses, as detailed above.

The PUD District, the PUD District Plan establish permitted building forms that are compatible with adjacent existing building forms, or which are made compatible through appropriate transitions at the boundaries of the PUD District Plan (e.g., through decreases in building height; through significant distance or separation by rights-of-way, landscaping or similar features; or through innovative building design).

The proposed PUD makes no changes to the allowed building forms from the base zone districts and are consistent with the building form plans in the 2015 Elyria & Swansea Neighborhoods Plan. In addition, the 1500 sq ft Gateway Landscaping Feature required under the PUD will substantially enhance access to and visibility of the 39th Avenue Greenway. a

Subarea A Legal Description

3840 York St

The following real estate located in the city and county of Denver, Colorado:

A parcel of land being a part of the southeast one quarter of section 23 and part of the southwest one-quarter of section 24, township 3 south, range 68 west of the 6th principal meridian, city and county of Denver, state of Colorado, being more particularly described as follows:

Commencing at the northwest corner of lot 1, block 1, Cheesman and Moffat's addition to the city of Denver, which point is on the south line of the southeast $\frac{1}{4}$ of said section 23, 47.94 feet west of the southeast corner of said southeast $\frac{1}{4}$ and which point is also on the east line of York Street;

Thence north 00°07'00" west parallel with and 47.94 feet west of the east line of the southeast $\frac{1}{4}$ of said section 23 and along the east line of York Street, a distance of 225.69 feet to the true point of beginning;

Thence north 89°56'24" east, a distance of 46.57 feet;

Thence south 75°42'55" east, a distance of 46.50 feet;

Thence north 89°56'24" east, a distance of 136.23 feet;

Thence south 00°07'00" east, a distance of 17.00 feet;

Thence north 89°56'24" east, a distance of 197.17 feet;

Thence north 00°07'00" west, a distance of 29.24 feet;

Thence south 89°56'24" west, a distance of 40.00 feet;

Thence north 00°07'00" west, a distance of 150.00 feet;

Thence south 89°56'24" west, a distance of 175.00 feet;

Thence north 00°07'00" west, a distance of 64.60 feet;

Thence south 89°56'24" west, a distance of 117.15 feet;

Thence north 00°07'00" west, a distance of 19.99 feet;

Thence south 89°56'24" west, a distance of 92.85 feet to the east line of York Street;

Thence south 00°07'00" east along the east line of York Street, a distance of 235.31 feet to the true point of beginning,

City and County of Denver, State of Colorado,

The described contains 80,929 sq. Ft. Or 1.8579 acres, more or less.

Together with:

3850 York St.

The following real estate located in the city and county of Denver, Colorado:

A parcel of land being a part of the southeast one quarter of section 23 and part of the southwest one-quarter of section 24, township 3 south, range 68 west of the 6th principal meridian, City and County of Denver, state of Colorado, being more particularly described as follows:

Commencing at the northwest corner of lot 1, block 1, Cheesman and Moffat's addition to the city of Denver, which point is on the south line of the southeast $\frac{1}{4}$ of said section 23, 47.94 feet west of the southeast corner of said Southeast $\frac{1}{4}$ and which point is also on the east line of York Street:

Thence north 00°07'00" west parallel with and 47.94 feet west of the east line of the Southeast $\frac{1}{4}$ of said section 23 and along the east line of York Street, a distance of 461.00 feet to the true point of beginning; thence north 89°56'24" east, a distance of 92.85 feet;

Thence south 00°07'00" east, a distance of 19.99 feet;

Thence north 89°56'24" east, a distance of 117.15 feet;

Thence north 00°07'00" west, a distance of 135.40 feet;

Thence south 89°56'24" west, a distance of 210.00 feet to the east line of York Street;

Thence south 00°07'00" east along the east line of York Street, a distance of 115.41 feet to the true point of beginning,
City and county of Denver, State of Colorado.
The described contains 26,578 sq. Ft. Or 0.6101 acres, more or less.;

Subarea B Legal Description

A parcel of land being a part of the southeast one quarter of section 23 and part of the southwest one-quarter of section 24, township 3 south, range 68 west of the 6th principal meridian, City and County of Denver. State of Colorado, being more particularly described as follows:

Beginning at the northwest corner of lot 1, block 1, Cheesman and Moffat's Addition to the city of Denver, which point is on the south line of the southeast ¼ of said section 23, 47.94 feet west of the southeast corner of said southeast ¼ and which point is also on the east line of York street;

Thence north 00°07'00" west parallel with and 47.94 feet west of the east line of the southeast ¼ of said section 23 and along the east line of York Street, a distance of 225.69 feet;

Thence north 89°56'24" east, a distance of 46.57 feet;

Thence south 75°42'55" east, a distance of 46.50 feet;

Thence north 89°56'24" east, a distance of 136.23 feet;

Thence south 00°07'00" east, a distance of 17.00 feet;

Thence north 89°56'24" east, a distance of 197.17 feet;

Thence south 00°07'00" east, a distance of 196.22 feet to a point on the south line of the southwest ¼ of said section 24;

Thence south 89°48'42" west along the south line of the southwest ¼ of said section 24, a distance of 425.00 feet, more or less, to the point of beginning,

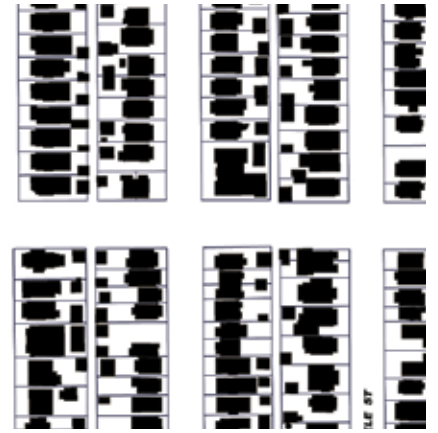
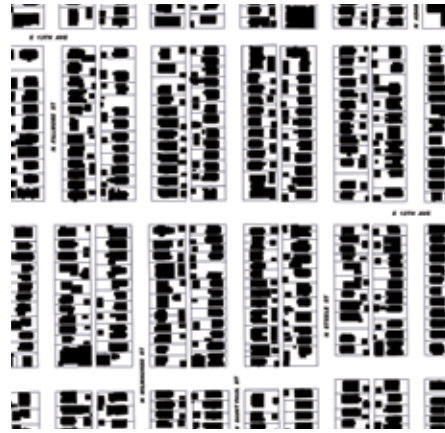
City and county of Denver, State of Colorado.

The described contains 88,265 sq. Ft. Or 2.0263 acres, more or less.

Together With:

Lots 1 through 6, inclusive, and the North One-half of Lot 7, Block 1, Cheesman and Moffat's Addition to the City of Denver, and Lots 1 through 6, inclusive, and the North One-half of Lot 7, Block 1, Lessig Addition, City and County of Denver, State of Colorado.

PUD-G 20



3740 through 3850 York St.
2018I-00007

8/10/18 Draft

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CHAPTER 1. ESTABLISHMENT AND INTENT

SECTION 1.1 PUD-G 20 ESTABLISHED

The provisions of this PUD-G 20 apply to the land depicted on the Official Zoning Map with the label PUD-G 20, and more generally described as approximately 4.49 acres of land in Section 24, Township 3 South Range 68 West, City and County of Denver.

1.1.1 Subareas Established

The following subareas are hereby established within PUD-G 20 for the purpose of applying the zoning standards contained herein. All subareas established are shown generally on Figure 1-1 below and described legally as follows:

A. Subarea A Legal Description

3840 York St

The following real estate located in the city and county of Denver, Colorado:

A parcel of land being a part of the southeast one quarter of section 23 and part of the southwest one-quarter of section 24, township 3 south, range 68 west of the 6th principal meridian, city and county of Denver, state of Colorado, being more particularly described as follows:

Commencing at the northwest corner of lot 1, block 1, Cheesman and Moffat's addition to the city of Denver, which point is on the south line of the southeast $\frac{1}{4}$ of said section 23, 47.94 feet west of the southeast corner of said southeast $\frac{1}{4}$ and which point is also on the east line of York Street;

Thence north 00°07'00" west parallel with and 47.94 feet west of the east line of the southeast $\frac{1}{4}$ of said section 23 and along the east line of York Street, a distance of 225.69 feet to the true point of beginning;

Thence north 89°56'24" east, a distance of 46.57 feet;

Thence south 75°42'55" east, a distance of 46.50 feet;

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Thence north 89°56'24" east, a distance of 197.17 feet;

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Thence south 89°56'24" west, a distance of 92.85 feet to the east line of York Street;

Thence south 00°07'00" east along the east line of York Street, a distance of 235.31 feet to the true point of beginning,

City and County of Denver, State of Colorado,

The described contains 80,929 sq. Ft. Or 1.8579 acres, more or less.

Together with:

3850 York St.

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Commencing at the northwest corner of lot 1, block 1, Cheesman and Moffat's addition to the city of Denver, which point is on the south line of the southeast $\frac{1}{4}$ of said section 23, 47.94 feet west of the southeast corner of said Southeast $\frac{1}{4}$ and which point is also on the east line of York Street:

Thence north 00°07'00" west parallel with and 47.94 feet west of the east line of the Southeast $\frac{1}{4}$ of said section 23 and along the east line of York street, a distance of 461.00 feet to the true point of beginning: thence north 89°56'24" east, a distance of 92.85 feet;

Thence south 00°07'00" east, a distance of 19.99 feet;

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Thence south 89°56'24" west, a distance of 210.00 feet to the east line of York Street;

Thence south 00°07'00" east along the east line of York Street, a distance of 115.41 feet to the true point of beginning,

City and county of Denver, State of Colorado.

The described contains 26,578 sq. Ft. Or 0.6101 acres, more or less.;

B. Subarea B Legal Description

A parcel of land being a part of the southeast one quarter of section 23 and part of the southwest one-quarter of section 24, township 3 south, range 68 west of the 6th principal meridian, City and County of Denver. State of Colorado, being more particularly described as follows:

Beginning at the northwest corner of lot 1, block 1, Cheesman and Moffat's Addition to the city of Denver, which point is on the south line of the southeast $\frac{1}{4}$ of said section 23, 47.94 feet west of the southeast corner of said southeast $\frac{1}{4}$ and which point is also on the east line of York street;

Thence north 00°07'00" west parallel with and 47.94 feet west of the east line of the southeast $\frac{1}{4}$ of said section 23 and along the east line of York Street, a distance of 225.69 feet;

Thence north 89°56'24" east, a distance of 46.57 feet;

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Thence north 89°56'24" east, a distance of 197.17 feet;

Thence south 00°07'00" east, a distance of 196.22 feet to a point on the south line of the southwest $\frac{1}{4}$ of said section 24;

Thence south 89°48'42" west along the south line of the southwest $\frac{1}{4}$ of said section 24, a distance of 425.00 feet, more or less, to the point of beginning,

City and county of Denver, State of Colorado.

The described contains 88,265 sq. Ft. Or 2.0263 acres, more or less.

Together With:

Lots 1 through 6, inclusive, and the North One-half of Lot 7, Block 1, Cheesman and Moffat's Addition to the City of Denver, and Lots 1 through 6, inclusive, and the North One-half of Lot 7, Block 1, Lessig Addition, City and County of Denver, State of Colorado.

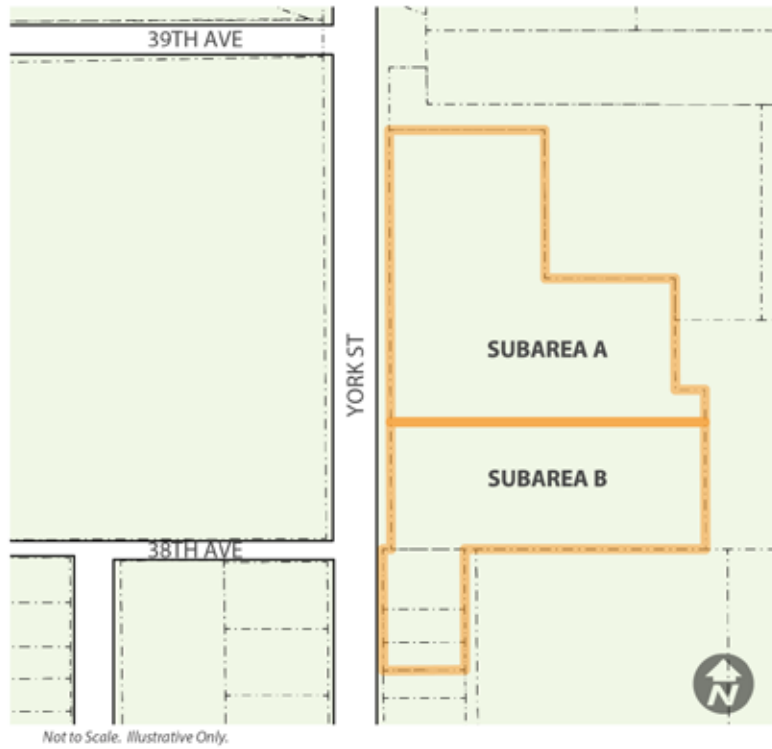


Figure 1-1. Subareas Established within PUD-G 20

SECTION 1.2 PUD-G 20 GENERAL PURPOSE

The general purpose of PUD-G 20 is to:

- 1.2.1 Facilitate continued use and adaptive reuse of existing structures on the site, and redevelopment of underutilized parts of the site that is compatible with the Industrial Neighborhood Context abutting the north part of the site and Urban Neighborhood Context to the south.
- 1.2.2 Provide flexibility in urban design in exchange for outcomes that contribute to the vibrancy of the York Street corridor, including improved surface parking screening and the significant public benefit of a gateway landscaping and pocket park feature that draws the attention of pedestrians to the access of the proposed 39th Avenue Greenway.

SECTION 1.3 PUD-G 20 SPECIFIC INTENT

More specifically, PUD-G 20 is intended to:

- 1.3.1 Allow mixed use development that contributes to the vibrancy of the surrounding neighborhood and facilitates a transition between mixed use and residential areas to the south and Industrial Districts to the north.
- 1.3.2 Facilitate compatible development through the use of appropriate building form and design standards and guidelines.
- 1.3.3 Allow for flexibility to encourage ongoing use and adaptive reuse of a complex of World War II-era Army supply depot administrative structures,
- 1.3.4 Allow flexibility for phased redevelopment of underutilized portions of the site.

CHAPTER 2. NEIGHBORHOOD CONTEXT DESCRIPTION

SECTION 2.1 INDUSTRIAL CONTEXT DESCRIPTION

All development in Subarea A of PUD-G 20 shall conform to the Denver Zoning Code Division 9.1, Section 9.1.1, Industrial Context Description, as amended from time to time, except as modified in this PUD-G 20.

SECTION 2.2 URBAN CONTEXT DESCRIPTION

All development in Subarea B of this PUD-G 20 shall conform to the Denver Zoning Code Division 5.1 Urban Neighborhood Context Description, as amended from time to time, except as modified in this PUD-G 20.

CHAPTER 3. DISTRICTS

SECTION 3.1 I-MX-3 DISTRICT

All development in Subarea A of this PUD-G 20 shall conform to the Denver Zoning Code, Section 9.1.2, Districts Established, as specifically applicable to the I-MX-3 Zone District, as amended from time to time, except as expressly modified in this PUD-G 20.

SECTION 3.2 U-MX-3 DISTRICT

All development in Subarea B of this PUD-G 20 shall conform to the Denver Zoning Code, Division 5.2, Districts, as specifically applicable to the U-MX-3 Zone District, as amended from time to time, except as expressly modified in this PUD-G 20.

CHAPTER 4. DESIGN STANDARDS

SECTION 4.1 DESIGN STANDARDS FOR SUBAREA A

All development in Subarea A of this PUD-G 20 shall conform to the Denver Zoning Code, Section 9.1.3, Design Standards, as specifically applicable to the I-MX-3 Zone District, as amended from time to time.

SECTION 4.2 DESIGN STANDARDS FOR SUBAREA B

All development in Subarea B of this PUD-G 20 shall conform to the Denver Zoning Code, Division 5.3, Design Standards as specifically applicable to the U-MX-3 Zone District, as amended from time to time, with the following modifications:

4.2.1 Primary Building Form Standards

Development in Subarea B of this PUD-G 20 shall comply with the form standards in Section 5.3.3, Primary Building Form Standards, as amended from time to time, with the exceptions and modifications set forth below.

A. Design Elements

1. Intent

To provide pedestrian-friendly building design by requiring Street Level Activation through transparency, while allowing greater setbacks from the Primary Street.

2. Standards

The following Primary Building Form Standards shall apply and shall replace the transparency requirements of any Primary Building Form used:

DESIGN ELEMENTS	Subarea B
STREET LEVEL ACTIVATION	
Transparency, Primary Street (min)	Shall comply with the Transparency, Primary Street (min) requirements as specified in Sec. 5.3.3.4.J, Shopfront building form
Transparency Alternatives	Allowed per alternative standards for U-MX zone district in DZC Section 5.3.6.2 Transparency Alternatives

CHAPTER 5. USES AND REQUIRED MINIMUM PARKING

5.2.1 Uses and Required Minimum Parking for Subarea A

All development in Subarea A of this PUD-G 20 shall conform to the Denver Zoning Code, Section 9.1.4, Uses and Required Minimum Parking, as specifically applicable to the I-MX-3 Zone District, as amended from time to time.

5.2.2 Uses and Required Minimum Parking for Subarea B

All development in Subarea B of this PUD-G 20 shall conform to the Denver Zoning Code, Division 5.4, Uses and Required Minimum Parking, as specifically applicable to the U-MX-3 Zone District, as amended from time to time.

CHAPTER 6. ADDITIONAL STANDARDS

SECTION 6.1 ARTICLE 1 OF THE DENVER ZONING CODE

6.1.1 Applicability

Development in this PUD-G 20 shall conform to Article 1, General Provisions of the Denver Zoning Code, as amended from time to time.

SECTION 6.2 ARTICLE 9 OF THE DENVER ZONING CODE

6.2.1 Applicability

Development in this PUD-G 20 shall conform to Article 9, Special Districts of the Denver Zoning Code, as amended from time to time, with the following exceptions:

A. Amendments to Approved PUD District Plans

This PUD District Plan may be amended by subarea, platted lots, or metes and bounds parcels, as allowed in Denver Zoning Code, Section 9.6.1.4, Amendments to Approved PUD District Plans.

SECTION 6.3 ARTICLE 10 OF THE DENVER ZONING CODE

6.3.1 Applicability in Subarea A

Development in Subarea A of this PUD-G 20 shall conform to Article 10, General Design Standards, of the Denver Zoning Code as specifically applicable to the I-MX-3 Zone District and as amended from time to time, with the following exceptions:

A. Exception for Phased Development

Development in Subarea A of this PUD-G 20 shall conform to Section 10.3.3.3, Exception for Phased Development, except that parking of vehicles and water quality and detention/retention facilities, and utilities shall be permitted in the reserved area.

B. Open Space

1. Intent

To provide Publicly Accessible Open Space that draws attention to the adjacent 39th Avenue Greenway and which fosters a “sense of place” and enhances the pedestrian environment. Construction of the feature is intended to correspond with the completion of the new 39th Avenue Greenway and new 39th Avenue roadway.

2. Requirements

- a. A minimum of 1500 square feet of the total area of Subarea A, located at the northwestern corner of the property and oriented along York Street, shall be included at Site Development Plan approval as open space, for which the property owner shall execute a permanent non-exclusive easement granting access to the City and the general public, or a warranty deed acceptable to and approved by the City, or a combination of a permanent non-exclusive easement and a warranty deed.
- b. A Site Development Plan application for the required open space shall be submitted concurrently with the first zoning application for development in Subarea A. Construction of the open space shall be completed within 18 months of Site Development Plan approval;

- c. The open space shall be Publicly Accessible Open Space, as that term is defined by the Denver Zoning Code, Article 13, Division 13.3. The owner may establish, post and enforce reasonable rules for the use of the open space, including reasonable opening hours for the open space; and
- d. The open space shall include, at a minimum: 80% permeable surface, 60% live landscape material, one tree per 35' of York Street frontage to be located anywhere within the open space, 1 seating area, and a pedestrian pathway at least 3' in width.

6.3.2 Applicability in Subarea B

Development in Subarea B of this PUD-G 20 shall conform to Article 10, General Design Standards, of the Denver Zoning Code as specifically applicable to the U-MX-3 Zone District and as amended from time to time, with the following exceptions:

A. Exception for Phased Development

Development in Subarea B of this PUD-G 20 shall conform to Section 10.3.3.3, Exception for Phased Development, except that:

- 1. Parking of vehicles and water quality and detention/retention facilities, and utilities shall be permitted in the reserved area; and
- 2. The reserved area shall not be required to provide landscaping as specified in Section 10.3.3.3.D.

B. Additional Requirements for Surface Parking Lot Garden Wall

Surface Parking shall meet all requirements of Sec. 10.5.4.4, Perimeter Surface Parking Lot Landscaping Standards, as applicable to the Urban Neighborhood Context, including the required garden wall, with the following additional requirement:

- 1. The garden wall shall include at least one of the following treatments for a total of at least 50' in width, measured parallel to York Street:
 - a. Garden Wall with Covered Seating for Pedestrians which shall comply with DZC Section 13.1.5.7.E.3, and/or
 - b. Pergola which shall comply with DZC Section 13.1.5.7.E.4.

SECTION 6.4 ARTICLE 11 OF THE DENVER ZONING CODE

6.4.1 Applicability in Subarea A

Development in Subarea A of this PUD-G 20 shall conform to Article 11, Use Limitations and Definitions, as specifically applicable to the I-MX-3 Zone District, as amended from time to time.

6.4.2 Applicability in Subarea B

Development in Subarea B of this PUD-G 20 shall conform to Article 11, Use Limitations and Definitions, as specifically applicable to the U-MX-3 Zone District, as amended from time to time.

SECTION 6.5 ARTICLE 12 OF THE DENVER ZONING CODE

6.5.1 Applicability in Subarea A

Development in this PUD-G 20 shall conform to Article 12, Zoning Procedures and Enforcement, of the Denver Zoning Code, as amended from time to time, with the following exceptions:

A. Site Development Plan Review

Site development plan review shall not be required for development of a single-unit or two-unit dwelling use.

6.5.2 Applicability in Subarea B

Development in this PUD-G 20 shall conform to Article 12, Zoning Procedures and Enforcement, of the Denver Zoning Code, as amended from time to time, with the following exceptions:

A. Exception for Voluntary Demolition of Compliant Structures

A Compliant Structure may be allowed to deviate from the standards in Section 12.6.3.2, Expansions, Alterations, Enlargements to Compliant Structures, in that it may be voluntarily demolished in its entirety, even if doing so would reduce the amount of the existing facade meeting the build-to requirement.

SECTION 6.6 ARTICLE 13 OF THE DENVER ZONING CODE

6.6.1 Applicability

Development in this PUD-G 20 shall conform to Article 13, Rules of Measurement and Definitions, of the Denver Zoning Code, as expressly amended from time to time, with the following exceptions:

A. Required Build-To

Development in this PUD-G 20 shall conform to Section 13.1.5.7, Required Built-To, except that, additionally, where open space meeting the requirements of 6.3.1.B of this PUD-G 20 abuts the public street right-of-way, a required Build-to shall be measured from that Permanent Nonexclusive Easement for open space rather than the zone lot line, as illustrated in the rule of measurement in Denver Zoning Code 13.1.5.7.C.1, Min/Max Range.

CHAPTER 7. RULES OF INTERPRETATION

Subject to Chapter 8 of this PUD-G 20, whenever a section of the Denver Zoning Code is referred to in this PUD-G 20, that reference shall extend and apply to the section referred to as subsequently amended, recodified, or renumbered; provided, however, if a section of the Denver Zoning Code, as subsequently amended, recodified, or renumbered conflicts with a provision of this PUD-G 20, this PUD-G 20 shall control.

CHAPTER 8. VESTED RIGHTS

This PUD-G 20 shall be established in accordance with Denver Zoning Code sections 9.6.1.2.C, Vested Rights, and 9.6.1.5, Vested Rights, and vested property rights shall be created 90 days after the effective date of the ordinance approving this PUD-G 20. The property rights vested through approval of this PUD-G 20 shall remain vested for a period of 3 years and shall include the right to commence and complete development of and the right to use the site in accordance with the intent, standards, and uses set forth in the Denver Zoning Code, as amended from time to time, except as expressly modified by this PUD-G 20.

Current B-2 waivers and conditions

BY AUTHORITY

ORDINANCE NO. 180
SERIES OF 1999

COUNCIL BILL NO. 77
COMMITTEE OF REFERENCE:

9900045151 1999/03/12 09:56:35 1/ 3 ORD
DENVER COUNTY CLERK AND RECORDER .00 .00 SMP

LAND USE

A BILL

FOR AN ORDINANCE RELATING TO ZONING, CHANGING THE ZONING CLASSIFICATION FOR A SPECIFICALLY DESCRIBED AREA, GENERALLY LOCATED AT 3840 YORK STREET, RECITING CERTAIN WAIVERS PROPOSED BY THE OWNER AND THE APPLICANT FOR THE ZONING CLASSIFICATION, RECITING CERTAIN REASONABLE CONDITIONS APPROVED BY THE OWNER AND THE APPLICANT FOR THE ZONING CLASSIFICATION AND PROVIDING FOR A RECORDATION OF THIS ORDINANCE.

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That upon consideration of a change in the zoning classification of the land area hereinafter described, Council finds:

1. That the land area hereinafter described is presently classified as part of the R-5 District;

2. That the owner and the applicant propose that the land area hereinafter described be changed to B-2 with reasonable waivers and with reasonable conditions which they have approved;

3. That in their application the owner and the applicant have represented that if the zoning classification is changed pursuant to their application, the owner and applicant will and hereby

(a) waive the right to use or occupy the land hereinafter described or to use, occupy or erect thereon any structure or structures designed, erected, altered, used or occupied for:

- o auto polishing shop; or
- o liquor store (sale by package only).

4. That the owner and the applicant approve and agree, as reasonable conditions to the requested change in zoning classifications related to the development, operation and maintenance of the land area hereinafter described:

(a) that site improvements including landscaping and parking lot layout will be in conformance with the Plat Map as filed in the Office of the Clerk and

1 Recorder, Ex-Officio Clerk of the City and County of Denver, on the 3rd day
2 of February, 1999, at Filing No. 99-073;

3 **Section 2.** That the zoning classification of the land area in the City and County of Denver
4 described as follows or included within the following boundaries shall be and hereby is changed
5 from R-5 to B-2 with certain waivers which waivers are set forth in Subsection 3 of Section 1 hereof
6 and with certain reasonable conditions approved by the owner and the applicant which reasonable
7 conditions are set forth in Subsection 4 of Section 1 hereof:

A parcel of land being a part of the Southeast One-quarter of Section 23 and part of the Southwest One-quarter of Section 24, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

Beginning at the southeast corner of the SW1/4 of said Section 24; thence S89°56'27"W along the south line of said SW1/4, a distance of 2,280.61 feet to the True Point of Beginning; thence continuing S89°56'27"W along the south line of said SW1/4, a distance of 425.00 feet to the northwest corner of Lot 1, Block 1, **CHEESMAN AND MOFFAT'S ADDITION TO THE CITY OF DENVER**, which point is on the south line of the SE1/4 of said Section 23, 47.94 feet west of the SE corner of said SE1/4 and which point is also on the east line of York Street; thence N00°07'00"W parallel with and 47.94 feet west of the east line of the SE1/4 of said Section 23 and along the east line of York Street, a distance of 576.18 feet; thence N89°56'24"E, a distance of 210.00 feet; thence S00°07'00"E, a distance of 200.00 feet; thence N89°56'24"E, a distance of 175.00 feet; thence S00°07'00"E, a distance of 150.00 feet; thence N89°56'24"E, a distance of 40.00 feet; thence S00°07'00"E, a distance of 226.19 feet to the True Point of Beginning. Containing 4.497 acres, more or less.

1 in addition thereto those portions of all abutting public rights-of-way, but only to the
2 centerline thereof, which are immediately adjacent to the aforesaid specifically
3 described area.

4 **Section 3.** That the foregoing change in zoning classification is based upon the representations
5 by the owner and the applicant that they will waive those certain rights available to them, and, in
6 lieu thereof, agree to certain limitations which limitations are set forth in Subsections 3 of Section
7 1 hereof, and is also based upon the reasonable conditions approved by the said owner and the
8 applicant which reasonable conditions are set forth in Subsection 4 of Section 1 hereof; and no
9 permit shall be issued except in strict compliance with the aforesaid waivers and the aforesaid
10 reasonable conditions. Said waivers and said reasonable conditions shall be binding upon all
11 successors and assigns of said owner and said applicant, who along with said owner and said
12 applicant shall be deemed to have waived all objections as to the constitutionality of the aforesaid
13 waivers and the aforesaid reasonable conditions.

14 **Section 4.** That this ordinance shall be recorded by the Department of Zoning Administration
15 among the records of the Clerk and Recorder of the City and County of Denver.

16 PASSED BY THE COUNCIL March 8 1999

17 Harvey Haynes - PRESIDENT

18 APPROVED: Walter E. Scott - MAYOR MARCH 10 1999

19 ATTEST: Guillermo E. Bots - CLERK AND RECORDER,
20 EX-OFFICIO CLERK OF THE
21 CITY AND COUNTY OF DENVER

22 PUBLISHED IN THE DEN. ROCKY MTN NEWS Feb. 12, 1999 Mar. 12, 1999

23
24 PREPARED BY: PATRICK A. WHEELER, ASSISTANT CITY ATTORNEY 2/2/99

25 REVIEWED BY: Patricia Wheeler - CITY ATTORNEY ef 1999

26 SPONSORED BY COUNCIL MEMBER(S) _____



Public Comments



8/21/18

ATTN: Sara White
Planning Services
Community Planning and Development
201 W. Colfax Avenue, Dept 205
Denver, CO 80202

Dear Ms. White:

I am writing on behalf of the Clayton United RNO to express our support for the proposed rezoning of 3740-3850 York St (2018I-00007) to PUD-G #20.

At our August 13, 2018, neighborhood association meeting, Fred Glick presented plans for the York property, including how proposed zoning would enable Inner City Health Center to expand the services they offer to the community, as well as enabling the removal of impermeable area to create green storm water infrastructure. He then answered all questions posed by Clayton neighbors.

Upon completion of the presentation and neighbor questions, we called for a vote to support this rezoning request. As result, neighbors voted unanimously to support the rezoning request. Note that Fred Glick abstained from voting, and there were zero opposed votes.

Clayton United Registered Neighborhood Organization unanimously supports the proposed rezoning 3740-3850 York St (2018I-00007) to PUD-G #20.

If you have additional questions, feel free to contact me.

Sincerely,

Beckah Terlow, Vice President | Clayton United RNO
Email: beckah.terlow@gmail.com or claytonneighborhooddenver@gmail.com



ATTN: Sara White
Planning Services
Community Planning and Development
201 W. Colfax Avenue, Dept 205
Denver, CO 80202

Parcel Nos. 02252-08-003-000, 02252-08-002-000, 0225208-001-000 and 02243-00-026-000

Dear Ms. White:

I am writing to express my enthusiastic support for the proposed rezoning of 3740 – 3800 York Street to PUD zoning as proposed in PUD-G 20 and detailed in the rezoning application submitted July 7, 2018.

The sites are owned by Inner City Health Center, a private, nonprofit safety net clinic that has served Denver since 1983. The Health Center seeks to expand its facility and capacity to deliver primary comprehensive care (medical, dental and behavioral) to individuals and families. Rezoning the properties would enable ICHC to increase the over 20,000 patient visits currently provided by a projected 40% in three years.

Mile High Ministries is partnering with a private foundation to purchase and develop the property across the street on the west side of York Street, between 37th and 38th. We propose to build approximately 80 units of affordable housing. We can't imagine a better neighbor for our work than the Inner City Health Center, who has been serving so many of the same low-income families that we serve for many years.

In addition to being a community partner, I'm also a neighbor who lives less than a mile south of the Center. Inner City is a great neighbor and an institution in our community. I'm glad to see them growing and expanding both their facilities and their capacity to serve.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Johnsen', is written over a light gray background.

Jeff Johnsen, Executive Director



ATTN: Sara White
Planning Services
Community Planning and Development
201 W. Colfax Avenue, Dept 205
Denver, CO 80202

Via E-mail: Sara.White@denvergov.org

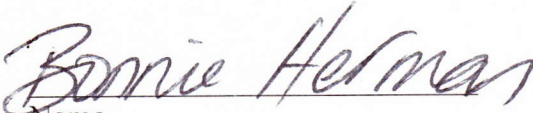
Dear Ms White:

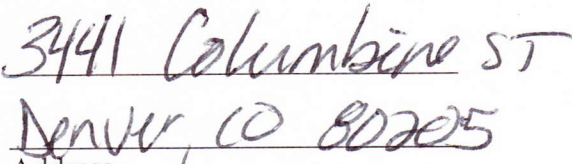
I am writing to express my support for the proposed rezoning of 3740-3850 York St (2018I-00007) to PUD-G #20, as detailed in the application of July 18, 2018.

The proposed rezoning would enable Inner City Health Center to expand the services they offer to the community, as well as enabling the removal of impermeable area to create green stormwater infrastructure.

I fully support this proposed rezoning.

Sincerely,


Name


Address

ATTN: Sara White
Planning Services
Community Planning and Development
201 W. Colfax Avenue, Dept 205
Denver, CO 80202

Via E-mail: Sara.White@denvergov.org

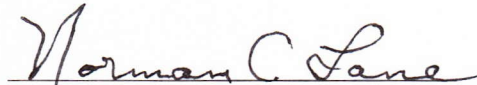
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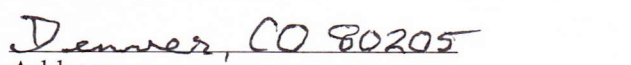
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The proposed rezoning would enable Inner City Health Center to expand the services they offer to the community, as well as enabling the removal of impermeable area to create green stormwater infrastructure.

I fully support this proposed rezoning.

Sincerely,


Name



Address

ATTN: Sara White
Planning Services
Community Planning and Development
201 W. Colfax Avenue, Dept 205
Denver, CO 80202

Via E-mail: Sara.White@denvergov.org

Dear Ms White:

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The proposed rezoning would enable Inner City Health Center to expand the services they offer to the community, as well as enabling the removal of impermeable area to create green stormwater infrastructure.

I fully support this proposed rezoning.

Sincerely,

Beckah Terlouw
Name

3234 Madison sf.
Denver, CO 80205
Address

ATTN: Sara White
Planning Services
Community Planning and Development
201 W. Colfax Avenue, Dept 205
Denver, CO 80202

Via E-mail: Sara.White@denvergov.org

Dear Ms White:

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The proposed rezoning would enable Inner City Health Center to expand the services they offer to the community, as well as enabling the removal of impermeable area to create green stormwater infrastructure.

I fully support this proposed rezoning.

Sincerely,

Marisa A. Murgolo 
Name

3600 N. Cook Str
Denver, CO 80205
Address

ATTN: Sara White
Planning Services
Community Planning and Development
201 W. Colfax Avenue, Dept 205
Denver, CO 80202

Via E-mail: Sara.White@denvergov.org

Dear Ms White:

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The proposed rezoning would enable Inner City Health Center to expand the services they offer to the community, as well as enabling the removal of impermeable area to create green stormwater infrastructure.

I fully support this proposed rezoning.

Sincerely,


Name

3338 N. Columbine St.
Denver, CO 80205
Address

ATTN: Sara White
Planning Services
Community Planning and Development
201 W. Colfax Avenue, Dept 205
Denver, CO 80202

Via E-mail: Sara.White@denvergov.org

Dear Ms White:

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The proposed rezoning would enable Inner City Health Center to expand the services they offer to the community, as well as enabling the removal of impermeable area to create green stormwater infrastructure.

I fully support this proposed rezoning.

Sincerely,

Mike Dugan
Name

3834 GILPIN ST
DENVER CO 80205
Address

ATTN: Sara White
Planning Services
Community Planning and Development
201 W. Colfax Avenue, Dept 205
Denver, CO 80202

Via E-mail: Sara.White@denvergov.org

Dear Ms White:

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The proposed rezoning would enable Inner City Health Center to expand the services they offer to the community, as well as enabling the removal of impermeable area to create green stormwater infrastructure.

I fully support this proposed rezoning.

Sincerely,

Danny Fritz
Name

3627 N York St
Denver, CO 80205
Address

ATTN: Sara White
Planning Services
Community Planning and Development
201 W. Colfax Avenue, Dept 205
Denver, CO 80202

Via E-mail: Sara.White@denvergov.org

Dear Ms White:

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The proposed rezoning would enable Inner City Health Center to expand the services they offer to the community, as well as enabling the removal of impermeable area to create green stormwater infrastructure.

I fully support this proposed rezoning.

Sincerely,

Sandra H. Douglas
Name

3725 N. Gaylord St
Denver, Co 80205
Address

ATTN: Sara White
Planning Services
Community Planning and Development
201 W. Colfax Avenue, Dept 205
Denver, CO 80202

Via E-mail: Sara.White@denvergov.org

Dear Ms White:

I am writing to express my support for the proposed rezoning of 3740-3850 York St (2018I-00007) to PUD-G #20, as detailed in the application of July 18, 2018.

The proposed rezoning would enable Inner City Health Center to expand the services they offer to the community, as well as enabling the removal of impermeable area to create green stormwater infrastructure.

I fully support this proposed rezoning.

Sincerely,

Maggie Thompson
Name

3630 Clayton St
Denver, CO 80205
Address

ATTN: Sara White
Planning Services
Community Planning and Development
201 W. Colfax Avenue, Dept 205
Denver, CO 80202

Via E-mail: Sara.White@denvergov.org

Dear Ms White:

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The proposed rezoning would enable Inner City Health Center to expand the services they offer to the community, as well as enabling the removal of impermeable area to create green stormwater infrastructure.

I fully support this proposed rezoning.

Sincerely,

BETHENA GONERWAY
Name

3646 Clayton St
DENVER, CO 80205
Address

ATTN: Sara White
Planning Services
Community Planning and Development
201 W. Colfax Avenue, Dept 205
Denver, CO 80202

Via E-mail: Sara.White@denvergov.org

Dear Ms White:

I am writing to express my support for the proposed rezoning of 3740-3850 York St (2018I-00007) to PUD-G #20, as detailed in the application of July 18, 2018.

The proposed rezoning would enable Inner City Health Center to expand the services they offer to the community, as well as enabling the removal of impermeable area to create green stormwater infrastructure.

I fully support this proposed rezoning.

Sincerely,


Name

3557 Adams St
Denver CO 80205
Address

ATTN: Sara White
Planning Services
Community Planning and Development
201 W. Colfax Avenue, Dept 205
Denver, CO 80202

Via E-mail: Sara.White@denvergov.org


Dear Ms White:


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I fully support this proposed rezoning.

Sincerely,


Name GAMALIEL WHITNEY

+ 
NICOLA JACKSON

3700 ADAMS ST
DENVER, CO 80205
Address

ATTN: Sara White
Planning Services
Community Planning and Development
201 W. Colfax Avenue, Dept 205
Denver, CO 80202

Via E-mail: Sara.White@denvergov.org

Dear Ms White:

I am writing to express my support for the proposed rezoning of 3740-3850 York St (2018I-00007) to PUD-G #20, as detailed in the application of July 18, 2018.

The proposed rezoning would enable Inner City Health Center to expand the services they offer to the community, as well as enabling the removal of impermeable area to create green stormwater infrastructure.

I fully support this proposed rezoning.

Sincerely,

Sylvia Espinoza
Name

3638 Garfield St

Denver, CO 80205
Address

ATTN: Sara White
Planning Services
Community Planning and Development
201 W. Colfax Avenue, Dept 205
Denver, CO 80202

Via E-mail: Sara.White@denvergov.org

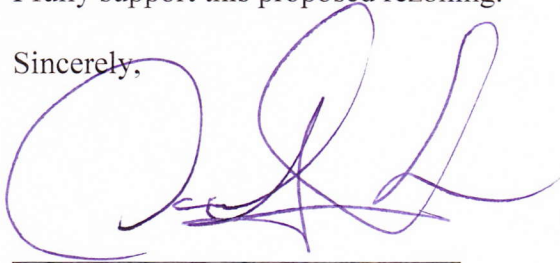
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The proposed rezoning would enable Inner City Health Center to expand the services they offer to the community, as well as enabling the removal of impermeable area to create green stormwater infrastructure.

I fully support this proposed rezoning.

Sincerely,



Name

3608 Garfield St.
DENVER CO 80205

Address