



DENVER
THE MILE HIGH CITY

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TO: Neighborhoods and Planning Committee
Mary Beth Susman, Chair
FROM: Deirdre Oss, Senior City Planner
DATE: November 6, 2014
RE: Application # 2014I-00043 – 1600 Raleigh Street - Official Map Amendment Request for Blocks 1-6 of South Sloan’s Lake Subdivision Filing No. 1 from C-MX-5 to C-MX-5/DO-5

Staff Report and Recommendation

Based on the criteria for review of this application submitted under Denver Zoning Code (“DZC”) Section 12.4.10.4.2.c.i, Staff recommends approval of Application 2014I-00043 from C-MX-5 to C-MX-5/DO-5.

Request for Rezoning

Application: #2014I-00043
Address: 1600 Raleigh, more specifically Blocks 1-6 of South Sloan’s Lake Subdivision Filing No. 1 located between 17th Avenue, Conejos Place, Stuart Street and Perry Street (the “**SSL GDP area**”)
Neighborhood/Council District: West Colfax Neighborhood / City Council District #1
RNOs: Denver Neighborhood Association, Inter-Neighborhood Cooperation, Northwest Neighbors Coalition, Northwest Quadrant Association, Sloan’s Lake Citizen’s Group, Sloan’s Lake Neighborhood Association, West Colfax Business Improvement District, West Colfax Association of Neighbors
Area of Property: Approx. 18 acres
Current Zoning: C-MX-5
Proposed Zoning: C-MX-5/DO-5
Property Owner(s): EnviroFinance Group-South Sloan’s Lake I, LLC; Sloan’s Lake Apartments, LLC; Sloan’s Lake Metropolitan District No. 1
Applicant Representative: Council District 1/Councilwoman Susan Shepherd

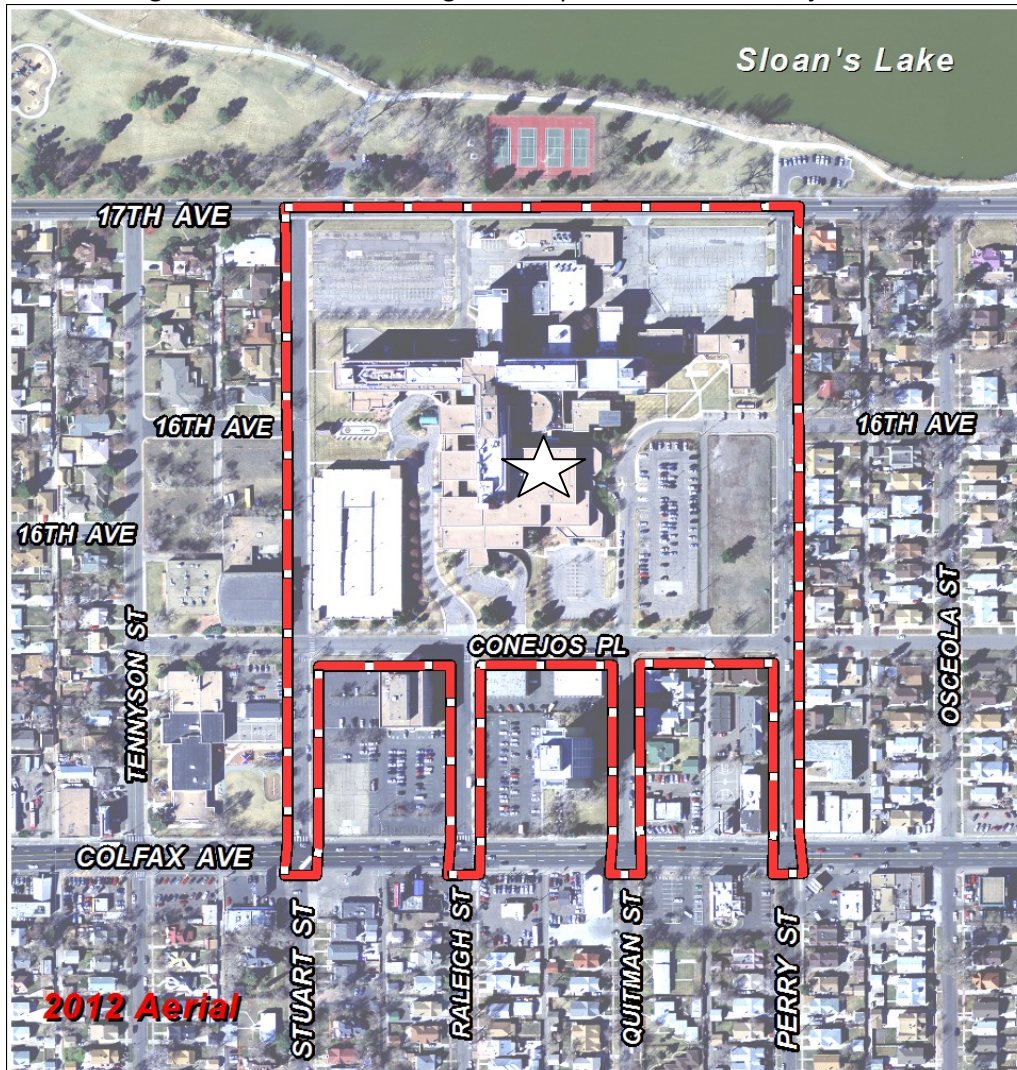
Summary of Request and Background

The former St. Anthony Central Hospital property was purchased by EnviroFinance Group-South Sloan's Lake I, LLC (EFG) in January, 2013. While EFG still owns Blocks 1-4 of the subject property, Blocks 5 and 6 are now owned by South Sloan's Lake Apartments, LLC. Following approval of the South Sloan's Lake General Development Plan in 2014, Councilwoman Shepherd initiated a text amendment pursuant to DZC Section 12.4.11.4 to add the Sloan's Lake Design Overlay District, DO-5 (the "DO-5 Overlay") to the Denver Zoning Code. This proposed text amendment is still pending. See Text Amendment #2014I-00038. If the text amendment is approved by City Council, the DO-5 Overlay will create height limits consistent with recommendations in the West Colfax Plan, as further refined by the SSL GDP.

This map amendment proposes to map Blocks 1-6 DO-5 following City Council approval of the text amendment creating the DO-5 Overlay.

Existing Context

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



	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	C-MX-5	Redevelopment site for former St. Anthony's Hospital	Vacant to be developed with two structures to be retained – four-story parking garage and 6 story Kuhlman Building	The existing pattern of development surrounding the site follows Denver's traditional orthogonal grid to 17 th Avenue which forms the southern boundary of Sloan's Lake Park. Blocks are rectilinear and served by alley. Toward Colfax to the south, larger parcels serve nonresidential uses within the grid structure.
North	OS-A	17 th Avenue/ Sloan's Lake Park	Park/Open Space/Parking	
South	C-MS-8 and U-TU-C/UO-3	Multifamily apartment, medical clinic - vacant	Lowrise-three story apartments and four story office	
East	U-TU-C	Mixture of Single Family, two-unit,	One-story lowrise	
West	U-SU-C2/ PUD	Residential and school	Lowrise residential, 1-2 story school	



1. Existing Zoning



The current C-MX-5 zone district was placed on the SSL GDP area in 2010 to replace Former Chapter 59 H-1-A and H-2 zoning as part of the Citywide rezoning effort and guided by recommendations in the 2006 West Colfax Plan. The Plan contemplated mixed-use redevelopment of the former Saint Anthony's Hospital. The C-MX-5 Zone District has a maximum height of 70 feet with allowable encroachments. The minimum front setback is generally 0' and the required "build-to" is within 10-15' for 70% of the zone lot frontage. A variety of mixed residential and commercial uses are allowed, and must adhere to upper story setback requirements of 20/25 feet for all development above 27 feet and 35/40 feet for portions of the building above 51 feet. These upper story setbacks do not limit overall height within the district. For additional details of the C-MX-5 zone district, see DZC Section 7.2.2.

2. South Sloan's Lake General Development Plan (SSL GDP)

In January 2014, the City's Development Review Committee approved the SSL GDP. The SSL GDP further refines the West Colfax Plan by providing a framework for development and land use concepts, infrastructure, and phasing to accommodate a new mixed-use development. The

SSL GDP includes specific recommendations for building height limitations adjacent to Stuart Street, Quitman Street, Perry Street, and 17th Avenue. Transitional height concepts do apply to parcels on which existing buildings will be retained, including the parking structure and the Kuhlman building.

3. Urban Design Standards & Guidelines

There are design standards and guidelines that are applicable to the property that are administered by the Metropolitan District. These are not City-adopted standards or guidelines.

4. Existing Land Use Map



5. Existing Building Form and Scale

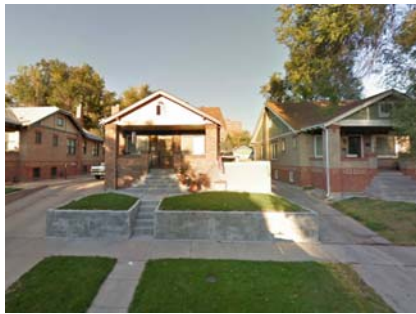
1- Sloan's Lake Park



2 Sloan's Lake Park



3 West Colfax Neighborhood, Single unit detached, 1 story



4 West Colfax Neighborhood, Single unit detached, 1 story



5- West Colfax Avenue, 5-story office with surface parking



6 West Colfax Avenue, 2-story Multi-unit & 1-story commercial



7 Colfax Elementary School, 2-story



8 Yashiva Toras Chaim H.S. Seminary, 1-2-story



Summary of City Agency Referral Comments

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

Asset Management: Approve – No comments.

Denver Fire Department: Approve – No Comments.

Development Services: Approved.

Development Services – Wastewater: There is no objection to the rezone, however applicant should be under notice that the Public Works will not approve any development of this property without assurance that there is sufficient sanitary and storm sewer capacity. A sanitary study and drainage study may be necessary. These studies may result in a requirement for the developer to install major infrastructure improvements or a limit to development if current infrastructure is insufficient.

Public Works – City Surveyor: Legal is approved.

Public Review Process

- CPD staff provided informational notice of receipt of the rezoning application to affected members of City Council and registered neighborhood organizations on September 30, 2014.
- The property has been legally posted for a period of 15 days announcing the November 5, 2014 Denver Planning Board public hearing, and written notification of the Planning Board public hearing was sent to all affected registered neighborhood organizations and City Council members.
- Notification of the NAP Committee meeting was sent to all applicable RNOs and Council Districts on October 28, 2014.
- **Registered Neighborhood Organizations (RNOs)**
As part of a comprehensive update to interested neighborhoods about redevelopment progress, EFG provided time for CPD staff at a public meeting on October 22, 2014 to present information concerning both the proposed text amendment to create the South Sloan's Lake Overlay District, DO-5, and this map amendment. The West Colfax Association of Neighbors (WeCAN) provided a letter of support for the proposed map amendment.
- **Planning Board:** Following testimony both in support and in objection to this rezoning, the Planning Board recommended unanimously to support the proposed map amendment to C-MX-5/ DO-5, with deliberation focused on review criteria including compliance with our adopted City plans and consideration for related height limitation guidance in the South Sloan's Lake GDP. Testimony offered in favor of the design overlay indicated that mapping of the overlay helps to implement plans for the St. Anthony's redevelopment. Testimony in objection to the amendment focused on (1) overall concern for development intensity and traffic and (2) concern about the way in which future development would adhere to the overlay and meet the intent of not only area plans but also the original St. Anthony's redevelopment task force

recommendations. The recommendations of the St. Anthony's redevelopment task force were incorporated into the West Colfax Plan appendix, and also provide consistent guidance for the approach of a proposed overlay to be applied to Blocks 1-6 of the SSL GDP. The Planning Board discussed the applicability of the GDP as part of the standard of review for a map amendment.

Criteria for Review / Staff Evaluation

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

DZC Section 12.4.10.7

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

DZC Section 12.4.10.8

1. Justifying Circumstances
2. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

1. Map Amendment is Consistent with the City's Adopted Plans

The map amendment is consistent with the City's following adopted plans¹:

- Denver Comprehensive Plan 2000
- Blueprint Denver (2002)
- West Colfax Plan (2006)
- Sloan's Lake General Development Plan (2014)

Denver Comprehensive Plan 2000

Denver's planning foundation is built on the acknowledgement that the combination of new development and traditional Denver form must blend to provide attractive, appropriately scaled urban places. The introduction of newer, higher intensity development adjacent to the West Colfax neighborhood is supported and guided by key aspects of various City plans, including the Denver Comprehensive Plan, as summarized below.

GOAL ■ Use the best of Denver's architectural and landscape legacies to guide the future...Quality design. To be livable and admired, all of the components of the city — its infrastructure, buildings and open spaces — must function well and be attractive individually, while combining to create meaningful, beautiful places. The primary urban design challenge of the early 21st century will be to integrate elements of Denver's traditional urban design character into redeveloping areas and into new, more compact mixed-use areas. — Page 86

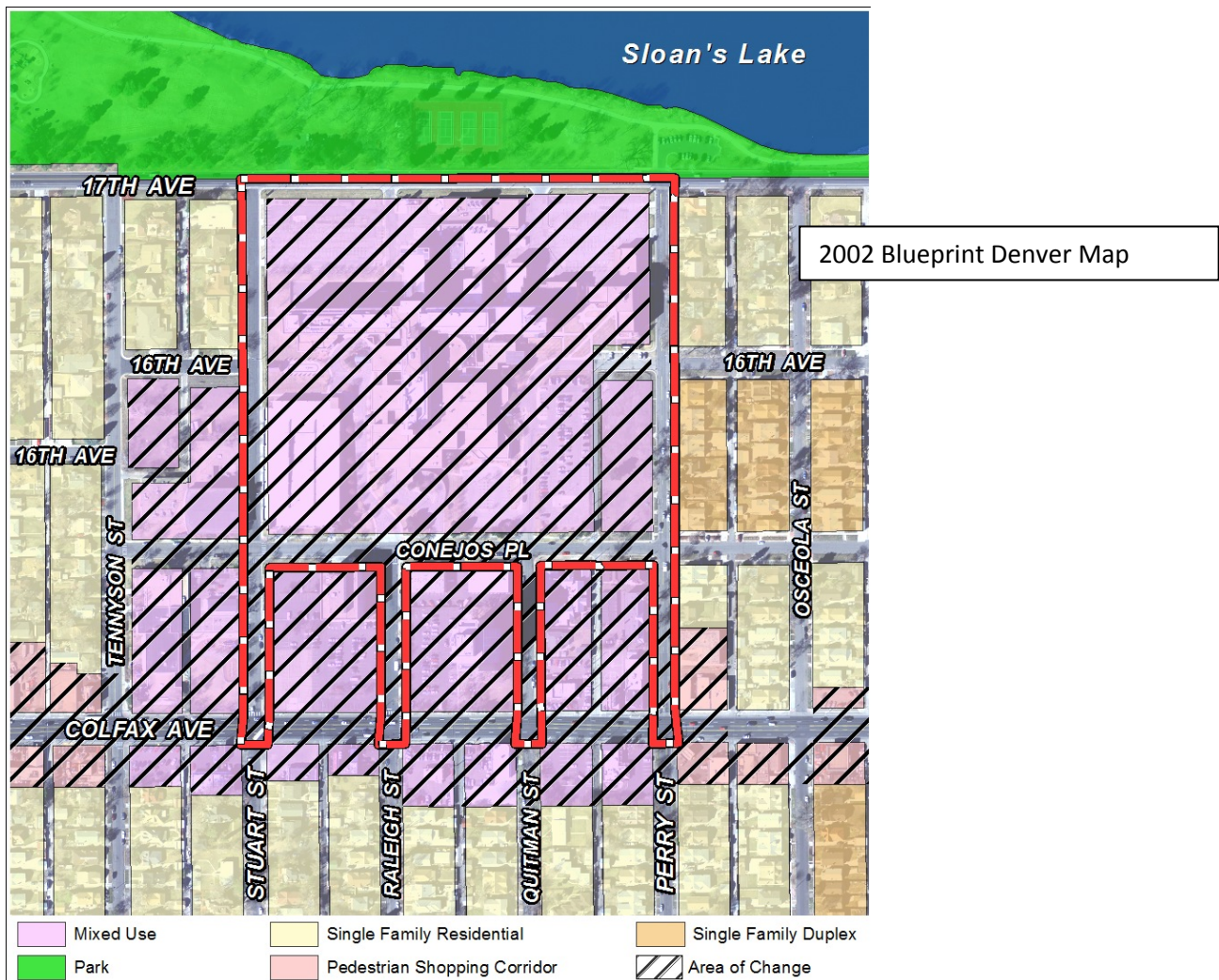
¹ Denver Comprehensive Plan 2000 was approved by Planning Board and adopted by City Council ordinance. Blueprint Denver and the West Colfax Plan also were approved by Planning Board and adopted by City Council, and are supplements to the Comprehensive Plan. The SSL GDP is approved by the City's Development Review Committee; this committee consists of the managers of Community Planning and Development, Public Works, and Parks and Recreation, the Zoning Administrator, the chief of the Fire Department, and, at the discretion of the Manager of CPD, additional City agencies. GDPs are not considered supplements to the Comprehensive Plan.

The proposed map amendment to map Blocks 1-6 of the SSL GDP area with the Sloan's Lake Design Overlay District DO-5 to limit heights at the edges of the SSL GDP area is reinforced with key relevant Comprehensive Plan strategies including:

- Denver's Legacies chapter, Strategy 3-A: *Identify areas in which increased density and new uses are desirable and can be accommodated.*
- Land Use chapter, 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.* Application of the proposed DO-5 to the SSL GDP Blocks 1-6 provides regulatory limitations for new construction to adhere to context-sensitive transitions to the lower density, lower intensity West Colfax neighborhood, thereby allowing infill development and increased density sensitive to the character of the neighborhood.

Blueprint Denver - 2002

The site is designated a **Mixed Use Area of Change**.



Blueprint Denver Area of Change

The subject site is designated as a Mixed Use Area of Change along 17th Avenue which is designated as a Mixed-Use Collector. **Using land-use and transportation types focuses on the experience of “place” at ground level, where the qualities of a pedestrian-oriented city are most apparent.** (p. 36) Street design elements of multimodal streets like 17th Avenue are essential to ensure the appropriate connection between land use, transportation, urban design, community, environment and social interaction (p. 61). **Along a mixed use street, pedestrian-scaled facades, which may include height transitions/stepbacks for the front of a taller building, promote pedestrian activity (p. 66).**

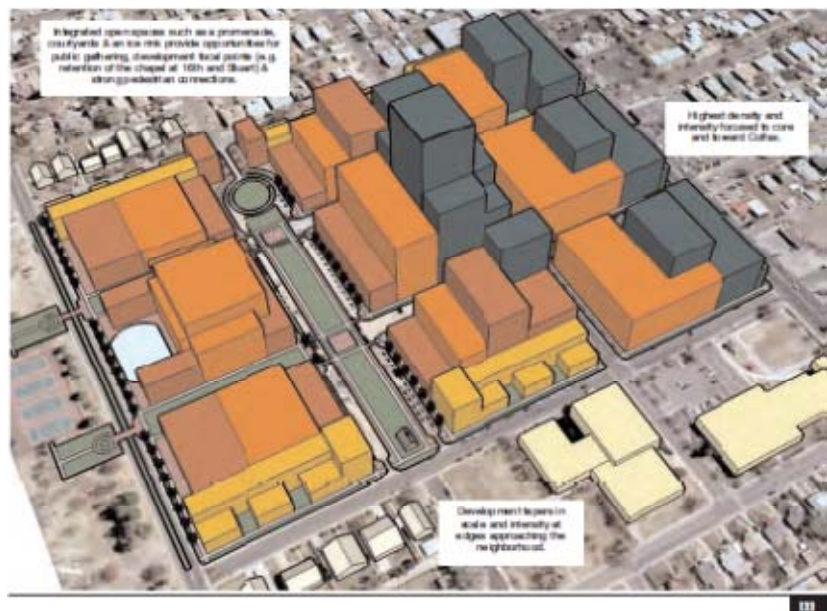
In general, the goal for Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips. Areas of Change provide Denver with the opportunity to focus growth in a way that benefits the City as a whole. (Page 127). Blueprint Denver also proposes strategies for Areas of Change, including **addressing edges** between Areas of Change and Areas of Stability, **compatibility between existing and new development**, reuse of older buildings, and **pedestrian and transit supportive design and development standards** (Pg. 61). Regulatory tools, including language amendments are used to provide standards for appropriate uses, densities, and design standards for certain Areas of Change where the tool may not currently exist. (Pgs. 74-75).

Further, planning for new development in Areas of Change relies on many strategies including appropriate transitions to Areas of Stability that create the right building scale to compliment new development’s edges adjacent to existing neighborhoods and other valued attributes like parks and parkways (Pg. 142).

The proposed map amendment is consistent with Area of Change strategies by stepping down heights at the edges to address compatibility between this area, adjacent Areas of Stability, and Sloan’s Lake Park (p. 23).

West Colfax Plan - 2006

In the West Colfax Plan, the SSL GDP area is described as a “catalyst redevelopment opportunity” for the entire West Colfax neighborhood. The West Colfax Plan envisions the site as an Urban Town Center with a scale and quality of development at the location that will bring an influx of new residents and a mix of commercial activities that promote West Colfax and its environs as a destination. The map amendment implements recommendations in this plan to moderate heights adjacent to the lower intensity, lower West Colfax neighborhood, leaving the



more intense development in the center of this designated Town Center.

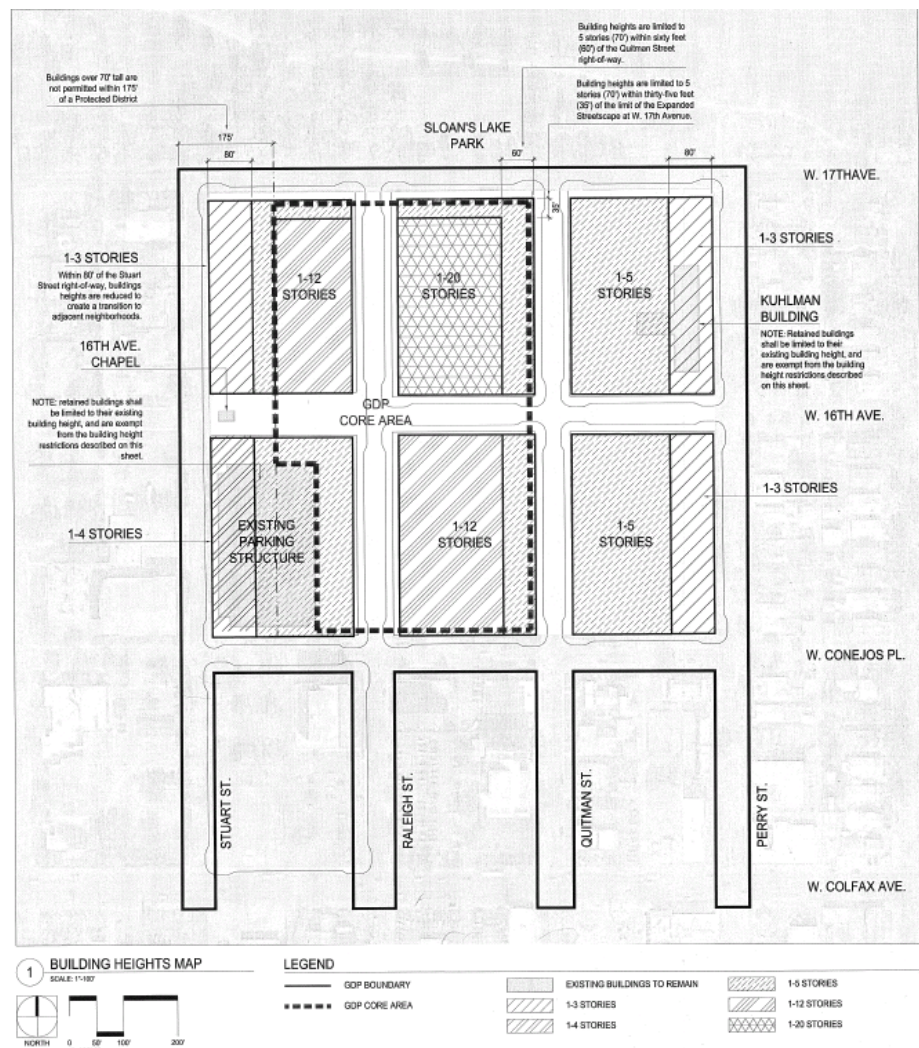
The Town Center concept in the Plan describes “compact, development radiates from a dense core and centralized gathering space, with variable scale where greatest height and intensity in the core radiates to lower intensity at the fringe (p. 83).” The map amendment proposes placement of regulations that will allow for lower intensity building structures closer to streets adjacent to existing neighborhoods.

Transitional concepts incorporated into the adopted West Colfax Plan include application of transitions to the subject property. The rendering below from the West Colfax Plan for the SSL GDP area shows the concept of tapering height at the edges of the new development. Consistent with the Plan, the proposed text amendment provides for three, four, and five-story height limits to provide context sensitive transitions to the neighborhood adjacent to Stuart Street, Perry Street, and 17th Avenue/Sloan’s Lake Park.

By imposing more restrictive height limitations at the fringe of the SSL GDP area and along streets adjacent to existing neighborhoods, the proposed text amendment furthers the vision, recommendations, and concepts set forth in the West Colfax Plan.

South Sloan’s Lake General Development Plan (2014)

As provided above, the SSL GDP, approved by the City’s Development Review Committee in January 2014, refines recommendations set forth in the West Colfax Plan for the SSL GDP area and provides a framework for development and land use concepts, infrastructure, and phasing for this important infill development. Most pertinent to analyzing the proposed map amendment are the specific recommendations in the SSL GDP for building height limitations adjacent to Stuart Street, Quitman Street, Perry Street, and 17th Avenue. Transitional height concepts do include parcels on which existing buildings will be retained, including the parking structure and the Kuhlman building. DZC Section 12.4.12.15 provides that



the “City Council may approve an official map amendment (rezoning) application for property located within an approved GDP area, taking into consideration the approved GDP.”

The proposed map amendment, if approved by City Council, will implement these recommendations.

2. Map Amendment Furthers the Public Health, Safety and Welfare

This map amendment furthers the public health, safety, and general welfare of Denver residents as it provides for context-sensitive transitions between new infill development and adjacent lower intensity, lower height blocks in established neighborhoods. These transitions provide for pedestrian-friendly environments at the street level where the experience of “place” is most apparent (pg. 36, BPD).

3. Map Amendment Results in Regulations that are Uniform Across the District

This map amendment will result in uniform regulations applicable to all new buildings within land mapped DO-5.

4. and 5. Justifying Circumstances and Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

Justifying circumstances exist to support this map amendment because 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 states in, Article 9, Division 9.4 (Overlay Zone District), of this Code. See DZC Section 12.4.10.8.A.5. DZC Section 9.4.5.1 provides that Design Overlay Districts are intended to, among other things, implement land use and urban design recommendations and standards set forth in neighborhood or small area plans adopted as part of the Comprehensive Plan, provide uniform standards for mitigating the impact of more intensive uses adjacent to less intensive uses, and reinforce the desired character for newly developing areas.

The Sloan’s Lake Overlay District, DO-5, if approved by City Council, will create building height limitations that require a transition down in height from new higher-intensity development to surrounding lower-intensity residential neighborhoods and uses and Sloan’s Lake Park. Mapping the SSL GDP area with the DO-5 Overlay, if approved by City Council, will implement land use and urban design recommendations and standards set forth in the West Colfax Plan, as further refined by the SSL GDP, provide uniform height limitations for areas mapped DO-5, and reinforce the desired character for the newly developing SSL GDP area reflected in the various plans discussed in this staff report.

Staff Recommendation to Neighborhoods and Planning Committee

Staff finds that rezoning Blocks 1-6 of the South Sloan’s Lake Subdivision Filing No. 1 from C-MX-5 to C-MX-5/DO-5, if the pending text amendment to create the South Sloan’s Lake Design Overlay District (DO-5) is approved by City Council, furthers the intent of a map amendment and the Design Overlay district tool and meets the map amendment review criteria. Staff, therefore, recommends APPROVAL of this map amendment application.

Attachments

1. Official Map Amendment Application
2. Letters received at Planning Board



WEST COLFAX ASSOCIATION OF NEIGHBORS

www.wecanddenver.org

October 31, 2014

Denver Planning Board and Planning Staff
Community Planning and Development
City and County of Denver

Dear Members of the Denver Planning Board and Planning Staff.

I am writing on behalf of the West Colfax Association of Neighbors (WeCAN) to express our general support for the Design Overlay District at the SLOANS redevelopment. Since the Board and Membership of our organization voted to support the GDP for the redevelopment in December of last year, and the Design Overlay District merely codifies the lower heights specified in the GDP at the time, the Board of Directors feels confident in supporting this new District. It should be noted that we did not take any official vote on this issue, but simply lean on our previous support.

By and large the board and the membership are quite happy with the way in which the project is progressing and glad to see that the city is taking it upon themselves to ensure that the residential edges of the development are protected from taller development as outlined in the GDP.

WeCAN represents the needs and desires of the residents and business owners in the Denver's West Colfax Neighborhood. Our organization currently has over 550 registered members and is dedicated to creating a healthy safe and sustainable community in West Colfax. Please support us in approving this rezoning. We look forward to the completion of this project.

Sincerely,

Chad Reischl
Co-president: WeCAN

Citizens at Lowry Sue Denver Over Zoning Overlay Just Like Shepherd Seeks at St. Anthony's

The City of Denver is being sued over a flawed zoning process virtually identical to that being pursued by South Sloan's Lake developer EFG and District 1 Councilwoman Susan Shepherd. A precedent setting lawsuit filed on October 24, 2014 against the City of Denver, the Department of Community Planning and Development (CPD) and the Denver Planning Board in Denver District Court has direct implications for proposed St. Anthony's, "South Sloan's Lake" project. The suit, by neighbors of the Lowry Buckley Annex development, seeks to "challenge and reform," what the complaint describes as a "corrupt, consultant-dominated, unlawful process" that led to the rezoning through a Text Amendment of a portion of the proposed 70-acre Buckley Annex at Lowry.

The suit addresses two main aspects of the attempt to rezone the parcel into a high density development. One is the October 1 approval by the Denver Planning Board of an Overlay Zone District which limits the height of buildings on the edges of the Development as proposed in the General Development Plan (GDP). The GDP was approved by the Planning Board in 2013. The Planning Board approved a text amendment to the Zoning Code which was scheduled to then go to a City Council Committee and then to City Council for final approval. The text amendment was withdrawn from consideration by Council immediately after the lawsuit was filed.

Councilwoman Shepherd has promulgated a virtually identical text amendment for the St. Anthony site (aka South Sloan's Lake) which is on a fast track for approval by the Planning Board on Wednesday, November 5, City Council Neighborhoods and Planning Committee on November 12. Final approval after a public hearing is scheduled for January 5, 2015.

The Zoning Code limits the circumstances when the text of the Code can be amended. It allows text amendments in only four circumstances one of which is to "implement adopted plans". Plans can only be adopted City Council. GDPs are not and were never intended to be "adopted plans" but rather to provide infrastructure planning for larger development areas. The official justification given by the City for the Text Amendment is to implement the "height limitations approved in the South Sloan's Lake GDP". The Lowry Overlay Zone District, was likewise justified in its text amendment to implement its GDP. The Lowry suit cites the action by the Planning Board as a violation of the Zoning Code because the GDP is not an adopted plan.

Another major aspect of the suit challenges the Planning Board's Oct. 1, 2014 reliance on the General Development Plan in determining zoning. Under the Denver Zoning Code, only the Denver Comprehensive Plan, Blueprint Denver, and "small area plans" are to control the determination of zoning. The GDP process is usually initiated and controlled by the developer and, although GDPs are supposed to be consistent with small area plans, they are approved only by the Planning Board and not adopted by City Council.

Council has full responsibility and is accountable to the public for adopting amendments to the Zoning Code consistent with small area plans and the Comprehensive Plan through a quasi-judicial, public process. The irony of the process of using the GDP as zoning is that City Council has actually implicitly agreed to give up its City Charter granted zoning powers to the Executive Branch's CDP, becoming a rubber stamp for what has already been decided by the Mayoral appointed Planning Board.

According to the CPD website, "Small area plans cover a specific geography that often has a cohesive set of characteristics." CDP goes on to say that, "Making Denver livable for its people now and in the future is the overarching vision that guides all planning efforts. Each plan is the result of a thorough, collaborative public process; each represents a long-term, broad vision for a community and functions

as a guide for future land use and urban design, ensuring orderly and appropriate neighborhood development.” Small area plans are adopted only by City Council as ordinances and become part of the Denver Comprehensive Plan.

The small area plan for the St. Anthony site is the West Colfax Plan. Adopted in 2006 by Council, it also incorporates by direct reference the “principles” of the St. Anthony Redevelopment Task Force. Both the West Colfax Plan and the Task Force Plans resulted from lengthy and collaborative community processes initiated and controlled by the City. These two plans clearly state that the tallest and most dense part of any development of the St. Anthony site shall be centered closest to West Colfax. The Plan states and shows a graphic of “The highest density and intensity focused to core and toward Colfax”, not along 17th Avenue as the developer advocated during the GDP process and the GDP now recommends.

Developer, EnviroFinance Group has made no bones about its intent to sell the property and apply for zoning consistent with their GDP. Approval of Overlay Districts for both Lowry and St. Anthony's would set a precedent and would be the first step in morphing the GDPs to become the Zoning. The St. Anthony's text or map amendments should not be considered before any further zoning proposal forthcoming from EnviroFinance Group. Furthermore, in order not to violate Denver's Comprehensive Plan, any further zoning proposal for any part of the St. Anthony's site must be consistent with the West Colfax “small area plan” no matter what the developer's imagination may have conjured up. In principle, the St. Anthony's GDP should not control zoning. Unfortunately, the GDP has flip-flopped the vision of the West Colfax Plan and St. Anthony Task Force. For this reason, as well as other reasons, it should not be the basis of any future rezoning decisions.

Larry Ambrose
Sloan's Lake Neighborhood Association

Submitted by Jonathan Wachtel, 1331 Osceola St, 80204

I suppose all of the stakeholders weighing in on this process are motivated by what they perceive to be their own best interests.

And, I suppose then, that the challenge of our local government is finding a path forward that provides the greatest good to the greatest number of people with consideration of neighborhood heritage, commercial and residential markets, and most importantly our long term resiliency and sustainability.

This project and the proposed overlay district present a unique opportunity to reinvigorate our neighborhood by creating a neighborhood destination, attracting quality retail establishments, and enhancing our collective identity. The redevelopment takes advantage of the existing parkland and transit infrastructure encouraging sustainability through shared resources, transit oriented development, and a mix of housing types, all of which should increase our property values, and should help spark reinvestment along West Colfax and in the surrounding neighborhood.

There are certainly locations within any urban environment that are of unique character and that deserve to be maintained in their existing form. The residential neighborhoods that make up the Sloan's Lake and West Colfax neighborhoods contain blocks and blocks of areas where the predominant existing character of single family homes and duplexes should certainly be preserved and protected.

The great thing about this proposed project and overlay district is that it provides the very rare and unique opportunity to preserve the best characteristics of the existing neighborhood while taking advantage of a rare set of opportunities.

- I support the OD because it limits the heights closest to the existing residential neighborhoods.
- I support the OD because it provides clarity and certainty what can/cannot be built nearest the existing residential neighborhoods.

(Cool
Topic for
Adoption?)

- I support the OD because approving the OD is a major step for this development which will go a long way towards revitalizing West Colfax.

And I support the revitalization of the West Colfax neighborhood because

- an influx of new housing types in energy efficient buildings, with access to recreation, transit, and neighborhood services will diversify the neighborhood and reduce our collective carbon footprint
- This projects will providing places for young professionals, new families, and seniors to call home in an environment that fosters sustainable living through resource efficiency, community engagement, healthy lifestyles, and walkability
- An emerging generation of young professionals and an aging baby boomer generation both have been increasingly demonstrating a desire to live in the kind of environment that this development can provide.
- Because I believe that more neighbors using Sloans Lake park will make the park safer and more vibrant and will ultimately lead to more investment from the city to satisfy a growing diversity of users.

I urge the Planning Board to support the OD because I'd like to think that a neighborhood can embrace its history, protect its character, become more sustainable, shelter the poor, provide housing for an emerging professional and for an aging retiree and for a growing family, rich or poor or somewhere in between.

I'd like to think that we can share our common resources.

I'd like to think that the more lifestyle choices we have the more resilient we become, and most of all I'd hope that we realize that if we don't start planning for and building sustainably then each of us and all of our children won't have the luxury of complaining about shadows on the park, how we measure open space, or whether an individual's view is slightly altered.

Zone Map Amendment (Rezoning) - Rezoning Proposal

PROPERTY OWNER INFORMATION		REPRESENTATIVE*	
Property Owner Name	EFG-SOUTH SLOAN'S LAKE I LLC SLOAN'S LAKE APARTMENTS LLC SSL METROPOLITAN DISTRICT NO. 1	Representative Name	Councilwoman Susan Shepherd
Address	4601 DTC Blvd., Suite 130	Address	1437 Bannock Street
City, State, Zip	Denver, CO 80202	City, State, Zip	Denver, CO 80204
Telephone	(303) 996-0840	Telephone	720-337-7710
Email	CBertron@efg-bp.com	Email	Susan.Shepherd@denvergov.org
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	Between 17th, Conejos Place, Stuart Street and Perry Street - Blocks 1-6 of South Sloan's Lake General Development Plan boundary		
Assessor's Parcel Numbers:	Multiple		
Area in Acres or Square Feet:	approx. 18 ac		
Current Zone District(s):	C-MX-5		
PROPOSAL			
Proposed Zone District:	C-MX-5/Proposed DO-5		

REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.13</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.</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 Rezonings: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.14</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 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 checked="" 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>
REQUIRED ATTACHMENTS	
Please ensure the following required attachments are submitted with this application:	
<input checked="" type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format) <input checked="" type="checkbox"/> Proof of Ownership Document(s) <input checked="" type="checkbox"/> Review Criteria	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application:	
<input checked="" type="checkbox"/> Written Authorization to Represent Property Owner(s)	
Please list any additional attachments:	

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION

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 of the Zone Lots 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
EFG-SOUTH SLOAN'S LAKE I LLC	4601 DTC Blvd., Suite 130 Denver, CO 80237 (303) 996-0840 cbertron@efg-bp.com	72%	<i>C-RT/ST</i>	10/13/14	(A)	
SLOAN'S LAKE APARTMENTS LLC	 mschildt@tcresidential.com (303) 284-7108	25%			(A)	
SSL METROPOLITAN DISTRICT NO. 1	8390 E Crescent Pkwy. Suite 500 Greenwood Village, CO 80111 (303) 996-0840 cbertron@efg-bp.com	3%	<i>C-RT/ST</i>	10/13/14	(A)	



REZONING GUIDE

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION

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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 of the Zone Lots 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
EFG-SOUTH SLOAN'S LAKE I LLC	4601 DTC Blvd., Suite 130 Denver, CO 80237 (303) 996-0840 cbertron@efg-bp.com	72%	<i>C - R / SA</i>	10/13/14	(A)	
SLOAN'S LAKE APARTMENTS LLC	1400 16th Street 16 Market Square, 400 Denver, CO 80202 mschildt@tcreidential.com (303) 284-7108	25%	<i>[Signature]</i>	10/15/14	(A)	
SSL METROPOLITAN DISTRICT NO. 1	8390 E Crescent Pkwy. Suite 500 Greenwood Village, CO 80111 (303) 996-0840 cbertron@efg-bp.com	3%	<i>C - R / SA</i>	10/13/14	(A)	

Last updated: June 20, 2014

Return completed form to rezoning@denvergov.org

311 FOR INFORMATION & CITY SERVICES

201 W. Colfax Ave., Dept. 205

Denver, CO 80202

720-865-2974 • rezoning@denvergov.org

CERTIFICATE OF ASSISTANT SECRETARY

This Certificate of Assistant Secretary (this "Certificate") is delivered in connection with the extension to Sloan's Lake Apartments, LLC, a Delaware limited liability company (the "Borrower"), of a construction loan in an amount of \$41,197,001 (the "Loan") by Regions Bank. I hereby certify as follows:

1. I am an Assistant Secretary of Maple Multi-Family Development, L.L.C., a Texas limited liability company (the "Company"). The Company is the general partner of CoCH 102 Sloan's Lake, L.P., a Delaware limited partnership ("CoCH 102"). CoCH 102 is the managing member of the Borrower. I am familiar with the facts stated in this Certificate.

2. Maple Residential, L.P. is the sole member of the Company. The officers of the Company are as listed in Exhibit A to this Certificate. Kenneth J. Valach and Anne L. Raymond are the managers of the Company.

3. A true and complete copy of the certificate of formation of the Company is attached as Exhibit B to this Certificate, and such certificate of formation has not been modified, repealed or amended. A true and complete copy of the operating agreement of the Company is attached as Exhibit C to this Certificate, and such operating agreement has not been modified, repealed or amended.

4. A true and complete copy of the certificate of limited partnership of CoCH 102 is attached as Exhibit D to this Certificate, and such certificate of limited partnership has not been modified, repealed or amended. True and complete copies of the partnership agreement of CoCH 102 and all amendments thereto are attached as Exhibit E to this Certificate, and such partnership agreement has not been repealed or further modified or amended.

5. The managers of the Company have adopted the resolutions attached to this Certificate as Exhibit F, and such resolutions have not been repealed, modified or amended. Such resolutions were adopted by written action duly executed by all of the managers. The managers of the Company have adopted no other resolutions relating to the Loan.

Dated: June 27, 2014



Lee Ann Shamblin

EXHIBIT A

Officers of Maple Multi-Family Development, L.L.C.

Kenneth J. Valach	President
Anthony Ditteaux	Vice President
Clifford A. Breining	Vice President
Donna C. Kruger	Vice President
E. Garth Erdossy	Vice President
Leonard W. Wood, Jr.	Vice President
M. Scot Davis	Vice President
Alec Schiffer	Vice President
Matthew D. Schildt	Vice President
Sean D. Rae	Vice President
Matthew S. Enzler	Vice President
Stephen Bancroft	Vice President
Sue O'Bannon	Vice President
Susan D. Vickery	Vice President
Megan T. Smith	Vice President
Timothy J. Hogan	Vice President, Treasurer and Secretary
Cheryl Christy	Assistant Secretary
Lee Ann Shamblin	Assistant Secretary
Marcia L. Moody	Assistant Secretary

SLOAN'S LAKE SIGNATURE BLOCK (Borrower)

Sloan's Lake Apartments, LLC, a Delaware limited liability company

By: CoCH 102 Sloan's Lake, L.P., a Delaware limited partnership, its managing member

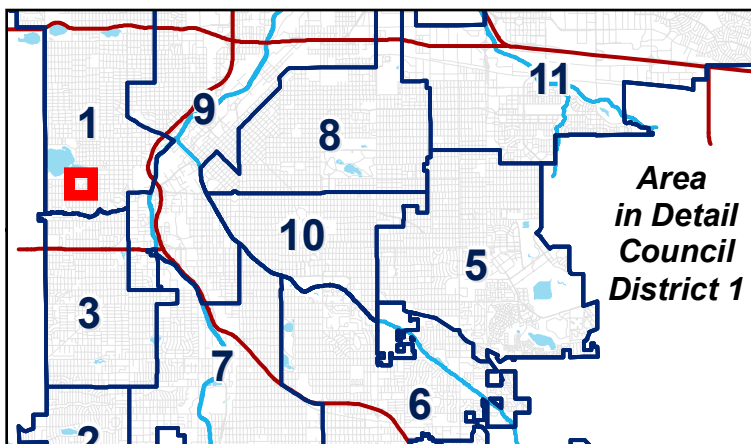
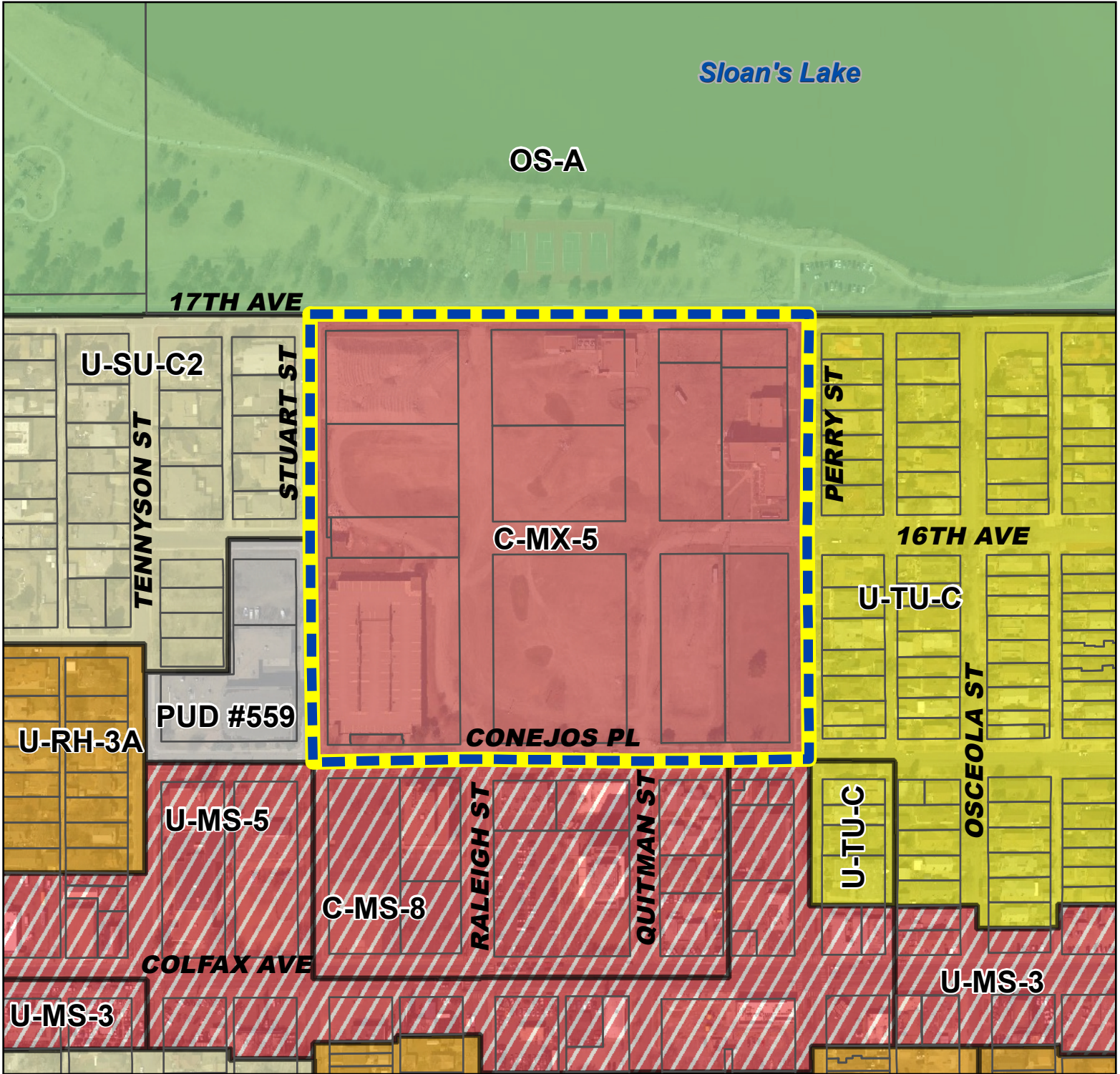
By: Maple Multifamily Development, L.L.C., a Texas limited liability company, its general partner

By: _____


Name: _____


Title: _____

Zone Map Amendment #2014i-00043



Application #2014i-00043
Location: South Sloan's Lake

 **Proposed Rezoning**
From: C-MX-5
To: C-MX-5 DO-5

 0 200 400 800
Feet

Map Date: 9/12/2014