



## Zone Map Amendment (Rezoning) - Application

<b>PROPERTY OWNER INFORMATION*</b>		<b>PROPERTY OWNER(S) REPRESENTATIVE**</b>	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name	Haven of Hope		
Address	1101 W.7th Avenue		
City, State, Zip	Denver, CO 80204		
Telephone	303-339-8325		
Email	ttrahan@thoh.org>		
*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.			
<b>SUBJECT PROPERTY INFORMATION</b>			
Location (address):	700 N. Mariposa Street		
Assessor's Parcel Numbers:	0504419016000		
Area in Acres or Square Feet:	5,500 sf		
Current Zone District(s):	I-A, UO-2		
<b>PROPOSAL</b>			
Proposed Zone District:	I-A w/waivers to allow Type 1 and Type 2 Residential Care Uses		
<b>PRE-APPLICATION INFORMATION</b>			
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?	<input type="checkbox"/> Yes - State the contact name & meeting date _____ <input checked="" type="checkbox"/> No - Describe why not (in outreach attachment, see bottom of p. 3)		
Did you contact the City Council District Office regarding this application ?	<input checked="" type="checkbox"/> Yes - if yes, state date and method _____ 3/2022&on-going, virtual and in person <input type="checkbox"/> No - if no, describe why not (in outreach attachment, see bottom of p. 3)		



## REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)

<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm <b>and</b> include sections in the review criteria narrative attachment</p>	<p><input checked="" type="checkbox"/> <b>Consistency with Adopted Plans:</b> The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.</p> <p>Please provide a review criteria narrative attachment describing <b>how</b> the requested zone district is consistent with the policies and recommendations found in <b>each</b> of the adopted plans below. Each plan should have its' own subsection.</p> <p><b>1. Denver Comprehensive Plan 2040</b></p> <p>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with <i>Denver Comprehensive Plan 2040</i>'s a) equity goals, b) climate goals, and c) any other applicable goals/strategies.</p> <p><b>2. Blueprint Denver</b></p> <p>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with: a) the neighborhood context, b) the future place type, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in <i>Blueprint Denver</i>.</p> <p><b>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):</b> La Alma/Lincoln Park Neighborhood Plan</p>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B &amp; C</p> <p>Check boxes to the right to affirm <b>and</b> include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.</p>	<p><input checked="" type="checkbox"/> <b>Uniformity of District Regulations and Restrictions:</b> 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"/> <b>Public Health, Safety and General Welfare:</b> The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p> <p>In the review criteria narrative attachment, please provide an additional section describing <b>how</b> the requested rezoning furthers the public health, safety and general welfare of the City.</p>
<p>Review Criteria for Non-Legislative Rezonings: DZC Sec. 12.4.10.8</p> <p>For Justifying Circumstances, check box and include a section in the review criteria narrative attachment.</p> <p>For Neighborhood Context, Purpose and Intent, check box <b>and</b> include a section in the review criteria narrative attachment.</p>	<p><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error;</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact;</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints of development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage;</p> <p><input checked="" type="checkbox"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include: 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.</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (overlay Zone Districts) of this Code.</p> <p>In the review criteria narrative attachment, please provide an additional section describing the selected justifying circumstance. If the changing conditions circumstance is selected, describe changes since the site was last zoned. Contact your pre-application case manager if you have questions.</p> <p><input checked="" type="checkbox"/> <b>The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</b></p> <p>In the review criteria narrative attachment, please provide a separate section describing <b>how</b> the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.</p>



## REZONING GUIDE

Rezoning Application Page 3 of 4

## REQUIRED ATTACHMENTS

Please check boxes below to affirm the following **required** attachments are submitted with this rezoning application:

- Legal Description of subject property(s). **Submit as a separate Microsoft Word document.** View guidelines at: <https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.html>
- Proof of ownership document for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed, or (c) Title policy or commitment dated no earlier than 60 days prior to application date. If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.
- Review Criteria Narratives. See page 2 for details.

## ADDITIONAL ATTACHMENTS (IF APPLICABLE)

Additional information may be needed and/or required. Please check boxes below identifying additional attachments provided with this application.

- Written narrative explaining reason for the request** (optional)
- Outreach documentation attachment(s).** Please describe any community outreach to City Council district office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors. If outreach was via email- please include email chain. If the outreach was conducted by telephone or meeting, please include contact date(s), names and a description of feedback received. If you have not reached out to the City Council district office, please explain why not. (optional - encouraged )
- Letters of Support.** If surrounding neighbors or community members have provided letters in support of the rezoning request, please include them with the application as an attachment (optional).
- Written Authorization to Represent Property Owner(s)** (if applicable)
- Individual Authorization to Sign on Behalf of a Corporate Entity** (e.g. if the deed of the subject property lists a corporate entity such as an LLC as the owner, this document is required.)
- Other Attachments.** Please describe below.



## REZONING GUIDE

Rezoning Application Page 4 of 4

## PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

We, the undersigned represent that we are the owner(s) of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner In- terest % of the Area of the Zone Lots To Be Rezoned	Please sign below as an indication of your consent to the above certification state- ment	Date	Indicate the type of owner- ship docu- mentation pro- vided: (A) Assessor's record, (B) war- ranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner autho- rized a represen- tative in writing? (YES/NO)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith Josie Q. Smith</i>	01/12/20	(A)	YES
Tawnya Trahan, Executive Director	700 N. Mariposa Street. Denver, CO 80204 ttrahan@thoh.org	100%	<i>Tawnya Trahan</i>	2/16/202 3	100	YES NO
						YES
						YES
						YES



## Rezoning Waiver(s) and/or Condition(s) Request Form

### PROPERTY OWNER/ APPLICANT INFORMATION

Property Owner/ Applicant Name **Tawnya Trahan, Executive Director, Haven of Hope, 1101 W. 7th Avenue, Denver, CO 80204**

### SUBJECT PROPERTY INFORMATION

Address of property to be rezoned that waiver is requested	700 N. Mariposa Street
Current Zone District:	I-A, UO-2
Requested/Proposed Zone District:	I-A w/waivers to allow Type 1 and Type 2 Residential Care Uses

### BACKGROUND AND INSTRUCTIONS

Section 12.4.10.6 of the Denver Zoning Code (DZC) authorizes the City Council to adopt waivers or reasonable conditions to an Official Map Amendment at the request of the applicant, provided the applicant approves such waivers in writing.

In the first column of the table below, list the current code section (as it is today in the DZC) that is requested to be modified in the proposed zone district. In the second column, write the proposed alternative standard. In the third column, list the difference between the existing and proposed, if applicable. In the fourth column, provide justification or reasoning on why the current standard can't be met and a waiver/condition is necessary and justified.

If requesting more than one waiver, repeat on the second page. Once completed, submit with your rezoning application or return to your case manager via email.

Once the rezoning request with waivers is approved by City Council and adopted, the waivers cited below shall apply to all successors and assigns of the property, who along with the present owner(s), shall be deemed to have waived all objections as to the constitutionality of these provisions.

### WAIVER REQUEST

Current Standard	Proposed Waiver	Difference between current and proposed standard	Justification
Example: DZC Sec. 3.3.4.5.A Detached accessory dwelling unit - minimum lot size 8,500 sq. ft.	Waive minimum lot size requirement from 8,500 sq ft to 7,000 sq ft for detached accessory unit in the S-SU-D1 zone district	A reduction of 1,500 sq. ft. to the minimum lot size in the S-SU-D1 zone district	There currently is not a zone district that allows for ADU's on parcels smaller than 8,500 sq. ft. in the Suburban Context. The subject parcel is 7,000 sq. ft. in size.
DZC Sec. 9.1.9.5 Residential Care, Type 1 NP (not permitted)	waive Residential Care, Type 1 to L/ZP (Permitted with Limitations/Zoning Permit Review)	would allow Residential Care Type 1 as an allowed use proposed under the current ownership only	The building will be used for recovery support, education, job training, counseling, and case work. Haven of Hope proposes to accommodate 12 people at a time and turn over the sleeping quarters as participants transition to outside housing. This cannot be completed in the current zone with these waivers. This is a much needed service to those that are currently being served in this location.



## REZONING GUIDE

## Rezoning Waiver Request Form

## WAIVER REQUEST (CONTINUED, IF APPLICABLE)

Current Standard	Proposed Waiver	Difference between current and proposed standard	Justification
DZC Sec. 9.1.9.5 Residential Care, Type 2 NP (not permitted)	waive to allow Residential Care, Type 2 to L/ZP (Permitted with Limitations/Zoning Permit Review)	would allow Residential Care Type 2 as an allowed use proposed under the current ownership only	The building will be used for recovery support, education, job training, counseling, and case work. Haven of Hope proposes to accommodate 12 people at a time and turn over the sleeping quarters as participants transition to outside housing. This cannot be completed in the current zone with these waivers. This is a much needed service to those that are currently being served in this location.

## PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

We, the undersigned represent that we are the owner(s) of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization provided and attached to the official map amendment application and that we do hereby request consideration of the following waivers as part of the associated 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 Email	Signature
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 sample@example.gov	
Tawnya Trahan, Executive Director	700 N. Mariposa St Denver, CO 80204 ttrahan@thoh.org	



2021003057

Page: 1 of 2

01/07/2021 02:08 PM  
City & County of Denver  
Electronically Recorded

R \$18.00

WD

D \$66.00



State Documentary Fee  
Date: January 07, 2021  
\$66.00

**Special Warranty Deed**

(Pursuant to C.R.S. 38-30-113(1)(b))

Grantor(s), **PETER FLETCHER-HAYNES AND ELLEN COHIG JOINT REVOCABLE TRUST DATED MAY 9TH, 2019**, whose street address is **1420 N GILPIN STREET, Denver, CO 80218**, City or Town of **Denver**, County of **Denver** and State of **Colorado**, for the consideration of **(\$660,000.00) \*\*\*Six Hundred Sixty Thousand and 00/100\*\*\*** dollars, in hand paid, hereby sell(s) and convey(s) to **HAVEN OF HOPE, A COLORADO NON PROFIT CORPORATION**, whose street address is **1101 W 7TH AVE, DENVER, CO 80204**, City or Town of **DENVER**, County of **Denver** and State of **Colorado**, the following real property in the County of **Denver** and State of **Colorado**, to wit:

**THE SOUTH 44 FEET OF LOT 10, BLOCK 36, HUNT'S ADDITION TO DENVER, CITY AND COUNTY OF DENVER, STATE OF COLORADO**

also known by street and number as: **700 MARIPOSA ST, DENVER, CO 80204**

with all its appurtenances and warrant(s) the title to the same against all persons claiming under me(us), subject to Statutory Exceptions.

Signed this day of January 7, 2021.

(SEE ATTACHED "SIGNATURE PAGE")

---

When recorded return to: **HAVEN OF HOPE, A COLORADO NON PROFIT CORPORATION**  
**1101 W 7TH AVE, DENVER, CO 80204**





State Documentary Fee  
Date: January 07, 2021  
\$66.00

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(SEE ATTACHED "SIGNATURE PAGE")

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When recorded return to: **HAVEN OF HOPE, A COLORADO NON PROFIT CORPORATION**  
**1101 W 7TH AVE, DENVER, CO 80204**



Special Warranty Deed with Statutory Exceptions

SIGNATURE PAGE

PETER FLETCHER-HAYNES AND ELLEN COHIG JOINT  
REVOCABLE TRUST DATED MAY 9TH, 2019

By: Peter Fletcher-Haynes  
PETER FLETCHER-HAYNES, TRUSTEE

By: Ellen Cohig  
ELLEN COHIG, TRUSTEE

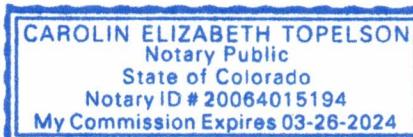
State of Colorado )  
County of Denver )ss.  
)

The foregoing instrument was acknowledged before me on this day of January 7 2021 by PETER FLETCHER-HAYNES  
AND ELLEN COHIG, TRUSTEES OF PETER FLETCHER-HAYNES AND ELLEN COHIG JOINT REVOCABLE TRUST DATED MAY 9TH,  
2019

Witness my hand and official seal

My Commission expires: 3-26-2024





## DEED OF TRUST

THIS INDENTURE, Made this **7th** day of **January** **20 21**, between  
**Haven of Hope, a Colorado Non-Profit Corporation**

whose address is **1101 West 7th Avenue, Denver, Colorado 80204**

hereinafter referred to as grantor, and the Public Trustee of the **City and** \*County of  
**Denver**, State of **Colorado**, hereinafter referred to as Public Trustee.

WITNESSETH, THAT, WHEREAS,  
**Haven of Hope, a Colorado Non-Profit Corporation**

has executed a promissory note or notes, hereinafter referred to in the singular, dated **January 7, 2021**, for the principal sum of **(\$660,000.00) six hundred sixty thousand and 00/100 -----** Dollars, payable to the order of **W.S.A. FRATERNAL LIFE** its successors and/or assigns whose address is 11265 Decatur Street, Suite 100, Westminster, Colorado 80234 after the date hereof, with interest thereon from the date thereof at the rate of **4.250** percent per annum, payable in monthly installments of **\$ 3,575.47 -----**, or more on the first day of each month after date until paid, each installment to be applied first to the payment of interest and the balance credited to the principal. Additional payment of **\$ 0.00 -----**, or more if needed, shall be made monthly for real estate taxes and casualty insurance premiums. There shall be a penalty of **zero (0)** percent on the prepayment of principal. A non-cumulative prepayment of up to 10% of the existing balance per anniversary year shall be allowed without penalty, except in the year of final pay-off.

The term of this mortgage loan is **twenty-five ( 25 )** years. There shall be a call provision in **ten ( 10 )** years, after which the lender, at its sole option, shall have the ability to exercise the call provision anytime upon 90 days notice to the mortgagor. The prepayment penalty is not applicable to called payments.

AND WHEREAS, The grantor is desirous of securing payment of the principal and interest of said promissory note in whose hands soever the said note of any of them may be.

NOW, THEREFORE, The grantor, in consideration of the premises and for the purpose aforesaid, does hereby grant, bargain, sell and convey unto the said Public Trustee in trust forever, the following described property, situate in the **City and** **County of Denver**, State of **Colorado** to wit:

**Lot 11, Block 36, Hunt's Addition to Denver, City and County of Denver, State of Colorado**

also known by street and number as **1101 West 7th Avenue, Denver, Colorado 80204**

TO HAVE AND TO HOLD the same, together with all and singular the privileges and appurtenances thereunto belonging: In Trust nevertheless, that in case of default in the payment of said note or any of them, or any part thereof, or in the payment of the interest thereon, according to the tenor and effect of said note or any of them, or in the payment of any prior encumbrances, principal or interest, if any, or in case default shall be made in or in case of violation of breach of any of the terms, conditions, covenants or agreements herein contained, the beneficiary hereunder or the legal holder of the indebtedness secured hereby may declare a violation of any of the covenants herein contained and elect to advertise said property for sale and demand such sale, then, upon filing notice of such election and demand for sale with the Public Trustee, who shall upon receipt of such notice of election and demand for sale cause a copy of the same to be recorded in the recorder's office of the county in which said real estate is situated, it shall and may be lawful for the Public Trustee to sell and dispose of the same (en masse or in separate parcels, as the said Public Trustee may think best), and all the right, title and interest of the grantor, his heirs or assigns therein, at public auction at the front door of the Court House, in the County of **Denver**, State of **Colorado**, or on said premises, or any part thereof as may be specified in the notice of said sale, for the highest and best price the same will bring in cash, four weeks public notice having been previously given of the time and place of such sale, by advertisement, weekly, in some newspaper of general circulation at that time published in said County of **Denver**, a copy of which notice shall be mailed within ten days from the date of the first publication thereof to the grantor at the address herein given and to such person or persons appearing to have acquired a subsequent record interest in said real estate at the address given in the recorded instrument; where only the county and state is given as the address then such notice shall be mailed to the county seat, and to make and give to the purchaser or purchasers of such property at such sale, a certificate or certificates in writing describing such property purchased, and the sum or sums paid therefor, and the time when the purchaser or purchasers (or other person entitled thereto) shall be entitled to a deed or deeds therefor, unless the same shall be redeemed as is provided by law; and said Public Trustee shall, upon demand by the person or persons holding the said certificate or certificates of purchase, when said demand is made, or upon demand by the person entitled to a deed to and for the property

And the grantor, for himself and his heirs, personal representatives or assigns covenants and agrees to and with the Public Trustee, that at the time of the sealing of the delivery of these presents he is well seized of the said land and tenements in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in the manner of form as aforesaid; hereby fully and absolutely waiving and releasing all rights and claims he may have in or to said lands, tenements, and property as a Homestead Exemption, or other exemption, under and by virtue of any act of the General Assembly of the State of **Colorado**, or as any exemption under and by virtue of any act of the United States Congress, now existing or which may hereafter be passed in relation thereto and that the same are free and clear of all liens and encumbrances whatever, except **none**

and the above bargained property in the quiet and peacable possession of the Public Trustee, his successors and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the grantor shall and will Warrant and Forever Defend.

Until payment in full of the indebtedness, the grantor shall timely pay all taxes and assessments levied on the property; any and all amounts due on account of principal and interest or other sums on any senior encumbrances, if any; and will keep all improvements that may be on said lands insured against any casualty loss, including extended coverage, in a company or companies meeting the net worth requirements of the beneficiary hereof in an amount not less than the then total indebtedness. Each policy shall contain a loss payable clause naming the beneficiary as mortgagee and shall further provide that the insurance may not be canceled upon less than ten days written notice to the beneficiary. At the option of the beneficiary, the original policy or policies of insurance shall be delivered to the beneficiary as further security for the indebtedness. Should the grantor fail to insure and deliver the policies or to pay taxes or assessments as the same fall due, or to pay any amounts payable upon senior encumbrances, if any, the beneficiary may make any such payments or procure any such insurance, and all monies so paid with interest thereon at rate of 18 percent per annum shall be added to and become part of the indebtedness secured by this Deed of Trust and may be paid out of the proceeds of the sale of the property if not paid by the grantor. In addition, and at its option, the beneficiary may declare the indebtedness secured hereby and this Deed of Trust to be in default for failure to procure insurance or make any of the payments required by this paragraph.

If all or any part of the property or an interest therein is sold or transferred by the grantor without beneficiary's prior consent, excluding (a) the creation of a lien or encumbrance subordinate to this Deed of Trust, (b) the creation of a purchase money security interest for household appliances, (c) a transfer devise, descent or by operation of law upon the death of a joint tenant or (d) the grant of any leasehold interest of three years or less not containing an option to purchase, beneficiary may, at beneficiary's option, declare all the sums secured by this Deed of Trust to be immediately due and payable. Beneficiary shall have waived such option to accelerate if, prior to the sale or transfer, beneficiary and the person to whom the property is to be sold or transferred reach agreement in writing that the credit of such person is satisfactory to beneficiary and that the interest payable on the sums secured by this Deed of Trust shall be at such rate as beneficiary shall request.

AND THAT IN CASE OF ANY DEFAULT, Whereby the right of foreclosure occurs hereunder, the Public Trustee or the holder of said note or certificate of purchase, shall at once become entitled to the possession, use and enjoyment of the property aforesaid, and to the rents, issues and profits thereof, from the accruing of such right and during the pendency of foreclosure proceedings and the period of redemption, if any there be: and such possession shall at once be delivered to the Public Trustee or the holder of said note or certificate of purchase on request, and on refusal, the delivery of such possession may be enforced by the Public Trustee or the holder of said note or certificate of purchase by any appropriate civil suit or proceeding, and the Public Trustee, or the holder of said note or certificate of purchase, or any thereof, shall be entitled to a Receiver for said property, and of the rents, issues and profits thereof, after such default, including the time covered by foreclosure proceedings and the period of redemption, if any there be, and shall be entitled thereto as a matter of right without regard to the solvency or insolvency of the grantor or of the then owner of said property and without regard to the value thereof, and such Receiver may be appointed by any court of competent jurisdiction upon ex parte application and without notice-notice being hereby expressly waived-and all rents, issues and profits, income and revenue therefrom shall be applied by such Receiver to the payment of the indebtedness hereby secured, according to the law and the orders and directions of the court.

AND, That in case of default in any of said payments of principal or interest, according to the tenor and effect of said promissory note aforesaid, or any of them, or any part thereof, or of a breach or violation of any of the covenants or agreements herein, by the grantor, his personal representatives or assigns, then and in that case the whole of said principal sum hereby secured, and the interest thereon to the time of the sale, may at once, at the option of the legal holder thereof, become due and payable, and the said property be sold in the manner and with the same effect as if said indebtedness had matured, and that if foreclosure be made by the Public Trustee, an attorney's fee of the sum of (reasonable) dollars for services in the supervision of said foreclosure proceedings shall be allowed by the Public Trustee as a part of the cost of foreclosure, and if foreclosure be made through the courts a reasonable attorney's fee shall be taxed by the court as a part of the cost of such foreclosure proceedings.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

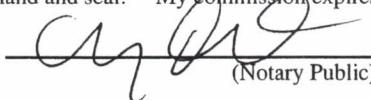
Executed this **7th** day of **January**  
State of Colorado  
County of

} ss.

**2021**

The foregoing instrument was acknowledged before me this **7th**  
day of **January** **2021**  
by **Haven of Hope, a Colorado Non-Profit Corporation**  
**by Andre J. Wilkie as Chairman of the Board**

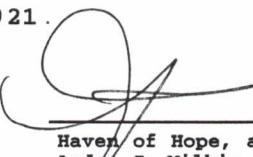
Witness my hand and seal. My commission expires **3-16-24**

  
(Notary Public)

} ss.

The foregoing instrument was acknowledged before me this  
day of **20**  
by

Witness my hand and seal. My commission expires

  
Haven of Hope, a Colorado Non-Profit Corporation, by  
Andre J. Wilkie, Chairman of the Board

**CHARLES OTTINGER**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
NOTARY ID 20164010702  
My Commission Expires March 16, 2024



Document must be filed electronically.  
Paper documents are not accepted.  
Fees & forms are subject to change.  
For more information or to print copies  
of filed documents, visit [www.coloradosos.gov](http://www.coloradosos.gov).

Colorado Secretary of State  
Date and Time: 05/26/2023 12:44 PM  
ID Number: 19981224770  
Document number: 20231577060  
Amount Paid: \$25.00

ABOVE SPACE FOR OFFICE USE ONLY

### Amended and Restated Articles of Incorporation

filed pursuant to §7-90-301, et seq. and §7-130-106 and §7-90-304.5 of the Colorado Revised Statutes (C.R.S.)

1. For the entity, its ID number and entity name are

ID number 19981224770  
(Colorado Secretary of State ID number)

Entity name Haven of Hope.

2. The new entity name (if applicable) is \_\_\_\_\_.
3. The amended and restated constituent filed document is attached.
4. The amendment to the articles of incorporation was in the manner indicated below: (make the applicable selection)

The amendment and restatement was adopted by the board of directors or incorporators without member action and member action was not required.

The amendment and restatement was adopted by the members AND the number of votes cast for the amendment by each voting group entitled to vote separately on the amendment was sufficient for approval by that voting group.

*(If the amended and restated articles of incorporation include amendments adopted on a different date or in a different manner, mark this box  and include an attachment stating the date and manner of adoption.)*

5. *(Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)*

*(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)*

The delayed effective date and, if applicable, time of this document is/are \_\_\_\_\_.  
(mm/dd/yyyy hour:minute am/pm)

#### Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that such document is such individual's act and deed, or that such individual in good faith believes such document is the act and deed of the person on whose behalf such individual is causing such document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S. and, if applicable, the constituent documents and the organic statutes, and that such individual in good faith believes the facts stated in such document are true and such document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is identified in this document as one who has caused it to be delivered.

6. The true name and mailing address of the individual causing the document to be delivered for filing are

<u>Trahan</u> (Last)	<u>Tawnya</u> (First)	<u>L</u> (Middle)	<u></u> (Suffix)
<hr/> <small>(Street name and number or Post Office Box information)</small> <u>1101 W 7th Ave</u> <hr/>			
<u>Denver</u> (City)	<u>CO</u> (State)	<u>80204</u> (Postal/Zip Code)	<u>United States</u> (Country – if not US)
<hr/> <small>(Province – if applicable)</small>			

*(If the following statement applies, adopt the statement by marking the box and include an attachment.)*

This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

**Disclaimer:**

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).

**AMENDED AND RESTATED ARTICLES OF INCORPORATION  
OF  
HAVEN OF HOPE**

**FORMERLY KNOWN AS FATHER WOODY'S HAVEN OF HOPE  
FORMERLY KNOWN AS FRANCISCAN BROTHERS OF MARY  
ALSO KNOWN AS FRANCISCAN FRIENDS OF THE POOR**

**ARTICLE I**

**Name**

The name of the corporation shall be Haven of Hope (hereafter the "Corporation).

**ARTICLE II**

**Duration**

The duration of the Not-for-Profit Corporation shall be perpetual.

**ARTICLE III**

**Purpose**

- A. The purpose for which the Corporation is organized is to provide food, shelter, clothing, and counseling to the homeless, needy and economically disadvantaged.
- B. The Corporation shall not possess or exercise any power or authority either expressly, by the interpretation, or by the operation of law that will or might prevent it at any time from qualifying, and continuing to qualify, as a corporation described in Section 501(c)(3) of the Internal Revenue Code of 1886, as amended (hereafter sometimes referred to as "the Code"). Contributions to which are deductible for federal income tax purposes; nor shall it engage directly or indirectly in any activity which might cause the loss of such qualification.
- C. No part of the assets or net earnings of the Corporation shall ever be used, nor shall the Corporation ever be organized or operated, for purposes that are not exclusively religious, charitable, scientific, literary, or educational within the meaning of Section 501(c)(3) of the Code.

- D. The Corporation shall never be operated for the primary purpose of carrying on a trade or business for profit.
- E. No substantial part of the activities of the corporation shall consist of carrying on propaganda or otherwise attempting to influence legislation; nor shall it participate or intervene in any manner, or to any extent, in any political campaign on behalf of any candidate for public office, whether by publishing or distinguishing statements, or otherwise.
- F. At no time shall the Corporation engage in any activities which are unlawful under the laws of the United States of America, the state of Colorado, or any other jurisdiction where its activities are carried on; nor shall it engage in any transaction defined at the time as prohibited under the Code.
- G. No compensation, loan or other payment shall be paid or made to any officer, director, incorporator of the Corporation, or substantial contributor to it, unless such payment is reasonable compensation for services rendered and/or as a reasonable allowance for authorized expenditures incurred on behalf of the Corporation; and no part of the assets or net earnings, current or accumulated, of the Corporation shall ever be distributed to or divided among any such person or persons, or inure to, be used for, accrue to or to the benefit of any such person or private individual (pursuant to the prohibition contained in Section 501(c)(3) of the Code).
- H. No solicitation of contributions to the Corporation shall be made, and no gift, bequest or devise to the Corporation shall be accepted, upon any condition or limitation which, in the opinion of the corporation, may cause the Corporation to lose its exemption from payment of federal income taxes.

## **ARTICLE IV**

### **Powers**

Consistent with the requirements and limitations set forth in Article II, the Corporation shall or may exercise any powers which are now or may be hereinafter conferred by the Colorado Revised Nonprofit Corporation Act.

## **ARTICLE V**

### **Members**

The Corporation shall have no fewer than three nor more than five Members, all of whom shall have voting rights. All the Members shall demonstrate a strong dedication and commitment to the Mission of the Corporation as generally stated in Article III.A. hereof and shall be selected in the manner and have such rights and duties as set forth in the Bylaws of the Corporation.

## **ARTICLE VI**

### **Board of Directors/Qualifications**

The activities and affairs of the Corporation, other than those prescribed to the Members shall be delegated to the Directors who shall function as the Board of Directors and shall be hereinafter known as the “Board” and/or “Directors.” The Board shall consist of no fewer than seven (7) Members not more than fifteen (15) Members.

The Directors shall be subject to qualifications prescribed by the Bylaws, including, but not limited to, those qualifications which demonstrate fidelity to the principles of the Mission/Purpose of the Corporation.

## **ARTICLE VII**

### **Duties of the Board of Directors**

The Board shall have the duty, the power and the authority to oversee and safeguard the mission of the Corporation and shall be responsible for the financial welfare, well-being and proper and efficient administration of the Corporation. The Board shall also exercise such duties and responsibilities as may be prescribed from time to time in the Bylaws of the Corporation.

## **ARTICLE VIII**

### **Meeting of the Board of Directors**

The Board shall meet at such time and for such purposes as described in the Bylaws of the Corporation.

**ARTICLE IX**  
**Not for Profit**

- (a) This Corporation is organized without capital stock exclusively for religious, educational and charitable purposes. The Corporation shall issue no stock nor shall any dividend or profit ever be declared or paid to any Office, Member or Director thereof.
- (b) No part of the net earnings of the Corporation shall inure to the benefit of or be distributed to its Members, Directors, Officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of its purposes.
- (c) No substantial part of the activities of the Corporation shall consist of carrying on propaganda or otherwise attempting to influence legislation.
- (d) The Corporation shall not participate in, or intervene in (including the publication or distribution of any statements) any political campaign on behalf of or in opposition to any candidate for public office.
- (e) Notwithstanding any other provisions of these Articles of Incorporation, the Corporation shall not carry on any other activities not permitted to be carried on (i) by a corporation exempt from Federal income tax under Sections 501 (c)(3) of the Code, or the corresponding section of any future federal tax code, or (ii) by a corporation, contributes to which are deductible under Section 170 (c) (2) of the Code, or the corresponding section of any future federal tax code.

**ARTICLE X**  
**Amendments**

These Articles and the Bylaws of the Corporation may be altered, amended, or repealed from time to time, in whole or in part upon the approval of a majority of the Members.

## **ARTICLE XI**

### **Dissolution**

The Corporation shall not be dissolved except upon affirmative vote of at least two-thirds of the entire Board of Directors recommending a dissolution of the Corporation and upon the affirmative vote of at least seventy-five percent of the entire Members of the Corporation, which votes shall be taken at special meetings of the Board of Directors and the Members called for this purpose after thirty days prior notice thereof shall have been given in writing to each member of the Board of Directors and the Members of the Corporation. The notice shall state that the purpose, or one of the purposes, of the meeting is to consider dissolution of the Corporation and contain or be accompanied by a copy or summary of the plan of dissolution.

Upon the dissolution of the Corporation, after paying or making provisions for the payment of all liabilities and obligations of the Corporation, all the remaining assets of the Corporation including all real property and all funds on hand at the time of the dissolution, including principal and accumulated income thereon, shall be distributed to an organization or one or more organizations that provide services to the homeless and the poor, if said organization or provide services to the homeless and the poor, if said organization or organizations then qualifies as an exempt organization under Section 501(c)(3) of the Code or the corresponding section of any future federal tax code, Any such assets not so disposed shall be disposed of by the district court of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations (as said court shall determine) which are organized and operated exclusively for such aforesaid purposes.

## **ARTICLE XII**

### **Registered Office and Agent**

The registered office of the Corporation is 1101 West 7<sup>th</sup> Avenue, Denver, Colorado 80204. The name of its registered agent at such address is Tawnya Trahan.

**ARTICLE XIII**  
**Principal Office**

The principal office of the Corporation shall be located at 1101 W. 7th Avenue  
Denver, Colorado 80204.

**ARTICLE XIV**  
**Member**

The name and address of the Board of Director's Officers are:

Don Gallegos  
7255 W. Quincy Avenue, Unit # 1618  
Littleton, CO 80123

Andre J. Wilkie  
4845 Quaker Lane  
Golden, CO 80403

Matt Zeman  
3535 Urban Court  
Wheat Ridge, CO 80035

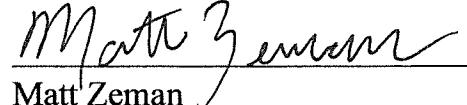
IN WITNESS WHEREOF, the undersigned members have executed these  
Amended and Restated Articles of Incorporation this 18 day of MAY, 2023.

  
\_\_\_\_\_  
Don Gallegos

Board President

  
\_\_\_\_\_  
Andre J. Wilkie

Board Chairman

  
\_\_\_\_\_  
Matt Zeman

Board Vice-Chairman

RESOLUTION OF THE BOARD OF DIRECTORS  
HAVEN OF HOPE

DATE: MAY 18, 2023

WHEREAS, the Board of Directors (the "Board") of Haven of Hope, (the Company) desires to adopt this resolution ; and

WHEREAS, the Board has all necessary power and authority to adopt this resolution;

AGREED, that the following resolution shall be and is hereby adopted:

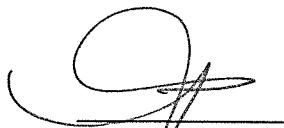
RESOLVED, that the Board Officers are hereby authorized to file with the Colorado Secretary of States Office an Amended and Restated Articles of Incorporation on behalf of the Company. Furthermore, it is resolved that the current Board of Directors of the Company are as follows:

Don Gallegos  
Cris Jones  
Andre Wilkie  
Bruce Speegle

Mary Klein  
Eric Nakayama  
Matt Zeman  
Tom Gould

FURTHER RESOLVED, that the Company's President is hereby authorized and directed to file this resolution with the appropriate governmental authority.

IN WITNESS WHEREOF, the Board has executed this resolution as of the date first set forth above.



Andre J. Wilkie  
Chairman



Don Gallegos  
President

**February 16, 2023**

Planning Services / Zoning Department  
Denver Community Planning and Development  
201 West Colfax Avenue, Department 205  
Denver, Colorado 80202

Re: Authorization with respect to the proposed rezoning with waivers of that certain real property located at 700 N. Mariposa Street (“**Property**”) in the City and County of Denver, Colorado (“**City**”)

Ladies and Gentlemen:

The undersigned (collectively, “**Owners**”), as owners and Board Members of the Property, hereby designate Tawnya Trahan, Executive Director, Haven of Hope, an individual, and Julie Meenan Eck, and Davis Partnership Architects, (individual and company) as authorized “**Representatives**” of Owners to submit on behalf of Owners all applications and supporting materials required or requested by the City in connection with the proposed I-A w/ waivers (or similar zone district) rezoning of the Property and any related development approvals in connection therewith. In furtherance of the foregoing, Owners request that any verbal or written communication regarding this application be given to Representative pursuant to such contact information provided by Representative to the City.

Andre Wilkie

---

Andre Wilkie, Chairman of the Board

Matt Zeman

---

Matt Zeman, Vice Chairman of the Board

**Signature:**   
Andre Wilkie (Feb 16, 2023 19:40 PST)  
**Email:** cbmwilkie@msn.com

**Signature:**   
Matt Zeman  
**Email:** mattzeman@zemanrealty.com

# HoH Owner Authorization Letter for Rezoning (1)

Final Audit Report

2023-02-17

Created:	2023-02-16
By:	Tawnya Trahan (ttrahan@thoh.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAVqSxOZii_A4fl583Zr3XoPdF0DjhvLvS

## "HoH Owner Authorization Letter for Rezoning (1)" History

-  Document created by Tawnya Trahan (ttrahan@thoh.org)  
2023-02-16 - 7:35:12 PM GMT- IP address: 50.76.131.225
-  Document emailed to Andre Wilkie (cbmwilkie@msn.com) for signature  
2023-02-16 - 7:36:30 PM GMT
-  Email viewed by Andre Wilkie (cbmwilkie@msn.com)  
2023-02-16 - 7:42:24 PM GMT- IP address: 104.28.116.94
-  Document e-signed by Andre Wilkie (cbmwilkie@msn.com)  
Signature Date: 2023-02-17 - 3:40:29 AM GMT - Time Source: server- IP address: 72.132.50.32
-  Document emailed to Matt Zeman (mattzeman@zemanrealty.com) for signature  
2023-02-17 - 3:40:30 AM GMT
-  Email viewed by Matt Zeman (mattzeman@zemanrealty.com)  
2023-02-17 - 3:42:50 AM GMT- IP address: 71.56.206.197
-  Document e-signed by Matt Zeman (mattzeman@zemanrealty.com)  
Signature Date: 2023-02-17 - 3:44:42 AM GMT - Time Source: server- IP address: 71.56.206.197
-  Agreement completed.  
2023-02-17 - 3:44:42 AM GMT



Adobe Acrobat Sign

## Haven of Hope Rezone Justification Letter

### Background

The proposed rezone of the site, 700 N. Mariposa Street, is to add an additional component to an already existing use, the Haven of Hope. This site is owned by Haven of Hope and is located on a 5,500-sf parcel of land. Haven of Hope is in existing building at 700 N. Mariposa Street and across the alley at 1101 W. 7<sup>th</sup> Avenue and follows their mission to provide food, shelter, clothing, counseling, rehabilitation, and hygienic services to the homeless and less fortunate. In addition to their services and as part of their Fresh Tracks program, they would like to add a housing component by providing 8-12 units while they transition the residence to a long term permanent supportive housing solution. Residents could stay until they are able to transition to other housing. Residents will be those already in the Fresh Tracks program and although there is no cut off, stay up to 4 months on average at the Haven of Hope facility.

The Fresh Tracks program, an asset-based development and vocational training program, pairs onsite job training with therapeutic services to transition participants through four phases of assessments, counseling, job training, and vocational development to acquire sustainable self-sufficiency. Providing housing can contribute to their success through the program. Up to 10 participants work within various departments in HOH, while others take on internships with community partners or attend technical trade school. Participants start at minimum wage, receive job performance pay increases, and are provided benefits. By addressing barriers such as lack of education, limited or no work experience, and low technology proficiency, the potential of obtaining and maintaining employment increases. In addition to working alongside staff, participants have access to peer navigators who assist them in the next steps of self-sufficiency.

This site is located in the Lincoln Park neighborhood and is part of Denver's Council District 3.

The zone map amendment request is keeping the current I-A zone but adds waivers to allow Type 1 and Type 2 Residential Care Uses.

### Rezoning Review Criteria

#### **12.4.10.7 General Review Criteria Applicable to All Zone Map Amendments**

##### **Consistency with Adopted Plans and Proposed Plans**

###### **1. Denver Comprehensive Plan 2040**

This site is consistent with the Denver Comprehensive Plan 2040: A rezone to keep the existing I-A zone but allow waivers to add Residential Use Type 1 and Residential Use Type 2, maintains the existing zone but allows for limited overnight accommodations for those that are currently being served by this facility. This rezone request aligns with the goal of creating an Equitable, Affordable and Inclusive Vision by aligning with Goal 1: "Ensure all Denver Residents have safe, convenient and affordable access to basic services and a

#### **DENVER OFFICE**

2901 Blake Street, Suite 100

Denver, CO 80205

303.861.8555

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variety of amenities,” by improving equitable access to resources that improve quality of life, including cultural and natural amenities, health care, education, parks, recreation, nutritious food, and the arts. This request also aligns with Goal 3: “Develop housing that is affordable to residence of all income levels,” by developing and promoting programs to help individuals and families, especially those most vulnerable to displacement, access affordable housing, and Goal 8: “Increase housing options for Denver’s most vulnerable populations” by expanding investments in housing options and services for people experiencing homelessness by providing the Fresh Tracks program as a step in getting off the street and transitioning to permanent support housing.

## **2. Blueprint Denver**

This site’s rezone request is consistent with many of the goals set out in Blueprint Denver. The site is in a Value Manufacturing District Area on the Future Places map because of its Industrial context. Residential uses, although not considered compatible, are existing and are found in these areas. Typically found in a manufacturing district are single or multi-tenant buildings. Adjacent to this parcel are single family homes and across N. Mariposa is a multi-unit building. The neighborhood context does consist of a mixed-use component with some commercial, office, and additional residential in the blocks surrounding the property as well as the main use of manufacturing along the transportation corridor. Across the alley is the companion 3-story Haven of Hope building that has been in operation for over 20 years. This rezone request is not changing the compatibility of the existing use within the neighborhood but adding a condition of a multi-unit residential component that is consistent with the neighborhood context.

The Future Street type along Mariposa is considered a Residential Collector with a Residential Arterial two blocks away. The combined use of Haven of Hope existing services during work hours, with limited sleeping units, also is supported by the Street Types within the District. While Blueprint Denver demonstrates the importance of the Industrial District, it identifies this area as highly valued but a low threat for conversion to other uses. This rezoning request is to keep the I-A zone and through waivers, add the Residential 1 and Residential 2 component. This rezone will only run with the existing ownership/use and does not impact the overlayed Manufacturing District as its in an existing mixed-use/residential area within the district and not proposed as a reduction of industrial use.

Some additional specific goals from Blueprint Denver are:

- An equitable city, creating more equitable access to quality-of-life amenities, health, and quality education.
- Serve all Denver residents with a diverse range of affordable housing options and quality employment opportunities throughout the city.
- Enhance the overall character and sense of place of neighborhoods through all stages of development and reinvestment.
- Support a welcoming business environment and the growth of employment centers around the city to promote work and educational opportunities for all residents.

- Promote a healthy community with equitable access to healthy living for all residents.
- Ensure all Denver residents have safe, convenient, and affordable access to basic services and a variety of amenities.
- Enhance the overall character and sense of place of neighborhoods through all stages of development and reinvestment.

### **3. La Alma/Lincoln Park Neighborhood Plan**

This rezone request is consistent with the La Alma / Lincoln Park Neighborhood Plan. One of the first Goals noted is Stability Improved within Residential Neighborhoods by improving neighborhood support systems and maintaining local services. Haven of Hope has been established for over 20 years in this neighborhood. The Framework Plan: Economic Development calls for promoting local programs that support small businesses, promoting adaptive reuse, and increasing graffiti removal (a large part of the Haven of Hope program is to clean up the neighborhood).

This site is identified as an area of change within the neighborhood plan (referencing the old Blueprint Denver). It identifies the area as an employment area and areas of change should create opportunities for appropriate development and stabilize conditions. This zoning request, adding waivers of Residential 1 and Residential 2, is consistent with stabilized conditions. Haven of Hope will continue its operations but will add a small overnight component. This is a consistent daytime use, and the 8 rooms that will be used as residences are adjacent to existing residential use. The plan calls for a variety of residential uses in its Residential Vision and Goals.

The Industrial Vision and Goals states a strong city policy against housing in the heavy industrial area, but this is a current use, the heavy industrial area is predominantly on the west side of the light rail, and this zoning request only runs with the current land use/ownership. If Haven of Hope were to vacate the property, the Residential Type 1 and Residential Type 2 waiver would be removed. The intent of this statement appears to be referencing large scale multi-unit developments. This waiver request would not conflict with that goal, and furthermore, a buffer between the heavy industrial use and the residential areas is called for, which is a suitable location for this program.

As with any development, improvements to the streetscape and pedestrian sidewalks are required. This is also a consistent goal of the La Alma / Lincoln Park plan. The waivers will trigger improvements to the facility which then will trigger improvements to the public realm and streetscape.

This request of a rezone waiver will not affect the character of the neighborhood or existing traffic patterns, and will not change the existing main land use of this property. The request is to add a component to the existing program at the edge of the area defined as the industrial area adjacent to the mixed-use zone. This site is also one block outside the station which is targeted as residential. The existing and proposed Residential 1 and

Residential 2 component of the Haven of Hope business is the perfect transition in this location and would fulfill some of the goals of the La Alma/Lincoln Park Neighborhood Plan.

#### **Uniformity of District Regulations and Restrictions**

The proposed rezoning to add a waiver to the I-A Zone to support Residential Type 1 and Residential Type 2 uses that are tied to the existing owner would result in the uniform application of zone district building form (general), use and design regulations, including setbacks, transparency, primary access, and vehicular access.

#### **Public Health, Safety and General Welfare**

This rezone request supports Public Health, Safety and General Welfare by enhancing the streetscape for pedestrians by improving sidewalks. The main focus of the waiver request is for the betterment of the users of the program by providing a program to get the most vulnerable off the street by providing job readiness classes, continued counselling, support groups, meals, and a transitional place to sleep until permanent supportive housing can be found.

#### **12.4.10.8 Additional Review Criteria for Non-Legislative Rezonings**

##### **Justifying Circumstances**

The City's goal of equitable, affordable, and inclusive neighborhoods and focus on affordable housing has increased as a priority since the adoption of the Blueprint Denver plan. This existing use helps alleviate poverty by supporting the unhoused with relief, rehabilitation, and development. The addition of 8-12 sleeping quarters takes this one step further to a path of permanent supportive housing.

As noted in the narrative, Blueprint Denver calls for all residents to have access to neighborhoods where they can live, work and play, and to increase housing diversity. Furthermore, one of Blueprint Denver's primary goals to increase the amount of affordable housing in the city. For these reasons, these changes in citywide plans can be supported by this proposed rezoning waivers.

##### **Consistency with Neighborhood Context Description, Zone District Purpose, and Intent Statements**

###### **Neighborhood Context**

The addition of the Residential 1 and Residential 2 waivers will likely create a future project that will add a second story and a rooftop garden to the existing 1 story structure. The future planning will be consistent within the neighborhood context as there are 1, 2 and 3 story buildings surrounding the property.

###### **Zone District Purpose and Intent**

The I-A with Residential 1 and Residential 2 waivers would permit an additional component to an existing use to serve an underserved community. This site is within a block that has a mix of residential, apartment, business, and industrial uses. The purpose

of the zone district waiver is to create a component to help the most underserved of our community. The future residents of this facility already use the services. This is the next step in their success of alleviating poverty. The proposed waiver rezoning is consistent with the Neighborhood Context and some of the neighborhood planning goals.

### **Neighborhood Outreach**

Community outreach was a big part of the rezone process. The applicant walked around to neighbors, presented to the La Poloma Lincoln Park Neighborhood Association, and was open with the community on the rezoning application and waiver requests. The Neighborhood Association meeting was well attended, positive and had a lot of discussion. The public event provided fact sheets about the Fresh Tracks program and how the sleeping units are an extension of this program to finding permanent supportive housing for the unhoused already in their services. Haven of Hope has actively communicated with the neighborhood for years and has contributed positively to neighborhood cleanup and care of the adjacent blocks. They are an active and open part of the community. Communication with the neighborhood has been an integral part of this facility. Discussions with the neighborhood helped inform things like the preference for the entry to remain on 7<sup>th</sup> Street. The waivers being attached to the Haven of Hope program only is important to the community also. Through the public outreach process there was one person against, but the other conversations were positive regarding the rezoning efforts. This is due to years of being a good neighbor.

Additionally, knowing that many people are not active in RNOs, Haven of Hope hosted an in-person open house event for the immediate neighborhood on February 7<sup>th</sup> at 6 pm at the building to be rezoned with waivers. The La Paloma Lincoln Park Neighborhood Association and Council Member Jane Torres were also invited to participate. There was no one in attendance. The neighborhood was notified by a flyer distributed on January 30<sup>th</sup>.

As we move through the rezoning application, we are committed to continuing conversations with the community.

**Proposed Waivers:**

Per Denver Zoning Code Section 12.4.10.6, Waivers of Rights and Obligations and Approval of Reasonable Conditions, I, the undersigned applicant for the property under application for the rezoning referenced herein, request that the I-A zoning classification of the land described herein include the following waivers:

1. Waive the "NP" (Not Permitted Use) zoning review procedure for Residential Care, Type 1 and Residential Care, Type 2 uses in the Residential Primary Use Classification Category in District Specific Standards in Denver Zoning Code Section 9.1.9.5, and instead shall be "L-ZP" (Permitted Use with Limitation. The applicable limitations for a Residential Care Type 1 or Type 2 use shall be those that would apply in an I-MX zone district). The intent of the waiver is to allow Residential Care Types 1 and 2 uses, subject to applicable use limitations.

Agreed to by: Tawnya Trahan, Executive Director

*Tawnya Trahan*