

TO: Denver Planning Board, Julie Underdahl, Chair
FROM: Theresa Lucero, Senior City Planner
DATE: January 31, 2018
RE: Official Zoning Map Amendment Application #2017I-00010
1660, 1682 & 1684 Grove Street and 3088 & 3092 West 17th Avenue
Rezoning from G-MU-3 to C-MX-5

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for application #2017I-00010.

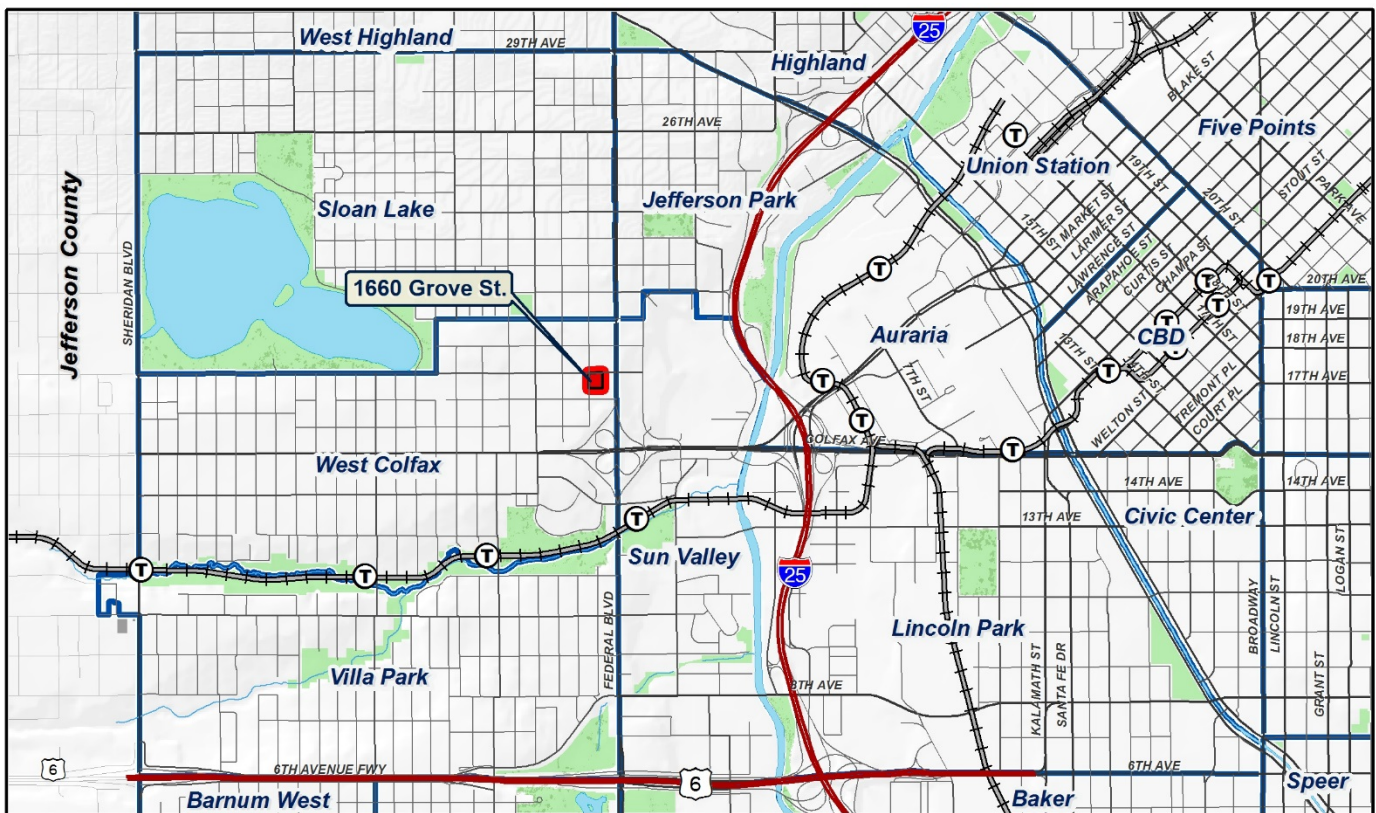
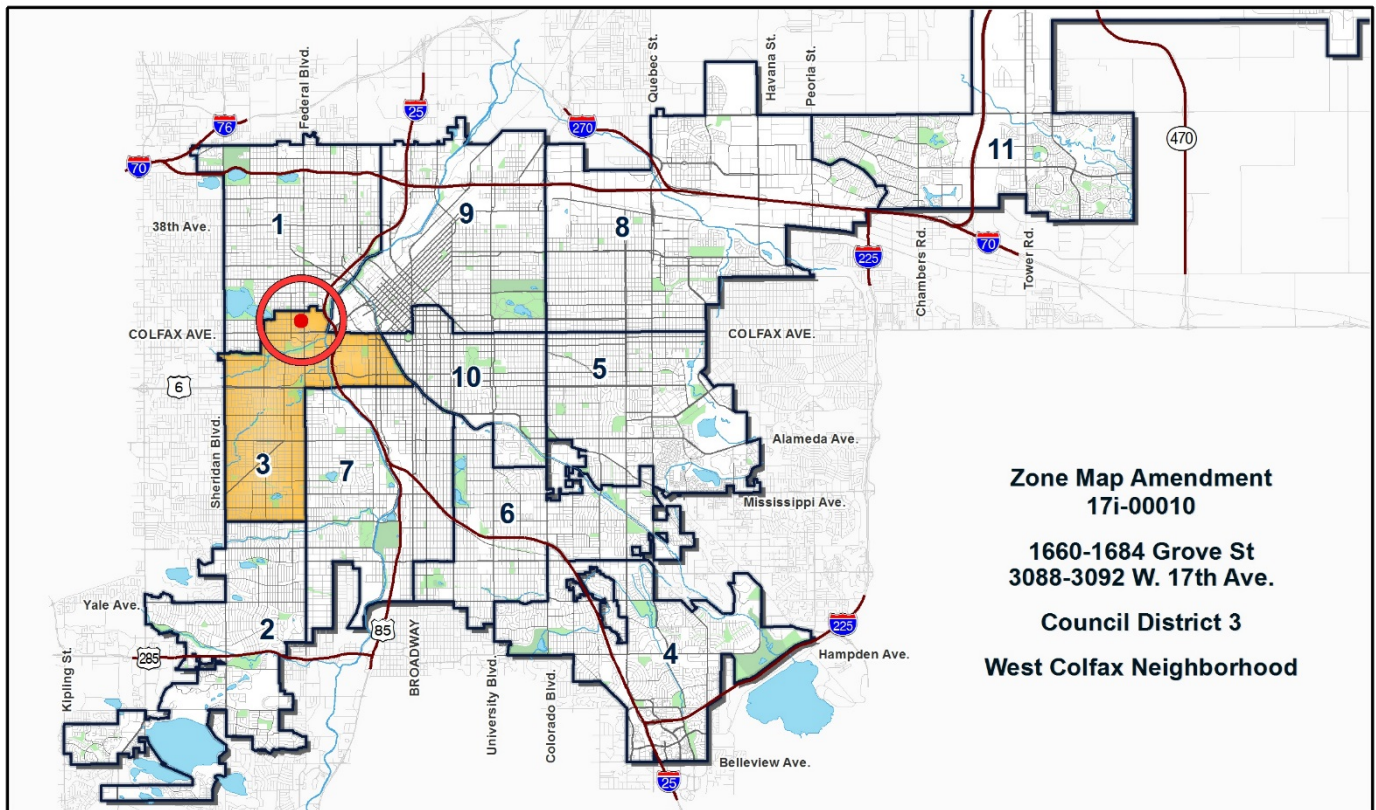
Request for Rezoning

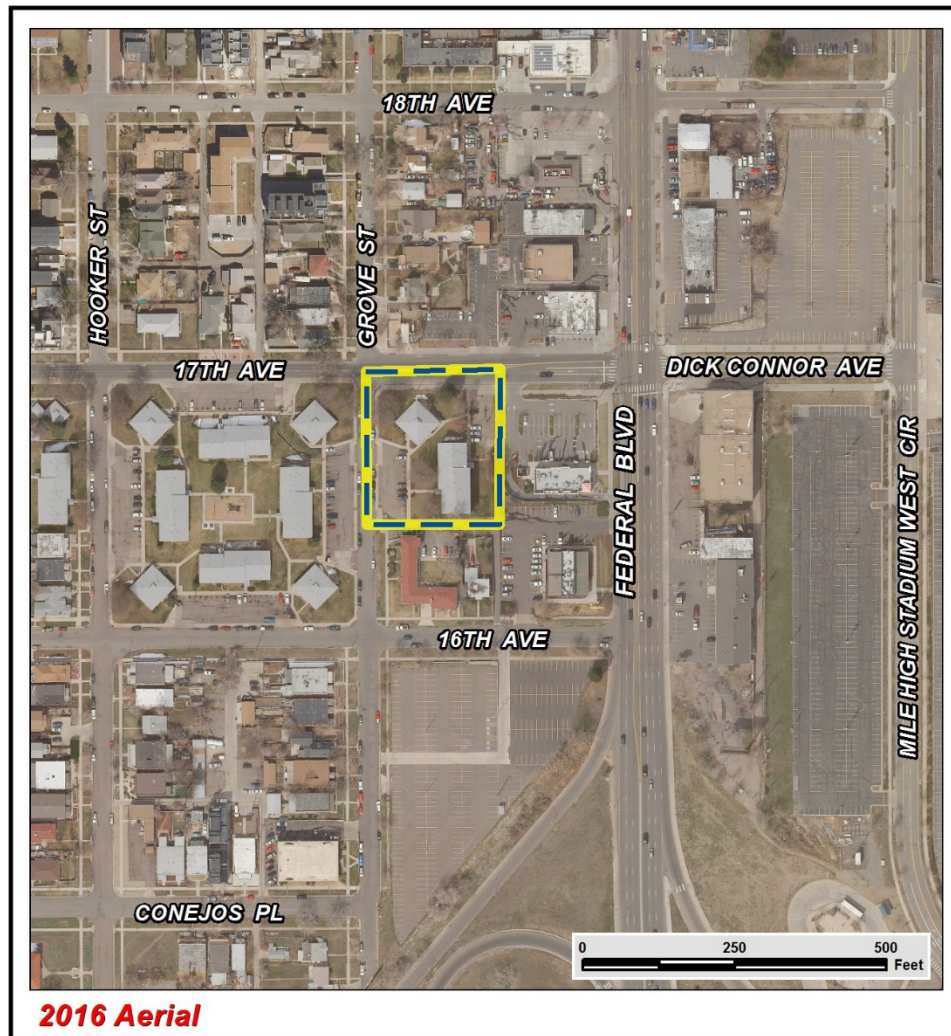
Address:	1660, 1682 & 1684 Grove Street and 3088 & 3092 West 17 th Avenue
Neighborhood/Council District:	West Colfax Neighborhood / City Council District 3
RNOs:	West Colfax Association of Neighbors; Sloan's Lake Citizens Group; West Colfax Business Improvement District; Federal Boulevard Corridor Improvement Partnership; Inter-Neighborhood Cooperation
Area of Property:	36,977 SF, 0.85 Acres
Current Zoning:	G-MU-3
Proposed Zoning:	C-MX-5
Applicant/Owner:	Town View MHA, Ltd.
Contact Person:	Bruce O'Donnell

Summary of Rezoning Request

- The subject property contains a single-story, multi-unit residence and a 3-story multi-unit residence built in 1963. Both buildings combined contain 21 affordable dwelling units. The property is 1/2 block west of Federal Boulevard and 2 ½ blocks north of West Colfax Avenue. The requested map amendment is being sought to enable the redevelopment of the property with new affordable dwelling units.
- The **C-MX-5**, Urban Center, Mixed Use, 5-story (70 feet maximum building height), zone district is intended for use in the Urban Center Context which is characterized by multi-unit residential and mixed-use commercial strips and commercial centers. Multi-unit uses are typically in multi-unit, mixed-use building forms. Commercial uses are typically Shopfront and General building forms. Multi-unit residential uses are primarily located along residential collector, mixed-use arterial, and local streets. Commercial uses are primarily located along main and mixed-use arterial streets. This context is characterized by moderate to high building heights and consistent orientation to the street with shallow front setbacks. The C-MX-5 zone district is a mixed-use zone district intended to promote safe, active, and pedestrian-scaled, diverse areas with building forms that clearly define and activate the street. The mixed-use zone districts are intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods. Further details of the zone district can be found in Article 7 of the Denver Zoning Code.

Planning Services
Community Planning and Development
201 W. Colfax Ave., Dept. 205 | Denver, CO 80202
www.denvergov.org/CPD
p. 720.865.2983





Existing Context

The subject property is at the southeast corner of 17th Avenue and Grove Street, in west Denver 2 blocks north of West Colfax Avenue. In the general vicinity are:

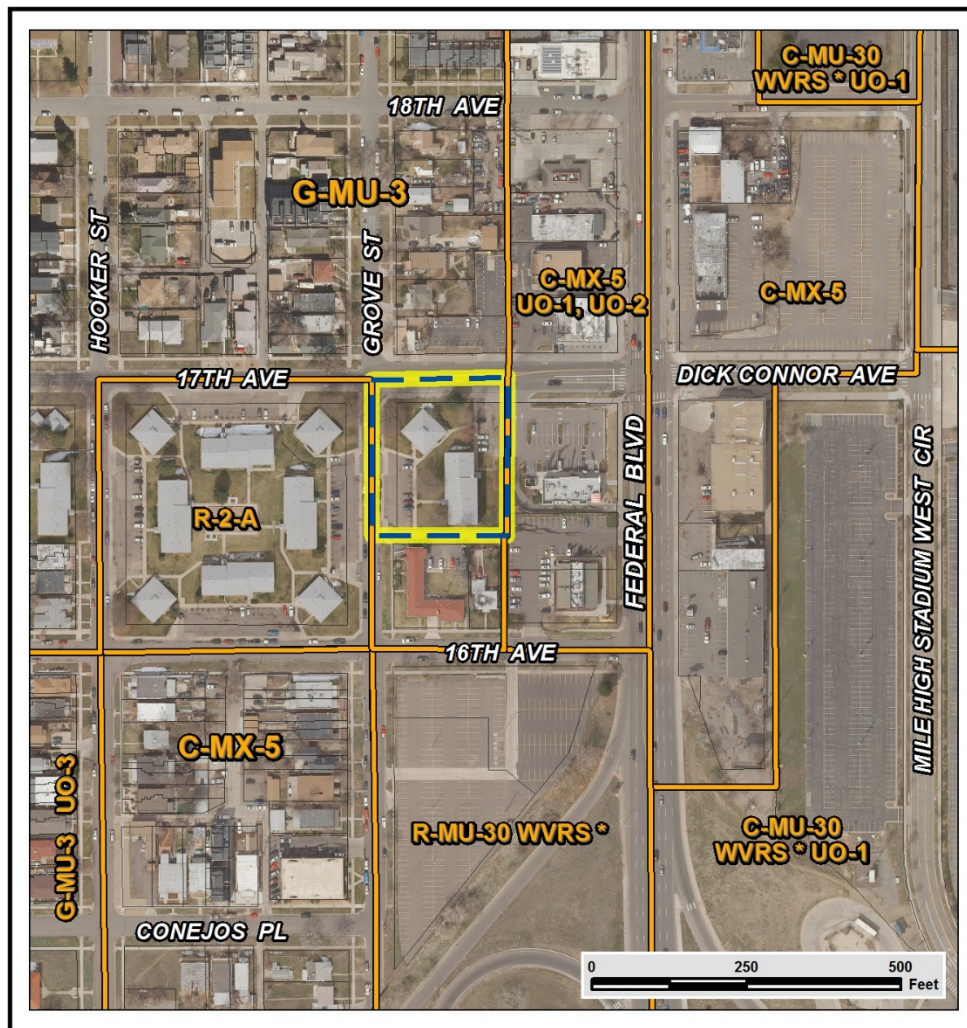
- West Colfax Avenue, 2 1/2 blocks south,
- Federal Boulevard ½ block east,
- Hallack Park 3 blocks north west,
- Rodolfo “Corky” Gonzalez Branch Library, 4 blocks south and west,
- Mile High Stadium 3 blocks east,
- Decatur-Federal Light Rail Station 4 blocks southeast,
- Cheltenham Elementary School 3 blocks west,
- Sloan’s Lake Park, 7 blocks west,
- St. Anthony Hospital (6-block) redevelopment, 9 blocks west.

The subject property is surrounded by a mixture of single family and low-rise multi-unit residential uses. Area building heights range from 1 to 3 stories.

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

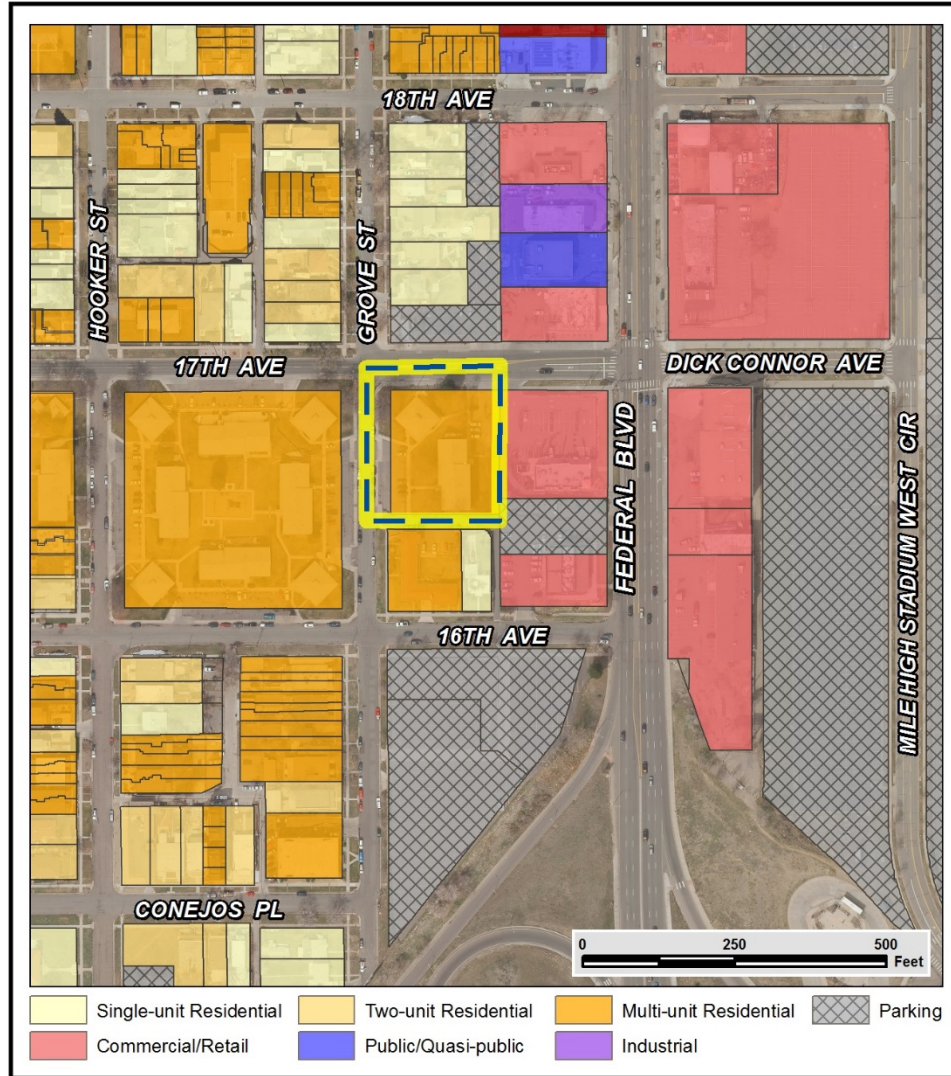
	Existing Zoning	Existing Land Use	Existing Building Form, Scale	Existing Block, Lot, Street Pattern
Site	G-MU-3	Multi-unit Residential	1-3-story Structures	Grid street patterns and square blocks mostly with alleys. Mixed attached and detached sidewalks.
North	G-MU-3	Single-family Residential and surface parking	1-2-story Structures	
South	G-MU-3	Multi-unit Residential	1-3-story Structures	
East	C-MX-5, UO-1, UO-2	Commercial	1-story Structures	
West	R-2-A	Multi-unit Residential	1-3-story Structures	

1. Existing Zoning

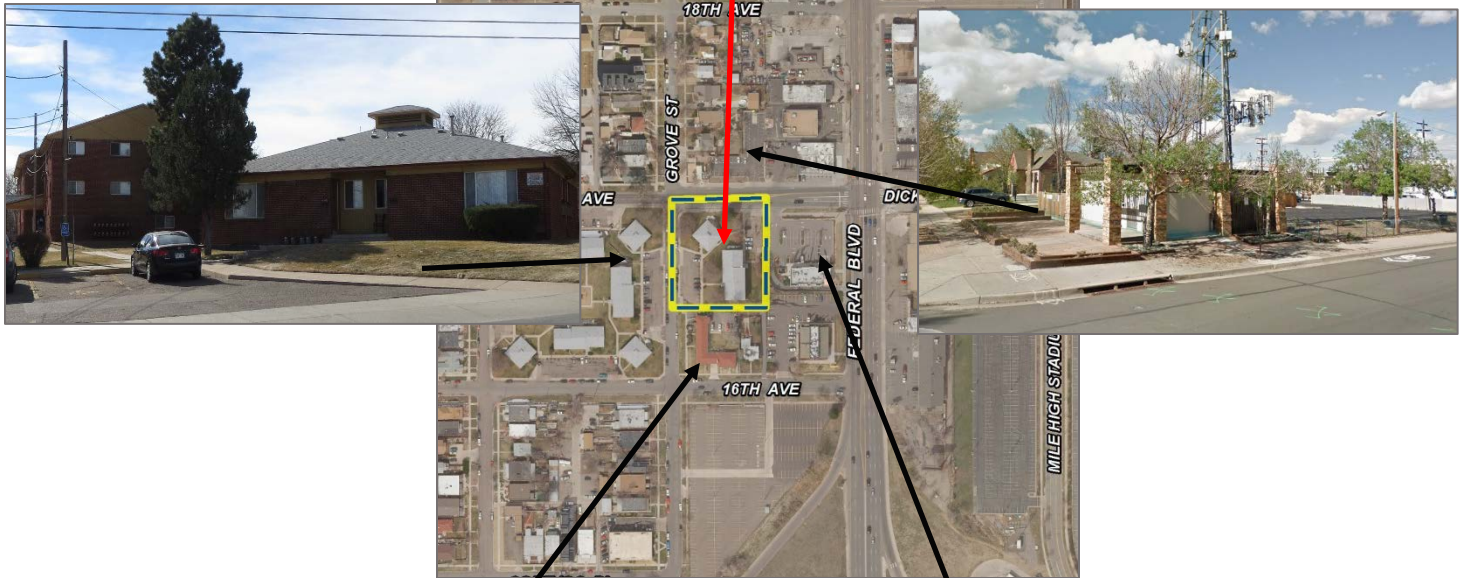


The zoning of the subject property is G-MU-3. This is a multi-unit zone district that allows the Urban House, Duplex, Garden Court, Row House and Apartment primary building forms, with a minimum zone lot size of 3,000-6,000 square feet. Maximum allowed building heights are 30-40 feet.

2. Existing Land Use



3. Existing Building Form and Scale



Summary of City Agency Referral Comments

This rezoning has been reviewed concurrently within the context of the Denver Zoning Code and other applicable City Codes as utilized by the referral agencies listed below.

Asset Management: Approved – No Comments.

Development Services – Project Coordination: Approved, no comments.

Environmental Health: Approved with the following comments: Notes. DEH does not object to the rezoning request.

General Notes: Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas intrusion into buildings, DEH suggests installation of a radon mitigation system in structures planned for human occupation or frequent use. It may be more cost effective to install a radon system during new construction rather than after construction is complete.

Denver's Noise Ordinance (Chapter 36–Noise Control, Denver Revised Municipal Code) identifies allowable levels of noise. Properties undergoing Re-Zoning may change the acoustic environment, but must maintain compliance with the Noise Ordinance. Compliance with the Noise Ordinance is based on the status of the receptor property (for example, adjacent Residential receptors), and not the status of the noise-generating property. Violations of the Noise Ordinance commonly result from, but are not limited to, the operation or improper placement of HV/AC units, generators, and loading docks. Construction noise is exempted from the Noise Ordinance during the following hours, 7am–9pm (Mon–Fri) and 8am–5pm (Sat & Sun). Variances for nighttime work are allowed, but the variance approval process requires 2 to 3 months. For variance requests or questions related to the Noise Ordinance, please contact Paul Riedesel, Denver Environmental Health (720-865-5410).

Scope & Limitations: DEH performed a limited search for information known to DEH regarding environmental conditions at the subject site. This review was not intended to conform to ASTM standard practice for Phase I site assessments, nor was it designed to identify all potential environmental conditions. In addition, the review was not intended to assess environmental conditions for any potential right-of-way or easement conveyance process. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

Public Works – City Surveyor: Approved.

Public Works – Wastewater: Approved with the following comments. No objection on rezoning. The wastewater requirements will be applied to any future development.

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council and Registered Neighborhood Organizations:	11/07/17
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council and Registered Neighborhood Organizations:	01/22/18
Planning Board public hearing. The Board voted to recommend approval of the application by a vote of 6-3.	02/07/18
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and Registered Neighborhood Organizations, at least ten working days before the meeting:	02/12/18
Land Use, Transportation and Infrastructure Committee of the City Council:	02/27/18
Property legally posted for a period of 21 days and CPD written notice of the City Council public hearing sent to all affected members of City Council and Registered Neighborhood Organizations (tentative):	03/18/18
City Council Public Hearing (tentative):	04/09/18

In the pre-application meeting for this application the applicant initially included all the adjacent properties under their ownership. Because the property owned by the applicant spans portions of three blocks, and staff wanted to consult with the community on the interpretation of the area plans, Staff suggested a community meeting with affected Registered Neighborhood Organizations. The meeting was held in March 14, 2017. Comments at the meeting were focused more on the west parcels and not the subject parcel. Although comments did include suggestions that a broader mix of incomes be included in the development, and that more neighborhood serving commercial be included on the ground story.

• **Registered Neighborhood Organizations**

To date, staff has received no comments from any Registered Neighborhood Organization.

- **Other Public Comment**

Staff has received no other letters commenting on the proposed rezoning.

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 Welfare

DZC Section 12.4.10.8

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

1. Consistency with Adopted Plans

The criteria for review of this rezoning application include conformance with adopted regulations, and with the Comprehensive Plan and applicable supplements. Applicable documents are:

- *Denver Comprehensive Plan 2000*
- *Blueprint Denver (2002)*
- *West Colfax Plan (2006)*
- *Decatur Federal Station Area Plan (2013)*

Denver Comprehensive Plan 2000

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

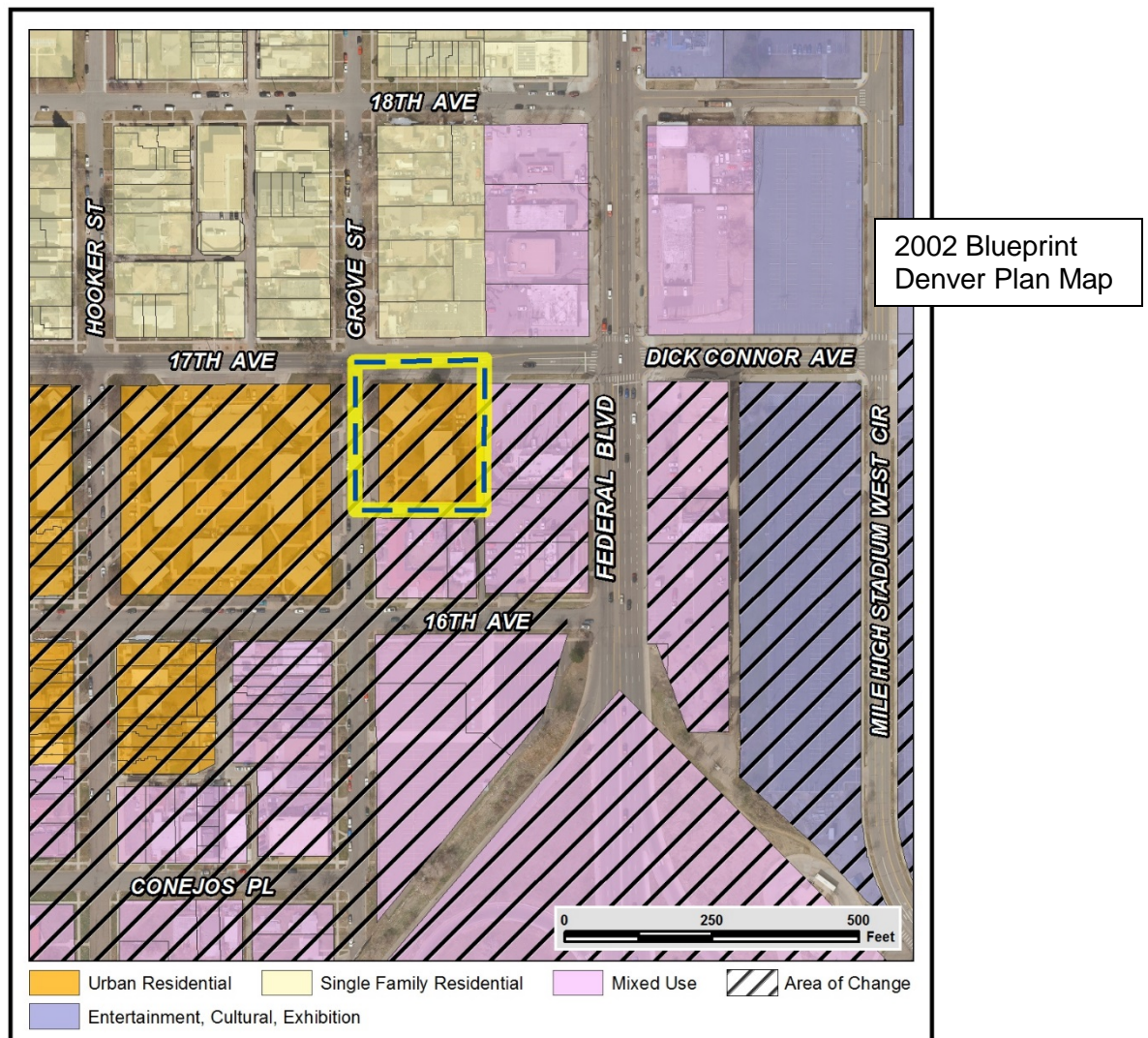
- Environmental Sustainability Strategy 2-F “*Conserve land by promoting infill development within Denver at sites where services and infrastructure are already in place*” (p. 39).
- Land Use Strategy 1-H to “*Encourage development of housing that meets the increasingly diverse needs of Denver’s present and future residents in the Citywide Land Use and Transportation Plan*” (p. 58).
- Land Use Strategy 3-B to “*Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses*” (p. 60).
- Land Use Strategy 4-A to “*Encourage mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces impact on the environment, and encourages vibrant urban centers and neighborhoods*” (p. 60).
- Mobility Strategy 4-E to “*Continue to promote mixed-use development, which enables people to live near work, retail and services*” (p. 78).
- Mobility Strategy 5-D “*Determine the potential for transit-oriented development at public transit stations, and encourage such opportunities whenever possible*” (p. 79).

The proposed map amendment will enable the replacement of existing multi-unit residential development with a multi-unit structure containing additional density. The location of the

property, within ½ block of an arterial street and within a few blocks of the Decatur-Federal Transit Station is a location where infrastructure is already in place, where increased density is consistent with the existing character of the area and where residents may live near work, retail and services. The C-MX-5 zone district will introduce more diverse and intense residential development with the potential to add in a mixture of non-residential uses. The only allowed primary building forms in the zone district are the General and Shopfront forms and the maximum allowed height is 70 feet. The rezoning is consistent with the Comprehensive Plan policies that encourage development of housing that potentially meets Sustainability strategies of improving air quality and conserving land; and with Land Use and Mobility strategies which encourage infill and transit-oriented, mixed use development.

Blueprint Denver

Blueprint Denver, the City's Land Use and Transportation Plan, identifies the subject property as being within an Area of Change with a land use recommendation of Urban Residential.



Future Land Use

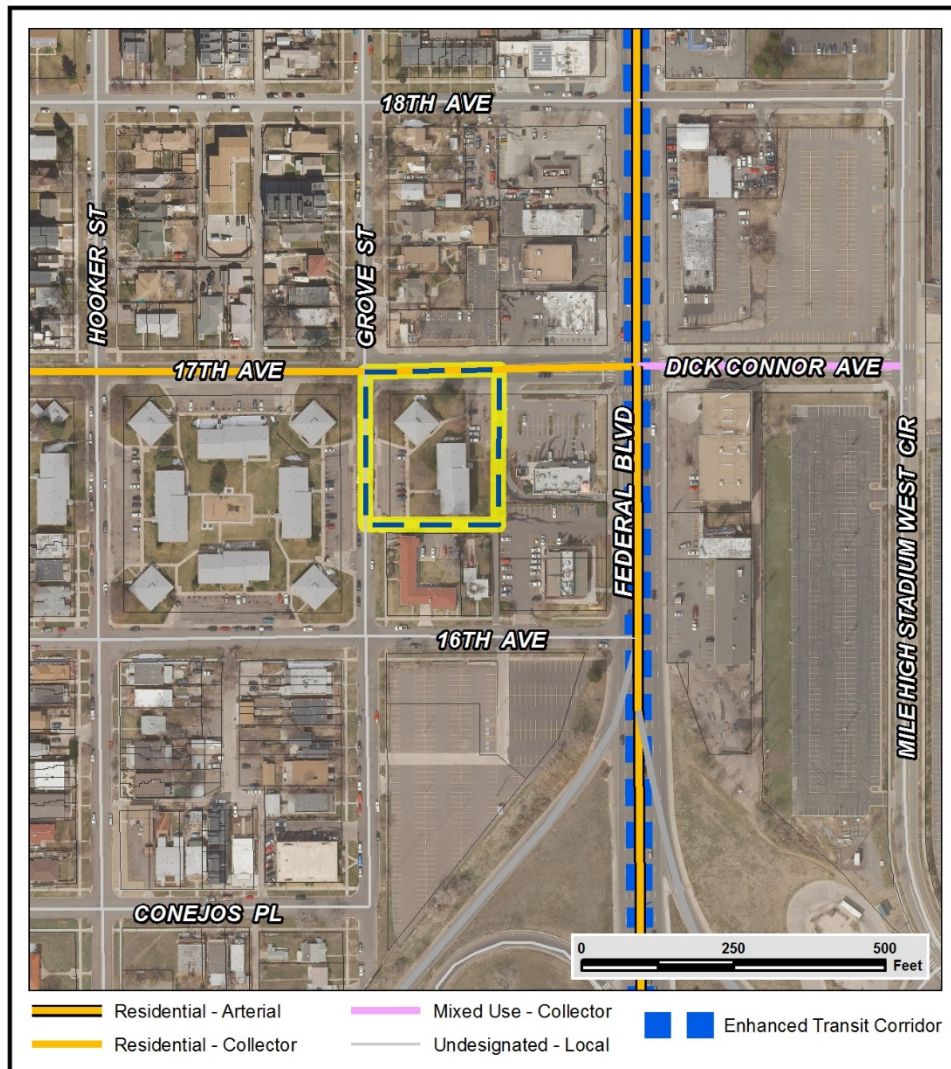
Urban Residential neighborhoods are “*higher density and primarily residential but may include a noteworthy number of complementary commercial uses. New housing tends to be mid-to high-rise structures, and there is a greater housing base than employment base. A mixture of housing types is present, including historic single-family houses, townhouses, small multi-family apartments and sometimes high-rise residential structures*” (p. 41-42). The proposed C-MX-5 zone district will bring increased density and the potential for a broader mix of land uses to the property. This is consistent with the description of housing types included in the description of the Urban Residential land use category. Based on the location of the subject close to Federal Boulevard and the Decatur-Federal Light Rail Station, and the envisioned Urban Residential land uses, the C-MX-5 zone district is consistent with the Blueprint Denver land use recommendation.

Areas of Change / Areas of Stability

On the Blueprint Denver Map the subject property is within an Area of Change. A central premise of the Blueprint Denver plan is that growth should be directed to Areas of Change. The Plan goes on to describe three types of Areas of Change including “[1] *Downtown; [2] Lowry, Stapleton and Gateway and [3] Areas where land use and transportation are closely linked*” (p. 20). The Plan describes features that characterize the third type of Area of Change as “*areas adjacent to and around transit stations*” and “*areas with special opportunities such as where major public or private investments are planned*” (p. 19). The subject property is ½ block from Federal Boulevard and within ½ mile of the Decatur-Federal Light Rail Station, a part of the FasTracks project, a major public investment to expand public transit in the Denver metro region. In this location the property is in an area where transportation and land use are linked. It is therefore appropriate that the subject property should be within an Area of Change and that the Plan vision is increased density. The Plan also includes strategies envisioned for these types of Areas of Change including:

- Address edges between Areas of Stability and Areas of Change
- Compatibility between existing and new development
- Pedestrian and transit supportive design
- Mixed land uses
- Infill and redevelop vacant and underused properties
- Multi-modal streets
- Transit service and transit access
- Diversity of housing type, size and cost
- Retain low and moderate income residents

The proposed C-MX-5 zone district is an appropriate increase in residential density, and has building standards that are pedestrian and transit-supportive. The C-MX-5 district will serve to introduce a higher-intensity mixture of land uses onto the subject property. The proposed development of the site will support the nearby transit service.



Street Classifications

Blueprint Denver classifies 17th Avenue as a Residential Collector Street. Collector streets “provide a greater balance between mobility and land access” (p. 51), and “as residential streets are designed to emphasize walking, bicycling and land access over mobility” (p. 55). Federal Boulevard, ½ block to the east is an Enhanced Transit Corridor. Blueprint Denver encourages “evaluating and implementing enhanced bus transit service” (p. 98) on Enhanced Transit Corridors like Federal Boulevard, and “developing transit-supportive incentives like shared or reduced parking, and a mix of transit-supportive land uses” (p. 100). The proposed map amendment will enable an increase in development intensity appropriate to collector streets and Enhanced Transit Corridors.

West Colfax Plan (2006)

The West Colfax Plan includes a “Framework Plan” the purpose of which “provides the overarching goals and recommendations for these places within the study area; it provides the technical guidance for zoning regulatory changes, infrastructure planning and policy direction”

(p. 78). Key components of the Framework Plan include Urban Design, Land Use, Mobility and Economic Development.

Within the West Colfax Plan Framework Plan, the subject property is identified in the following ways:

Framework Plan/Future Land Use/Urban Design

On the Future Land Use Concept map the subject property is identified as “*Urban Town Center*.” See the red square on the Future Land Use Concept map below.

Urban Town Center

The land use and urban design concept for the “*Urban Town Center*” future land use designation is “*A compact, dense, interconnected and walkable development pattern typically clustered at or near the intersection of major arterials defines Town Centers.*” The development pattern described is “*compact, with development radiating from a dense core and a centralized gathering place.*” The typical scale of development is a “*variable scale with the greatest height and intensity of lot coverage in the core radiating to lower intensity at the fringe. Often these activity centers include a mixed-use retail and employment oriented core organized around a central plaza or formal green space. Live-work units, residential structures with accessory retail and residential structures radiate in intensity from the core. Housing options come in a variety of forms from townhomes and row houses dispersed throughout the Town Center to condominium buildings in the core. The highest intensity residential buildings are associated with large development parcels or the presence of transit*” (p. 83).

Additional Framework Plan Land Use Goals include:

- “*Goal 2 – Focus intense development to strategic growth areas at the edges of neighborhoods along Main Street corridors or in neighborhood centers such as transit station areas and town centers*” (p. 93).
- “*Goal 6 – Maximize development of urban land through infill of vacant parcels, redevelopment of underutilized parcels or dilapidated properties and adaptive reuse of historic resources*” (p. 93).

Additional Framework Plan Land Use Recommendations include:

Recommendation 1: Town Center Regulatory Tools

“*Establish form based tools appropriate for the mix of building types and uses that define a town center. Ensure that these zoning tools consider, define and respect the traditional and desired forms of town center patterns of development. Develop standards for:*

- *Range of building types,*
- *mix of land uses that support the function of town centers,*
- *urban design,*
- *Location criteria to aid in the rational organization of the town center, to support the myriad functions associated with these districts and to ensure the appropriate integration of the town center within the context of the larger community*
- *Aggregation of open space for plazas, pocket parks paseos, greens and other opportunities to promote community gathering” (p. 94-95).*

Recommendation 6: Housing Diversification

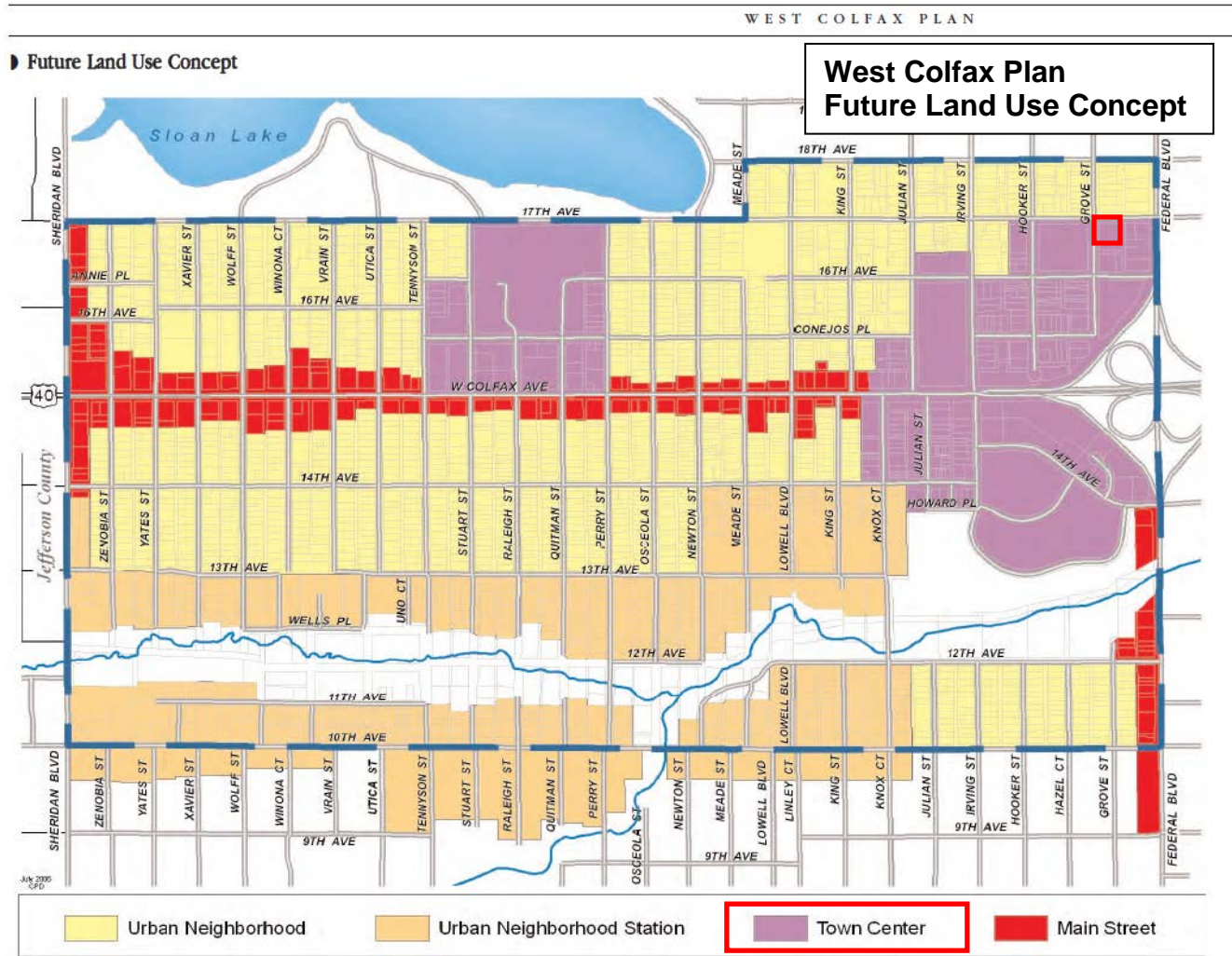
“Promote the inclusion of affordable units in new residential developments with appropriate regulatory tools and incentives. Repair and replace existing stock of substandard affordable residential housing units...Diversify housing options and encourage a healthy urban mix of incomes. Promote a range of housing types and costs at higher densities in strategic locations (town centers, station areas, main streets)” (p. 95-96).

Recommendation 7: Infill Development

“Support infill development. Mixed-use projects that include housing (combining low-income, affordable and market rate units) or offices over active ground floor uses (shops, restaurants and services) are especially appropriate in town centers, along main streets and in close proximity to transit stops” (p. 96).

Recommendation 8: Transitions

“To the greatest extent possible, focus both structural and use intensity to main streets, transit station areas and town centers. Incorporate design and development standards to address solar access and privacy protection, such as bulk plane, building orientation and roof form standards...” (p. 96).



District Plans

In addition to the Framework Plan, the West Colfax Plan includes District Plans. The district plans “do not imply zoning changes” but are included in the Plan to “provide guidance regarding the appropriate character and scale of an area. The district plans augment the prevailing goals and recommendations contained in the framework plan” (p. 120).

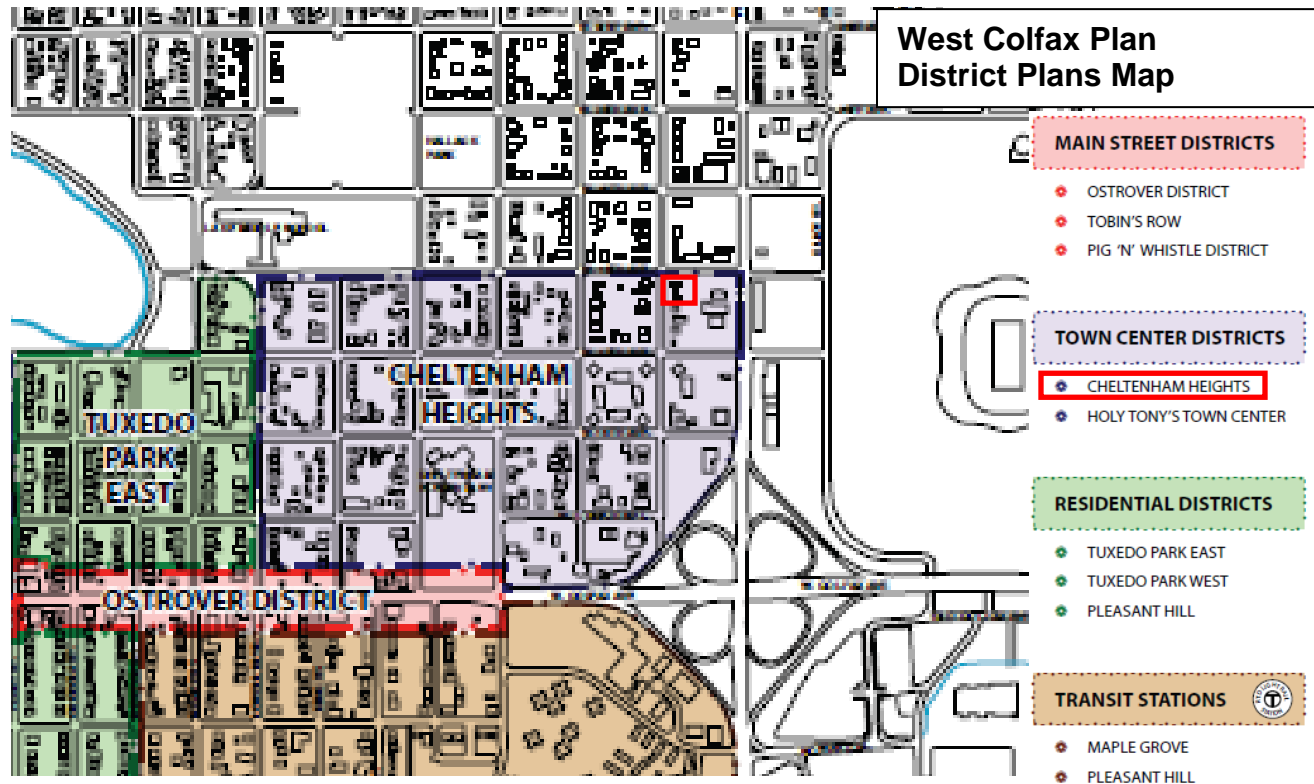
Cheltenham Heights Town Center: The West Colfax Plan includes the subject site within the “Cheltenham Heights Town Center.” The Plan describes this area as including a wide variety of residential structure types with several community structure types. The location of the Town View Mutual Housing is described as forming the northeastern gateway to the town center. See the red square on the District Plans map below.

Specific to the town centers, the Plan offers the following District Plan goals and recommendations (p. 128-129):

- Goal 1: Town Center Organization – *“Organize Town Centers to fit seamlessly with surrounding neighborhoods.”*
- Goal 2: Town Center Function – *“Develop town centers to function as the heart of the community with a concentration of housing, employment, civic amenities and services, as well as destination entertainment venues, shops and restaurants.”*
- Recommendation 1: Structure of Town Centers
“Consider the layout and relationship of buildings to the town center core. Focus the most intense structures and uses to a dense core surrounding a community gathering place. Ring this dense core with medium intensity structures that taper in height, mass and scale to a fringe area where the town center blends with surrounding neighborhoods.”
- Recommendation 2: Town Center Uses
“Ensure a dynamic mix of uses to serve the daily needs of nearby residents and destination itineraries of regional visitors... Offer a broad mix of housing types, occupancy status, densities and costs. Encourage this mix to support a range of lifestyle choices and enhance the experienced of urban living.”

Specific to the Cheltenham Heights Town Center, the Plan offers the following recommendations:

- *“Focus the most intense development to areas east of Julian Street and taper development intensity and scale as the town center approaches Tuxedo Park East.*
- *Promote significant increases in residential densities (including both affordable and market rate units) to encourage urban living near downtown, transit and community activities.*
- *Improve the permeability of the town center and establish gateways at West 17th Avenue, Hooker and Irving Streets to better incorporate this area with the larger community” (p. 131).*

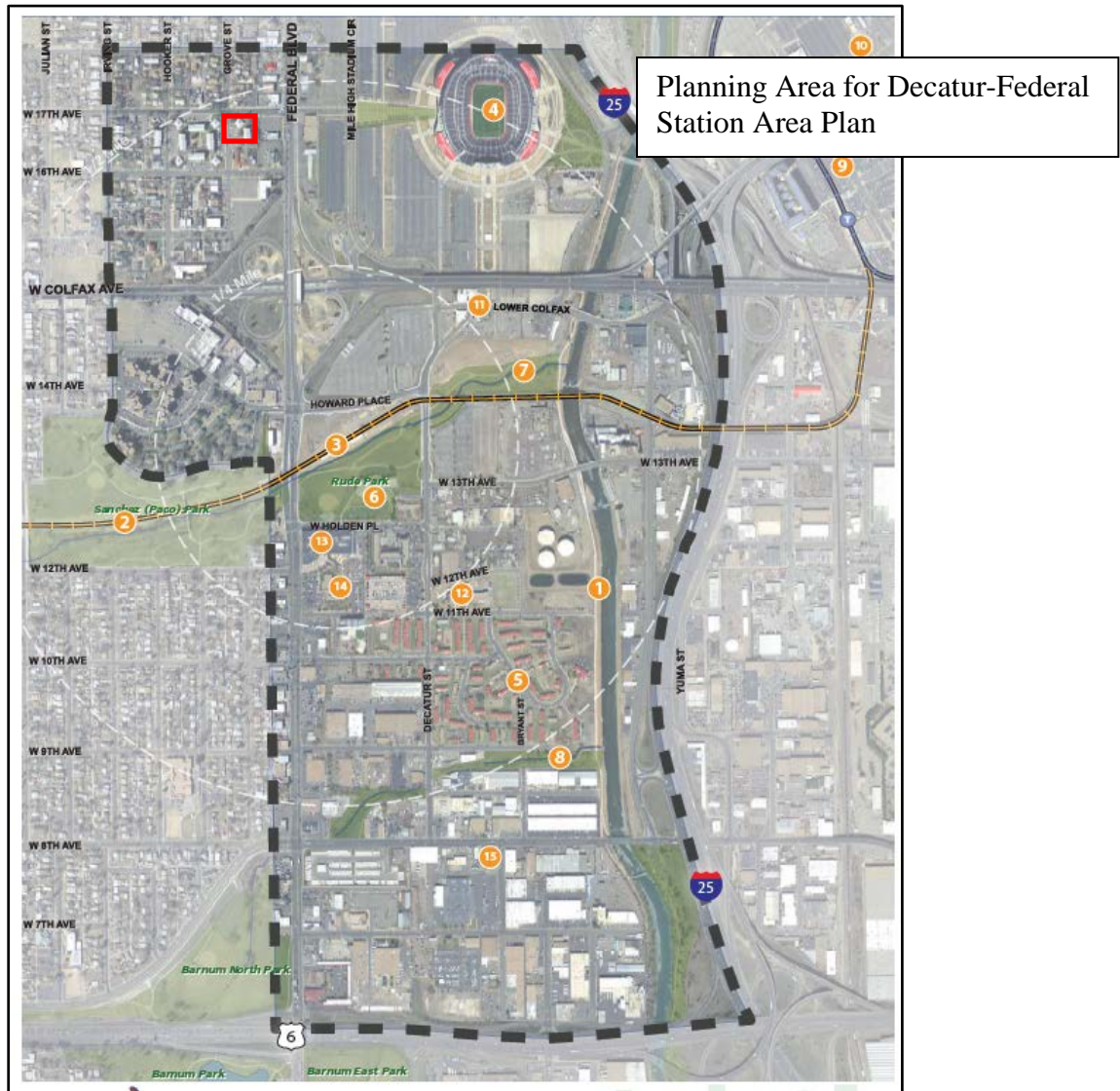


A summary of the West Colfax Plan recommendations for the subject property is that the property is located within a town center where Plan recommendations include a future land use designation of Urban Town Center. For these areas the Plan describes a compact, dense core where development is focused and radiates out to a lower intensity fringe. Within these areas the Plan describes a mixture of land uses and a mixture of use intensity. The Plan specifically recommends the inclusion of affordable housing in the town center, but it does not recommend a specific building height.

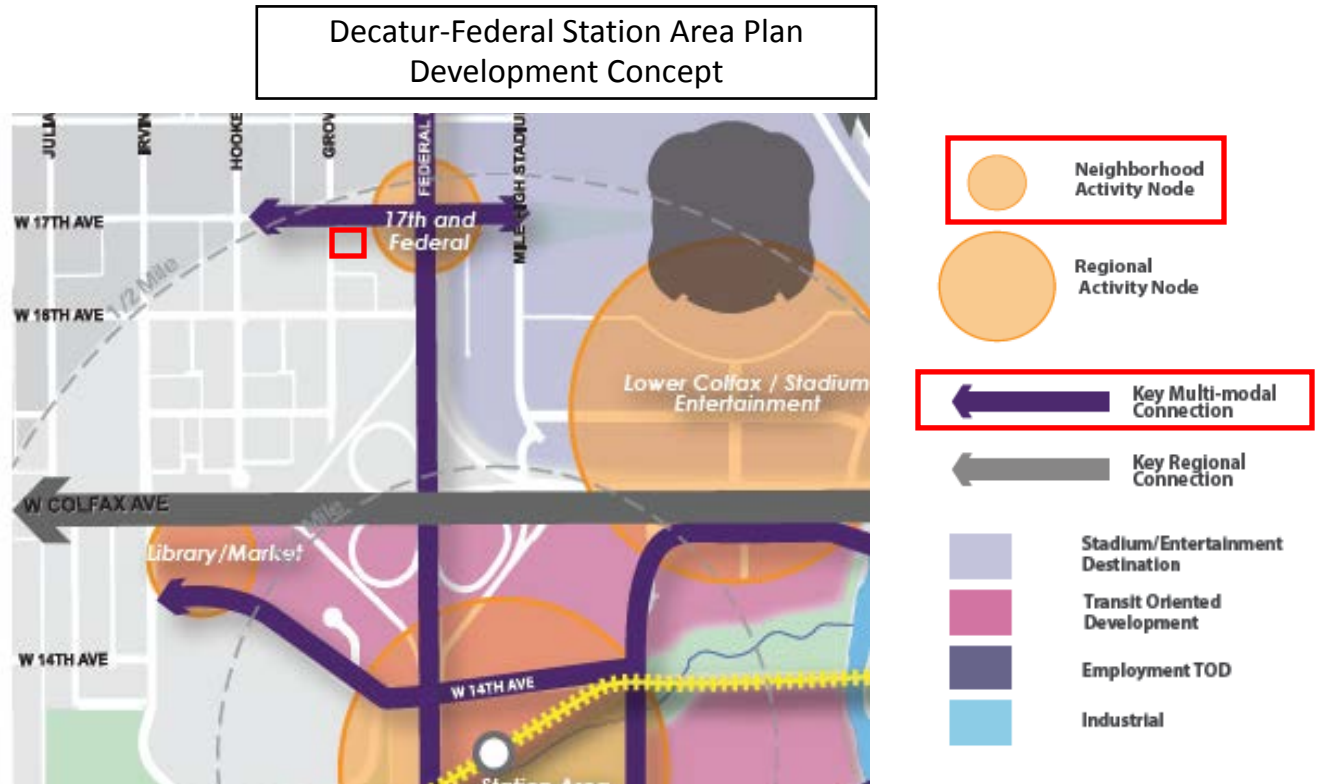
The proposed zoning for the subject site, C-MX-5, will create the opportunity for higher intensity residential development with a potential mix of land uses. By increasing the allowed building height to 5 stories and intensifying the residential density, and possibly the potential for a mix of land uses, the C-MX-5 zone district implements the Framework Plan recommendations for Urban Town Center Areas. The C-MX-5 zone district is consistent with these West Colfax Plan recommendations.

Decatur – Federal Station Area Plan (2013)

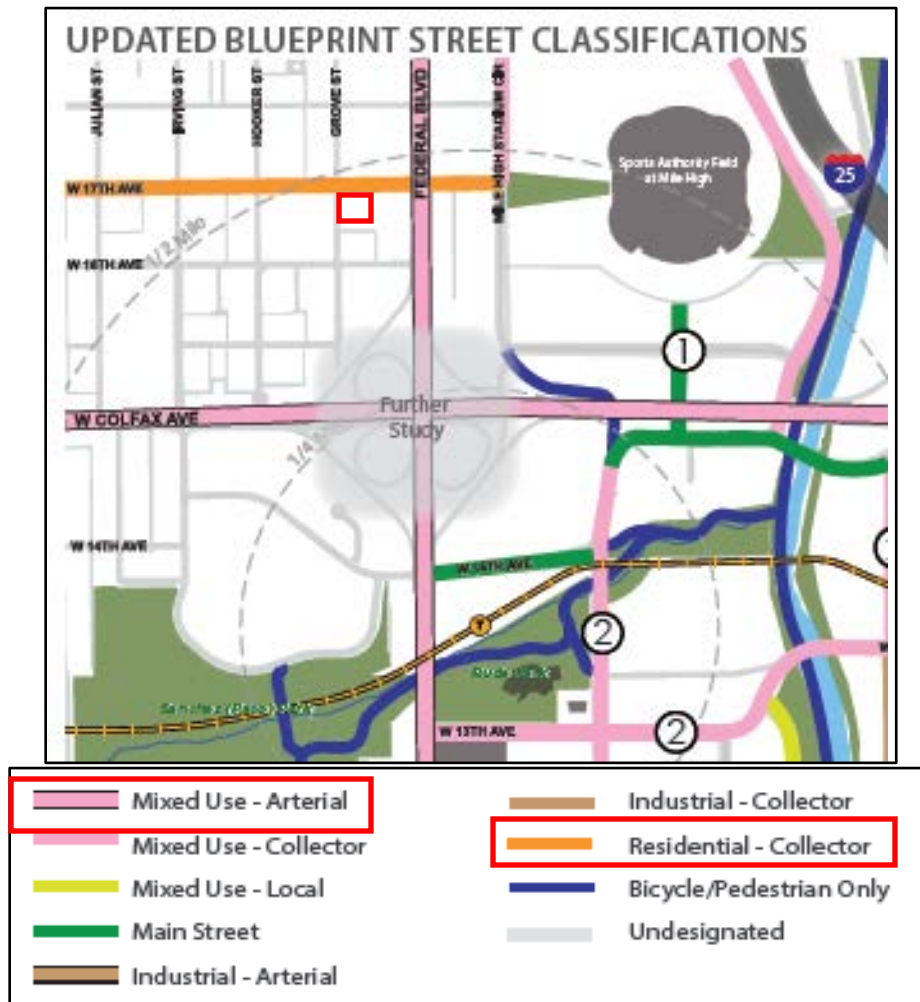
Though the Plan focuses primarily on the Sun Valley neighborhood, the subject property is included in the planning area for the Decatur-Federal Station Area Plan. The Plan incorporates or refines recommendations from the Comprehensive Plan and Blueprint Denver, but the Plan does not explicitly change recommendations from the West Colfax Plan. See the subject property outlined below in red on the map of the planning area for the Decatur-Federal Station Area Plan.



The Plans Development Concept outlines broad components for development of the planning area. A key concept is that the station will connect the area to Downtown and the rest of the region. In the concept both Federal Boulevard and 17th Avenue are Key Multi-modal Connections and the intersection of 17th Avenue and Federal Boulevard is a Neighborhood Activity Node. Key connections link both neighborhood activity nodes and regional activity nodes. See the Development Concept map below.



For transportation, the Decatur-Federal Plan recommendations for Federal Boulevard are to “work with CDOT to reconstruct Federal Boulevard from 5th Avenue to 20th Avenue...As improvements are implemented look for opportunities to improve pedestrian and/or bicycle crossing conditions at key intersections along Federal – 17th Avenue” (p. 28). The Decatur-Federal Station Area Plan updated the Blueprint Denver street classification of Federal Boulevard. The Boulevard is changed from the Blueprint classification of Residential Arterial to Mixed Use Arterial within the Decatur-Federal Plan. For mixed use streets, the Decatur-Federal Plan says, these streets should “emphasize a variety of travel choices to provide access to adjacent residential, commercial and employment uses” (p. 30). The Blueprint Denver Residential Collector street classification of 17th Avenue was not changed in the Decatur-Federal Plan. See the updated street classifications map below.

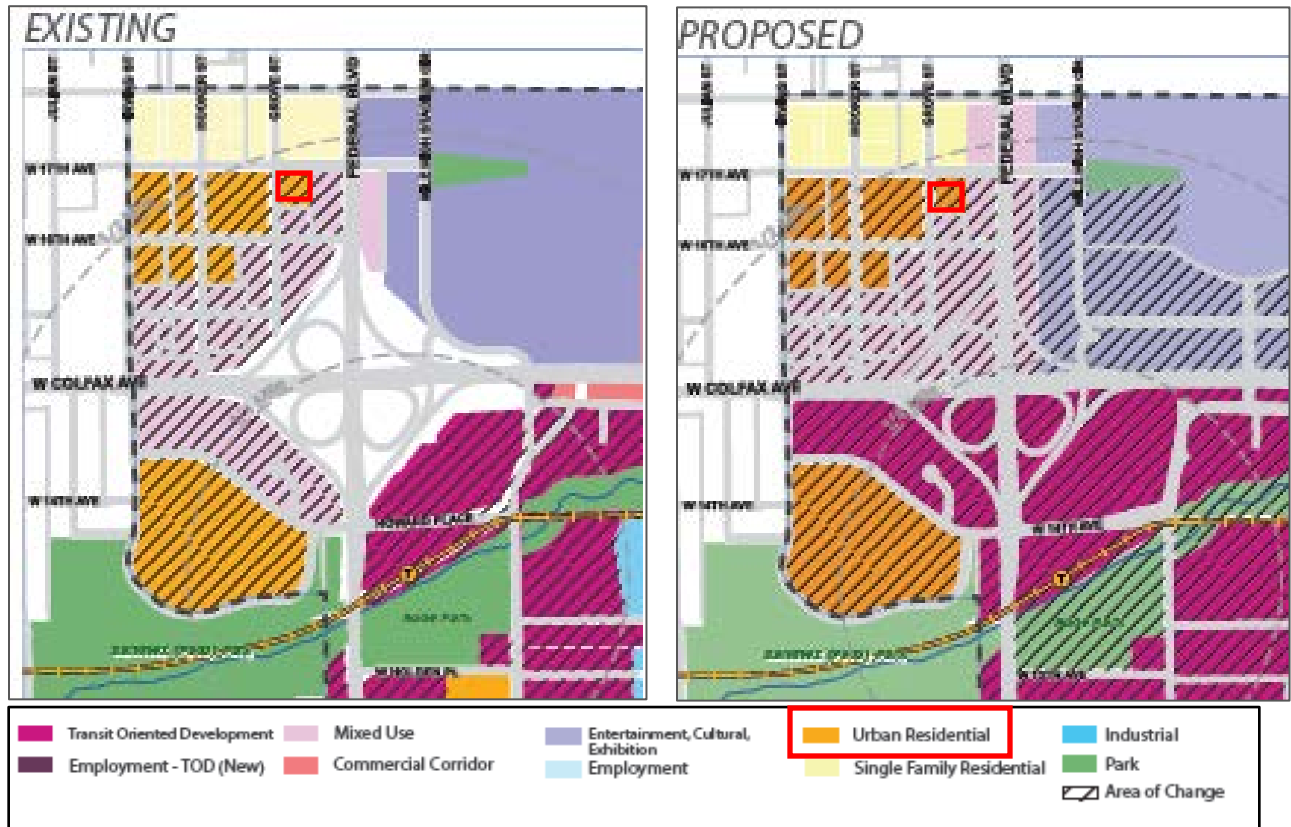


Transit oriented development recommendations from the Plan include:

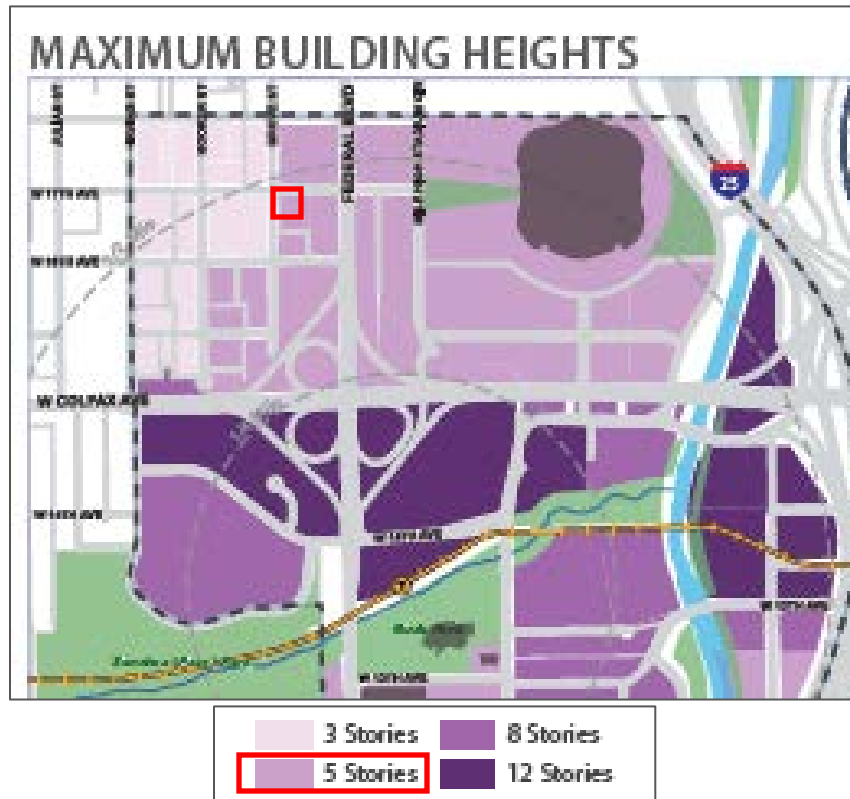
- *“Create compact development patterns with small blocks and consistent building frontages that spatially define public streets and open spaces, creating a diverse, cohesive and walkable community*
- *Encourage both a vertical and horizontal mix of land uses including multifamily residential, office, commercial, and public uses*
- *Attract high quality, mixed income residential communities within the TOD area (a transformative project in this Plan). Encourage housing development that meets the needs of families, young professionals, students and elderly households of various income levels. A variety of residential building forms appropriate for this TOD include row houses, low-, mid-, and high-rise multifamily, and live/work” (p. 40).*

The Decatur-Federal Station Area Plan also updates the Blueprint Denver concept land uses for the planning area. Recommendations for the subject site are not changed from the Blueprint Denver Urban Residential land use concept, nor has the definition of the land use concept changed. Urban Residential areas are higher density and primarily residential.

BLUE PRINT DENVER- CONCEPT LAND USES AND AREAS OF CHANGE



The Decatur-Federal Station Area Plan also contains recommendations for maximum building heights. For the subject property a maximum 5-story building height is recommended. See the recommended building heights map below.



For residential communities the Plan recommends:
"Create a mixed income neighborhood.

- *Encourage development of a variety of high quality and attainably priced residential options to meet the needs of families, young professionals, students and elderly households of various income levels.*
- *Encourage development of new high quality affordable housing units while seamlessly integrating them with workforce and market rate units" (p. 70).*

The proposed C-MX-5 zone district conforms with the Decatur-Federal Station Area Plan recommendations for an Urban Residential land use at a maximum height of 5 stories. The proposal also conforms with recommendations for transit-oriented development that is compact with a mixture of land uses, and encouraging mixed income residential communities

- 2. Uniformity of District Regulations and Restrictions:** Rezoning the site to C-MX-5 will further the uniform application of district regulations in the City. The same regulations will apply to the subject site as to all other areas zoned C-MX-5 in the city.
- 3. Public Health, Safety and General Welfare:** The proposed map amendment furthers the public health, safety and general welfare of the City by encouraging denser, mixed use redevelopment near an Enhanced Transit Corridor and transit station, which could support access to shopping, jobs and services, transit ridership and which is implementing the vision set forth in the City's adopted plans.

4. Justifying Circumstances

The applicable justifying circumstance is that the land or its surrounding environs has changed to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area. The proposed map amendment is in response to the rapidly changing circumstances in the West Colfax neighborhood. The area is seeing a large volume of new development including the new W light rail line and associated stations in the area, the redevelopment of the former St. Anthony Hospital, and redevelopment of the general vicinity. These changes are appropriate evidence of changed circumstances.

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

The fifth review criterion in the Denver Zoning Code is that the proposed official map amendment must be consistent with the descriptions of the applicable neighborhood context, and with the stated purpose and intent of the proposed zone district. Overall, the proposed map amendment is consistent with the Urban Center Neighborhood Context which is characterized by multi-unit residential and mixed-use commercial strips and commercial centers. Multi-unit uses are typically in multi-unit mixed-use building forms. Commercial uses are typically Shopfront and General building forms. Multi-unit residential uses are primarily located along residential collector, mixed-use arterial, and local streets. Commercial uses are primarily located along main and mixed-use arterial streets. This context is characterized by moderate to high building heights and consistent orientation to the street with shallow front setbacks. The C-MX-5 zone district is a mixed-use zone district intended to promote safe, active, and pedestrian-scaled, diverse areas with building forms that clearly define and activate the street. The mixed-use zone districts are intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

The proposed map amendment is consistent with both the general and specific purpose and intent of the Urban Center context and the C-MX-5 zone district because the proposed zone district will promote new moderately-scaled mixed-use and transit-oriented residential development that is in character with the area.

Attachments:

1. Application
2. Legal Description


Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<input type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan. 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.
	<input type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.
	<input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <input type="checkbox"/> The existing zoning of the land was the result of an error. <input type="checkbox"/> The existing zoning of the land was based on a mistake of fact. <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. <input type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area. <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. Please provide an attachment describing the justifying circumstance.
	<input type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District. Please provide an attachment describing how the above criterion is met.
	<p>REQUIRED ATTACHMENTS</p> <p>Please ensure the following required attachments are submitted with this application:</p> <input type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format) <input type="checkbox"/> Proof of Ownership Document(s) <input type="checkbox"/> Review Criteria
<p>ADDITIONAL ATTACHMENTS</p> <p>Please identify any additional attachments provided with this application:</p> <input type="checkbox"/> Written Authorization to Represent Property Owner(s)	
<p>Please list any additional attachments:</p> 	

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
				10/26/17		

List of Exhibits

- Exhibit A:** Property Legal Description
- Exhibit B:** Description of Consistency with Adopted City Plans (DRMC 12.4.10.13 (A, B & C))
- Exhibit C:** Description of Justifying Circumstances and Neighborhood Context (DRMC 12.4.10.14 (A&B))
- Exhibit D:** Letter of Authorization for STARBOARD Realty Group, LLC to act as Representative
- Exhibit E:** Proof of Ownership, Assessors Record
- Exhibit F:** Signature Authority Authorization for Town View MHA Ltd.

Exhibit A
Legal Description

LOTS 19 TO 24 INCLUSIVE, BLOCK 24, CHELTENHAM HEIGHTS SUBDIVISION AND LOT B, LE FEVRE'S SUBDIVISION OF SW1/4 OF BLOCK 24, CHELTENHAM HEIGHTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO

EXHIBIT B
Description of Consistency with Adopted City Plans

REVIEW CRITERIA - The proposed map amendment is consistent with the following three adopted plans:

1. Denver Comprehensive Plan (2000)
2. Blueprint Denver (2002)
3. Decatur-Federal Station Area Plan (2013)
4. West Colfax Plan (2006)

Statement of Consistency with Adopted City Plans:

1. The proposed map amendment is consistent with many objectives of ***Denver Comprehensive Plan 2000*** including:

Form and Use Strategy 1-B: “Ensure that the *Citywide Land Use and Transportation Plan* reinforces the city’s character by building on a legacy of high-quality urban design and stable, attractive neighborhoods; encouraging preservation of historic buildings, districts and landscapes; and maintaining the integrity of the street grid, parks, parkways and open space system.”

Form and Land Use Strategy 3-B: “Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.” As well as: “Support retention and expansion of businesses in industries historically important to Denver, including small business, health care, manufacturing, and federal and state government.”

Mobility Strategy 4-E: “Continue to promote mixed-use development, which enables people to live near work, retail and services.”

Legacies Strategy 3-A: “Identify areas in which increased density and new uses are desirable and can be accommodated.”

The proposed map amendment will also contribute to preserving and enhance the individuality, diversity and livability of Denver’s neighborhoods by fostering the following Plan objectives:

Congruency of land use and zoning: “...a built environment with greater overall urban design integrity, stronger connections among urban centers, and a richer and more diverse mix of uses within geographically proximate areas.”

Compact development: “...improved neighborhood cohesion, reduced urban sprawl and residents more directly connected to services and amenities within their immediate living environment.”

2. The proposed map amendment is consistent with many objectives of **Blueprint Denver** including:

The **Blueprint Denver** future land use designation for the subject property is Urban Residential. The Property is also located in an Area of Change.

Blueprint Denver describes Urban Residential neighborhoods as “higher density and primarily residential but may include a noteworthy number of complementary commercial uses. New housing tends to be in mid- to high-rise structures, and there is a greater housing base than employment base.”

Blueprint Denver also states that “Areas of Change are areas where growth will be beneficial and can best improve access to jobs, housing and services with fewer auto trips.”

The **Blueprint Denver** Plan Strategy: Direct Growth to Areas of Change – the Property is in a **Blueprint Denver** identified Area of Change and also meets the following **Blueprint Denver** Areas of Change criteria, goals and objectives:

- Certain features of the Property characterize an Area of Change, such as:
 - The Property is largely underutilized land
 - The Property is in an area undergoing positive change that is expected to continue
- The Property also provides opportunities for the following **Blueprint Denver** Strategies including:
 - Housing, including affordable housing
 - Infill and redevelop vacant and underused properties
 - Compatibility between new and existing development
 - Balanced mix of uses
 - Economic activity—business retention, expansion and creation

New C-MX-5 zoning for the Property will allow these **Blueprint Denver** goals to be implemented.

Blueprint Denver also is relevant to the Property and positively informs the rezoning request at follows:

“Mixed-Use Zoning: Mixed-use zoning provides a mixture of uses to enable residents to shop and work in the same area. Mixed-use zoning allows or encourages residential use with commercial use, such as moderate sized offices or retail. The uses can be either mixed in the same building or in separate buildings near each other.”

New C-MX-5 zoning for the Property will allow this **Blueprint Denver** goal to be implemented.

The rezoning of the subject property will support the following stated goal of Blueprint Denver: “The City must be careful to encourage the retention of low-income residents. Whenever possible, new investment should be encouraged in a way that benefits local residents and

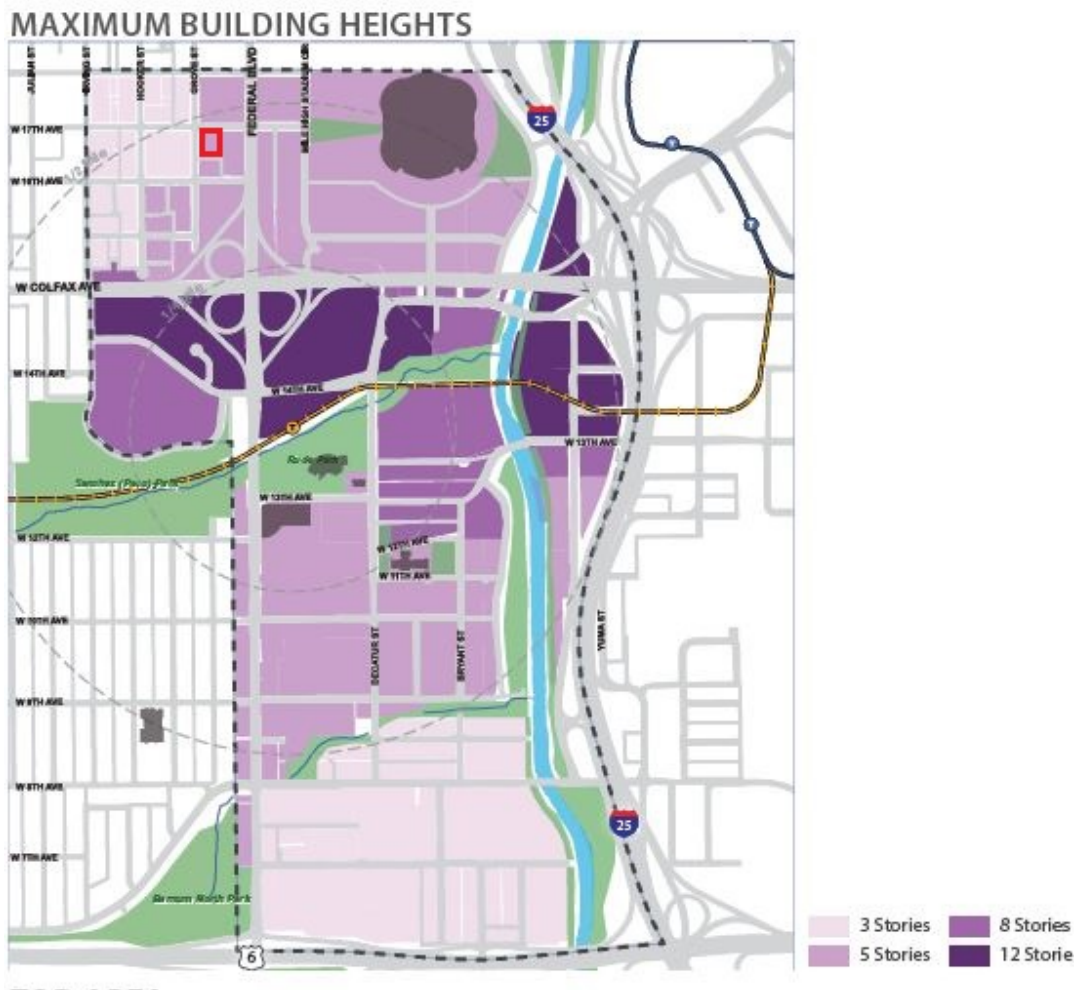
supports entrepreneurial activity. Therefore, regulatory reform, strategic investments and aggressive housing programs must accompany the development of most of the Areas of Change to ensure that these become wonderful neighborhoods for all, not just for the fortunate few.”

New C-MX-5 zoning would encourage retention of low-income residents in a climate that is in need of affordable housing options and allow this *Blueprint Denver* goal to be realized.

3. The proposed map amendment is consistent with many objectives of the *Decatur-Federal Station Area Plan*.

The applicable neighborhood plan for the property is the *Decatur-Federal Station Area Plan*, which was adopted in April of 2013. One of the stated goals for this plan is: “Preserving opportunities for affordable living, and providing existing residents with an opportunity to remain and grow with the neighborhood.”

The *Decatur-Federal Station Area Plan* also stipulates 5-story development at this location according to Section C.1.B’s map depicting the Maximum Building Heights on Page 41 of the *Decatur-Federal Station Area Plan*. This map appears below with 1660-1684 Grove St. Property highlighted in the red box.



Another stated goal of the plan is to: “Encourage development of new high quality affordable housing units while seamlessly integrating them with workforce and market rate units “

The proposed C-MX-5 zone district is consistent with this Plan vision and will help to provide the regulatory framework for implementation of these Plan goals and objectives.

4. The proposed map amendment is consistent with and helps to implement the approved **West Colfax Plan**. Specifically, two of the goals of the Plan are to “Maximize urban land development potential; promote compact, mixed-use development and focus intense development to strategic growth areas” and “Increase the supply of residential units and provide diverse housing options.”

The proposed C-MX-5 zoning meets both of these goals by providing the compact mixed use development proposed and suggested together with increasing the supply (through increased density) of residential units.

The West Colfax Plan also included a recommendation stating: “Mixed-use projects that include housing (combining low-income, affordable and market rate units) or offices over active ground floor uses (shops, restaurants and services) are especially appropriate in town centers, along main streets and in close proximity to transit stops. Consider the complementary nature of a project in the context of surrounding or nearby uses. Encourage both horizontal and vertical mixed-use development.” The proposed rezoning is well described in this recommendation and would benefit the community through the higher density mixed use.

REVIEW CRITERION DZC § 12.4.10.7.C - The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.

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

REVIEW CRITERION-The proposed official map amendment furthers the public health, safety, and general welfare of the City.

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

EXHIBIT B (Continued)
Description of Community Need

REVIEW CRITERIA - 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.

Statement of Community Need:

Starting in 2012 with the creation of the Housing Task Force the City of Denver has acknowledged that Denver has an affordable housing crisis and been working diligently to implement strategies and policies to better address the housing needs of Denver's citizens. This effort included the creation of and adoption of:

- *Housing Denver: A Five Year Plan – 2015-2019* which, among other things, has a stated goal of developing 3,000 affordable units in line with the mayor's 2013 3X5 Challenge.
- *OED's Gentrification Study: Mitigating Involuntary Displacement* (May, 2106)
- Extensive study leading to the passing of an ordinance in the fall of 2016 creating Denver's dedicated affordable housing fund with a goal of creating an additional 6,000 affordable housing units over the next ten years.

By rezoning its Townview property to C-MX-5 Rocky Mountain Communities, who only develops deed restricted and LIHTC affordable housing, is poised to redevelop a community with significantly more affordable family units, mixed income units, affordable senior housing units and affordable for sale units, all in a neighborhood near jobs and transit but experiencing tremendous gentrification pressures.

The map amendment rezoning to C-MX-5 is necessary to provide land for the community need of affordable housing, along with related community serving programming and social infrastructure.

ADDITIONAL INFORMATION ADDRESSING THE COMMUNITY NEED OF
PROVIDING AFFORDABLE HOUSING FOLLOWS

From the OED / Housing Portion of the City of Denver Website (January 7, 2017)

Dedicated Affordable Housing Fund

City Council recently approved the first-ever dedicated fund for affordable housing in Denver. Through a thoughtful balance of property tax revenue and a one-time fee on new development, the fund is estimated to raise \$150 million over the next 10 years to create or preserve 6,000 affordable homes for low- to moderate-income families.

In Fall 2016, Denver approved a new ordinance creating a local fund to generate an estimated \$150 million over 10 years to support affordable housing development and preservation. Based on a rigorous vetting of possible funding sources and best practices in peer cities, two sources were approved for Denver's new housing fund--a portion of a property tax mill already approved by Denver voters and a new, one-time fee on commercial and residential development. Together these sources provide a fair, balanced approach that allows every resident to participate in addressing Denver's affordable housing needs.

The new housing fund will be used to create and preserve housing for households across a wide income spectrum, including people experiencing homelessness and the most vulnerable households. The fund will support permanent housing and supportive services for at-risk residents, low- and moderate-income workforce rental housing, and moderate income for-sale housing.

There are about 150,000 renter households in Denver; about 61% of these households earn less than \$50,000. Half of Denver's renters pay more than 30% of their income for housing; nearly a quarter of these households pay more than 50% for housing.

For families in this situation, high housing costs can mean there is little left over to save or invest in the future.

For employers large and small, the high cost of living within a reasonable commute--even for very desirable jobs--could eclipse Denver's strong employment base and make talent very hard to recruit and retain.

Housing prices here have been rising at twice the national average. Rents have increased about 50% since 2010. It is not simply the homeless and most vulnerable people who are facing barriers to live affordably, but an alarming range of working families too.

Denver has added a substantial number of jobs in recent years, and income levels have risen as well, but when it comes to housing, even Denver's robust income growth has not translated into greater spending power for everyone.



Bruce O'Donnell <bodonnell@starboardrealtygroup.com>

Denver Real Estate Watch

1 message

Denver Real Estate Watch <noreply+feedproxy@google.com>
Reply-To: Denver Real Estate Watch <JRCHOOK@gmail.com>
To: bodonnell@starboardrealtygroup.com

Tue, Jul 12, 2016 at 7:50 AM

Denver Real Estate Watch



[HOPE unveiled by Hancock](#)

Posted: 11 Jul 2016 10:00 AM PDT

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HOPE office unveiled by Mayor Hancock.

Office of HOPE when of many housing issues addressed by Hancock.

HOPE is an acronym for Housing and Opportunities for People Everywhere.



Housing issues, including the new Office of HOPE, were big components of Mayor Hancock's State of the City address at DIA today.

HOPE.

Denver Mayor Michael B. Hancock, today unveiled the Office of HOPE – Housing and Opportunities for People Everywhere.

In addition to the HOPE office, on Wednesday, Hancock's administration will present the City Council with a

plan to create Denver's first permanent, dedicated fund for affordable housing," the mayor said at his 2016 State of the City address.

"With at least \$150 million to be leveraged in the first 10 years, we expect to deliver 6,000 more affordable homes," Hancock said at the Denver International Airport.

"This is a fair, balanced and modest approach to address one of the most pressing problems facing Denver today," he continued.

He said City Council members Robin Kniech and Albus Brooks have worked "long and hard" on the proposal. Kniech, developer Susan Powers (co-founder of Mothers Advocating for Affordable Housing) and Hancock will hold a press conference on the \$150 million fund on Tuesday.

Meanwhile, HOPE, Hancock said is a "bold step" that will "bring a coordinated and comprehensive approach to the policies, programs and projects along the full homeless to housing spectrum."

"We will knock down silos, refocus our city agencies and create a unified and forceful effort to help those who need a home, find a home," Hancock said

"This is some of the hardest work we do, and we can do better," Hancock said.

"This new office will harness and marshal our resources, our talent and our determination," he said.

"It will help us identify those experiencing homelessness, get them into housing, and keep them there," according to the mayor.

"We must seize this opportunity now, with a renewed sense of urgency and with all of you as partners," Hancock said.



Mayor Hancock uses this graphic to show economic accomplishments in Denver.

Hancock gave an example of a woman who benefitted from access not only to affordable housing, but to public transportation.

"Camille (Lewis) is a single mom of two boys, she found new affordable housing at 40th Avenue and Colorado Boulevard," Hancock said.

"The housing is great, but just as good, she has easy access to the new University of Colorado A Line train

that takes her to work," according to Hancock.

"This train does not just provide a new connection between downtown and this beautiful international airport, it connects people to housing, jobs and education," he said.

In addition to the HOPE office, Hancock addressed housing several times.

"Home ownership gives families a foundation to build equity, build wealth and frankly, to build a life," Hancock said.

Affordable housing is tough in a hot market, though.

"At the beginning of a hot housing market, in 2013, I issued a challenge to the community to create 3,000 affordable homes in five years," Hancock said.

There have been some successes.

"More than 1,800 homes have been built and 1,000 more are on the way in neighborhoods like downtown, Hale and Montbello. Denver, I am proud to report we are going to realize the 3x5 goal one year early," Hancock said.

He thanked local developers who are "stepping up," and mentioned the [Burgwyn Co.](#) by name.

"Not only did they open a new affordable apartment complex for military veterans, but they modified their plans to make the complex more kid-friendly when they saw an influx of families moving in," Hancock said.

He also thanked "key public-sector partners" including the Colorado Housing and Finance Authority, Colorado Division of Housing, Denver Urban Renewal Authority and the Denver Housing Authority.

"Through investments, loans, mortgage assistance and a new construction defects ordinance, we are all working overtime to keep Denver accessible and affordable," Hancock said.

Demand for housing is off the charts.



Mayor Hancock unveiled the Office of HOPE at the 2016 State of the City address today.

"We cannot build housing fast enough," Hancock said.

"As soon as the doors open, apartments are rented and houses are sold."

Overall, the Denver economy is firing on all cylinders, according to Hancock.

Denver now employs more people than any time in its history, he said.

During the past five years, the city has added almost 60,000 jobs and the unemployment rate is 3.3 percent, he said.

"We have restored the fiscal health of our city and our reserves are now at a solid 20 percent. This is all while the region is growing by more than 4,500 people a month," Hancock said.

New plans for the Performing Arts Complex, Colorado Convention Center and National Western Center, promise to "strengthen Denver as a hub of education, culture and tourism," he said.

"And we have become a national model for how to run a smart, efficient and customer-focused government through Peak Performance and Peak Academy," he continued.

"I am thrilled to report that the state of our city is stronger than ever before."



Mayor Hancock was on hand for the grand opening of the Park Hill Station, 156-unit affordable housing rental property by Del West at East 40th Avenue and Colorado Boulevard.

But Hancock said the city needs to work harder to help "far too many residents" who have not felt the benefits of a strong economy.

He quoted President Franklin Roosevelt who once said: "The test of our progress is not whether we add more to the abundance of those who have much, it is whether we provide enough for those who have little."

"Everyone in Denver deserves the opportunity to share in this prosperity. This is our call to action," Hancock said.

"This city will not rest until Denver's success is shared by everyone."

His administration, he said also is "laser focused" on preserving neighborhoods and keeping residents from being displaced by growth and development.

"We can have development without displacement, it does not have to be either-or," the mayor said.

The administration knows where gentrification is occurring and is "working hard" to address it.

Neighborhoods that it is focusing on are primarily in the West, North and Northeast.

The city is working with non-profit partners such as Mile High United Way, Mile High Connects and the Denver

Housing Authority.

"Together, we are devising short and long-term plans and seeking funding to lift up Sun Valley, Westwood, Villa Park and other West Denver neighborhoods," Hancock said.

"We are doing the same in Globeville, Elyria, Swansea and Montebello. In the months ahead, we will be deploying teams into these neighborhoods with resources to help people stay in their homes and apartments and help local businesses keep their doors open," Hancock said.

To that end, this week the city will "kick start" two economic opportunity zones in west-central and northeast Denver, the mayor announced.

Have a story idea or real estate tip? Contact John Rebchook at JRCHOOK@gmail.com. DenverRealEstateWatch.com is sponsored by [8z Real Estate](#). To read more articles by John Rebchook, subscribe to the [Colorado Real Estate Journal](#).

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- [Mayor unveils housing plan](#)
- [Housing big part of Hancock's budget](#)

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Google Inc., 1600 Amphitheatre Parkway, Mountain View, CA 94043, United States



Bruce O'Donnell <bodonnell@starboardrealtygroup.com>

TDC Update - Details about Proposed Affordable Housing Dedicated Fund

1 message

Aneka Patel <apatel@downtowndenver.com>

Tue, Jul 12, 2016 at 3:07 PM

To: John Desmond <JDesmond@downtowndenver.com>

Cc: Aylene McCallum <AMcCallum@downtowndenver.com>, Beth Moyski <bmoyski@downtowndenver.com>, Adam Perkins <aperkins@downtowndenver.com>, Emily Brett <EBrett@downtowndenver.com>

Dear TD Council Members,

Please see the note from our Tami Door below regarding the Mayor's announcement on the Affordable Housing Dedicated Fund. Thank you.

Dear TD Council Members,

As you will recall, the Partnership recently sent a letter to City leadership reflecting initial comments, questions and concerns related to the Affordable Housing Fund and the respective funding sources. In the letter, we expressed opposition to the impact fee, and questions and feedback regarding concerns over governance and use of the respective funds.

As you may know, the Mayor made a key announcements today regarding this effort. The email below was received this morning summarizing the Mayor's pending announcements. This will need to go through Council Committee and up for a Council vote.

The Mayor has asked that the Partnership take the lead in arranging a meeting with him and concerned developers and commercial property owners. We are in the process of arranging this meeting.

If you have questions or would like additional information, please let me know. We will continue to engage in this issue and work to ensure the Partnership's voice is heard and that we continue to advocate accordingly.

Sincerely,

Tami

From: Dreyer, Evan F. - Mayor's Office [<mailto:Evan.Dreyer@denvergov.org>]**Sent:** Tuesday, July 12, 2016 6:07 AM**To:** Dreyer, Evan F. - Mayor's Office <Evan.Dreyer@denvergov.org>**Cc:** Dreyer, Evan F. - Mayor's Office <Evan.Dreyer@denvergov.org>**Subject:** Details about Proposed Affordable Housing Dedicated Fund

Dear Friend –

In his State of the City speech yesterday, Mayor Hancock spoke about the thousands of people in our city who lack access to the simple advantages so many of us take for granted, like a place to call home. Denver has one of the strongest economies in the nation, but many residents are struggling with the unintended consequences of that success: skyrocketing rents and home prices that threaten to squeeze out Denver's low- and moderate-income families and seniors.

Later today, Mayor Hancock and Councilwoman Kniech will announce final details of a plan to create the city's first dedicated fund for affordable housing. On Wednesday, those details will be shared with City Council's Safety and Well-Being Committee. While Councilman Brooks is unable to participate this week, he has been a key partner in the development of this proposal – as have you.

As you know, the proposal calls for creating a dedicated revenue stream using two sources – property taxes and a new development fee – starting on January 1st. Combined, these two sources would generate an estimated \$150 million in the first 10 years, allowing us to build, preserve and rehabilitate 6,000 affordable units citywide.

Specifically, the proposal would use half of a property tax mill in the first year, which would generate about \$6.5 million. The cost for a typical residential property owner would be about \$1 a month, and for commercial owners it would be about \$145 for every \$1 million worth of property valuation.

Revenue from property taxes would be augmented by revenue from a new, one-time development fee on new construction on a per-square-foot basis:

Industrial/Agricultural	40 cents/sq ft
Single-Family/Duplex	60 cents/sq ft
Multi-Family	\$1.50/sq ft
Hotel/Office/Retail/Other	\$1.70/sq ft

These one-time fees are fair, equitable and would be among the lowest in the nation.

Additional elements of the proposal, many of which were suggested and refined by you, other stakeholders, and the general public:

- The majority of funds would go toward producing and preserving affordable rental apartments for low- to moderate-income families earning up to 80 percent of the area median income (AMI). Lesser amounts would help:
 - Families earning up to 100 percent AMI purchase an affordable home
 - Homeowners earning up to 120 percent AMI who need mortgage and other assistance
 - Formerly homeless individuals with supportive services so they can stay housed
- Administrative costs would be capped at 8 percent a year.
- A 21-member oversight committee would set annual goals and recommendations for the use of these funds and ensure those goals are being met.
- The city's Office of Economic Development and Division of Housing would develop new competitive RFPs and other opportunities to encourage and incentivize the production and preservation of affordable housing.
- The new ordinance also would replace the city's current Inclusionary Housing Ordinance.

Thank you for your involvement and interest in this year-long process. There are several upcoming events we hope you can attend:

- 10:30 a.m. today – News conference to announce the complete proposal on the steps of the City & County Building (1437 Bannock St.)
- 1:30 p.m. Wednesday – Informational presentation to the City Council's Safety & Well-Being Committee (Room 391 in the City & County Building). Public comment will be allowed.
- 2 p.m. Thursday – Affordable Housing Revenue Stakeholder Committee meeting (Parr-Widener Community Room in the City & County Building)
- 6 to 8 p.m. July 21 – Public meeting at North High School (2960 Speer Blvd.)

Once again, thank you!

Evan



Evan Dreyer | Deputy Chief of Staff

Office of Mayor Michael B. Hancock

720.865.9015 Desk | 720.350.8370 Cell

evan.dreyer@denvergov.org | [Dial 3-1-1 for City Services](tel:311)

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Mayor unveils housing plan

Posted by [John Rebchook](#)

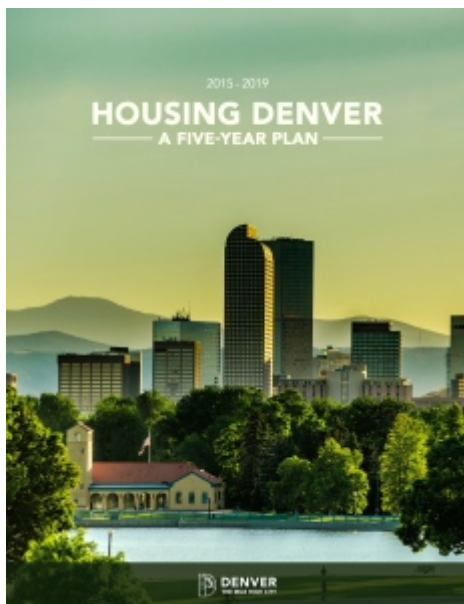
· October 7, 2014

· [2 Comments](#)

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Highlights:

- **Mayor Hancock unveils affordable housing.**
- **Rising homes prices hurt affordability, he notes.**
- **Mayor calls initiative biggest in 15 years.**



Housing Denver is a major initiative by Mayor Hancock and the Office of Economic Development.

Mayor Michael B. Hancock and the Denver Office of Economic Development on Monday unveiled what they

described as a “comprehensive and collaborative” five-year plan on providing affordable housing during time when home prices are setting records almost every month.

“Home prices have been improving, which is generally good news for a city’s economy, but rising costs are increasingly making housing unaffordable for too many,” Hancock said.

The goal of the plan, *Housing Denver*, is to harness the resources of the public and private sectors to deliver accessible housing opportunities for individuals and families of all income levels throughout Denver, according to officials.

Housing Denver – the first such plan for the city in 15 years – is a call to action to all community partners to further bolster housing affordability at all income levels from homeless to low-, moderate- and median-income households, officials said. It is coming at a time when federal resources for affordable housing are dwindling, according to the plan.

The ambitious plan was created through a two-year process of dialogue and outreach and will provide a guide for Denver’s housing policies and programs through 2019.

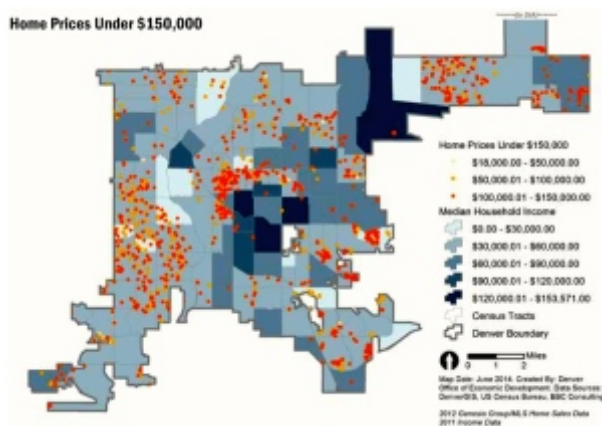
While not a silver bullet, the plan addresses solutions ranging from micro housing to streamlining and reducing fees for affordable housing development to preserving the existing stock of workforce housing.

“Access to safe, decent, affordable housing has never been more important in Denver,” Hancock said.

“While the city’s population growth has spiked, our housing stock is simply not keeping pace with the community’s needs,” Hancock continued.

“If we are to build a world-class city where everyone matters, we must have a housing infrastructure in which everyone who works hard and plays by the rules can find affordable housing opportunities for their families,” according to Hancock.

Improving housing throughout Denver has been a priority of the Hancock administration.



There are still pockets of low-priced homes in Denver.

To further that goal, *Housing Denver* is a proactive and transparent housing strategy that will strengthen partnerships with nonprofits, private sector developers and the financial community to build a balanced, inclusive housing market, according to the mayor’s office.

Because it is a broad, five-year roadmap for increasing affordable housing in Denver, there are not costs attached to the plan at this time, according to an OED official. However, “action plans” will be issued annually and those plans likely will include any costs associated with the plan.

The new strategic plan for Denver housing programs outlines eight key priorities:

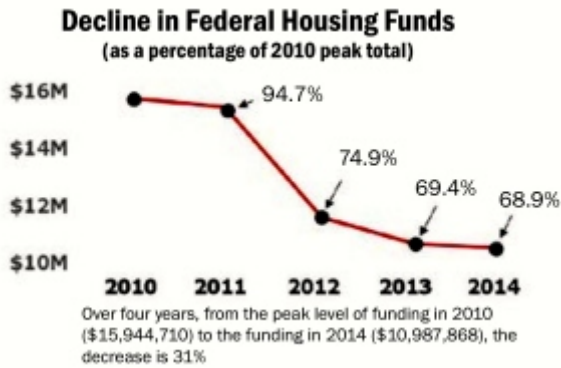
- Increase housing resources. A consistent stream of funding is needed from public and private investments, revenue from housing-related initiatives such as the Metro Mortgage Assistance program and the Inclusionary Housing Ordinance, social impact bonds and general funds. Many developers, however, have criticized the Inclusionary Housing Ordinance, saying it will backfire, making it more difficult to bring affordable housing to Denver.
- Improve both the system and the communication of the city's funding process to simplify, clarify and work more transparently with the housing development community, primarily nonprofits.
- Ensure regulatory relief and better efficiency benefits for the entities developing affordable housing, including accelerated processing, lower fees and/or reducing development charges on utilities.
- Increase critical needs and homeless housing through more wrap-around supportive services, exploring micro-unit development and removing barriers to housing those who were formerly incarcerated.
- Promote affordable housing throughout more ethnically and economically diverse areas for a wider range of family sizes, with better tracking of neglected, underutilized and/or derelict properties.
- Closely monitor and preserve the current body of affordable workforce and critical need properties to maximize the savings between a rehabilitated unit and a newly constructed one, including income-restricted properties, covenant restricted properties and those with a notice of intent to sell.
- Continue to foster home ownership through existing and additional homebuyer assistance and support programs.
- Encourage environmental sustainability and improved public health throughout all housing initiatives, including green building standards, transit-oriented developments, energy/water conservation, bicycle-pedestrian amenities, and access to fresh food and other healthy lifestyle options.

The report notes that new and rehabbed affordable housing developments bring direct investments, construction jobs and spending into neighborhoods. For example, a 100-unit subsidized housing community that costs \$16.4 million, will create 61 construction and support jobs and 26 indirect jobs in the 10-county Denver-Aurora metropolitan statistical area, according to the National Association of Home Builders. It also will create \$5.4 million in local wages and salaries, contribute \$2.1 million to the income of local business owners, and bring \$700,000 annually to city coffers, according to the NAHB projection.

Housing Denver does not provide a "one size fits all" plan but rather a range of options to best fit the needs of a diverse community across differing levels of income, experience, preference, family size, age and/or disability, according to city officials. Rather, the plan is a "living document" that states the city's principles, priorities, goals and initiatives as they concern Denver's housing needs that will be supplemented each year with measurable annual action plans.

"Denver's new plan strives to illustrate a full spectrum of housing needs and resources while strengthening the public-private partnerships that are necessary to boost affordable housing options," said Paul Washington, Executive Director of the Office of Economic Development.

"From emergency shelter for the homeless all the way up to payment assistance for a homebuyer, creating affordable housing takes many forms, and our goal is to help more people appreciate the diversity of who benefits from a strong housing program," Washington said.



Mayor's Housing Task Force in 2012.

The need for a citywide housing plan was first identified by the

Subsequently, the Mayor's Housing Advisory Committee was convened to inform and guide the plan, and a housing market demographic update was commissioned to guide the plan's development.

The mayor's "3 x 5" challenge for Denver's public, private and nonprofit housing community was set in mid-2013, identifying a goal of 3,000 developed, rehabilitated or preserved affordable housing units in five years.

During its first year, the challenge resulted in the creation, rehabilitation and preservation of 731 affordable units, putting it well on its way toward completion.

Housing Denver is the result of extensive stakeholder input from the affordable housing, real estate and finance communities as well as feedback and ideas generated from residents through a series of public meetings.

"Affordable housing development is a challenging landscape, requiring strong partnerships throughout our local communities," said Rick Garcia, Regional Administrator of the U.S. Department of Housing and Urban Development.

"Strategic plans like Housing Denver provide a solid platform for cities to advance these partnerships, further leverage public and private housing resources, and ultimately increase home affordability," Garcia added.

Have a story idea or real estate tip? Contact John Rebchook at JRCHOOK@gmail.com. InsideRealEstateNews.com is sponsored by [Universal Lending](#), [Land Title Guarantee](#) and [8z Real Estate](#). To read more articles by John Rebchook, subscribe to the [Colorado Real Estate Journal](#).

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[John Rebchook](#)

John Rebchook has more than 30 years of experience in writing and

EXHIBIT C

Description of Justifying Circumstances and Neighborhood Context

Justifying Circumstances - One of the following circumstances exists:

1. The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area.

2. 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.

Statement of Justifying Circumstances:

The approximately 5 acre Rocky Mountain Communities' Property to be rezoned to C-MX-5 is located in a part of Denver undergoing tremendous and positive transformation. The West Colfax community is developing rapidly and prices are rising. The proposed map amendment is in response to these changing conditions and the need for affordable housing.

The Property consists of low density, under-developed and under-utilized land that is served by an ever-aging existing infrastructure. Rezoning will further the policy goals and multiple City plan directions of converting the Property to a vibrant mixed-use community with affordable housing availability to help mitigate gentrification. Prices are rising exponentially in the neighborhood increasing the need for affordable housing, thereby providing the legal basis for this map amendment application and rezoning request.

This rezoning will be an implementation step of the policy, land use and transportation goals identified in the aforementioned Plans. Once rezoned, the Property can accommodate the urban densities and mix of uses prescribed in the plans. This rezoning is necessary for the following reasons:

1. Conformance with the Decatur-Federal Station Plan and West Colfax Plan.
2. The ability to meet demand for additional affordable housing dwelling units in the City.
3. Further implementation of Blueprint Denver.

Development throughout the West Colfax Neighborhood over the last 10 years is transforming the area into a premier mixed use urban infill community. The proposed Zone Districts and the affordable housing proposal offered by the applicant provide the form-based context to enable what the market, the community and Denver's elected officials desire for the furtherance of the neighborhood and affordable housing goals. Design elements imbedded in the zoning such as building height and orientation will help create a quality community the City and its residents will be proud of.

Statement of Consistency with Neighborhood Context and General Purpose of Zone Districts:

This map amendment application requests approval of the C-MX-5 Zone District for the Property. The "C" Zone Districts are appropriate as they are intended for use in Urban Centers such as the West Colfax neighborhood.

The Denver Zoning Code states that the General Purpose of the “C” Zone Districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of town house, row house, apartment, and shopfront building forms that clearly define and activate the public street edge.

The Mixed Use Zone Districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city’s neighborhoods. The Mixed Use Zone District standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

C-MX-5 is an urban center mixed-use district intended to promote development and redevelopment of urban neighborhoods with building up to 5 stories high. Mixed Use districts are focused on creating mixed, diverse neighborhoods. The proposed use contemplated by the applicant will create and enhance a mixed, diverse and affordable neighborhood.

The **General Intent** for this rezoning to C-MX-5 is as follows:

1. To Implement the Denver Comprehensive Plan and its supplements.
2. To implement both Blueprint Denver as well as the West Colfax Neighborhood and Decator-Federal Station Plan.
3. Encourage both horizontal and vertical mixed-use development as well as minimizing new development with extremely low site coverage ratios and discourage low density, single use development with excessive parking.
4. To facilitate implementation of Mayor Hancock’s 3x5 initiative (increasing affordable housing production by 3000 new units in five years).
5. To implement the City’s stated goals in the Gentrification Study to invest in the preservation of existing affordable housing, particularly rentals. [Denver Gentrification Study – Recommendation 4 – page 6]

EXHIBIT D

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

Townview MHA, Ltd
225 E. 16th Avenue, Suite 1060
Denver, CO 80203
303-863-8651

October 26, 2017

Mr. Bruce O'Donnell
STARBOARD Realty Group, LLC
770 Sherman Street, Suite 108
Denver, CO 80203
bodonnell@starboardrealtygroup.com
720-441-3310

Dear Bruce,

This letter serves as authorization for STARBOARD Realty Group, LLC to act on behalf of and represent Town View MHA, Ltd., the property owner for the purpose of submitting and processing the rezoning application for the Townview property operated by Rocky Mountain Communities and located at 1660-1684 Grove Street in Denver, CO.

Sincerely,



Richard R. Taft
Authorized Representative

EXHIBIT E

Proof of Ownership, Assessors Record

1660 GROVE ST UNIT -1684

Owner	Schedule Number	Legal Description	Property Type	Tax District
TOWN VIEW MHA LTD 225 E 16TH AVE 1060 DENVER , CO 80203-1614	0232324003000	CHELTENHAM HEIGHTS 02323 B24 L19 TO 24 INC & CHELTENHAM HTSLEFEVRES RESUB B24 L "B"	RESIDENTIAL MULTI UNIT APTS	DENV

Property Summary	Property Map
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Assessment

Actual Value Year: 2016 Actual Value: \$1,025,500

Property

Year Built: 1963 Square Footage: 15599

Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price
0629306025000	2361 S MONACO STRE PK Denver CO	2/2014	\$8,445,430

Exhibit F
Signature Authority Authorization

ACTION BY UNANIMOUS WRITTEN CONSENT OF THE BOARD OF DIRECTORS OF
TOWNVIEW MUTUAL HOUSING ASSOCIATION, INC.

Town View Rezoning

Pursuant to the provisions of the Colorado Revised Statutes, we, the undersigned, being all Directors of Town View Mutual Housing Association, Inc., a Colorado nonprofit corporation (the "Company"), do hereby consent to the adoption of the following resolution effective January 12, 2017, and we do hereby stipulate and agree that when one or more counterparts of this instrument are signed by all Directors of the Company (without any requirement that all Directors of the Company sign the same counterpart), the consent herein set forth shall have the same force and effect as a unanimous vote at a meeting of the Directors of the Company, duly called and held in accordance with the provisions of the Articles of Incorporation and Bylaws of the Company and all applicable laws; such resolution being as follows:

WHEREAS, the Company is the general partner of Town View MHA, Ltd., a Colorado limited partnership ("Town View");

WHEREAS, the Company has determined it is in the best interest of Town View to rezone the property located at 1660 - 1684 Grove Street, Denver, CO (the "Property");

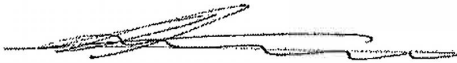
Whereas, Richard R. Taft, an individual (an "Authorized Officer"), is the President of the Company;

NOW THEREFORE, BE IT RESOLVED, that Richard R. Taft, an Authorized Officer, acting on behalf of the Company is authorized to pursue the rezoning of the Property and to engage consultants, as necessary.

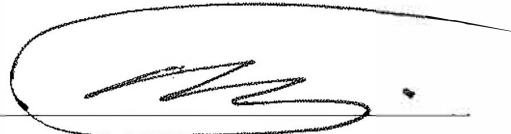
FURTHER RESOLVED, that Richard R. Taft as President of the Company is authorized to execute documents on behalf of the Company, as authorized in the Company's governing documents, to enable rezoning of the Property.

FURTHER RESOLVED, that any and all actions taken by an Authorized Officer, acting on behalf of the Company, acting on their own behalf or on behalf of the Company, prior to the date this consent is actually executed in effecting the purposes of the foregoing resolutions is hereby ratified and affirmed.

DIRECTORS:



Gary Dominguez



Richard R. Taft

Angel Hurtado

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DIRECTORS:

Gary Dominguez

Richard R. Taft



Angel Hurtado

Exhibit A
Legal Description

LOTS 19 TO 24 INCLUSIVE, BLOCK 24, CHELTENHAM HEIGHTS SUBDIVISION AND LOT B
IN LE FEVRE'S SUBDIVISION OF SW1/4 OF BLOCK 24, CHELTENHAM HEIGHTS, CITY AND
COUNTY OF DENVER, STATE OF COLORADO