



DENVER
THE MILE HIGH CITY

201 W Colfax Ave, Dept 205
Denver, CO 80202
p: 720-865-2915
f: 720-865-3056
www.denvergov.org/planning

TO: Denver City Council
FROM: Chris Gleissner, Senior City Planner
DATE: November 14, 2011
RE: Zoning Map Amendment Application #20111-00018
4050 E. 14th Ave. and 1325 Colorado Blvd., from U-SU-C, G-MU-5/UO-3, and H-2 with conditions to CMP-H2 and CMP-H

Staff Report and Recommendation

Based on the criteria for review including legal basis evaluation and compliance with adopted City plans, Staff recommends **approval** for application #20111-00018 for a rezoning from from U-SU-C, G-MU-5/UO-3, and H-2 with conditions to CMP-H2 and CMP-H.

I. Scope of Rezoning

Application:	#20111-00018
Address:	4050 E. 14th Ave. and 1325 Colorado Blvd
Neighborhood/Council District:	Council District #10
RNOs:	Colfax on the Hill, Inc., Capitol Hill United Neighborhoods, Inc., FAX Partnership, Bellevue-Hale Neighborhood Association, Congress Park Neighbors, Inc., Neighborhood Advisory Committee to the Botanic Gardens, Inter-Neighborhood Cooperation
Area of Property:	Approximately 11 acres
Current Zoning:	U-SU-C, G-MU-5/UO-3, and H-2 with conditions
Proposed Zoning:	CMP-H2 and CMP-H
Applicant/Owner:	National Jewish Health
Contact Person:	Lynn Moore, Davis Partnership

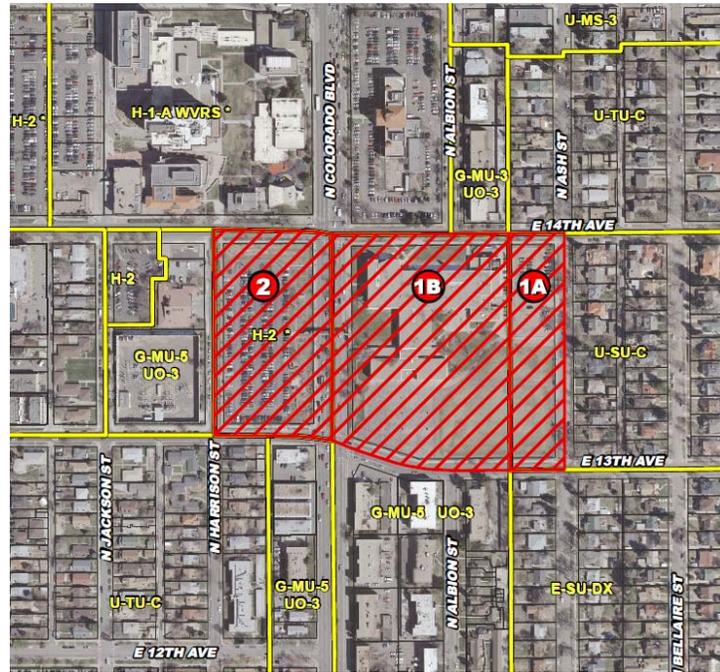
II. Summary of Proposal

The applicant proposes changing the zoning to **CMP-H2 and CMP-H** in order to zone the property consistently with adjacent properties, allowing National Jewish Health the ability to create a coordinated campus and maintain their facilities along Colorado and Colfax.

III. Justifying Circumstances

Pursuant to Section 12.4.10.14, requiring justification for the amendment request, the land and the environs has changed or are changing to the degree that it is in the public interest to encourage redevelopment. National Jewish Health is providing infill redevelopment of the Gove site providing open space and economic activity consistent with Comprehensive Plan 2000 strategies for growth in the city of Denver.

IV. Existing Context



	Existing Zoning	Existing Land Use	Blueprint Denver
Site	U-SU-C, G-MU-5/UO-3, and H-2 with conditions	Hospital Parking and Vacant School site	Urban Residential-Area of Stability
North	H-1-A w/waivers	Hospital uses	Campus, Pedestrian Shopping Corridor, Urban Residential, Single Family Residential-Area of Change/Stability
South	G-MU-5, U-TU-C, E-SU-DX	Residential	Urban Residential-Area of Stability
West	G-MU-5	Electric Substation and Fire Dept.	Urban Residential-Area of Stability
East	U-SU-C	Residential	Single Family Residential-Area of Stability

V. Summary of Agency Referral Responses

This rezoning has been reviewed for concurrence with the Denver Zoning Code and other applicable City Codes as utilized by the referral agencies listed below.

Development Services-Survey: Approved
Development Services-Transportation: Approved
Denver Fire: Approved
Denver Parks: Approved
Asset Management: Approved.

VI. Public Comment

The Colorado Boulevard Healthcare District has submitted a letter of support (attached) for the rezoning application with a vote of 12-1. CBHD consists of the following RNOs and Professional Associations:

Registered Neighborhood Organizations:

Congress Park Neighbors
Bellevue Hale Neighborhood Association
The Fax Partnership
Mayfair Neighbors
CHUN
Cranmer Park Hilltop

Professional Associations:

Mental Health Center of Denver
University of Colorado Hospital
University of Colorado Denver
National Jewish Health
Rose Medical Center
Veterans Administration Hospital
Sembler Company

The Bellevue-Hale Neighborhood Association has submitted a letter of support (attached) for the rezoning application.

Denver Public Schools has submitted a letter of support (attached) for the rezoning application.

Congress Park Neighbors, Inc. has submitted a position statement (attached) to oppose rezoning application #2011I-00018. Of 18 members in attendance at the June 8, 2011 meeting, 7 members voted to support and 11 members voted to oppose the application.

Additionally, we have received two letters of opposition (attached) to the rezoning application.

VII. Criteria for Review / Staff Evaluation

Pursuant to the Denver Zoning Code, Section 12.4.10.13 and 12.4.10.13, there are three criteria for review of all map amendments and two additional review criteria applied to non-legislative map amendments. The first three include:

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

These are explained in the following sections. The remaining two criteria include (*Justifying Circumstances* (explained in Section III above) and *Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements* (elements of the Denver Zoning Code)).

- Neighborhood Contexts

The requested CMP-H and CMP-H2 zone districts are within the Campus Special Context. The context generally consists of midsize to large medical or institutional sites that tend to have transitional areas that taper off in intensity towards adjacent residential neighborhood contexts. The context allows for flexible placement of buildings and unified treatment of site elements. (Denver Zoning Code Section 9.2.1)

- **Zone District Purpose**

According to the intent stated in the Denver Zoning Code, the CMP-H district is intended “to promote and encourage the maintenance and concentration of existing and proposed healthcare facilities.” The district allows “for flexible placement of buildings, and unified treatment of signs, open space, landscaping and other site elements while providing compatible transitions between the campus and adjacent neighborhoods.” (Denver Zoning Code Section 9.2.3.1)

According to the intent stated in the Denver Zoning Code, the CMP-H2 district is “generally adjacent to a single unit, two unit, or row house residential Zone District to act as a transition zone by requiring more open space and limiting building height more than in the CMP-H zone. In all other respects, CMP-H2 is similar to the CMP-H district. Any CMP-H2 District shall be incorporated into the Zone Lot plan for the adjacent CMP-H District.” (Denver Zoning Code Section 9.2.3.1)

VIII. Consistency with Adopted Plans / Staff Evaluation

The proposal is consistent with adopted plans. Applicable plans for this site include:

- Denver Comprehensive Plan 2000
- Blueprint Denver
- Colorado Boulevard Healthcare District Area Plan (1998)
- Congress Park Neighborhood Plan (1995)

A. Consistency with the Denver Comprehensive Plan 2000

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

- a. Environmental Sustainability 2-F,
- b. Land Use 3-B, 3-C, 3-D;
- c. Mobility 4-E;
- d. Legacies 2-E, 3-A, 3-B;
- e. Economic Activity 3-B, 4-B;
- f. Human Services 1-C.

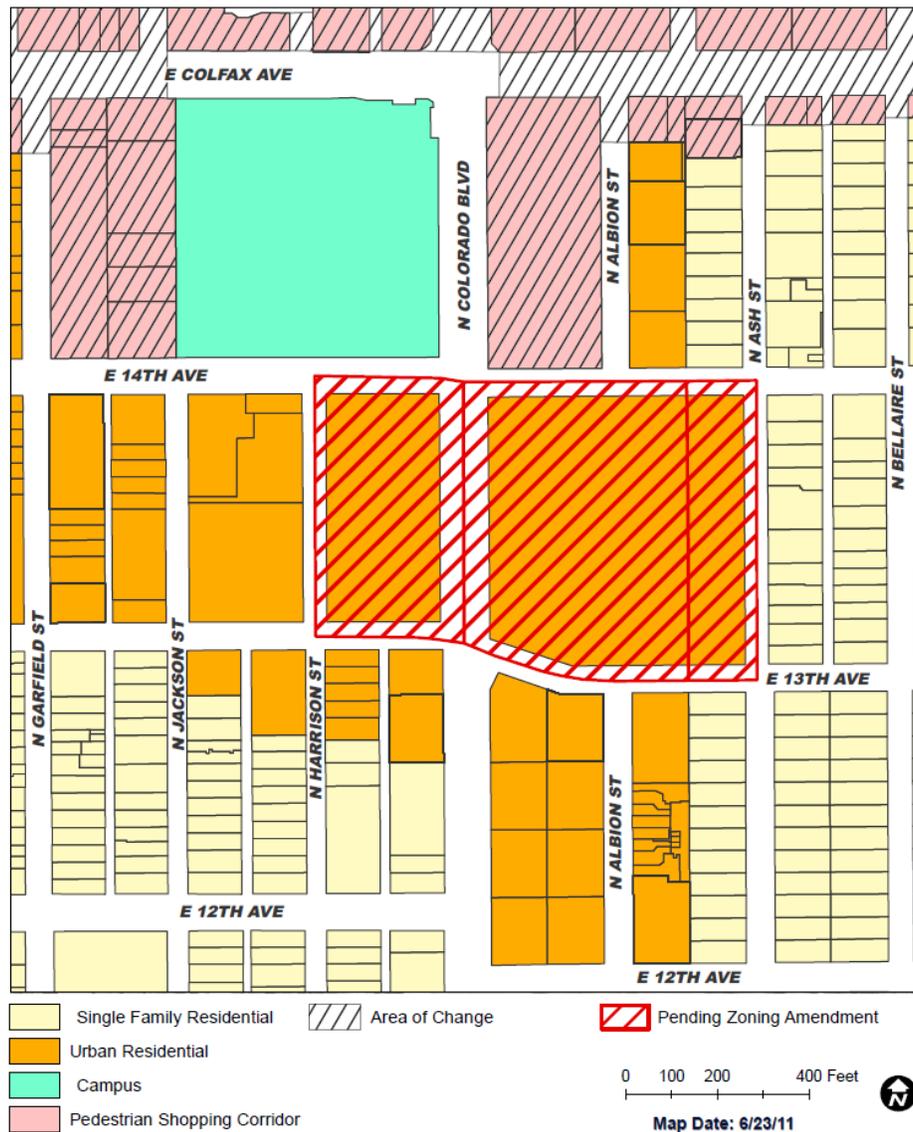
B. Consistency with Blueprint Denver

According to Blueprint Denver, this site has a concept land use of Urban Residential and is located in an Area of Stability. Urban Residential neighborhoods “are higher density and primarily residential but may include a noteworthy number of complementary

commercial uses.” There is a greater housing base than employment base, and a mixture of housing types is present. (p. 41-42). “The goal for Areas of Stability is to identify and maintain the character of an area while accommodating some new development and redevelopment” (p.120).

Blueprint Denver classifies 13th and 14th Avenues as Residential Arterials. “As arterials, residential streets balance transportation choices with land access, without sacrificing auto mobility. ... [They] tend to be more pedestrian-oriented than commercial streets, giving a higher priority to landscaped medians, tree lawns, sidewalks, on-street parking and bicycle lanes” (p. 55). Blueprint Denver classifies Colorado Boulevard as a Mixed Use Arterial. “Mixed-use streets emphasize a variety of travel choices such as pedestrian, bicycle and transit use. Mixed-use streets are located in high-intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity” (p. 57). Blueprint Denver classifies Ash and Harrison Streets as Undesignated Local streets. “The design features of local streets are influenced less by traffic volumes and are tailored more to providing access” (p. 51).

While not directly consistent with the mapped land use identified within Blueprint Denver, the location and proximity of the proposed map amendment to the identified Campus land use building block builds upon an existing demonstrated pattern within the neighborhood to enhance the functional role of the Campus. Blueprint identifies a Campus land use building block as a single, large, institutional user utilizing a contiguous area consisting of a variety of buildings and uses geared towards a primary purpose. Rezoning this site will allow National Jewish Health to expand their campus and enhance their role within Denver. Based on the proximity to the existing Campus building block and the description of the use in Blueprint Denver, rezoning this site will be consistent with the objectives of the plan.



C. Colorado Boulevard Healthcare District Area Plan (1998)

This site is located within the boundaries of the **1998 Colorado Boulevard Healthcare District Area Plan**. The property is located in or near Subarea II of the plan. Applicable Subarea II Development Guidelines are found on pages 29 through 33 regarding overall guidelines; building & site design; circulation; parking lots and structures; landscaping, open space and pedestrian circulation; signage; and lighting. Some of the neighborhood concerns identified in the application are addressed by the guidelines in this plan, such as:

III.B.3. “Along the southern and eastern boundaries of the campus, building design and scale shall be compatible with surrounding residential uses.”

III.C.2. "National Jewish Center development should concentrate larger, taller buildings in the center or along major arterials of the campus, with height and mass gradually decreasing towards the residential edge."

III.C.4. "No development should place unscreened service areas, loading docks, mechanical equipment locations, or unarticulated facades (blank walls), across from surrounding residential uses. Ground floor facades that face public streets should have at a minimum arcades, windows, entry areas and landscaping to provide visual interest and enhance campus edge activity. Service and storage areas shall be internal to the site and visually screened."

III.D.3. "Clear traffic circulation is vital to both the National Jewish campus and the overall quality of adjoining neighborhoods. Any proposed changes in street circulation must consider impacts and opportunities to the National Jewish Center and the adjoining neighborhoods, and include the neighbors in the definition of an appropriate design. Changes in traffic circulation that force traffic into existing neighborhoods should be avoided."

The variety of CMP-H and CMP-H2 zone districts will effectively implement the strategies outlined in the plan.

D. Congress Park Neighborhood Plan (1995)

The property at 1325 Colorado Blvd. is located within the boundaries of the **1995 Congress Park Neighborhood Plan**. The following goals may apply:

UD-2: "Create and reinforce buffers along the neighborhood borders and between residential and commercial areas." (p. 35)

UD-3: "Hospital District: New structures should respect their old neighbors in terms of materials, scale, proportions, and detailing. Care should be taken to create structures that are "pedestrian friendly." Through the use of landscaping, and attention to scale and structural detail at the pedestrian level, there should be created a sense of comfort, to reduce the impact of the large scale of the overall structure." (p. 36)

ZG-2: "Contain all hospital development and related uses to and within currently zoned hospital districts only. Oppose additional hospital zoning and related uses including parking in adjacent residential areas. Eliminate nonconforming hospital and parking uses." (p. 41) Additionally, this goal specifically states opposition to expansion of hospital uses west of Colorado Boulevard (p. 40).

With the loss of the University Health Science Center, the neighborhood has experienced a significant reduction in hospital uses serving the area. Rose Hospital, the VA hospital and National Jewish are the only remaining hospital uses in the area, with the VA intending to relocate in the near future. This rezoning application does not expand hospital zoned land on the west side of Colorado, consistent with the recommendations of the plan, instead capitalizing on the adjacent vacant Gove School site east of Colorado. The rezoning application is consistent with these plan recommendations.

IX. Uniformity of District Regulations and Restrictions

The proposed rezoning to CMP-H2 and CMP-H will result in the uniform application of zone district building form, use and design regulations to all buildings within the subject area.

X. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety and general welfare of the City. Rezoning this site will promote the continuing successful use and location of National Jewish Health providing direct benefit to the public health, safety and general welfare of the City.

XI. Planning Board Recommendation

Planning Board reviewed rezoning application #2011I-00018 at their regularly scheduled meeting on September 21, 2011. Planning Board recommended approval of this item unanimously, 8-0.

XII. Staff Recommendation

Based on the criteria for review as defined above, CPD Staff recommends approval for rezoning the property located at 4050 E. 14th Ave. and 1325 Colorado Blvd, Application #2011I-00018, from U-SU-C, G-MU-5/UO-3, and H-2 with conditions to CMP-H2 and CMP-H, as defined on the attached application map.

Attachments:

1. **Official Zone Map Amendment Application**
2. **Map Series - Aerial, Zoning, Blueprint Map**



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TO: Land Use, Transportation, and Infrastructure Committee
FROM: Chris Gleissner, Senior City Planner
DATE: October 4, 2011
RE: Zoning Map Amendment Application #20111-00018
4050 E. 14th Ave. and 1325 Colorado Blvd., from U-SU-C, G-MU-5/UO-3, and H-2 with conditions to CMP-H2 and CMP-H

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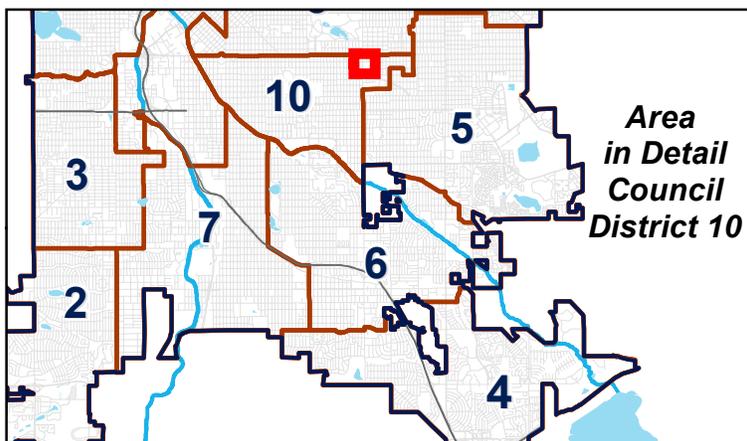
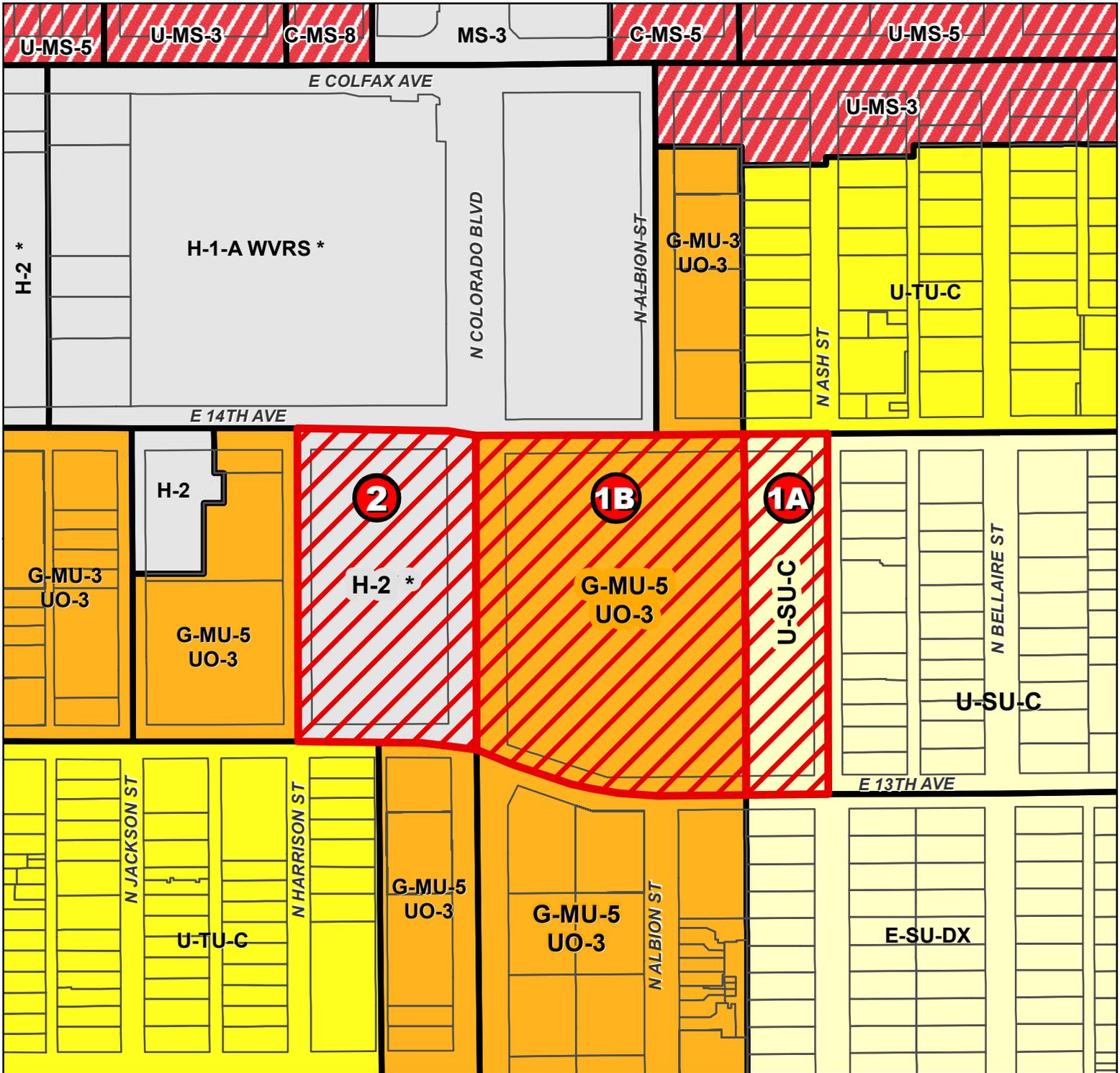
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Pending Zone Map Amendment #2011-00018



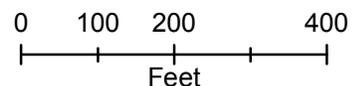
Application #2011-00018

Location: 1300 Colorado Blvd. Appx



Proposed Rezoning

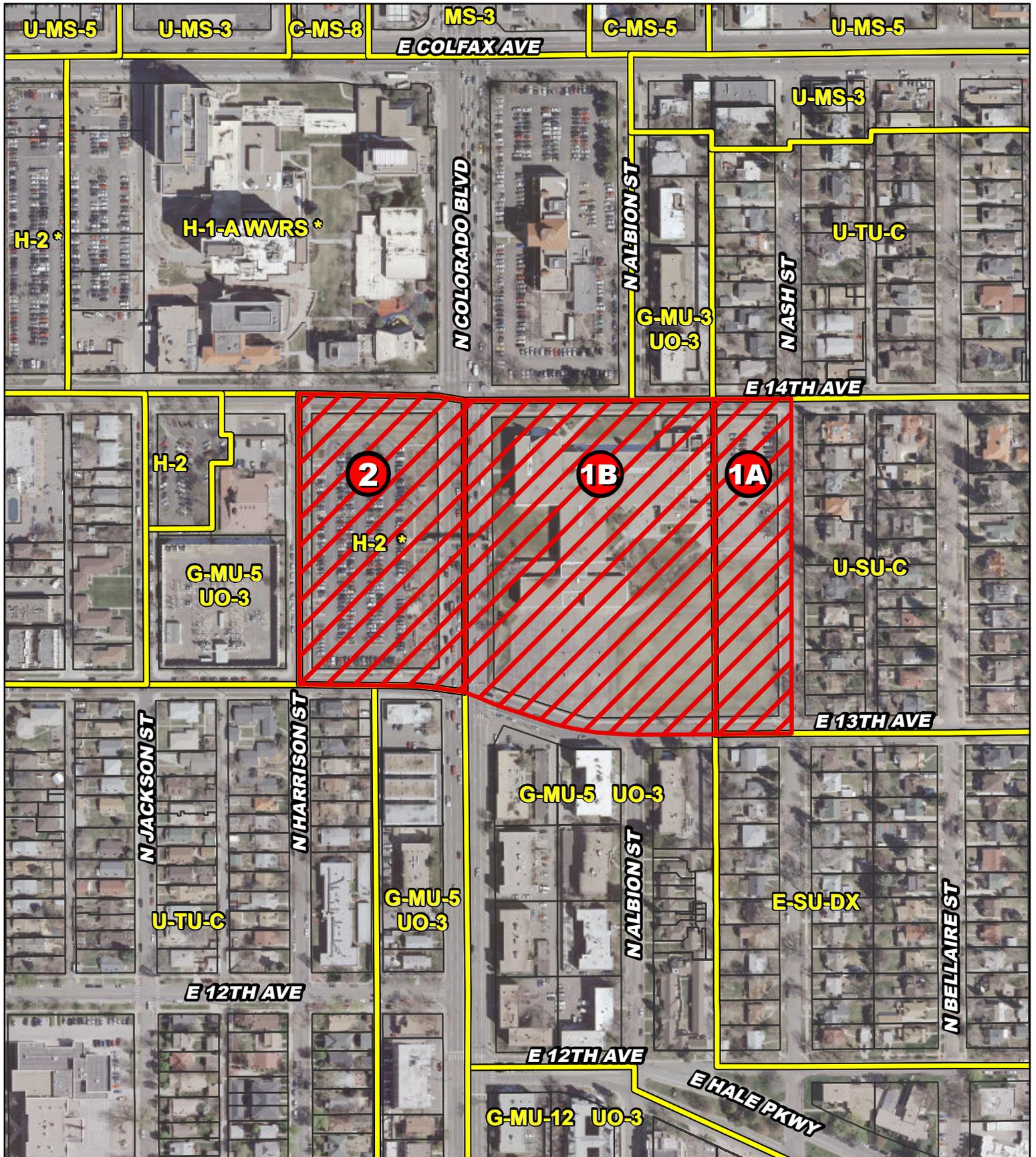
- 1A. From U-SU-C to CMP-H2
- 1B. From G-MU-5 / UO-3 to CMP-H
- 2. From H-2 with Conditions to CMP-H



Map Date: 6/23/11

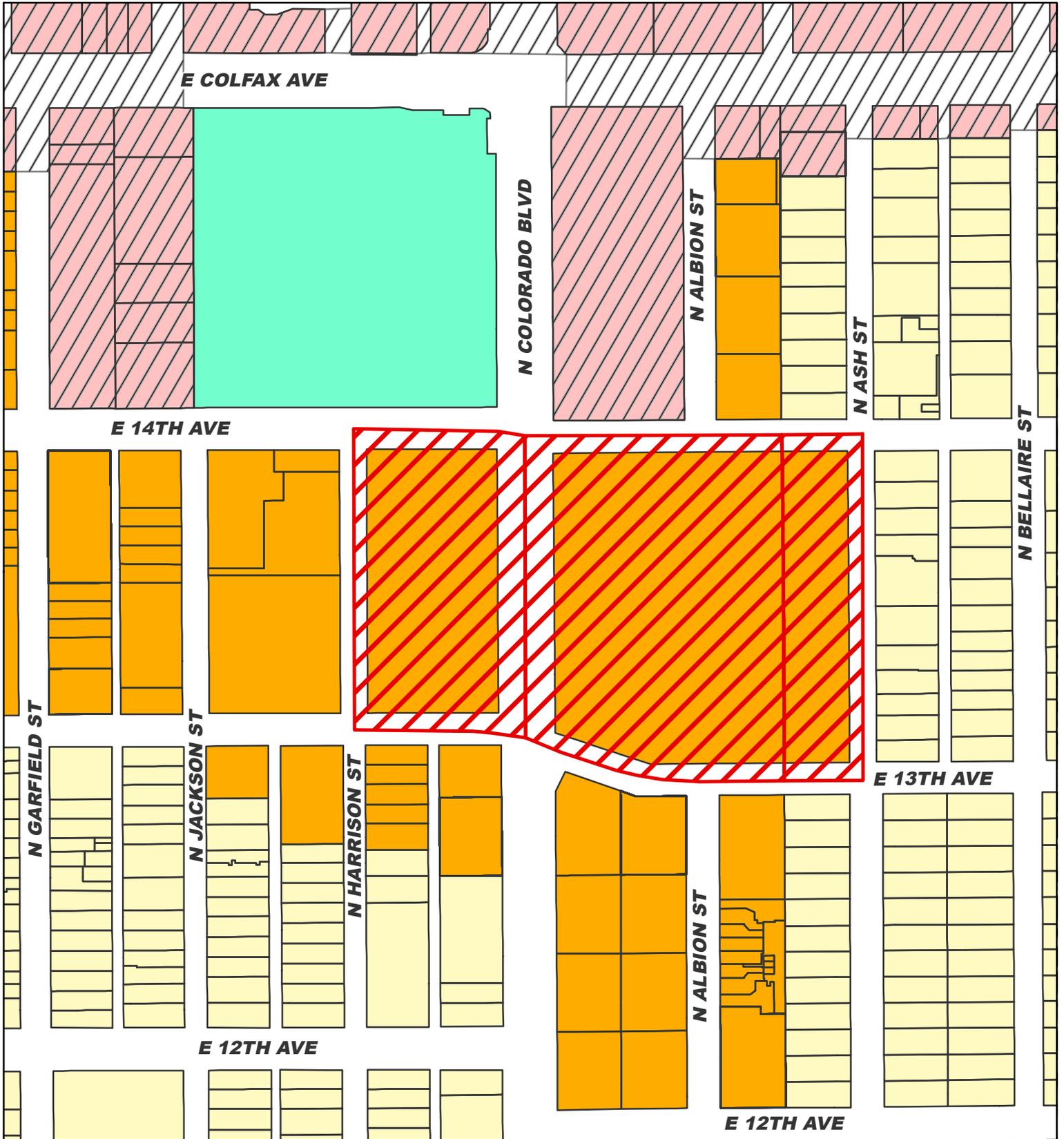
Pending Zone Map Amendment - Aerial & Zoning Overlay

 Application #2011-00018



Pending Zone Map Amendment - Blueprint Denver Overlay

 Application #2011I-00018



 Single Family Residential	 Area of Change	 Pending Zoning Amendment
 Urban Residential		
 Campus		
 Pedestrian Shopping Corridor		

0 100 200 400 Feet

Map Date: 6/23/11





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THE MILE HIGH CITY

**Community Planning and Development
Planning Services
Plan Implementation**

201 W Colfax Ave, Dept 205
Denver, CO 80202
p: 720-865-2915
f: 720-865-3056
www.denvergov.org/planning

APPLICATION FOR ZONE MAP AMENDMENT

Application #	20111-00018	Date Submitted	June 17, 2011 REV. 7/15/11	Fee Required	\$6000	Fee Paid	\$6,000
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APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant?)	
Applicant Name	National Jewish Health Ronald D. Berge	Contact Name	Davis Partnership Architects Lynn Moore
Address	1400 Jackson Street	Address	2301 Blake Street, Suite 100
City, State, Zip	Denver, CO 80206	City, State, Zip	Denver, CO 80205
Telephone / Fax	(303) 398-1601/(303) 270-2165	Telephone / Fax	(303) 861-8555/(303) 861-3027
Email	BergeR@NJHealth.org	Email	lynn.moore@davispartnership.com

Subject Property Location [Please Include Assessor's Parcel Number(s)]

Part 1A and 1B: Property generally bounded by E. 13th Avenue on the south, E. 14th Avenue on the north, Ash Street on the east and Colorado Boulevard on the west. Parcel # 0606210001000 (current address 4050 E. 14th Avenue).
Part 2: Property generally bounded by E. 13th Avenue on the south, E. 14th Avenue on the north, Colorado Boulevard on the east and Harrison Street on the west. Parcel # 0501120001000 (current address 1325 Colorado Boulevard).

Legal Description of Subject Property

See Attached Exhibit Part 1A, Exhibit Part 1B and Exhibit Part 2 for legal description.

Area of Subject Property (Acres/Sq Ft)	Present Zone District	Proposed Zone District (Waivers and Conditions Require Separate form)
Approximately 11 Acres	Part 1A: U-SU-C Part 1B: G-MU-5 UO-3 Part 2: H-2 w/ Conditions	Part 1A: CMP-H2 Part 1B: CMP-H Part 2: CMP-H

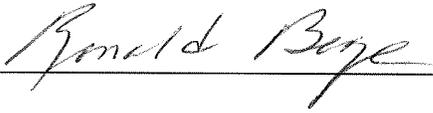
Describe the nature and effect of the proposed Zone Map Amendment

This Zone Map Amendment includes rezoning the existing Gove Middle School property, currently zoned U-SU-C along the west side of Ash Street to CMP-H2 and the current G-MU-5 UO-3 along the east side of Colorado Boulevard to CMP-H. This Zone Map Amendment also includes the parcel west of Colorado Boulevard currently zoned H-2 with conditions (ORD #579, series of 2002), to be rezoned CMP-H.

National Jewish Health (NJH) has outgrown their current facility space and campus. Several facilities are no longer viable for modern healthcare and campus growth. In 2011 NJH entered into a contract with DPS to purchase the Gove Middle School Property for campus expansion. Part of that purchase agreement was NJH would be able to rezone the property to CMP-H and CMP-H2 to serve their future growth needs. NJH serves as an important community asset: a community top rated research hospital facility for both Denver resident and the greater metropolitan community. The purchase of the Gove property will enable NJH to continue this extraordinary level of service to the community for the next 50-75 years.

Throughout many public meetings it was suggested that NJH also look at rezoning the existing H-2 with conditions parcel, west of Colorado Boulevard (Part 2: Harrison Street Lot) to further encourage the campus to place the highest density of development along the Colorado Boulevard corridor and decreasing along the residential edges. This idea was established by guidelines in the 1998 Colorado Boulevard Healthcare District Area Plan as well as the 1995 Congress Park Neighborhood Plan, which this site is located within, to concentrate development along Colorado Boulevard and transition to the residential neighborhoods. This high density along Colorado Boulevard would further ensure the CMP-H2 remains as a transition zone along Ash Street on the Gove property (Part 1A). The southern portion of the H-2 with conditions lot is under a protected district influence and limits the development on a portion of the lot. The remainder is adjacent to an Xcel substation, Denver fire house, exiting NJH campus and Colorado Boulevard, making it an ideal location for future high density development. A Denver Urban Garden is currently located on this site and defined through a zoning condition as part of the existing H-2 zone. A separate user agreement is in place between NJH and Denver Urban Gardens for the use of a garden on the NJH campus. This private agreement between NJH and Denver Urban Gardens will remain intact or be modified at the time of development of this parcel.

The plan to rezone to a CMP-H zone classification along the majority of the property along both sides of Colorado Boulevard, with CMP-H2 along the frontage of Ash Street to serve as a transition to the existing neighborhood, will enable NJH to accommodate the future medical uses on campus while complying with the newly adopted zone code. NJH's ultimate goal is to better serve the residents of the community and CMP-H and CMP-H2 provide that opportunity.

Select Legal Basis for the Zone Map Amendment and explain in detail		Error in the map as approved by City Council		<input type="checkbox"/>
		Changed or Changing Conditions that make a Zone Map Amendment Necessary		X
<p>The site was historically used as a Denver Public Schools Middle School. The school has been vacant since 2005 and the site has been for sale by DPS ever since. It is public interest to encourage a redevelopment before the site becomes a blight on the surrounding neighborhood. NJH entered into a purchase agreement with DPS in February of 2011 to purchase the 7.5 acre site, with final execution of contract being contingent on rezoning Gove Middle School Property to a CMP-H and CMP-H2 zone that supports medical uses. In May 2011- National Jewish Health officially took ownership of the Gove Middle School property, but it will revert back to DPS if the property is not rezoned by February of 2012. Once property is rezoned, per the agreement, jointly DPS and NJH will have 90 days to abate and demolish the old school building. This property changing from a DPS School to NJH Ownership has changed to such a degree that is it</p> <p>The zoning must be changed to accomplish the vision of the expansion of the NJH campus and is consistent with several of the City's adopted plans. NJH is a fast growing hospital and research center in respiratory and immune illness (Comprehensive Plan 2000-Human Services). NJH currently has a 14.5 acre campus which has a variety of buildings for research, clinical and educational facilities. At least 150 employees have been moved to off campus locations due to lack of expansion space on the existing campus. Outpatient visits have grown over the last several years, research grants have increased and additional staff has, and will continue to, be added. With no room for campus expansion, limited parking and older facilities on the current campus, NJH has been landlocked by the surrounding developments and existing neighborhoods until the Gove site became available. The adjacency of the Gove site to the rest of the NJH campus makes this site an ideal location for campus growth. The Gove site will add another 7.5 acres to the campus. NJH's primary goals are to build upon their respiratory and immune illness as well as their recent addition of specialties in cardiology and gastroenterology.</p> <p>NJH's goals are to minimize operational impacts on the neighbors and enhance the traffic circulation in and around the campus (Comprehensive Plan 2000-Mobility and Blueprint Denver).</p> <p>The Gove site, although in an Area of Stability according to Blueprint Denver, is considered a changed condition to allow for redevelopment and new growth opportunities. NJH is providing infill redevelopment (Comprehensive Plan 2000-Environmental Sustainability and Land Use) of the Gove Site, will provide adequate open space, and economic activity in the form of business retention (Comprehensive Plan 2000-Economic Activity) to name a few of the strategies consistent with area of change. Because this site has gone through a changed condition when DPS closed Gove Middle School in 2005, the property is considered an area of change and NJH has a legal basis for the zone map amendment.</p>				
State the land use and the development proposed for the subject property. Include the time schedule (if any) for development				
<p>The proposed land use for the Gove Property is to be used as expansion for the NJH campus. The existing NJH campus facilities cannot currently meet growth needs so the site will be planned for facilities that continue the NJH mission of providing patient care, research and education. With the CMP-H2 serving as a transition to the neighborhood it is likely to be lower density development area with the higher density along the Colorado Boulevard corridor in the CMP-H zones. NJH will be studying traffic and vehicle access points into the sites during future campus planning efforts.</p> <p>In February of 2012 the property must be rezoned or it reverts back to DPS. After the site is rezoned DPS and NJH have 90 days to abate and demolish. NJH will use, and possibly expand, the existing Gove Middle School parking lots for campus staff parking. NJH is currently, and will continue to fund raise for expansion of facilities, including patient care (in/out), research and education. Site planning efforts are proposed to begin once rezoning has been completed, and if fund raising allows, new facilities could be anticipated as early as 2015.</p>				
Required Exhibits		Additional Exhibits		
Applicant & Owner Information Sheet		X	Map Exhibit of zoning areas	
Maps – Required for Final Submissions		X		
Case Manager	Tina Axelrad/Christopher Gleissner			
Signature				Date
				June 17, 2011 REV July 15, 2011

APPLICANT & OWNER INFORMATION SHEET

[1] Section 59-648(c) of the Denver Revised Municipal Code requires that an applicant for rezoning provide the applicant's name, address, and respective ownership interest, if any, on the application. In addition, unless subject to paragraph [2] below, the applicant must provide, in the space provided on this form, a list of all the owners of the property and the holders of deeds of trust, identifying which owners and holders of deeds of trust are represented by the applicant.

[2] If the application is for designation of an area as B-2, B-3, R-X or PUD zone district, the applicant must submit the concurrence of the owners and holders of deeds of trust of the entire land area to be included in the proposed district (and any structures thereon). In such cases, this form must be completed for each individual owner, together with sufficient evidence of ownership for each owner and holder of a deed of trust. Documentation verifying ownership interest may include (but is not limited to): Copies of deeds, powers of attorney, and corporate/partnership registrations filed with the Secretary of State.

Application Number	Applicant's Name
20111-00018	National Jewish Health

Property Address(es)
 Part 1A and 1B: Gove Middle School address is address 4050 E. 14th Avenue. Property generally bounded by E. 13th Avenue on the south, E. 14th Avenue on the north, Ash Street on the east and Colorado Boulevard on the west. Parcel # 0606210001000.
 Part 2: Property address is 1325 Colorado Boulevard. Property generally bounded by E. 13th Avenue on the south, E. 14th Avenue on the north, Colorado Boulevard on the east and Harrison Street on the west. Parcel # 0501120001000.

Applicant's Address
 National Jewish Health, 1400 Jackson Street, Room M113, Denver, CO 80206-2761

NOTE: If application is for rezoning to B-2, B-3, R-X or PUD, and the applicant is not the property owner, this form must be accompanied by a Power of Attorney statement from the property owner.

Indicate as accurately as possible the form of interest in the property, and the amount held by the individual or entity listed as "applicant" above.

Fee Title Owner (Has Deed of Ownership)	All	<input type="checkbox"/>
	A Portion	X
Contract Owner	All	<input type="checkbox"/>
	A Portion	<input type="checkbox"/>
Holder of a Security Interest	All	<input type="checkbox"/>
	A Portion	X

List the names and addresses of all owners and holders of Deeds of Trust for the property, if any, and indicate which owners or holders of deeds of trust are represented by the applicant in the space below (please add additional pages, if needed).

Applicant/Property Owner:
 Ronald D. Berge
 Executive Vice President, COO
 National Jewish Health
 1400 Jackson Street
 Room M113
 Denver, CO 80206-2761
 (303) 398-1601

Contact Person for Zoning Issues:
 Lynn Moore
 Davis Partnership Architects
 2301 Blake Street, Suite 100
 Denver, CO 80205
 (303) 861-8555
 lynn.moore@davispartnership.com

Signature of Applicant	Date Signed
	June 17, 2011

PART 1A – GOVE PROPERTY CMP-H2

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING DESCRIBED AS FOLLOWS:

LOTS 25 TO 48 INCLUSIVE, BLOCK 7, BELLEVUE WEST.

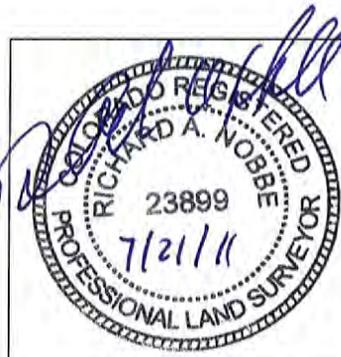
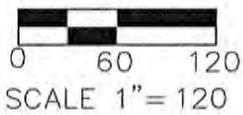
PREPARED BY RICHARD A. NOBBE PLS
FOR AND ON BEHALF OF
MARTIN/MARTIN INC.
12499 W. COLFAX AVE.
LAKEWOOD, CO. 80215
(303) 431-6100
JUNE 15, 2011
REV. JULY 21, 2011



PART 1A - GOVE PROPERTY CMP-H2



DRAWING LOCATION: G:\Willis\22626-National Jewish Hospital Master Plan\SURVEY\Zonina Legals\Legals.dwg



REV. JULY 21, 2011
JUNE 15, 2011

MARTIN / MARTIN
CONSULTING ENGINEERS
12499 WEST COLFAX AVE.
LAKEWOOD, CO 80215
303.431.6100
FAX 303.431.4028

PART 1B – GOVE PROPERTY CMP-H

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING DESCRIBED AS FOLLOWS:

LOT 1 TO 24 INCLUSIVE, BLOCK 7, BELLEVIEW WEST; LOTS 1 TO 48 INCLUSIVE, BLOCK 8, BELLEVUE WEST EXCLUDING THAT PORTION OF BLOCK 8 CONVEYED TO THE CITY AND COUNTY OF DENVER BY THAT INSTRUMENT RECORDED AT BOOK 7582 PAGE 188; VACATED N. ALBION ST ADJACENT OF SAID BLOCK 7 AND 8, BELLEVUE WEST.

PREPARED BY RICHARD A. NOBBE PLS
FOR AND ON BEHALF OF
MARTIN/MARTIN INC.
12499 W. COLFAX AVE.
LAKEWOOD, CO. 80215
(303) 431-6100
JUNE 15, 2011
REV. JULY 21, 2011



PART 1B - GOVE PROPERTY CMP-H



DRAWING LOCATION: G:\Willis\22526-National Jewish Hospital Master Plan\SURVEY\Zoning\Legals\Legals.dwg



0 60 120
SCALE 1" = 120



REV. JUL; Y 21, 2011
JUNE 15, 2011



MARTIN / MARTIN
CONSULTING ENGINEERS

12499 WEST COLFAX AVE.
LAKEWOOD, CO 80215
303.431.6100
FAX 303.431.4028

PART 2 – HARRISON PROPERTY

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 1,
TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING DESCRIBED
AS FOLLOWS:

LOT 1 TO 40 INCLUSIVE, BLOCK 219, CAPITOL AVENUE SUBDIVISION.

PREPARED BY RICHARD A. NOBBE PLS
FOR AND ON BEHALF OF
MARTIN/MARTIN INC.
12499 W. COLFAX AVE.
LAKEWOOD, CO. 80215
(303) 431-6100
JUNE 15, 2011
REV. JULY 21, 2011



PART 2 - HARRISON PROPERTY

20	27
21	26
22	25
23 BLOCK 208 ₂₄	

20	27
21	26
22	25
23 BLOCK 209 ₂₄	

20	29
21	28
22	27
23 BLOCK 1 26	
24	25

EAST 14TH AVE.
(60' R.O.W.)

1	40
2	39
3	38
4	37
5	36
6	CAPITOL 35
7	AVENUE 34
8	33
9	32
10 BLOCK 218 31	
11	30
12	29
13	28
14	27
15	26
16	25
17	24
18	23
19	22
20	21

HARRISON ST.
(50' R.O.W.)

1	40
2	39
3	38
4	37
5	36
6	CAPITOL 35
7	AVENUE 34
8	33
9	32
10 BLOCK 219 31	
11	30
12	29
13	28
14	27
15	26
16	25
17	24
18	23
19	22
20	21

EAST 13TH AVE.
(60' R.O.W.)

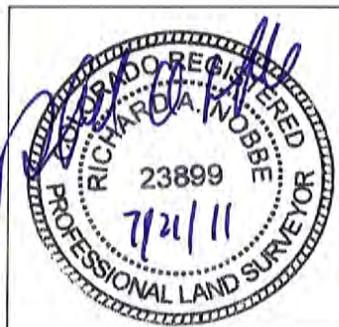
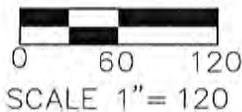
COLORADO BLVD.
(100' R.O.W.)

1	48
2	47
3	46
4	45
5	44
6	43
7	BELLEVUE 42
8	WEST 41
9	40
10	39
11	38
12	37
13	36
14	35
15	34
16	33
17 BLOCK 8 32	
18	31
19	30
20	29
21	28
22	27
EXCEPTION PARCEL BK. 7582 PG. 188	
23	26
24	25

1 BLOCK 228 42	
2	41
3	40
4	39

1 BLOCK 229 42	
2	41
3	40
4	39

DRAWING LOCATION: G:\Willis\22626--National Jewish Hospital Master Plan\SURVEY\Zoning_Legals\Legals.dwg



MARTIN / MARTIN
CONSULTING ENGINEERS

12499 WEST COLFAX AVE.
LAKEWOOD, CO 80215
303.431.6100
FAX 303.431.4028

REV. JULY 21, 2011
JUNE 15, 2011



Land Title Guarantee Company

CUSTOMER DISTRIBUTION

Date: 05-20-2011

Our Order Number: ABD70295238-7

Property Address:

4050 EAST 14TH AVENUE DENVER, CO 80220

If you have any inquiries or require further assistance, please contact one of the numbers below:

For Closing Assistance:

Leigh Renfro
3033 E 1ST AVE #600
DENVER, CO 80206
Phone: 303-331-6231
Fax: 303-331-6374
EMail: lrenfro@ltgc.com

Closer's Assistant:

Laurie McKee
Phone: 303-331-6238
Fax: 303-331-6373
EMail: lmckee@ltgc.com

For Title Assistance:

Commercial Title "ABD" Unit
David Knapp
5975 GREENWOOD PLAZA BLVD
GREENWOOD VILLAGE, CO 80111
Phone: 303-850-4174
Fax: 303-393-4947
EMail: dknapp@ltgc.com

NEWMARK KNIGHT FRANK FREDERICK ROSS
1800 LARIMER ST #1700
DENVER, CO 80202
Attn: TOM WOOTEN
Phone: 303-892-1111
Fax: 303-892-6338
Copies: 1
EMail: twooten@newmarkkffr.com
Linked Commitment Delivery

CASSIDY TURLEY/FULLER REAL ESTATE
1515 ARAPAHOE TOWER 1 #1200
DENVER, CO 80202
Attn: DONALD L KORTZ
Phone: 303-312-4214
Fax: 303-534-8270
Copies: 1
EMail: dkortz@ctfuller.com
Linked Commitment Delivery

DENVER PUBLIC SCHOOLS
1350 E 33RD AVE
DENVER, CO 80205
Attn: ANDREW ROBINSON
Phone: 720-424-5476
Fax: 720-424-5469
Copies: 1
EMail: andrew_robinson@dpsk12.org
Sent Via EMail

NATIONAL JEWISH HOSPITAL
Attn: DR. MICHAEL SALEM
Copies: 1
EMail: salemm@njhealth.org
Linked Commitment Delivery

LAND TITLE GUARANTEE COMPANY
3033 E 1ST AVE #600
DENVER, CO 80206
Attn: Leigh Renfro
Phone: 303-331-6231
Fax: 303-331-6374
Copies: 1
EMail: lrenfro@ltgc.com

HOGAN LOVELLS US LLP
1200 17TH ST #1500
DENVER, CO 80202
Attn: ANTHONY RYAN
Phone: 303-454-2458
Copies: 1
EMail: anthony.ryan@hoganlovells.com
Linked Commitment Delivery

05.23.11



Land Title Guarantee Company
CUSTOMER DISTRIBUTION

Date: 05-20-2011

Our Order Number: ABD70295238-7

Property Address:

4050 EAST 14TH AVENUE DENVER, CO 80220

BERENBAUM, WEINSHIENK & EASON
370 17TH ST 48TH FLOOR
DENVER, CO 80202-5626
Attn: CHARLIE LEDER
Phone: 303-592-8322
Fax: 303-629-7610
Copies: 1
EMail: cleder@bw-legal.com
Linked Commitment Delivery

HOGAN LOVELLS US LLP
1200 17TH ST #1500
DENVER, CO 80202
Attn: COLE FINEGAN
Phone: 303-454-2435
Copies: 1
EMail: cole.finegan@hoganlovells.com
Linked Commitment Delivery

BERENBAUM, WEINSHIENK & EASON *TMX*
370 17TH ST 48TH FLOOR
DENVER, CO 80202-5626
Attn: ELLEN STEWART
Phone: 303-592-8310
Fax: 303-629-7610
Copies: 1
EMail: estewart@bw-legal.com
Linked Commitment Delivery



Land Title Guarantee Company

Date: 05-20-2011

Our Order Number: ABD70295238-7

Property Address:
4050 EAST 14TH AVENUE DENVER, CO 80220

Buyer/Borrower:
NATIONAL JEWISH HEALTH, A COLORADO NON-PROFIT CORPORATION

Seller/Owner:
SCHOOL DISTRICT NO. 1, IN THE CITY AND COUNTY OF DENVER AND STATE OF COLORADO

Wire Information:

Bank: *FIRSTBANK OF COLORADO*
10403 W COLFAX AVENUE
LAKEWOOD, CO 80215
Phone: 303-237-5000
Credit: *LAND TITLE GUARANTEE COMPANY*
ABA No.: 107005047
Account: 2160521825
Attention: *Leigh Renfro*

Note: Once an original commitment has been issued, any subsequent
modifications will be emphasized by underlining.

Need a map or directions for your upcoming closing? Check out Land Title's web site at www.ltgc.com for directions to any of our 54 office locations.

ESTIMATE OF TITLE FEES

ALTA Owners Policy 06-17-06	\$14,755.00
ALTA Loan Policy 06-17-06	\$150.00
Deletion of Exceptions 1-3 (Owner)	\$60.00
Deletion of General Exception 4 (Owner)	\$25.00
Deletion of Exceptions 1-3 (Lender)	\$10.00

If Land Title Guarantee Company will be closing this transaction, above fees will be collected at that time.

TOTAL \$15,000.00

First American Title Insurance Company

ALTA COMMITMENT

Our Order No. ABD70295238-7

Schedule A

Cust. Ref.:

Property Address:

4050 EAST 14TH AVENUE DENVER, CO 80220

1. **Effective Date:** May 11, 2011 at 5:00 P.M.

2. **Policy to be Issued, and Proposed Insured:**

"ALTA" Owner's Policy 06-17-06 \$9,000,000.00

Proposed Insured:

NATIONAL JEWISH HEALTH, A COLORADO NON-PROFIT CORPORATION

"ALTA" Loan Policy 06-17-06 \$8,750,000.00

Proposed Insured:

SCHOOL DISTRICT NO. 1, IN THE CITY AND COUNTY OF DENVER AND STATE OF COLORADO

3. **The estate or interest in the land described or referred to in this Commitment and covered herein is:**

A Fee Simple

4. **Title to the estate or interest covered herein is at the effective date hereof vested in:**

SCHOOL DISTRICT NO. 1, IN THE CITY AND COUNTY OF DENVER AND STATE OF COLORADO

5. **The Land referred to in this Commitment is described as follows:**

ALL OF BLOCKS 7 AND 8, TOGETHER WITH STREETS AS VACATED BY ORDINANCE #25, SERIES OF 1924 RECORDED IN BOOK 1 AT PAGE 191, BELLEVUE WEST, EXCEPT THAT PORTION OF BLOCK 8, CONVEYED TO THE CITY AND COUNTY OF DENVER IN DEED RECORDED DECEMBER 6, 1954 IN BOOK 7582 AT PAGE 188, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

ALTA COMMITMENT

Schedule B - Section 1

(Requirements)

Our Order No. ABD70295238-7

The following are the requirements to be complied with:

Item (a) Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Item (b) Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:

Item (c) Payment of all taxes, charges or assessments levied and assessed against the subject premises which are due and payable.

Item (d) Additional requirements, if any disclosed below:

1. (ITEM INTENTIONALLY DELETED)
2. (ITEM INTENTIONALLY DELETED)
3. (ITEM INTENTIONALLY DELETED)
4. WARRANTY DEED FROM SCHOOL DISTRICT NO. 1, IN THE CITY AND COUNTY OF DENVER AND STATE OF COLORADO TO NATIONAL JEWISH HEALTH, A COLORADO NON-PROFIT CORPORATION CONVEYING SUBJECT PROPERTY.
5. (ITEM INTENTIONALLY DELETED)
6. DEED OF TRUST FROM NATIONAL JEWISH HEALTH, A COLORADO NON-PROFIT CORPORATION TO THE PUBLIC TRUSTEE OF DENVER COUNTY FOR THE USE OF SCHOOL DISTRICT NO. 1, IN THE CITY AND COUNTY OF DENVER AND STATE OF COLORADO TO SECURE THE SUM OF \$8,750,000.00.
7. (ITEM INTENTIONALLY DELETED)

NOTE: ITEMS 1-3 OF THE GENERAL EXCEPTIONS ARE HEREBY DELETED.

NOTE: (OWNER'S POLICY ONLY) UPON THE APPROVAL OF THE COMPANY AND THE RECEIPT OF A NOTARIZED FINAL LIEN AFFIDAVIT, ITEM NO. 4 OF THE GENERAL EXCEPTIONS WILL BE AMENDED AS FOLLOWS:

ITEM NO. 4 OF THE GENERAL EXCEPTIONS IS DELETED AS TO ANY LIENS OR FUTURE

ALTA COMMITMENT

Schedule B - Section 1

(Requirements)

Our Order No. ABD70295238-7

Continued:

LIENS RESULTING FROM WORK OR MATERIAL FURNISHED AT THE REQUEST OF SCHOOL DISTRICT NO. 1, IN THE CITY AND COUNTY OF DENVER AND STATE OF COLORADO. FIRST AMERICAN TITLE INSURANCE COMPANY SHALL HAVE NO LIABILITY FOR ANY LIENS ARISING FROM WORK OR MATERIAL FURNISHED AT THE REQUEST OF NATIONAL JEWISH HEALTH, A COLORADO NON-PROFIT CORPORATION.

NOTE: ITEM 5 OF THE GENERAL EXCEPTIONS WILL BE DELETED IF LAND TITLE GUARANTEE COMPANY CONDUCTS THE CLOSING OF THE CONTEMPLATED TRANSACTION(S) AND RECORDS THE DOCUMENTS IN CONNECTION THEREWITH.

NOTE: UPON PROOF OF PAYMENT OF 2010 TAXES, ITEM 6 OF THE GENERAL EXCEPTIONS WILL BE AMENDED TO READ:

TAXES AND ASSESSMENTS FOR THE YEAR 2011 AND SUBSEQUENT YEARS, A LIEN NOT YET DUE AND PAYABLE.

NOTE: ITEM 7 OF THE GENERAL EXCEPTIONS IS HEREBY DELETED.

ALTA COMMITMENT

Schedule B - Section 2

(Exceptions)

Our Order No. ABD70295238-7

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

1. Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. Any and all unpaid taxes, assessments and unredeemed tax sales.
7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
8. EXISTING LEASES AND TENANCIES, IF ANY.
9. TERMS, RESERVATIONS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN ORDINANCE 25, SERIES OF 1924 RECORDED IN BOOK 1 AT PAGE 191 AND RECORDED APRIL 13, 1949 IN BOOK 6529 AT PAGE 568.
10. TERMS, CONDITIONS, PROVISIONS, BURDENS, OBLIGATIONS AND EASEMENTS AS SET FORTH AND GRANTED IN PEDESTRIAN AND BRIDGE EASEMENT RECORDED AUGUST 01, 1997 UNDER RECEPTION NO. 9700100412.
11. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING FACTS SHOWN ON ALTA/ACSM LAND TITLE SURVEY DATED MARCH 14, 2011 PREPARED BY MARTIN/MARTIN CONSULTING ENGINEERS, JOB # 22612.C.86:

A. THE ENCROACHMENT OF A CHAINLINK FENCE INTO THE PUBLIC RIGHT-OF-WAY OF ASH STREET.

ALTA COMMITMENT

Schedule B - Section 2

(Exceptions)

Our Order No. ABD70295238-7

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

B. THE ENCROACHMENT OF A WALL WITH CHAINLINK FENCE INTO THE PUBLIC RIGHT-OF-WAY OF EAST 13TH AVENUE.

C. AN ELECTRIC LINE ALONG THE WEST BOUNDARY OF THE LAND, BUT NOT WITHIN A RECORDED EASEMENT.

D. ENCROACHMENT/LOCATION OF A PORTION OF THE EXISTING BUILDING INTO VACATED STREET AREA RESERVED BY THE CITY FOR WATER AND SEWER LINE PURPOSES.

E. A SANITARY SEWER LINE AND ITS APPURTENANCES CROSSING THE CENTER OF SAID BLOCK 7 IN A NORTH/SOUTH DIRECTION, BUT NOT WITHIN A RECORDED EASEMENT.

LAND TITLE GUARANTEE COMPANY and LAND TITLE GUARANTEE COMPANY - GRAND JUNCTION

DISCLOSURE STATEMENTS

Note: Pursuant to CRS 10-11-122, notice is hereby given that:

- A) The subject real property may be located in a special taxing district.
- B) A Certificate of Taxes Due listing each taxing jurisdiction may be obtained from the County Treasurer's authorized agent.
- C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

Note: Effective September 1, 1997, CRS 30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

Note: Colorado Division of Insurance Regulations 3-5-1, Paragraph C of Article VII requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

Note: Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- A) The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
- B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
- D) The Company must receive payment of the appropriate premium.
- E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

Note: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments containing a mineral severance instrument exception, or exceptions, in Schedule B, Section 2.

- A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

Note: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, information to an insurance company for the purpose of defrauding or incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado division of insurance within the department of regulatory agencies.

Nothing herein contained will be deemed to obligate the company to provide any of the coverages referred to herein unless the above conditions are fully satisfied.

First American Title Insurance Company

PRIVACY POLICY

We are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our parent company, the First American Corporation, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines that govern our use of personal information regardless of its source. First American calls these guidelines its Fair Information Values, a copy of which can be found on our website at www.firstam.com.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- * Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- * Information about your transactions with us, our affiliated companies, or others; and
- * Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested to us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy and First American's Fair Information values. We currently maintain physical, electronic, and procedural safeguards that comply with referral regulations to guard your nonpublic personal information.

WEBSITE

Information on the calculation of premiums and other title related charges are listed at First American's website: www.firstam.com

NOTICE OF PRIVACY POLICY OF
LAND TITLE GUARANTEE COMPANY, INC., A COLORADO CORPORATION
AND
MERIDIAN LAND TITLE, L.L.C., A COLORADO LIMITED LIABILITY COMPANY, D/B/A
LAND TITLE GUARANTEE COMPANY - GRAND JUNCTION

This Statement is provided to you as a customer of Land Title Guarantee Company, a Colorado corporation and Meridian Land Title, LLC, d/b/a Land Title Guarantee Company - Grand Junction.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- * applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
- * your transactions with, or from the services being performed by, us, our affiliates, or others;
- * a consumer reporting agency, if such information is provided to us in connection with your transaction; and
- * the public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- * We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- * We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- * Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- * We regularly access security standards and procedures to protect against unauthorized access to Personal Information.

WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT PERMITTED BY LAW.

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows. Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.

Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured names in Schedule A, as owner or mortgage of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate six (6) months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

This Commitment shall not be valid or binding until countersigned by a validating officer or authorized signatory.

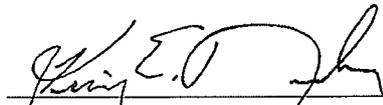
IN WITNESS WHEREOF, First American Title Insurance Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of the Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and Stipulations and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issued one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules as www.alta.org

Issued by:

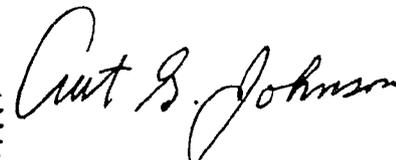
LAND TITLE GUARANTEE COMPANY
3033 EAST FIRST AVENUE
SUITE 600
PO BOX 5440 (80217)
DENVER, CO 80217



Authorized Officer or Agent

FIRST AMERICAN TITLE INSURANCE COMPANY






AMERICAN
LAND TITLE
ASSOCIATION



CC.FA.06



[Print](#)

Real Property Records

Date last updated: Wednesday, April 06, 2011

◀ **Real Property Records Search**

If you have a question about the value, ownership, or characteristics of this property, or any other property in Denver, please call the Assessor at 720-913-4162.

- [Link to real property information for this property](#)
 - [Link to comparable sales information for this property](#)
 - [Link to chain of title information for this property](#)
 - [Link to property sales information for this neighborhood](#)
 - [Link to property tax information for this property](#)
 - [Link to property sales information for all Denver neighborhoods](#)
 - [Link to map/historic district listing for this Property](#)
 - [Link to zoning and neighborhood information for this Property](#)
- [Back to Property List](#)

The property description shown is data from the Assessor's active, in-progress 2010 file. The "current year" values are from the 2010 tax year for real property tax due in 2011. These values are based on the property's physical status as of January 1, 2010.

PROPERTY INFORMATION

Property Type: INDUSTRIAL - SCHOOL

Parcel: 0606210001000

Name and Address Information

Legal Description

DENVER SCHOOL FACILITIES

BLKS 7 & 8 BELLEVUE WEST EXC
PT BLK 8 BEG SW COR SD BLK
TH N 65FT TH SELY TO PT ON
S LI 185FT E OF SW COR TH W
TO POB TOG WI VAC ALBION ST

900 GRANT ST

DENVER, CO 80203-2907

Property Address: 4050 E 14TH AVE

Tax District DENV

Assessment Information

	Actual	Assessed	Exempt	Taxable
Current Year				
Land	7852500	2277230		
Improvements	10882500	3155930		
Total	18735000	5433160	5433160	0
Prior Year				
Land	7852500	2277230		
Improvements	10882500	3155930		
Total	18735000	5433160	5433160	0

Style: Other

Reception No.: 0000093279

Year Built: 1975

Recording Date: 07/18/97

Building Sqr. Foot: 109,017

Document Type: Warranty

Bedrooms:

Sale Price: 10

Baths Full/Half: 0/0

Mill Levy: 66.591

Basement/Finished: 0/0

Lot Size: 327,000

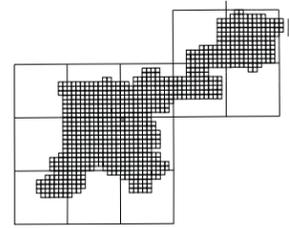
[Click here for current zoning](#)

Zoning Used for 2010 Valuation: R3

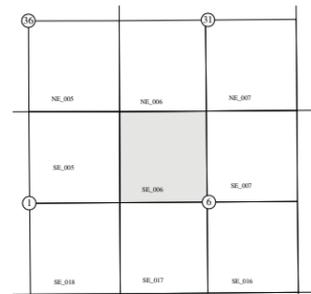
Note: Valuation zoning maybe different from City's new zoning code.

 [Print](#)

City and County of Denver Address Plat Map



Quarter Section Index



Surrounding Map sheets

SE_006

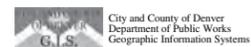
T04S R67W S06 NW



Scale 1" = 100'



Updated
05/05/09



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08/01/2011

2011-00018



Real Property Records

Date last updated: Wednesday, June 08, 2011

◀ Real Property Records Search

If you have a question about the value, ownership, or characteristics of this property, or any other property in Denver, please call the Assessor at 720-913-4162.

- [Link to real property information for this property](#)
 - [Link to comparable sales information for this property](#)
 - [Link to chain of title information for this property](#)
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- [Back to Property List](#)

The property description shown is data from the Assessor's active, in-progress 2011 file. The "current year" values are from the 2011 tax year for real property tax due in 2012. These values are based on the property's physical status as of January 1, 2011.

PROPERTY INFORMATION

Property Type: COMMERCIAL - MICS IMPROVEMENTS

Parcel: 0501120001000

Name and Address Information

Legal Description

NATIONAL JEWISH CENTER FOR
1400 JACKSON ST
DENVER, CO 80206-2761
Property Address: 1325 COLORADO BLVD

ALL OF BLK 219 CAPITOL AVE
SUB
L 1 TO 40 INC
Tax District DENV

Assessment Information

	Actual	Assessed	Exempt	Taxable
Current Year				
Land	6658500	1930970		
Improvements	39800	11540		
Total	6698300	1942510	1942510	0
Prior Year				
Land	1865200	540910		
Improvements	39800	11540		
Total	1905000	552450	552450	0

Style: Other
Year Built:
Building Sqr. Foot: 0
Bedrooms:
Baths Full/Half: 0/0
Basement/Finished: 0/0

Reception No.: 0000097627
Recording Date: 07/29/97
Document Type: Special Warranty
Sale Price: 950000
Mill Levy: 66.591

[Click here for current](#)

Lot Size: 124,870

[zoning](#)

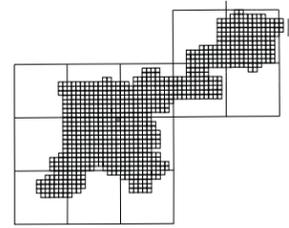
Zoning Used for
Valuation:

H2

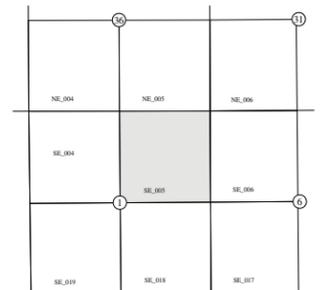
*Note: Valuation zoning
maybe different from
City's new zoning code.*

 [Print](#)

City and County of Denver Address Plat Map



Quarter Section Index



Surrounding Mapsets

SE_005

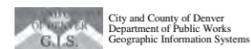
T04S R68W S01 NE



Scale 1" = 100'



Updated
05/05/09



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08/01/2011

2011-00018

Page 27 of 44



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

Following a vote of the Registered Neighborhood Organization, please complete this form and email to **RNOresponses@denvergov.org**. You may save the form in *.pdf format if needed for future reference. Questions may be directed to planning staff at rezoning@denvergov.org or by telephone at 720-865-2983.

Application Number	20111-00018
Location	4050 E 14th Ave. & 1325 Colorado Blvd. / Gove Middle School
Registered Neighborhood Organization Name	Congress Park Neighbors, Inc
Registered Contact Name	Brent Hladky
Contact Address	P.O. Box 18571, Denver CO, 80218
Contact E-Mail Address	president@congressparkneighbors.org
Date Submitted	08/09/2011

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

was held on , with members in attendance.

With a total of members voting,

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

voted to oppose the application; and

voted to abstain on the issue.

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

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

Application #

Comments: In addition the vote tally was divided by immediate and all other neighbors to National Jewish Health Immediate Neighbors (Colfax to 11th Ave, Colorado to Garfield):
 - In favor of rezoning: 1
 - Opposed to rezoning: 8
 All Other CPN Neighbors:
 - In favor of rezoning: 6
 - Opposed to rezoning: 3
 CPN Total:
 - In favor of rezoning: 7
 - Opposed to rezoning: 11

From: [Eleni Sarris](#)
To: [RNOresponses - CPD; Gleissner, Chris R. - Community Planning and Development](#)
Subject: Proposed Rezoning - Application #2011I-00018
Date: Wednesday, August 24, 2011 2:58:44 PM

Dear Mr. Gleissner,

I am writing to notify you of my strong opposition to the rezoning proposal sought by National Jewish Hospital. I, along with my neighbors on Jackson Street, believe that by altering the current zoning to allow for 20-story buildings in our neighborhood will increase traffic, noise, pollution, and crime in our residential neighborhood. In addition, studies have shown that this type of rezoning change will decrease our property values. When I attended the meetings put forth by the Colorado Hospital District, many of our concerns were left unanswered, such as how many new employees, visitors, and vendors will be on the site. How can we accommodate for this drastic change and density?

While I, like many others, are concerned about jobs in Denver, we don't think that our neighborhood was designed as a business center hub. Most our neighborhood is slated as R-2 zoning. We haven't heard anything from anyone about how either National Jewish or the City will address the issue of traffic, noise, crime, and congestion that multiple high-rise commercial buildings will bring, especially right near Teller elementary school where kids walk to school each day.

We already have vacant hospital sites located nearby as a result of the move of University Hospital, CU Health Sciences Center, and, soon, the Veterans Hospital. The proposed zoning change that National Jewish seeks is already in place on the University Hospital site. In addition, the area is mostly a hospital district rather than a residential one as our neighborhood is. It is abundantly clear that National Jewish has other options. We believe that this zoning proposal changes drastically the balance of residential and commercial interests. Allowing for this change will negatively impact the quality of life in our area. Congress Park has been and should remain a residential area rather than business district.

Thank you for your interest in this matter.

Eleni V. Sarris
720.276.9105 Direct

*Roger Harvey
1101 Harrison Street
Denver, CO 80206*

November 4, 2011

Chris Gleissner, Senior City Planner
Denver Planning Board
Community Planning and Development
Planning Services
Plan Implementation
201 W Colfax Ave, Dept 205
Denver, CO 80202

RE: Protests against CB11-0724 – Rezoning Application - Opposition to Zoning Map Amendment Application #20111-00018.

Dear Mr. Chris Gleissner and Denver Planning Board, Brad Buchanan, Chair:

I am writing to the City and County of Denver Planning Board to express my opposition to the zoning change National Jewish Hospital (NJH) is submitting for approval - Zoning Change: H-2 to CMP-H. I have no choice to oppose the entire zoning change because they are requesting a blanket change for two large areas concurrently. In reality I am not opposed to the Gove School change but, with this process if one part is erroneous then all must be opposed.

I live on 1101 Harrison Street, two blocks south of the currently zoned H-2 parcel and NJH parking lot and Urban Garden. I know many people that have plots in the garden and as a resident of Congress Park for 12 years am well aware of this Congress Park parcel, its current land-use, past land-use and potential re-zoning that is before you for increased scale, density and height.

In the NJH zoning application they discuss the "Vision" they have for their campus, but at every meeting NJH presents no vision at all. They show no development design, no scaling or massing design to see where the 20 story building will go or how it will look. They request from the city a blanket approval to do whatever they want with no consideration needed from neighbors after approval. This is not how a major re-zoning should occur. Under a PUD a design and master plan would be required showing scaling and building massing locations, there is none under this process.

Planning Dept. Staff states: "Rezoning this site will promote the continuing successful use and location of National Jewish Health providing direct benefit to the public health, safety and general welfare of the City." I do not believe this is a factual statement; there is no facts presented to support this statement. Below, I will outline facts that contradict this statement regarding the Congress Park Parcel.

I would like to discuss the history of this Congress Park parcel and NJH's history of poor design and employee circulation with little neighborhood consideration. One only has to look at the

scale of the existing surface lots, no structured parking at all and now NJH proposes more surface parking at Gove School. The design and layout of the relatively new employee surface parking lot on the Congress Park parcel is an example of terrible design and planning. Placing the Urban Garden along Colorado Blvd just feet from a 6 lane highway with the increased Carbon Monoxide emissions being breathed by the growers and the noise was a terrible design and placing an asphalt surface lot accessed along the residential Harrison Street. This directs all employee traffic to speed south along Harrison Street causing back-ups at stops signs and careless erratic speeding that makes it unsafe for my 9 year old daughter to be out front on Harrison Street. How in the world did this design get approved?

The circulation: the signalized crosswalk is along Colorado Blvd and 14th Street, but the parking lot was designed and located along Harrison Street all the employees of NJH jaywalk and cross 14th street every morning and night running out across 4 lanes of traffic and playing a game of Frogger with cars. The design and circulation is terrible and unsafe, this is currently the result of NJH's planning or complete lack of planning and now you wish to give them a blanket zoning with no planning or design to show or be approved by neighbors. Again, a success? How does Denver staff rate this as a success, what is their metrics, I was never asked nor was any other resident if this is a success. This statement is complete subjective nonsense and has no place whatsoever in this application. I would Like Mr. Gleissner to contact me and explain further why and how he came to the conclusion that this is a success. It shows a clear lack of knowledge and understanding of the history and current issues ongoing here.

This is not how public planning should be conducted and you should be very wary of NJH based on what they have done and you need to disregard the success statement as subjective.

They state higher density will be along Colorado Blvd but there is nothing whatsoever that will force them to actually construct this.

The existing zoning is H-2 on the Congress Park Parcel, it states in the Denver Zoning Code: "The H-2 district is intended to contain the peripheral area of each healthcare facility where there is abutment or close proximity to non-healthcare uses" . (b) The H-2 district is intended to promote and encourage the maintenance of existing and proposed healthcare facilities and their related uses in a manner that will establish and maintain reasonable balance between the need for orderly growth of healthcare facilities and the preservation and buffering of nearby residential areas. The district is intended to include generally the peripheral area of each healthcare facility where there is abutment or close proximity to nonhealthcare uses. (Ord. No. 361-03, § 3, eff. 5-23-03)

This zoning change is not about containment but about expansion of land-use into Congress Park, specifically against what the original zoning is intended for. An expansion of a 20 story building into Congress Park goes against Blueprint Denver and against the adopted Congress Park Neighborhood Plan. Even though Denver's Planning Department's interpretation says it does not, their interpretation is flawed. The Denver Planning Dept. quoted from NJH's Application:

"With the loss of the University Health Science Center, the neighborhood has experienced

a significant reduction in hospital uses serving the area. Rose Hospital, the VA hospital and National Jewish are the only remaining hospital uses in the area, with the VA intending to relocate in the near future. This rezoning application does not expand hospital zoned land on the west side of Colorado, consistent with the recommendations of the plan, instead capitalizing on the adjacent vacant Gove School site east of Colorado. The rezoning application is consistent with these plan recommendations”

Denver Planning Dept. has cherry picked sections of the plan and omitted important other sections in order to promote their biased view of this zoning change to promote approval. If ones reads the Plan it is obvious that the Planning Dept. has not been objective in its assessment of the Plan to conclude this zoning change does not go against the Plan. They conveniently omit all sections about respect for current scale and opposition to large scale development.

I will take quotes from the Congress Park Plan:

Congress Park Neighborhood Plan. The following goals may apply:

UD-2: “Create and reinforce buffers along the neighborhood borders and between residential and commercial areas.” (p. 35)

UD-3: “Hospital District: New structures should respect their old neighbors in terms of materials, scale, proportions, and detailing. Care should be taken to create structures that are “pedestrian friendly.” Through the use of landscaping, and attention to scale and structural detail at the pedestrian level, there should be created a sense of comfort, to reduce the impact of the large scale of the overall structure.” (p. 36)

ZG-2: “Contain all hospital development and related uses to and within currently zoned hospital districts only. Oppose additional hospital zoning and related uses including parking in adjacent residential areas. Eliminate nonconforming hospital and parking uses.” (p. 41) Additionally, this goal specifically states opposition to expansion of hospital uses west of Colorado Boulevard (p. 40).

“The Congress Park neighborhood is fully developed. As changes occur, it is important that these **changes remain consistent and complementary** with the existing neighborhood character. Congress Park’s residential qualities and sense of community are expressed by the neighborhood street image. The older homes, the diversity of housing stock and apartment types, the neighborhood commercial services, mature street trees, sidewalks, and front porch detailing all contribute to the community’s unique character and “pedestrian friendly” atmosphere that the residents value.

“Goal:

“Development should enhance the fabric of the neighborhood. **Large scale development that could harm the residential, historic character of the community shall be discouraged.”**

› **Goals**

- › To maintain the existing integrity of the residential character of Congress Park.

▸ To oppose hospital expansion outside the areas currently zoned for hospital uses west of Colorado Boulevard
Contain all hospital development and related uses to and within currently zoned hospital districts only. Oppose additional hospital zoning and related uses including parking in adjacent residential areas. Eliminate nonconforming hospital and parking uses.

“Colorado Boulevard Commercial District: The entire Colorado Boulevard area should be reviewed as a separate study to ultimately provide design guidelines for this district. This study should not only address the boulevard frontage and its mixture of higher density residential and commercial but should also address the transition to the adjacent lower density residential area.”

“Hospital District: New structures should respect their old neighbors in terms of materials, scale, proportions, and detailing. Care should be taken to create structures that are “pedestrian friendly.” Through the use of landscaping, and attention to scale and structural detail at the pedestrian level, there should be created a sense of comfort, to reduce the impact of the large scale of the overall structure.”

“Strongly oppose additional commercial and institutional zoning by other than the PUD process.” Why isn't the PUD process being utilized for this re-zoning?

Colorado Blvd Healthcare District Area Plan
III.C.2. “National Jewish Center development should concentrate larger, taller buildings in the center or along major arterials of the campus, with height and mass gradually decreasing towards the residential edge.”

There is nothing in this zoning that will prevent NJH to place 20 story buildings right up to single family residential, nothing at all, a blanket rezoning will give NJH the use by right.

To oppose hospital expansion outside the areas currently zoned for hospital uses west of Colorado Boulevard. How can this new zoning be interpreted as nothing less than expansion of use? This is within the currently zoned area but it is an expansion, Read the above H-2 district zoning explanation from Denver's own code. Additionally, numerous sections discuss how large scale development should be opposed. How can a 20 story building not be interpreted as large scale and how is possible that the Planning Dept could state that that is consistent with the Plan? Again, Mr. Gleissner an explanation is needed.

Denver Planning Dept. states in the application: “While not directly consistent with the mapped land use identified within Blueprint Denver, the location and proximity of the proposed map amendment to the identified Campus land use building block builds upon an existing demonstrated pattern within the neighborhood to enhance the functional role of the Campus Area of Stability.

From the Blueprint Denver Map: Areas of Change are shown, the expansion of use in Congress Park should take place along Colfax Ave., utilizing the Areas of Change, as stated in the Colorado Blvd. Healthcare District Area Plan, at the current campus site. How can a hospital needing this expansion still only have surface parking lots to serve its patients and staff? The

surface parking lot next to the current campus and Jackson and Colfax Ave. should be utilized for any scale and large story building – in the Area of Change. And along Colfax Ave. there has been vacant underutilized lots that NJH could use for expansion. This is the logical location for expansion and even Blueprint Denver shows this, why not BE consistent with an adopted plan rather than being “not directly consistent”, is that not what a adopted plan is for?

As you can see from the extensive above quoted sections from the Congress Park Neighborhood Plan it becomes very obvious that the Denver Planning Dept. does not have the best interests of the neighborhood in mind and is pushing this through for approval. I don't know how in good conscious they can say that this zoning change is consistent with the Plan. It is not, and they are going against their professional oath, obligations and requirements as objective city planners. This may be in the best interest of NJH and for economic benefits but as described above there are better options for NJH expansion.

If this zoning change is approved it will contradict and nullify at least three adopted planning documents. It negates and disqualifies the entire planning process and citizen input into creating documents to guide our great city. This zoning change should not be taken lightly it will set a dangerous precedence that adopted plans do not matter.

Thank you for consideration and time on this matter

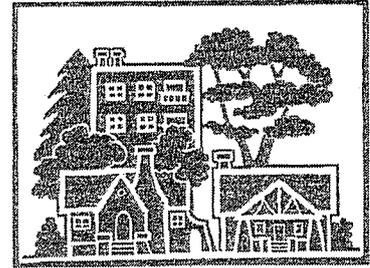
Sincerely:

A handwritten signature in blue ink, appearing to read "Roger Harvey". The signature is fluid and cursive, with a long horizontal stroke at the end.

Roger Harvey

Rachel: Send copy of this letter
to Don KORTZ - ASAP

Bellevue-Hale Neighborhood



Association

December 7, 2010

VIA EMAIL AND BY U.S. MAIL

P.O. Box 200084
Denver, CO 80220

Nate Easley, Jr.
Arturo Jimenez
Jeannie Kaplan
Bruce Hoyt
Andrea Mérida
Theresa Peña
Mary Seawell
c/o Denver Public Schools
900 Grant Street
Denver, CO 80203

Re: Gove Middle School property sale

Dear Board Members:

At your November 15, 2010 Work Session which addressed the "Gove Property Sale Process," you asked for input from the Bellevue-Hale neighborhood regarding the proposed disposition of the Gove property and whether the neighborhood would support National Jewish Hospital ("NJH") in its effort to acquire the property.

By way of background, the former Gove Middle School is located on an approximately seven (7) acre parcel of land bounded by 14th Avenue on the north, 13th Avenue on the south, Colorado Boulevard on the west, and Ash Street on the east. This in-fill site is the gateway to, and an integral part of, our historic Bellevue-Hale neighborhood, a predominantly single-family residential neighborhood in east Denver's District No. 10. Recently, the Denver City Council adopted a New Zoning Code and New Zoning Map covering all of Denver and revamping the City's long-term land use plan based on the goals set forth in Blueprint Denver. After significant discussion with and input from our neighborhood and representatives of Denver Public Schools ("DPS"), the eastern quarter of the Gove property was zoned U-SU-C (single-family residential) and the western three-fourths of the property was zoned G-MU-5 (multi-family residential). That remains the current zoning.

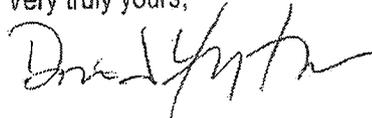
The Bellevue-Hale Neighborhood Association ("BHNA") recognizes that potential purchasers of the Gove property, including NJH, may seek to rezone the property to accommodate their proposed development. BHNA will not support any rezoning proposal which permits commercial or retail uses on all or any part of the property. Our position is based, in part, on the fact that the Gove property is in close proximity to both the University of Colorado Hospital ("CU Med Center") in-fill site which is being redeveloped at 9th Avenue and the Colorado Boulevard/Colfax Avenue intersection. Colfax Avenue already houses a significant number of commercial and retail establishments and, when redeveloped, the CU Med

Center site will do the same. We in Bellevue-Hale strongly support both the CU Med Center redevelopment and the City's efforts to revitalize Colfax Avenue. We believe that neither our neighborhood nor the City would benefit from any further retail or commercial use in our area nor do we believe that Colorado Boulevard can accommodate the additional traffic that would result from such development on the Gove property.

On other hand, we are supportive of NJH acquiring and rezoning the Gove property subject to the understandings described below. We believe that the property presents a unique opportunity for NJH that will not come again. We also believe that if NJH does not acquire the Gove property, the City is in danger of losing yet another hospital and a significant employer as NJH's main campus located on 17 acres at 14th Avenue and Colorado Boulevard is already at capacity, with no ability to expand that campus absent acquisition of the Gove property. That loss would negatively impact the Bellevue-Hale neighborhood as we would have a vacant and potentially blighted project as our immediate neighbor. It also would adversely impact DPS as you will likely lose a student base should NJH and its employees relocate outside of the City of Denver. Currently, NJH employs more than 1,600 people. NJH's acquisition of the Gove property and NJH's growth projections can only enhance the DPS student population, keeping in mind that Denver has recently lost the CU Med Center, Children's Hospital, the VA Hospital, and St. Anthony's Hospital.

Our willingness to support NJH is the result of our understanding, based on our discussions with NJH, that NJH is committed to working with the Bellevue-Hale Neighborhood Association and the other surrounding neighborhoods to assure that NJH's use and redevelopment of the Gove property, including the location, type, intensity, and design of future improvements on the property, will be compatible with, and become an asset to, our neighborhood. Together, we will work cooperatively and effectively to preserve and maintain the character of the Bellevue-Hale neighborhood while allowing NJH to expand and grow in a manner that is sensitive to our neighborhood interests thereby creating compatibility between our respective properties, all as envisioned by Blueprint Denver.

Very truly yours,



David Youngstrom, President

cc: Superintendent Tom Boasberg
Mayor John Hickenlooper
Deputy Mayor Bill Vidal
Councilwoman Jeanne Robb
Councilwoman Marcia Johnson
Councilwoman Carol Boigan
Councilman Doug Linkhart
Geri Reinardy
Peter Park
BHNA Board of Trustees

G:\1\WJH\Denver Public Schools Letter 12 07 10.doc

Ash Street Property Owners Group

c/o Wendy J. Harring

1340 Ash Street

Denver, CO 80220

Telephone: (303) 839-3850

Email: wharring@grimshawharring.com

June 12, 2011

Ron Berge, Chief Operating Officer
Geri Reinardy, Director of Public Affairs
National Jewish Hospital
1400 Jackson Street
Denver, CO 80206

Re: Proposed Gove Property Redevelopment by National Jewish Hospital ("NJH")

Dear Mr. Berge and Ms. Reinardy:

The Ash Street Property Owners Group ("APOG") is comprised of the eleven property owners facing west on Ash Street between 13th and 14th Avenues. We are the owners most impacted by the redevelopment of the Gove property. We are extremely concerned about the dramatic change of use proposed by NJH for the Gove property and the negative effect it could have on our property values and quality of life.

We are all owner-occupied, single-family homes. Many of our homes are more than 100 years old. We purchased our homes with Gove Middle School as our neighbor. The idea of a dramatic change of use, from a school to a multi-building, high-rise hospital facility, was never contemplated. We want to be assured that your proposed redevelopment will not have a material adverse affect on the residential integrity of our street and neighborhood, including our views and sunlight and the noise and safety on our residential streets.

Our concerns and objectives are simple and mirror those that any property owner would have when facing a similar redevelopment. They include:

- Maintaining a traditional, residential ambience that preserves the character of our neighborhood by creating compatibility between our historic homes and NJH's proposed redevelopment.
- Allowing for generous setbacks to promote a neighborhood atmosphere on all three residential sides of the site, recognizing that the easternmost portion of the property is currently zoned U-SU-C by the New Denver Zoning Code. *Our preference is that portion of the site remain open space devoted to the Gove Garden, retention/detention facilities, green space, landscaping buffers, and subsurface parking or some combination thereof.*
- Incorporating green space and other buffers into the design for the benefit of surrounding neighbors, NJH patients and employees and to assure appropriate transitions between different land uses.

- Preserving the mountain view-shed of the APOG properties on the east side of Ash Street.
- The impact of traffic patterns and increased traffic volume particularly on the residential side streets such as Ash and Albion. Access to and from the Gove property must take into account and respect the integrity of the existing residential neighborhood. Ingress to the site should be off of 14th Avenue and egress should be onto 13th Avenue.
- Minimizing traffic, noise, lighting levels, and light trespass.
- Assuring that the proposed redevelopment will be an asset to, and supportive of, our street and neighborhood.

You have stated that NJH and your design team will develop a master plan and a comprehensive site plan(s) which are dependent on donor contributions and your fund raising efforts. We encourage NJH to begin planning now for a creative and aesthetically beautiful design which takes into account the character, interests, and concerns of our neighborhood while still meeting the objectives of NJH. Of critical importance to us is the area on the west side of Ash Street which is now zoned U-SU-C (single-family residential). We believe that, in fact, it is your master plan which will precede and drive your fund raising efforts rather than vice versa, and that donors will expect and want assurances that the master plan is well thought out and has the full support of the neighbors.

Creative, green, and neighbor-friendly solutions will gain the vocal support of APOG and the community as a whole. There are great examples of challenging inner city locations being successfully integrated into surrounding neighborhoods. Our goal, which we trust you share, is that NJH be recognized for creating a world-class medical campus which meets the needs of your patients and supports NJH's mission statement while working with the impacted community to develop a renowned urban design solution along Ash Street.

As we look to the future, APOG believes that a master plan that carefully considers the surrounding neighborhood culturally, aesthetically, and environmentally and takes into account the vision of Blueprint Denver will be welcome on the Gove property.

You and your team have consistently and repeatedly assured us that NJH understands and will take into account our concerns and objectives and intends to be both a long-term and a good neighbor. However, we will not be comfortable moving forward with a major rezoning and the project in general until we have NJH's commitment that:

1. APOG will be consulted and have an active and meaningful voice in the development of your master plan and site plan(s), and
2. NJH work with us to develop conditions and commitments to ensure the compatibility we both seek and otherwise address the issues raised in this letter.

Ron Berge
Geri Reinardy
National Jewish Hospital
June 12, 2011
Page 3

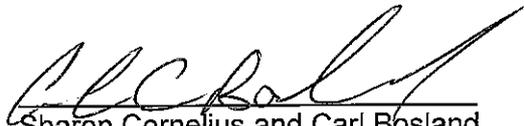
Those conditions/commitments should include APOG's right to approve any improvements proposed for the current U-SU-C zone lot. We expect those conditions and commitments to be in place before the public hearings on your rezoning application. We believe that what we are seeking from you is consistent with what any other neighborhood group so directly impacted would request from the developer of a project of this magnitude.

APOG has nominated the following property owners to represent the 11 property owners on Ash Street: Ben Brahinsky, Carl Bosland, Wendy Haring, Tim Tipton, and Cade Ross. All issues relating to Ash Street will be mediated by these individuals.

We look forward to having NJH as our neighbor. We were strong advocates for your purchase of the Gove property and we feel we can work together to meet all desired outcomes. Welcome to the neighborhood!

Very truly yours,

ASH STREET PROPERTY OWNERS GROUP


Sharon Cornelius and Carl Bosland
1390 Ash Street


Ben Brahinsky
1380 Ash Street


Martin and Nhan Kasemsan
1376 Ash Street

Doug Befort and Detrich Cooter
1368 Ash Street

Mark Musselman and Laura Barr
1364 Ash Street

Ron Berge
Geri Reinardy
National Jewish Hospital
June 12, 2011
Page 3

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Ron Berge
Gerl Reinhardy
National Jewish Hospital
June 12, 2011
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1390 Ash Street

Ben Brahinsky
1380 Ash Street

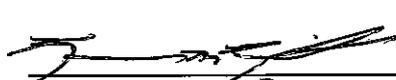
Martin and Nhan Kasemsan
1376 Ash Street

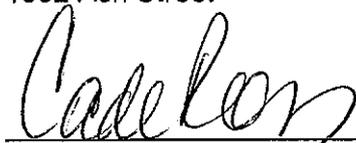

Doug Befort and Detroit Corder
1368 Ash Street

Mark Musselman and Laura Barr
1364 Ash Street

Ron Berge
Geri Reinardy
National Jewish Hospital
June 12, 2011
Page 4

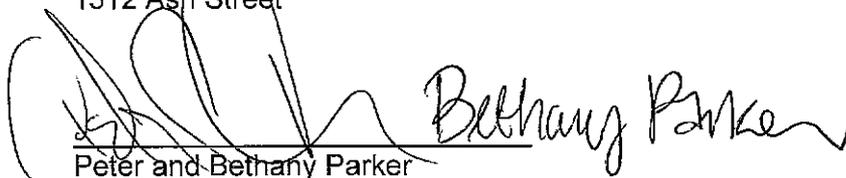

Wendy Haring and Tim Tipton
1340 Ash Street


Kevin and Marta Riebau
1332 Ash Street


Cade Ross
1324 Ash Street


Del and Linda Purdum
1318 Ash Street


Dale and Blanca Hopper
1312 Ash Street


Peter and Bethany Parker
1302 Ash Street

cc: Councilwoman Jeanne Robb
Peter Park
Marcus Pachner
Lynn Moore
Julie Eck
David Youngstrom, President BHNA
Marynell J. Wolff

Ron Berge
Geri Reinardy
National Jewish Hospital
June 12, 2011
Page 4

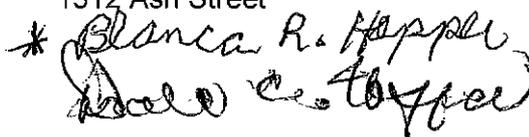
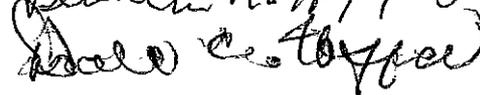
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Del and Linda Purdum
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Dale and Blanca Hopper
1312 Ash Street

* 
* 


Peter and Bethany Parker
1302 Ash Street

cc: Councilwoman Jeanne Robb
Peter Park
Marcus Pachner
Lynn Moore
Julie Eck
David Youngstrom, President BHNA
Marynell J. Wolff

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Julie Eck

From: Berge, Ron [BergeR@NJHealth.org]
Sent: Thursday, June 16, 2011 9:45 AM
To: 'Wendy J. Harring'
Cc: Robb, Jeanne - City Council Dist. #10; peter.park@denvergov.org; Marcus@ThePachnerCompany.com; Lynn Moore; Julie Eck; David Youngstrom; marynell.j.wolff@ubs.com; sharonccor@msn.com; carlcbosland@msn.com; Ben Brahinsky; martin_kasemsan@hotmail.com; Douglas J. Befort; dmcooter@msn.com; mark@mx5consulting.com; Laura Barr; Tim Tipton; Kevin Riebau; cade.ross@gmail.com; lindapurdum@comcast.net; pbs.parker@gmail.com; Reinardy, Geri; Salem, Michael; Marcus Pachner; Lynn Moore
Subject: RE: Letter from Ash Street property owners

Thursday June 16, 2011

Dear Wendy:

We have received your letter on behalf of Ash Street Property Owners Group ("APOG"). We also look forward to continuing our dialogue with APOG and working through the concerns outlined in your letter. Additionally, I know that Marcus Pachner has left you a message requesting additional meeting dates between National Jewish Health ("NJH") and APOG. It is our hope that we have initial meeting dates scheduled prior to the CBHD meeting today.

We sincerely appreciate the support of the surrounding neighbors of NJH over our 111 year history. Further, we are grateful to Bellevue Hale Neighborhood Association for their support of our acquisition of the Gove School property. We hope you recognize how much we value our mission and desire to remain in the location where, over our history, NJH has become one of the preeminent research hospitals in the country. We also recognize our stewardship obligations to the surrounding neighborhoods and believe we have demonstrated that throughout our tenure on our campus. In a condensed time frame (due to the nature of our contractual obligations with Denver Public Schools) NJH has participated, presented and worked cooperatively at numerous CBHD meetings, three CBHD Gove School Subcommittee meetings; and two Ash Street neighbors meetings. Additionally, we have worked with the individual neighborhood organizations (Congress Park & Bellevue Hale) and we have met numerous times with individual neighbors and stakeholders. Lastly, we have remained vigilant in inviting APOG members to all public presentation on the rezoning. We have established a strong precedent of working with our neighbors and want to continue that commitment.

As we have discussed in all of the meetings, we will file our rezoning application on Friday, June 17, 2011. Our options regarding zoning classifications are limited to the two zone districts that we have described and are seeking for the Gove School property. As you noted in your letter, and we agree with, we will continue to work together on issues outside of the zoning application prior to the Public Hearing at Denver City Council to be held in late fall of 2011. Again, we appreciate APOG's collaboration and look forward to your continued and important contributions to NJH.

Respectfully,

Ron Berge
EVP and COO
National Jewish Health

-----Original Message-----

From: Wendy J. Harring [mailto:wharring@grimshawharring.com]
Sent: Monday, June 13, 2011 3:01 PM
To: Berge, Ron; Reinardy, Geri
Cc: Robb, Jeanne - City Council Dist. #10; peter.park@denvergov.org; Marcus@ThePachnerCompany.com; lynn.moore@davispartnership.com; julie.eck@davispartnership.com; David Youngstrom; marynell.j.wolff@ubs.com;

sharonccor@msn.com; carlbosland@msn.com; Ben Brahinsky; martin_kasemsan@hotmail.com; Douglas J. Befort; dmcooter@msn.com; mark@mx5consulting.com; Laura Barr; Tim Tipton; Kevin Riebau; cade.ross@gmail.com; lindapurdum@comcast.net; pbs.parker@gmail.com
Subject: Letter from Ash Street property owners

Ron and Geri,

On behalf of the Ash Street Property Owners Group, please see the letter to you attached to this email re the Gove property. This letter has the support of, and was drafted based upon input from, the 11 owners on Ash Street. Although Mark Musselman and Laura Barr are in agreement with the letter, they are out of town on vacation so we will not have their signatures until they return. We look forward to meeting with you and your team to discuss the specifics of this letter.

Regards,
Wendy

Wendy J. Harring
Grimshaw & Harring, P.C.
1700 Lincoln Street, Suite 3800
Denver, CO 80203
(303) 839-3850 (direct)
(303) 839-3800 (main)
(303) 839-3838 (fax)
wharring@grimshawharring.com
www.grimshawharring.com

-----Original Message-----

From: administrator@grimshawharring.com
[mailto:administrator@grimshawharring.com]
Sent: Monday, June 13, 2011 1:32 PM
To: Wendy J. Harring
Subject: Scanned image from Sharp_Kitchen

Reply to: administrator@grimshawharring.com <administrator@grimshawharring.com>
Device Name: Sharp_Kitchen
Device Model: MX-7001N
Location: Outside of Main Kitchen

File Format: PDF MMR(G4)
Resolution: 200dpi x 200dpi

Attached file is scanned image in PDF format.

Use Acrobat(R)Reader4.0 or later version, or Adobe(R)Reader(TM) of Adobe Systems Incorporated to view the document.

Acrobat(R)Reader4.0 or later version, or Adobe(R)Reader(TM) can be downloaded from the following URL:

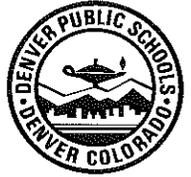
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Denver Public Schools

CHIEF OPERATING OFFICER

Tel 720-423-3200

www.dpsk12.org



June 7, 2011

City and County of Denver
Community Planning and Development
Planning Services
Plan Implementation
201 S. Colfax Avenue, Department 205
Denver, Colorado 80202

RE: Application of Zone Map Amendment

Dear Members of the Planning Board, Special Committees and City Council:

This letter is in support of the Application for Zone Map Amendment for the Gove Community School Property (4050 East 14th Avenue, Denver, Colorado) submitted by National Jewish Health on, or about, June 17, 2011.

Please be advised that the School District No. 1 in the City and County of Denver and State of Colorado (Denver Public Schools) closed on the sale of the Gove Middle School property to National Jewish Health on May 23, 2011. Therefore, National Jewish Health is the owner of record which is why they are submitting the zone map amendment.

Denver Public School is in full support of National Jewish Health's zone map amendment application.

Sincerely,

David Suppes
Chief Operating Officer

June 16, 2011

City and County of Denver
Community Planning and Development
201 West Colfax Avenue, Department 209
Denver CO 80202

RE: Support for National Jewish Health Property Rezoning - Gove School Property

Dear Members of the Planning Board, Blueprint Denver and City Council:

On behalf of Colorado Boulevard Health District (CBHD), we are writing to express our support for National Jewish Health's (NJH) request to rezone the Gove Middle School property located at E. 13th & E. 14th and Colorado Boulevard and Ash Street. The Gove property is shown on the attached Exhibit A. This request specifically includes the following:

Proposed Zoning Change:

Intent to change the zoning of the larger portion of the Gove property (bounded by 13th & 14th Avenues and Colorado Boulevard) from G-MU-5 to CMP-H, and the smaller portion of the property (bounded by 13th & 14th Avenues and Ash Street) from U-SU-C zone lot to CMP-H2. The purpose of this request is to get zoning in place that will support the development of this property for medical uses. National Jewish Health would like to develop facilities in support of their mission as a preeminent international healthcare provider and research facility, including facilities for patient care (in-patient and out-patient), research and education. The CBHD understands that the purchase of the Gove School property by NJH from Denver Public Schools is contingent on obtaining zoning that will support healthcare/medical uses.

Since early April of this year, NJH has been working collaboratively with local neighborhood associations, individuals, Denver City Council members, and the CBHD. Our Board created a subcommittee to work with the surrounding neighborhood organizations to formulate the proper zoning for this site. The subcommittee initially recommended approval and then the CBHD Board voted on the rezoning. The Colorado Boulevard Healthcare District supports this rezoning application and applauds NJH for their commitment to remain and grow in Denver.

We urge the City and County of Denver to approve this request as submitted by National Jewish Health and are available to answer any questions you may have.

Sincerely,


Mary Nell Wolff, Chairperson
Colorado Boulevard Healthcare District

June 16, 2011

Denver Planning Board, Special Committees and Honorable City Council Members

City & County of Denver

201 West Colfax Avenue, Department 209

Denver CO 80202

RE: Support for National Jewish Health Property Rezoning - Harrison Property

Dear Members of the Planning Board, Blueprint Denver and City Council:

On behalf of Colorado Boulevard Health District Advisory Board (CBHD), we are writing to express our support for National Jewish Health's (NJH) request to rezone the Harrison Street property located at E. 13th & E. 14th and Colorado Boulevard and Harrison Street. The Harrison property is shown on the attached Exhibit A. This request specifically includes the following:

Proposed Zoning Change:

Intent to change the zoning of this city block from H-2 with Waivers & Conditions (former Denver Zoning Code) to CMP-H. The purpose of this request is to modify the zoning to support more density in medical development along the Colorado Boulevard corridor while respecting the small portion of the property that is adjacent to a single family residential neighborhood. NJH's existing commitment to provide public open space currently utilized by Denver Urban Gardens will be honored on this site in the event of any future development on this parcel.

Since early April of this year, NJH has been working collaboratively with local neighborhood associations, individuals, Denver City Council members, and the CBHD. Our Board created a subcommittee to work with the surrounding neighborhood organizations to formulate the proper zoning for this site. The subcommittee initially recommended approval and then the CBHD Board voted on the rezoning. The Colorado Boulevard Healthcare District supports this rezoning application and applauds NJH for their commitment to remain and grow in Denver.

We urge the City and County of Denver to approve this request as submitted by National Jewish Health and are available to answer any questions you may have.

Sincerely,



Mary Nell Wolff, Chairperson

Colorado Boulevard Healthcare District