

# ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at [MileHighOrdinance@DenverGov.org](mailto:MileHighOrdinance@DenverGov.org) by 9 a.m. Friday. Contact the Mayor's Legislative team with questions

Please mark one:  Bill Request or  Resolution Request Date of Request: 8/30/2024

Please mark one: The request directly impacts developments, projects, contracts, resolutions, or bills that involve property and impact within .5 miles of the South Platte River from Denver's northern to southern boundary? (Check map [HERE](#))

Yes  No

## 1. Type of Request:

Contract/Grant Agreement  Intergovernmental Agreement (IGA)  Rezoning/Text Amendment

Dedication/Vacation  Appropriation/Supplemental  DRMC Change

Other:

2. **Title:** (Start with *approves, amends, dedicates*, etc., include name of company or contractor and indicate the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)

Approves a first amendment to the River Mile Rezoning Development Agreement between the City and KSE Elitch Gardens / Revesco / Second City, LLLP to extend the current end date of the provision of vested property rights from December 2038 to June 30, 2050.

3. **Requesting Agency:** Community Planning and Development

## 4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution (e.g., subject matter expert)	Contact person for council members or mayor-council
Name: Jill Jennings Golich	Name: Jill Jennings Golich
Email: <a href="mailto:Jill.jenningsgolich@denvergov.org">Jill.jenningsgolich@denvergov.org</a>	Email: <a href="mailto:Jill.jenningsgolich@denvergov.org">Jill.jenningsgolich@denvergov.org</a>

## 5. General description or background of proposed request. Attach executive summary if more space needed:

The River Mile development agreement contains specific requirements for the development of the River Mile property (current location of Elitch Gardens) and included a vesting of certain zoning and open space requirements for a period of 20 years which ends in December 2038. In exchange for an extended commitment for the Arena and NBA and NHL teams to stay on the site until June 30, 2050 (per the companion Amended and Restated Denver Arena Agreement Including Basketball and Hockey Commitments), the term of the vested rights is requested to be increased to match the timeframe of the arena commitment. This first amendment applies only to the vesting of property rights provision in the development agreement to delete the 2<sup>nd</sup> and 3<sup>rd</sup> sentence of Section 14 and shall say "Developer and City agree that the vested property rights established under this Agreement shall commence on the Effective Date and shall continue until June 30, 2050 (the "Vesting Period").

Additional language is added to this First Amendment to note that it is contingent with the First Amendment to the Arena Trust agreement, and contains approval contingency language that the effectiveness of the First Amendment is contingent upon the City's approval of the KSE Arena Development Agreement for Ball Arena and the First Amendment to Amended and Restated Denver Arena Agreement Including Basketball and Hockey Commitments.

The River Mile project is located in downtown Denver and is bounded by Interstate 25 to the south, South Platte River to the west, Speer Boulevard to the north, and the Consolidated Main Line to the east.

*To be completed by Mayor's Legislative Team:*

Resolution/Bill Number: \_\_\_\_\_

Date Entered: \_\_\_\_\_

The River Mile Rezoning Development Agreement between the City and KSE Elitch Gardens / Revesco / Second City, LLLP which was originally approved by City Council dated December 20, 2018 and found under Reception Number 2019170892.

- 6. **City Attorney assigned to this request (if applicable):** Gaby Corica
  
- 7. **City Council District:** 3
  
- 8. **\*\*For all contracts, fill out and submit accompanying Key Contract Terms worksheet\*\***

### Key Contract Terms

**Type of Contract: (e.g. Professional Services > \$500K; IGA/Grant Agreement, Sale or Lease of Real Property):**  
Development Agreement

**Vendor/Contractor Name (including any dba’s):** KSE Elitch Gardens / Revesco / Second City, LLLP

**Contract control number (legacy and new):**  
CPLAN-201845729-00 – existing development agreement  
TBD - 1<sup>st</sup> amendment

**Location:** KSE Elitch Gardens / Revesco / Second City, LLLP  
Revesco Properties  
2731 17<sup>th</sup> St, Suite 300  
Denver, CO 80211

**Is this a new contract?**  Yes  No **Is this an Amendment?**  Yes  No **If yes, how many?** 1

**Contract Term/Duration (for amended contracts, include existing term dates and amended dates):**  
The first amendment to the development agreement extends the current end date of the provision of vested property rights from December 2038 to June 30, 2050. There are no changes to any other provisions.

**Contract Amount (indicate existing amount, amended amount and new contract total):**

<i>Current Contract Amount</i>	<i>Additional Funds</i>	<i>Total Contract Amount</i>
(A)	(B)	(A+B)

  

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
12/2018-12/2038	12 years	12/2050

**Scope of work:**

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**Was this contractor selected by competitive process?** No **If not, why not?** This is a development agreement outlining requirements or development of a property with parties who own or have jurisdiction over the subject property.

**Has this contractor provided these services to the City before?**  Yes  No  
N/A

**Source of funds:** N/A

**Is this contract subject to:**  W/MBE  DBE  SBE  XO101  ACDBE  N/A

**WBE/MBE/DBE commitments (construction, design, Airport concession contracts):** N/A

**Who are the subcontractors to this contract?** N/A

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