



TO: Land Use, Transportation, and Infrastructure Committee of the Denver City Council
FROM: Libbie Adams, AICP, Senior City Planner
DATE: April 14, 2022
RE: Official Zoning Map Amendment Application #2021I-00205

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2021I-00205.

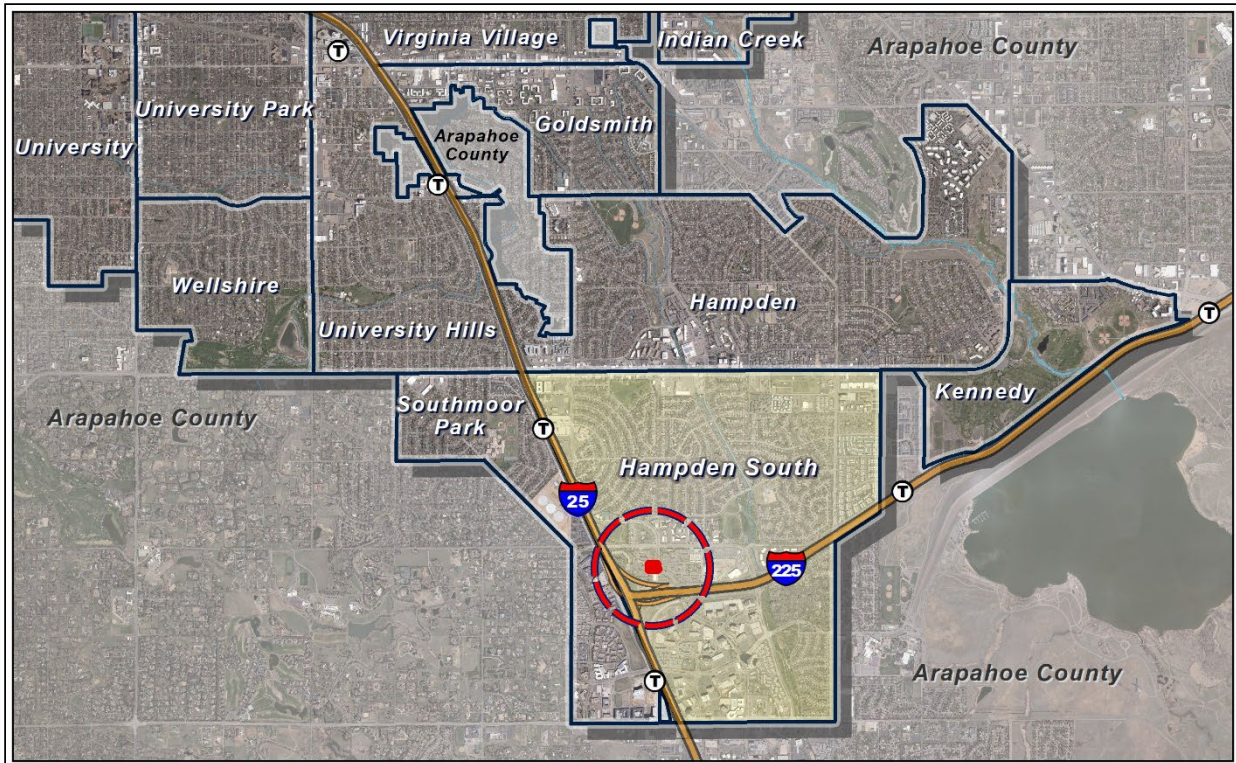
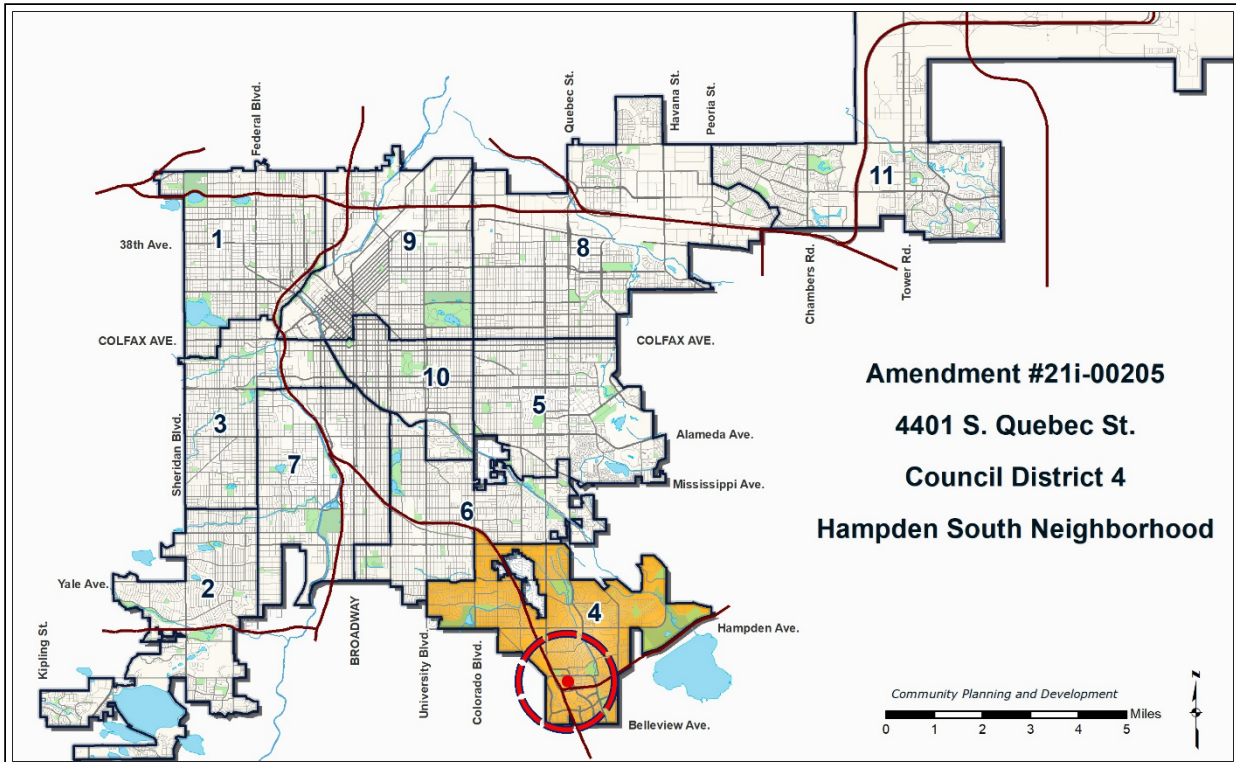
Request for Rezoning

Address: 4401 S. Quebec St
Neighborhood/Council District: Hampden South / Council District 4
RNOs: District 4 Neighborhood Coalition, Inc., Inter-Neighborhood cooperation (INC), Denver for ALL
Area of Property: 46,387 square feet or 1.07 acres
Current Zoning: PUD 206
Proposed Zoning: S-MX-5
Property Owner(s): EWL Plaza, LLC
Owner Representative: Allison Hibbs, Plan West Inc.

Summary of Rezoning Request

- The subject property contains a three-story office building located along South Quebec Street just north of I-225.
- The applicant is requesting this rezoning to remove the property from the Former Chapter 59 PUD and to expand the existing mental health counseling services to include a limited amount of overnight stay.
- The proposed S-MX-5, Suburban, Mixed Use, 5 stories zone district is intended for use in the Suburban Neighborhood Context which is characterized by single-unit and multi-unit residential, commercial strips and centers, and office parks. Commercial buildings are typically separated from residential and consist of Shopfront and General building forms. Further details of the requested zone district can be found in the proposed zone district section of the staff report (below) and in Article 3 of the Denver Zoning Code (DZC).

Existing Context





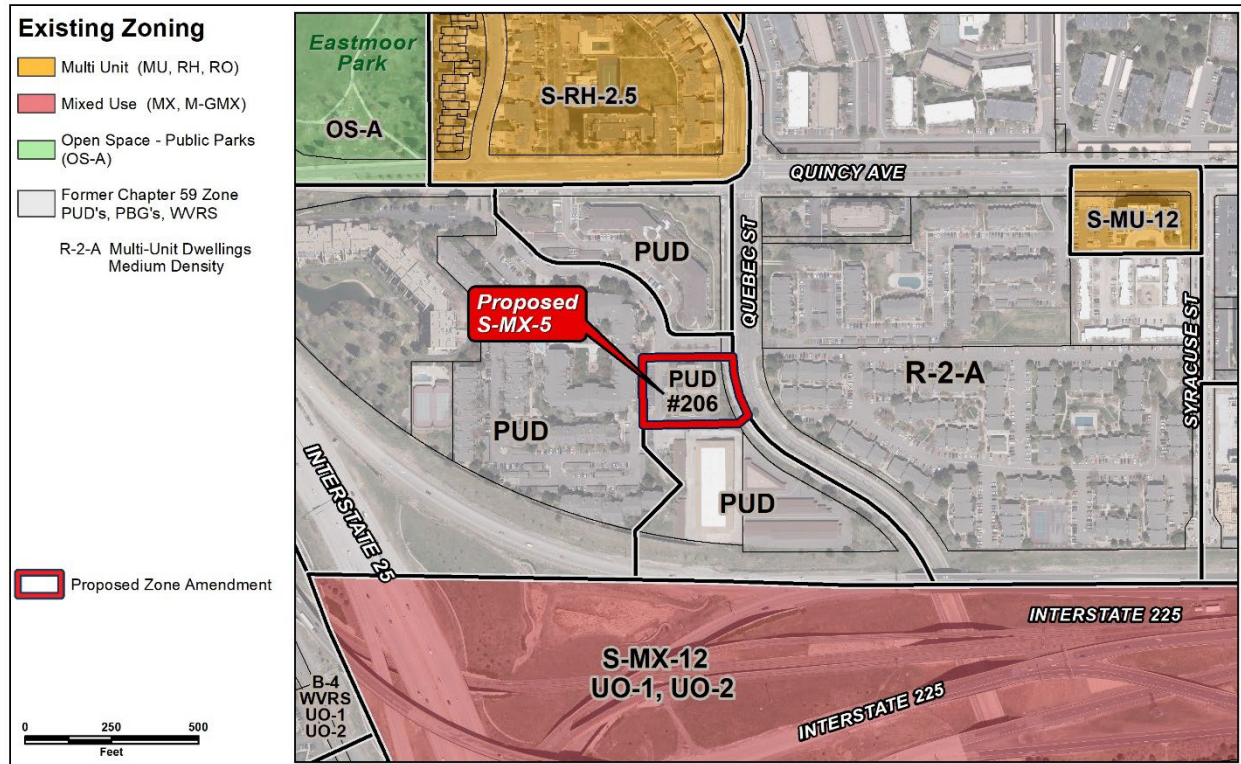
The subject property is in the Hampden South statistical neighborhood, which is characterized primarily by commercial and multi-unit residential uses along the Quincy corridor and more single-unit uses in the northern portion of the neighborhood. Generally, there is a pattern of irregular blocks with curvilinear streets and no alley access. The subject site is accessible by South Quebec Street just north of Interstate 225. Bus Routes 65 runs from the Denver Tech Center to Central Park along S. Quebec St. and Monaco Pkwy. a 30-minute headway.

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

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	PUD 206	Commercial/Retail	3-story office building with access from a private road.	Block sizes and shapes are irregular with curving streets.
North	PUD 424	Multi-unit Residential	3-story apartment building with generous setbacks and surface parking behind the building.	
South	PUD 207	Commercial/Retail	1-story self-storage facility	
East	R-2-A	Multi-unit Residential	2-story apartment building with generous setbacks and access from a private road.	

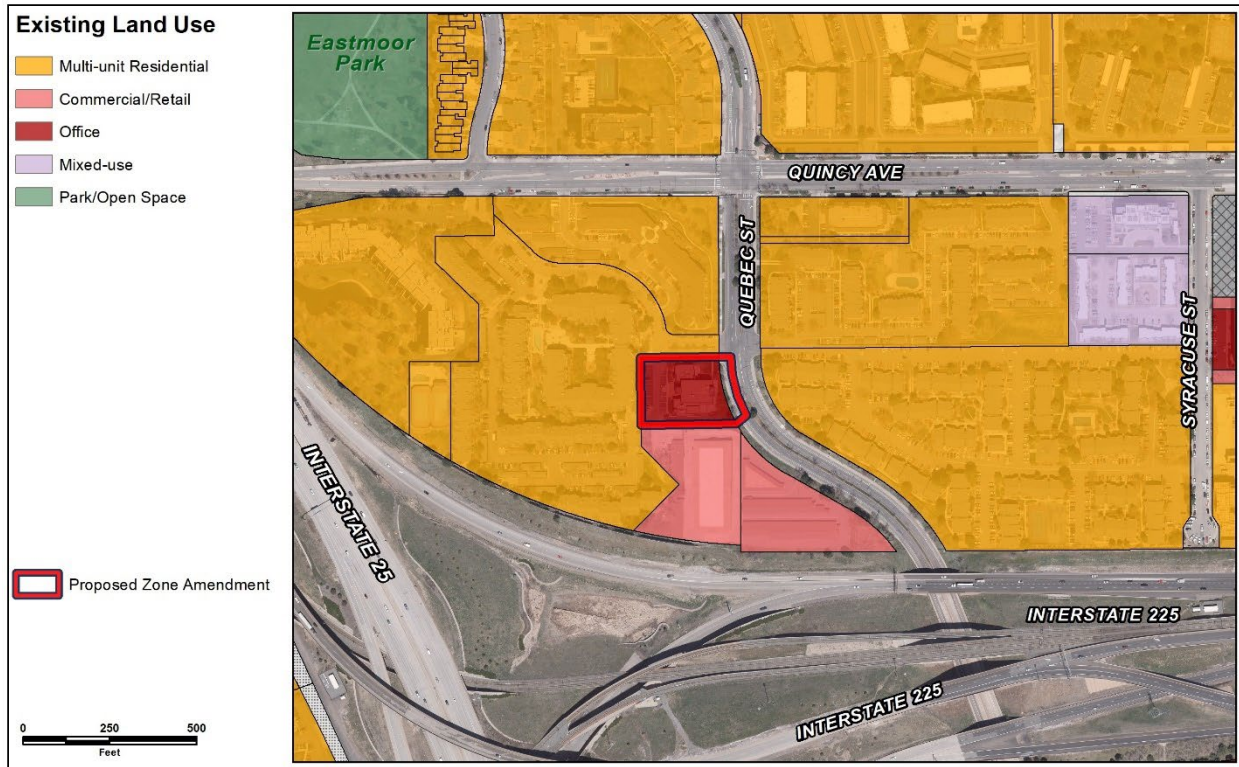
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
West	PUD 168	Multi-unit Residential	4-story apartment complex with surface parking and access from a private road.	

1. Existing Zoning



The existing zoning on the subject property, approved in 1986, is PUD 206. This custom zoning is tailored to the current users and existing structures, like most PUDs written before the adoption of the Denver Zoning Code. The intent of the PUD was to allow an office and/or retail center to include personal services and athletic club facility. The PUD allows a maximum gross floor area of 46,501 square feet for all permitted uses and a Floor Area Ratio of 1:1. A maximum height of 5 stories or 65 feet, and a minimum of 8-foot setbacks from the front and side streets is permitted. More details of the custom zoning can be found in the PUD document.

Existing Land Use Map



2. Existing Building Form and Scale (Source for all photos: Google Maps)



View of property looking west.



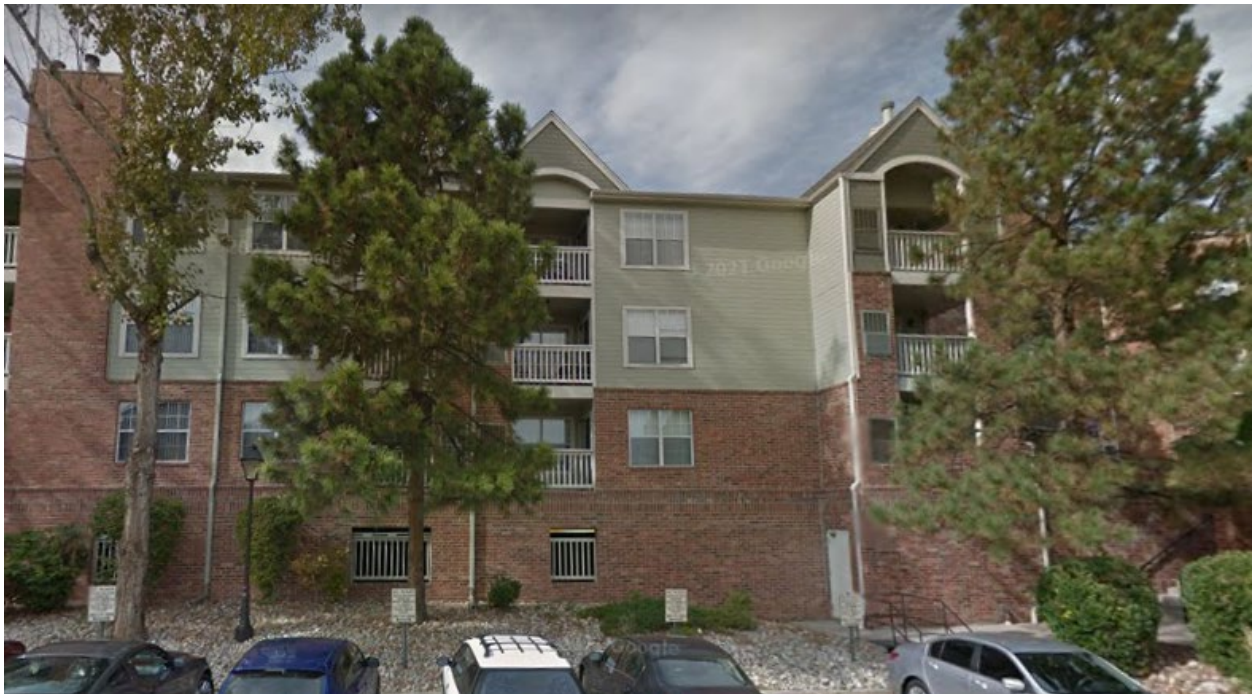
View of the property to the north looking west.



View of the property to the east, looking east.



View of the property to the south, looking west.



View of the property to the west, looking west.

Proposed Zoning

The S-MX-5 is a mixed use zone district that allows the Drive Thru Services, Drive Thru Restaurant, General, and Shopfront building forms. A variety of residential, commercial, retail, and office uses are permitted as primary uses in the S-MX-5 district. More specifically, medical office uses, including overnight stays, is permitted within the proposed district. Compared to PUD 206, S-MX-5 is a district in the Denver Zoning Code and includes design standards and height maximums instead of a Floor Area Ratio.

S-MX-5 has a maximum height of 70 feet with allowable exceptions and a minimum front setback of 0 feet.

The primary building forms allowed in the existing zone district and the proposed zone district are summarized below.

Design Standards	PUD 206 (Existing)	S-MX-5 (Proposed)
Primary Building Forms Allowed	N/A	Drive Thru Services, Drive Thru Restaurant, General, Shopfront
Height in Stories/Feed (max)	5 stories / 65 feet	5 stories / 70 feet
Primary Street Build-To Percentages (min)	N/A	n/a (drive thru services); 50% (drive thru restaurant, general); 75% (shopfront)
Primary Street Build-To Ranges	N/A	0-80' (drive thru restaurant, general); 0'-5' (shopfront)
Maximum Square Footage and FAR	46,501 square feet and 1:1 FAR	N/A
Maximum Building Coverage	16,275 or 35% of site	N/A
Primary Street (Min.)	8 feet	0 feet
Side Interior Setback (Min.) *	8 feet	0 feet
Surface Parking between building and Primary Street/Side Street	Allowed/Allowed	Allowed/Allowed

Summary of City Agency Referral Comments

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

Assessor: Approved – No Response

Asset Management: Approved – No Comments

Denver Public Schools: Approved – No Response

Department of Public Health and Environment: Approved – No Comments

Denver Parks and Recreation: Approved – No Comments

Transportation & Infrastructure – R.O.W.- City Surveyor: Approved – No Comments

Development Services – Project Coordination: Approved – No Comments

Development Services – Fire Protection: Approved – No Response

Development Services – Transportation: Approved – No Response

Development Services- Wastewater: Approved – No Comments

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	12/22/2021
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	03/22/2022
Planning Board public hearing (Planning Board unanimously recommend approval):	04/06/2022
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:	04/04/2022
Land Use, Transportation and Infrastructure Committee of the City Council:	04/19/2022
Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations (tentative):	05/16/2022
City Council Public Hearing (tentative):	07/06/2022

- **Registered Neighborhood Organizations (RNOs)**
 - To date, staff has not received any comments from registered neighborhood organizations.
- **Other Public Comment**
 - To date, staff has received no comments from neighboring property owners.

Criteria for Review / Staff Evaluation

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

DZC Section 12.4.10.7

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

DZC Section 12.4.10.8

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

1. Consistency with Adopted Plans

The following adopted plans apply to this application:

- Denver Comprehensive Plan 2040 (2019)
- Blueprint Denver (2019)

Denver Comprehensive Plan 2040

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, including:

- Equitable, Affordable and Inclusive Goal 1 – “Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities” (p. 28).

S-MX-5 allows for residential, commercial, and office uses, which will allow for a variety of amenities and basic services for nearby residents.

- Strong and Authentic Neighborhoods Goal 1, Strategy D – “Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities” (p. 34).

S-MX-5 expands the permitted uses on the site which could lead to an increase in amenities. The design standards will ensure any proposed use or development is consistent with the surrounding neighborhood.

- Environmentally Resilient Goal 8, Strategy B – “Encourage mixed-use communities where residents can live, work and play in their own neighborhoods” (p. 54).

The proposed map amendment will allow a mixed-use development in an area where uses are largely separated from each other with a single land use on each lot. S-MX-5 permits a variety of uses on a single lot, which allows Denver to grow responsibly and promotes land conservation.

Blueprint Denver

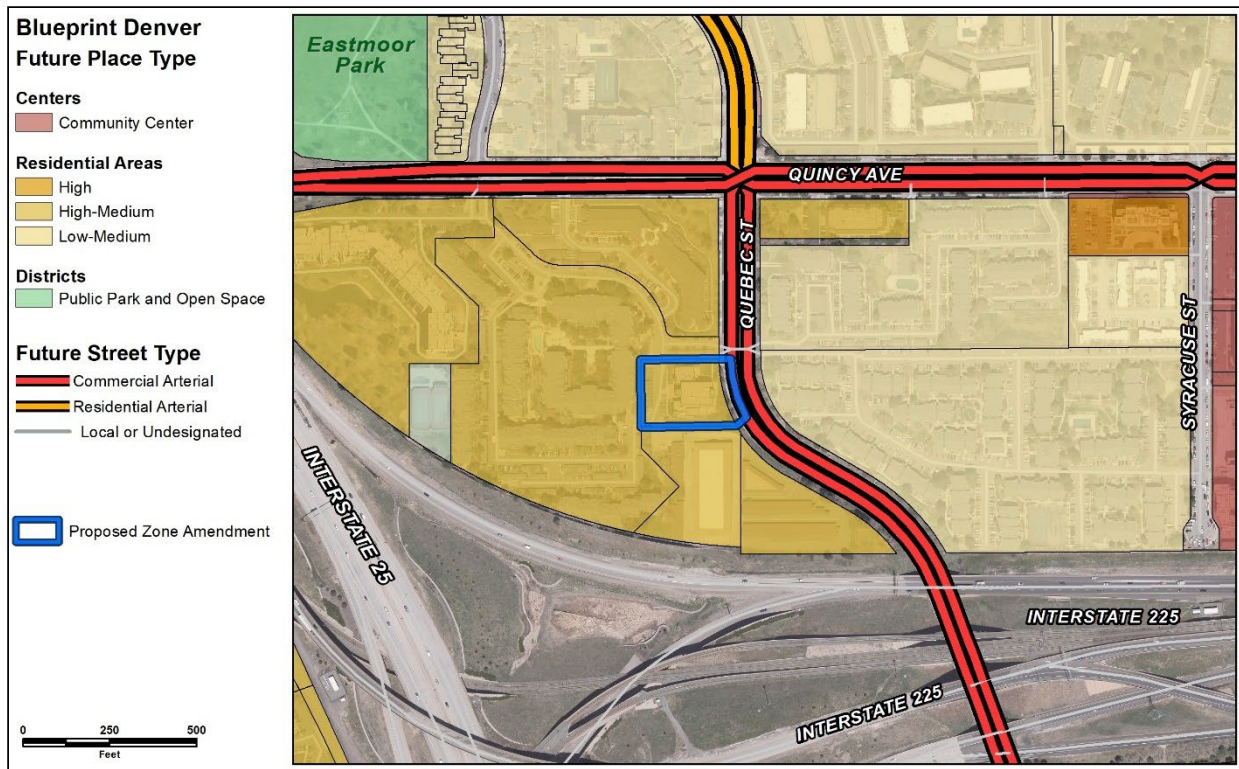
Blueprint Denver was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city’s land use and transportation decisions. *Blueprint Denver* identifies the subject property as part of a Community Corridor place type within the Suburban Neighborhood Context and provides guidance on the future growth strategy for the city.

Blueprint Denver Future Neighborhood Context



In *Blueprint Denver*, future neighborhood contexts are used to help understand differences between land use, built form, and mobility at a high scale, between neighborhoods. The subject site is shown on the context map as the Suburban neighborhood context, the description of which is used to guide appropriate zone districts (p. 66). The Suburban neighborhood context is described as a “range of uses from single-unit and multi-unit residential to commercial corridors and centers” with irregular block patterns with curvilinear streets (p. 136). While the Suburban context is more auto oriented than the other neighborhood contexts, “Denver’s suburban areas are still more urban in nature and suburban places should reflect that” (p. 189). S-MX-5 is a zone district within the Suburban neighborhood context and is “intended to promote safe, active, pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping and public gathering within and around the city’s neighborhoods” (DZC 3.2.4.1). S-MX-5 is consistent with the Blueprint future neighborhood context of Suburban because it will promote Blueprint’s aspiration of making suburban places more urban in nature by encouraging a more walkable community.

Blueprint Denver Future Places

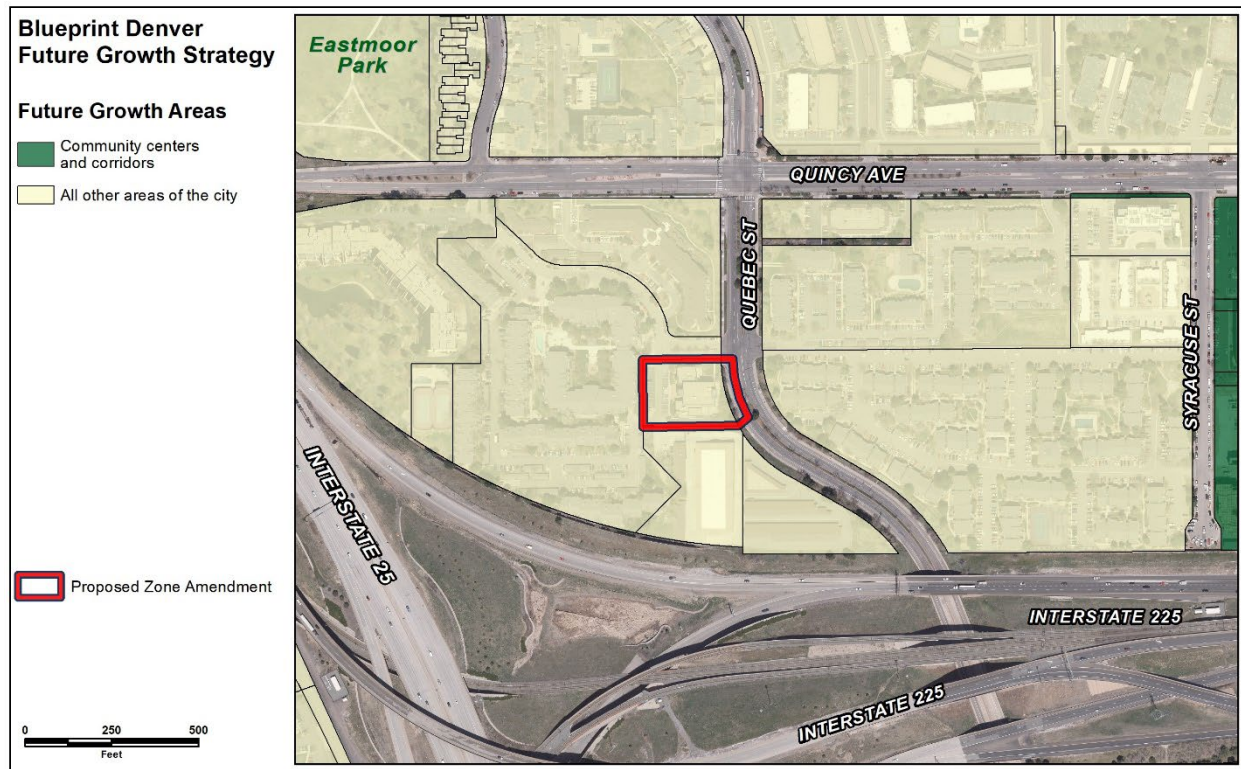


The subject site is designated within a High – Medium Residential future place type on the *Blueprint Denver* Future Places map. This place type “contains a mix of medium-scale, multi-unit residential types and can accommodate compatible commercial/retail uses” (p. 201) with buildings up to 5 stories. S-MX-5 allows for office, retail, and residential uses, which are compatible with the surrounding multi-unit residential uses and will provide a buffer between the commercial self-storage use to the south and the multi-unit residential uses to the north and west. The maximum height permitted in the S-MX-5 district is 5 stories, consistent with the guidance of up to 5 stories described in the High-Medium Residential Future Place Type. Additionally, the property is currently used as an office, and the proposed rezoning will allow the existing business to expand their office uses.

Blueprint Denver Street Types

In *Blueprint Denver*, street types work together with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). *Blueprint Denver* classifies S. Quebec St. as a Commercial Arterial street. “Arterial streets are designed for the highest amount of through movement and the lowest degree of property access” (p. 154), and commercial streets “typically contain commercial uses including shopping centers, auto services and offices” (p. 159). The proposed S-MX-5 district is consistent with this description because it allows for a mix of uses, including office and retail uses. Additionally, in DZC 3.2.4.2.E, “S-MX-5 applies to areas or intersections served primarily by collector or arterial streets,” and this area is largely served by arterial streets including S. Quebec St. and Quincy Ave.

Blueprint Denver Growth Strategy



Blueprint Denver's growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject property is part of the "All other areas of the city" growth area. These areas anticipate experiencing around 20% of new housing growth and 10% of new employment growth by 2040 (p. 51). This growth area is "where underutilized infill redevelopment sites can be repurposed" (p. 49). The proposed map amendment to S-MX-5 will allow more uses on the site than the existing PUD allows, which may increase the residential and job opportunities in the area.

Blueprint Denver Policies

- Land Use & Built Form: General, Policy 3, Strategy A: Rezone properties from the Former Chapter 59 zoning code so that the entire city is covered by the DZC, including continuing to incentivize owners to come out of the old code (p. 73).

The proposed S-MX-5 district is a district within the Denver Zoning Code and will bring the property at 4401 S. Quebec St. from the Former Chapter 59 code to the Denver Zoning Code, consistent with this strategy.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to S-MX-5 will result in the uniform application of zone district building form, use, and design regulations.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City through implementation of the city's adopted land use plan which recommends "rezon[ing] properties from the Former Chapter 59 zoning code so that the entire city is covered by the DZC" (p. 73).

Compared to the current PUD 206, a mixed-use district such as S-MX-5 also facilitates increased density and a greater mix of uses. The improved design standards found in the S-MX-5 district, may lead to improved design outcomes along S. Quebec St. with stronger build-to and decreased setback standards.

4. Justifying Circumstance

The application identifies the adoption of *Blueprint Denver* as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, "Since the date of the approval of the existing Zone District, there has been a change to such as degree that the proposed rezoning is in the public interest. Such a change may include: Changed or changing conditions in a particular area, or in the city generally; or a city adopted plan; or that the city adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning."

The current zoning of PUD 206 is a Former Chapter 59 zone district and rezoning to S-MX-5 will bring the property under the regulations of the Denver Zoning Code. Therefore, this is an appropriate justifying circumstance for the proposed rezoning.

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

The requested S-MX-5 zone district is within the Suburban Neighborhood Context. This neighborhood context is "characterized by single-unit and multi-unit residential, commercial strips and centers, and office parks" and "commercial buildings are typically separated from residential and consist of Shopfront and General forms" (DZC, Division 3.1.1). These areas consist of "an irregular pattern of block shapes surrounded by curvilinear streets within a modified non-existent grid, with cul-de-sacs and typically no alleys" (DZC, Section 3.2.1). The Hampden South neighborhood consists of a variety of uses in irregular blocks. The proposed rezoning to S-MX-5 is consistent with the neighborhood context description.

Denver Zoning Code Section 3.2.4 states the general purpose of the Mixed Use zone districts as "promot[ing] safe, active, pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping and public gathering within and around the city's neighborhoods." These districts are also "intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods" (DZC, Section 3.2.4). The proposed S-MX-5 will provide a buffer between the more intense and auto-oriented self-storage use to the south and the multi-unit residential uses to the north. It will also allow for a more pedestrian-oriented area than the current zoning accommodates.

The specific intent of the S-MX-5 zone district "applies to areas or intersections served primarily by collector or arterial streets where a building scale of 1 to 5 stories is desired" (DZC 3.2.4.2.E). The

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4401 S. Quebec St.

April 14, 2022

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subject site is in an area primarily served by arterial streets where buildings up to 5 stories is desired in Blueprint Denver. Therefore, rezoning this site would be consistent with the specific intent of the zone district.

Attachments

1. Application
2. PUD 206



Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf. ***If contact for fee payment is other than above, please provide contact name and contact information on an attachment.	
SUBJECT PROPERTY INFORMATION			
Location (address):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
PRE-APPLICATION INFORMATION			
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?		<input type="checkbox"/> Yes - State the contact name & meeting date _____ <input type="checkbox"/> No - Describe why not (in outreach attachment, see bottom of p. 3)	
Did you contact the City Council District Office regarding this application ?		<input type="checkbox"/> Yes - if yes, state date and method _____ <input type="checkbox"/> No - if no, describe why not (in outreach attachment, see bottom of p. 3)	

REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)	
<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm and include sections in the review criteria narrative attachment</p>	<p><input type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.</p> <p>Please provide a review criteria narrative attachment describing how the requested zone district is consistent with the policies and recommendations found in each of the adopted plans below. Each plan should have its' own subsection.</p> <p>1. Denver Comprehensive Plan 2040</p> <p>In this section of the attachment, describe how the proposed map amendment is consistent with <i>Denver Comprehensive Plan 2040's</i> a) equity goals, b) climate goals, and c) any other applicable goals/strategies.</p> <p>2. Blueprint Denver</p> <p>In this section of the attachment, describe how the proposed map amendment is consistent with: a) the neighborhood context, b) the future place type, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in <i>Blueprint Denver</i>.</p> <p>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):</p> <hr/>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B & C</p> <p>Check boxes to the right to affirm and include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.</p>	<p><input type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p> <p>In the review criteria narrative attachment, please provide an additional section describing how the requested rezoning furthers the public health, safety and general welfare of the City.</p>
<p>Review Criteria for Non-Legislative Rezoning: DZC Sec. 12.4.10.8</p> <p>For Justifying Circumstances, check box and include a section in the review criteria narrative attachment.</p> <p>For Neighborhood Context, Purpose and Intent, check box and include a section in the review criteria narrative attachment.</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error;</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact;</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints of development created by the natural characteristics of the land, including, but not limited to , steep slopes, floodplain, unstable soils, and inadequate drainage;</p> <p><input type="checkbox"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:</p> <p style="padding-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or,</p> <p style="padding-left: 20px;">b. A City adopted plan; or</p> <p style="padding-left: 20px;">c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (overlay Zone Districts) of this Code.</p> <p>In the review criteria narrative attachment, please provide an additional section describing the selected justifying circumstance. If the changing conditions circumstance is selected, describe changes since the site was last zoned. Contact your pre-application case manager if you have questions.</p> <p><input type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>In the review criteria narrative attachment, please provide a separate section describing how the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.</p>

REQUIRED ATTACHMENTS

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

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

ADDITIONAL ATTACHMENTS (IF APPLICABLE)

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

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

REZONING GUIDE

Rezoning Application Page 4 of 4



PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/12/20	(A)	YES
EWL Plaza, LLC	4401 S. Quebec St, Suite 250 Denver CO 80237	100%	<i>[Signature]</i>	11/24/21	B	<u>YES</u> NO
						YES NO
						YES NO
						YES NO

You're not finished until payment is submitted and the document has the filing information stamped.

Articles of Organization for a Limited Liability Company

filed pursuant to § 7-90-301 and § 7-80-204 of the Colorado Revised Statutes (C.R.S.)

The domestic entity name of the limited liability company is EWL Plaza, LLC

The principal office street address is 325 Almstead Rd
Watkins CO 80137
US

The principal office mailing address is 325 Almstead Rd
Watkins CO 80137
US

The name of the registered agent is Eric Lapp

The registered agent's street address is 325 Almstead Rd
Watkins CO 80137
US

The registered agent's mailing address is 325 Almstead Rd
Watkins CO 80137
US

The person above has agreed to be appointed as the registered agent for this limited liability company.

The management of the limited liability company is vested in Members

There is at least one member of the limited liability company.

Person(s) forming the limited liability company

Eric Lapp
325 Almstead Rc
Watkins CO 80137
US

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

the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

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

Name(s) and address(es) of the individual(s) causing the document to be delivered for filing

Paula Schaeftbauer
6870 W. 52nd Ave, Ste 100
Arvada CO 80002
US

November 24, 2021

This letter serves as authorization for Plan West to represent EWL Plaza, LLC in regard to rezoning transactions with the City of Denver.

A handwritten signature in black ink, appearing to read "Eric Lapp", written in a cursive style.

Eric Lapp

Owner

EWL Plaza, LLC

EWL Plaza, LLC

Fee Payment Instructions

Contact: Paula Schaeftbauer, Executive Director of Accounting/Finance

Email: billing@theraleighhouse.com

Phone: 720-484-4996 x-1012

4401 S. QUEBEC STREET
REZONING APPLICATION
12-20-2021

LEGAL DESCRIPTION

T5 R67 S8 NE/4 BEG 724.8FT S OF NE COR NE/4 TH W 224.11FT N3.78FT W 30FT S 3.81FT W 20.25 FT N 197.85FT E 215.2FT SECV/L 209.21FT TO POB

*Legal description for Parcel 0708100060000 obtained from Denver Real Property Records, last updated April 19, 2021

The Land referred to herein below is situated in the County of Denver, State of Colorado, and is described as follows:

Parcel A:

A parcel of land located in the Northeast 1/4 of Section 8, Township 5 South, Range 67 West of the 6th P.M., City and County of Denver, State of Colorado, described as follows:

Commencing at the Northeast corner of said Section 8:

Thence along the East line of said Section S 00°00'00", 724.80 feet to a point on the Eastern right-of-way of South Quebec Street and the True Point of Beginning;

Thence N 90°00'00" W, 274.36 feet;

Thence N 00°12'16" W, 197.85 feet;

Thence N 90°00'00" E, 215.20 feet to a point on the non tangent curve and the Eastern right-of-way of South Quebec Street;

Thence along said right-of-way and a non tangent curve to the left, whose chord bears S 16°50'12" N, 206.71, having a central angle of 30°44'07", a radius of 390.00 feet, and an arc length of 209.21 feet to the Point of Beginning.

Except that part of the Northeast 1/4 of Section 8, Township 5 South, Range 67 West of the 6th P.M., described as follows:

Commencing at the Northeast corner of said Section 8; thence along the East line of said Section 8, S 00°00'00" W, 724.80 feet to a point on the Westerly right-of-way line of South Quebec Street; thence along the North line of the Promontory a Planned Unit Development Phase Three Amended, S 90°00'00" W, 224.11 feet to the True Point of Beginning; thence continuing along said North line S 90°00'00" W, 30.00 feet; thence N 00°12'16" W, 3.81 feet to a point on the South line of a Reciprocal Access Easement recorded at Reception Number [041394](#); thence along said South line S 89°56'10" E, 30.00 feet; thence S 00°12'16" E, 3.78 feet to the True Point of Beginning, City and County of Denver, State of Colorado.

Parcel B:

An easement for ingress and egress as set forth and created under the Reciprocal Easement, Construction and Maintenance Agreement recorded July 19, 1985 at Reception No. [041392](#) and as amended by the Amendment to Reciprocal Easement, Construction and Maintenance Agreement recorded February 14, 1997 at Reception No. [9700018434](#), in the records of the City and County of Denver, State of Colorado.

Parcel C:

An easement for ingress and egress as set forth and created under the Reciprocal Easement, Construction and Maintenance Agreement recorded July 19, 1985 at Reception No. [041394](#), in the records of the City and County of Denver, State of Colorado.



4401 S. QUEBEC STREET
REZONING APPLICATION: 2021I-00205
01-21-2022

NARRATIVE

PROJECT INTRODUCTION

- Property Address: 4401 S. Quebec Street
- Property Size: 46,387 sf / 1.068 ac
- Property Owner: EWL Plaza, LLC as of closing 11/10/2021
- Council District: District 4, Kendra Black
- Neighborhood: Hampden South Neighborhood
- Existing Zoning: PUD 206
 - Maximum Height: 5 stories or 65 feet
 - Maximum Building Coverage 35%
 - Allowed Uses: Office and/or Retail, including personal services
- Surrounding Zoning:
 - PUD 168
 - PUD 207
 - PUD 424
- Existing Land Use: Office
- Surrounding Land Uses:
 - North – Congregate Care Facility
 - West – Multifamily Residential
 - South – Self Storage, Commercial
 - East of Quebec – Multifamily Residential
- Legal Description
 - T5 R67 S8 NE/4 BEG 724.8FT S OF NE COR NE/4 TH W 224.11FT N3.78FT W 30FT S 3.81FT W 20.25 FT N 197.85FT E 215.2FT SECV/L 209.21FT TO POB
 - Long Form Version attached as Microsoft Word Document

PROJECT INTENT

- Proposed Zoning: S-MX-5
- Extent: No demolition or modifications are proposed to the existing site

This rezoning application is intended to update the existing zoning from the outdated 1986 PUD 206 to a current Denver zone district. The reason for the rezoning is to allow for a Use Permit for *Clinic, Medical or Dental (up to 20 patients/max. 30 days)*. The intended use is to continue outpatient mental health counseling and add the ability to include limited overnight-stay for guests who would benefit from extended stay care and supervision. The primary uses at 4401 S. Quebec, would remain as currently permitted to include professional office, medical office, and counseling services during normal business hours. The proposed S-MX-5 zoning, with the Use Permit, will allow a limited number of overnight 'beds' where clients would be permitted to receive extended, supervised care for short stays. There would be no changes to the site and no additional parking needs, as most overnight guests would be dropped off by friends or family.

REZONING REVIEW CRITERIA

DZC Section 12.4.10.7.A: Consistency with Adopted Plans

Please provide a review criteria narrative attachment describing how the requested zone district is consistent with the policies and recommendations found in each of the adopted plans below. Each plan should have its own subsection.

1. Denver Comprehensive Plan 2040

In this section of the attachment, describe how the proposed map amendment is consistent with Denver Comprehensive Plan 2040's

- a) Equity goals*
- b) Climate goals*
- c) Any other applicable goals/strategies*

RESPONSE: The proposed rezone to suburban mixed-use (S-MX) meets the Denver Comprehensive Plan 2040 by upholding the equity and climate goals. The proposed Use Permit for *Clinic, Medical or Dental (up to 20 patients/max. 30 days)* is to extend the mental health treatment for a limited amount of overnight care. In this manner, guests can receive the necessary supervised treatment. Services will address a variety of mental health issues. This service meets Goal Number 1 of the Comprehensive Plan by ensuring *all Denver residents have safe and convenient access to basic services*. The proposed use also meets Goal Number 8 by promoting *infill development where infrastructure and services are already in place*. The existing building would serve an additional demographic without additional infrastructure or construction.

2. Blueprint Denver

In this section of the attachment, describe how the proposed map amendment is consistent with:

- a) The neighborhood context*
- b) The future place type*
- c) The growth strategy*
- d) Adjacent street types*
- e) Plan policies and strategies*
- f) Equity concepts contained in Blueprint Denver*

RESPONSE: The proposed rezone meets the criteria of Blueprint Denver in each of the following categories:

a) Neighborhood Context: Suburban

A range of uses from single-unit and multi-unit residential to commercial corridors and centers are provided in this neighborhood. Block patterns are generally irregular with curvilinear streets. Alleys are not commonly found. Buildings are typically set back from the street and range in scale.

RESPONSE: The existing building would not change. The building is set back from an undulating South Quebec Street by approximately 20 feet. The S-MX-5 zone district is served primarily by collectors and arterials. South Quebec Street is designated a future Commercial Arterial.

- b) **Future Place Type: High – Medium Residential**
Contains a mix of medium-scale, multi-unit residential types and can accommodate compatible commercial/retail uses. Buildings are generally up to five stories in height. Building heights and scaling help provide transitions to adjacent places.
RESPONSE: The proposed zoning district would not exceed five stories in height and would be allow for commercial, retail, and residential uses.
- c) **Growth Strategy: All Other Areas of the City**
10% of new jobs by 2040.
RESPONSE: The proposed zone district would allow for the creation of additional retail and commercial jobs.
- d) **Adjacent Street Types: S Quebec Street – Commercial Arterial**
Commercial streets typically contain commercial uses including shopping centers, auto services, and offices. Buildings are often set back with on-site parking.
RESPONSE: The existing building is setback from South Quebec Street by approximate 20’ with parking in the rear and is not proposed to change. The proposed zone district would continue to allow commercial uses for this site.
- e) **Plan Policies and Strategies: Land Use and Built Form General Policy 3 & Strategy A**
RESPONSE: The proposed zoning would *ensure the Denver Zoning Code continues to respond to the needs of the city, while remaining modern and flexible*. The outdated zoning (PUD 206) from the Former Chapter 59 would be updated to a current zone district to support the City’s intent to phase out the old PUD zoning and adopt the new DZC.
- f) **Equity Concepts:**
RESPONSE: The proposed zone district supports Blueprint Denver’s goal of providing Equity and allowing all residents the ‘opportunity to thrive’ and access to a ‘high quality-of-life’. The services that could be provided in this district would help to create more equitable access to quality-of-life amenities and health.

3. **Neighborhood / Small Area Plan and Other Plans**

(List all from pre-application meeting, if applicable):

RESPONSE: None applicable. As discussed in the pre-application meeting, the area does not have an adopted Neighborhood Plan or Small Area Plan.

DZC Section 12.4.10.7.B: Uniformity of District Regulations and Restrictions:

RESPONSE: *Box Checked.*

DZC Section 12.4.10.7.C: Public Health, Safety and General Welfare:

Please provide an additional section describing how the requested rezoning furthers the public health, safety and general welfare of the City.

RESPONSE: The mixed use zone district is intended to promote safe, active, pedestrian-scaled, diverse areas. The allowance for commercial and retail in addition to residential uses also fosters the ability for residents to have ease of access to necessary goods and services. The nature of the services provided at the EWL Plaza directly contribute to the public health and welfare for Denver residents. This is one of very few facilities in the state that treats mental health on a holistic level, providing grief counselling and substance abuse treatment for its clients, with an opportunity for supervised, overnight treatment. As a part of several other facilities in the area, the services provided at 4401 S. Quebec Street provide the public with a safe place to stabilize and treat their condition(s).

DZC Section 12.4.10.8

Justifying Circumstances: The City decided not to modify PUD zoning when the zoning code was rewritten. This property remained PUD 206 from 1986. This application is the opportunity to update the zoning to bring the site into conformance with the new Denver Zoning Code and the current and future needs of the City.

Neighborhood Context:

Suburban Neighborhood Context – 3.1 Neighborhood Context Description

The general character of the Neighborhood Context is it is ‘characterized by single-unit and multi-unit residential, commercial strips and centers, and office parks. Single-unit residential consists typically of the Suburban House building form with street-facing garages. Multi-unit building forms are typically separated from single-unit residential and consist of Row House and occasional mid- and high-rise Apartment building forms. Commercial buildings are typically separated from residential and consist of Shopfront and General forms. Single-unit residential uses are primarily located away from residential and commercial arterial streets. Multi-unit residential and commercial uses are primarily located along arterial and collector streets.

RESPONSE: Primarily, the proposed S-MX-5 zoning maintains the existing land uses allowed in the outdated PUD. The proposed S-MX-5 zone district meets the district’s development criteria by allowing for commercial, office, and multi-unit residential buildings along arterials and collectors. The site is located along South Quebec Street, which is an arterial consistent with the character described in this section.

The existing site meets the criteria of the suburban neighborhood context in that the current commercial and office land uses remain in this zone district. These uses are promoted and appropriate along S. Quebec Street, an arterial roadway. Surface parking and generous landscaping between the arterial street and the building are provided. Setbacks accommodate landscaping and parking. The existing building height and proposed maximum of 65 feet are consistent for this location along an arterial and within the neighborhood context. The existing site provides the required parking to serve both the automobile-oriented populace and the pedestrian. Future redevelopment would be required to update parking to meet future requirements.

Mixed-Use District – 3.2.4 Mixed Use Districts General Purpose

- A. *The Mixed Use zone districts are intended to promote safe, active, and pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping, and public gathering within and around the city’s neighborhoods:*

RESPONSE: The proposed S-MX-5 zone district would provide the opportunity for much-needed business and services within close proximity of several residential neighborhoods.

- B. *The Mixed Use districts are appropriate along corridors, for larger sites at a major intersection:*

RESPONSE: The site is located along S. Quebec Street, a commercial arterial, near the intersection of E. Quincy Ave. S-MX-5 zone districts are primarily applied to areas and intersections served by collectors and arterials

- C. *The building form standards of the Mixed Use zone districts balance the importance of street presence and provision of adequate parking through build-to requirements, Street Level activation and parking lot screening along the right-of-way. Standards offer predictable flexibility consistent with the variety of mixed use development found in the Suburban Neighborhood Context.*

RESPONSE: Off-street parking is currently provided and screened from the right-of-way by being tucked behind and under the building, located behind a retaining wall, and screened with vegetation.

D. *The Mixed Use zone district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character and improves the transition between commercial development and adjacent residential neighborhoods.*

RESPONSE: The existing site provides a necessary transition between the existing public storage facility and the adjacent retirement community and multi-family developments by providing an opportunity for additional commercial and office uses.

OUTREACH DOCUMENTATION

- Pre-Application Meeting – Virtual meeting held with Planning Staff 9/23/2021
 - Suggested we pursue a rezone with a Residential Care Type 2 permitted use
- Pre-Application with Development Services – None requested or advised. No changes to the site are proposed so Development Services do not apply.
- District 4 Outreach – Call held with Councilwoman Black’s aides 10/5/2021
 - Suggested that the Residential Care Type 2 permitted use is up for referendum on the November 2021 ballot, but to proceed with a rezone request
 - Emails Attached
- CPD Zoning Administration – Virtual meeting held with Tina Axelrod 10/12/2021
 - Advised to proceed with the rezone request to S-MX and to request a Use Permit for Dental / Medical Office or Clinic. The Residential Care Type 2 would not apply. The overnight care will be allowed with the Use Permit
 - Emails Attached
- Registered Neighborhood Organizations – Notified via email at the time of this submittal
 - Council District 4 – Kendra.black@denvergov.org
 - Council District At Large – KniechAtLarge@denvergov.org; ortegaatlarge@denvergov.org
 - Denver For ALL – Info@denver4all.org; president@denver4all.org
 - District 4 Neighborhood Coalition, Inc. – District4NCDen@gmail.com; svandoren@gmail.com
 - Inter-Neighborhood Cooperation (INC) – president@denverinc.org; excomm@denverinc.org

APPLICATION CHECKLIST

REQUIRED ATTACHMENTS:

- Legal Description (*attached*)
- Proof of Ownership (*attached*)

ADDITIONAL ATTACHMENTS:

- Written Narrative (*see above*)
- Outreach Documentation Attachments (*attached*)
- Letters of Support (*none provided at this time*)
- Written Authorization to Represent Property Owner(s) (*attached*)
- Individual Authorization to Sign on Behalf of a Corporate Entity (*attached*)



11/12/2021 01:00 PM
City & County of Denver
Electronically Recorded

R \$33.00

WD

D \$455.00

WHEN RECORDED RETURN TO:

EWL Plaza, LLC
325 Almstead Rd.
Watkins, CO 80137

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED is made as of this 10th day of November, 2021, by KC Quebec, LLC, a Colorado limited liability company and David M. Culberson, as Tenants in Common, the "Grantor", whose mailing address is 4401 South Quebec Street, Suite 100, Denver, CO 80237, to and in favor of EWL Plaza, LLC, a Colorado limited liability company, the "Grantee" whose mailing address is 325 Almstead Rd., Watkins, CO 80137.

WITNESSETH, that Grantor, for the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, in hand paid, the receipt and sufficiency of which are acknowledged, hereby sells and conveys to Grantee, the following real property in the County of Denver, State of Colorado, to wit:

See legal description in Exhibit A.

TOGETHER, with all hereditaments and appurtenances, and warrants the title to the same against all persons claiming by, under or through Grantor, subject to statutory exceptions.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

[SIGNATURE PAGE FOLLOWS]

First American Title - 1077821

STATE OF Arizona)
)SS.
COUNTY OF Maricopa)

The foregoing instrument was acknowledged before me this 10th day of NOVEMBER, 2021 by David M. Culberson, Individually.

Annalilia Aguayo
(Notary's official signature)

09/13/2024
(Commission Expiration)



ANNALILIA AGUAYO
Notary Public - Arizona
Maricopa County
Commission # 590229
My Comm. Expires 09-13-2024



ANNALILIA AGUAYO
Notary Public - Arizona
Maricopa County
Commission # 590229
My Comm. Expires 09-13-2024

EXHIBIT A

LEGAL DESCRIPTION

Parcel A:

A parcel of land located in the Northeast 1/4 of Section 8, Township 5 South, Range 67 West of the 6th P.M., City and County of Denver, State of Colorado, described as follows:

Commencing at the Northeast corner of said Section 8:

Thence along the East line of said Section S 00°00'00" W, 724.80 feet to a point on the Easterly right-of-way of South Quebec Street and the True Point of Beginning;

Thence N 90°00'00" W, 274.36 feet;

Thence N 00°12'16" W, 197.85 feet;

Thence N 90°00'00" E, 215.20 feet to a point on the non tangent curve and the Eastern right-of-way of South Quebec Street;

Thence along said right-of-way and a non tangent curve to the left, whose chord bears S 16°50'12" E, 206.71, having a central angle of 30°44'07", a radius of 390.00 feet, and an arc length of 209.21 feet to the Point of Beginning.

Except that part of the Northeast 1/4 of Section 8, Township 5 South, Range 67 West of the 6th P.M., described as follows:

Commencing at the Northeast corner of said Section 8; thence along the East line of said Section 8, S 00°00'00" W, 724.80 feet to a point on the Westerly right-of-way line of South Quebec Street; thence along the North line of the Promontory a Planned Unit Development Phase Three Amended, S 90°00'00" W, 224.11 feet to the True Point of Beginning; thence continuing along said North line S 90°00'00" W, 30.00 feet; thence N 00°12'16" W, 3.62 feet to a point on the South line of a Reciprocal Access Easement recorded at Reception Number 041394; thence along said South line S 89°56'10" E, 30.00 feet; thence S 00°12'16" E, 3.78 feet to the True Point of Beginning,

City and County of Denver,
State of Colorado.

Parcel B:

An easement for ingress and egress as set forth and created under the Reciprocal Easement, Construction and Maintenance Agreement recorded July 19, 1985 at Reception No. 041392 and as amended by the Amendment to Reciprocal Easement, Construction and Maintenance Agreement recorded February 14, 1997 at Reception No. 9700018434, in the records of the City and County of Denver, State of Colorado.

From: [Allison Hibbs](#)
Bcc: District4NCDen@gmail.com; svandoren@gmail.com; president@denverinc.org; execcomm@denverinc.org; info@denver4all.org; president@denver4all.org
Subject: 4401 South Quebec Street - Rezoning Application
Date: Friday, January 21, 2022 2:15:00 PM

Good afternoon,

This email is to notify you, as a Register Neighborhood Organization, that our Team is in the process of submitting an application to rezone the property at 4401 South Quebec Street from the outdated PUD 206 from 1986 to a current Denver zone district. The intended zone district is S-MX-5 (suburban mixed-use, five story max.)

To introduce myself, my name is Allison Hibbs with Plan West. Plan West is assisting the Raleigh House of Hope in a rezone to allow for limited overnight stay in support of their mental health counseling services. In addition to the benefits of bringing the outdated PUD into current Denver Zoning, the reason for the rezone is to allow for a Use Permit for *Clinic, Medical or Dental (up to 20 patients/max. 30 days)*. The intended use is to continue outpatient mental health counseling and add the ability to include limited overnight-stay for guests who would benefit from extended stay care and supervision. The primary uses at 4401 S. Quebec, would remain as currently permitted to include professional office, medical office, and counseling services during normal business hours. The proposed S-MX-5 zoning, with the Use Permit, will allow a limited number of overnight 'beds' where clients would be permitted to receive extended, supervised care for short stays. There would be no changes to the site and no additional parking needs, as most overnight guests would be dropped off by friends or family.

The Raleigh House (<https://www.theraleighhouse.com/>) is looking for the opportunity to extend their counseling services to 15 to 20 overnight guests for a maximum of 2 to 15 days. If necessary, longer-term care would be provided in other facilities. There are no plans to alter the outside of the building or the site. We discussed the intended operations at a pre-application meeting with the City of Denver Planning Staff on 9/23/21. Our approach is to be as transparent and open as possible working with everyone to avoid misinformation and potential roadblocks. Our client, the Raleigh House, wishes to move forward with providing their expanded counseling services as quickly as possible.

We would greatly appreciate a few minutes of your time to share more details on the proposed uses and listen to your thoughts and suggestions. Please don't hesitate to reach out directly to me by email or at the number below.

Allison Hibbs
Project Manager / Planner

PLANWEST
ph: 303-741-1411 ext. 106



Planning | Site Design | Landscape Architecture | Entitlements

767 Santa Fe Drive

Denver, CO 80204

303-741-1411

ahibbs@planwest.com

www.planwest.com

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From: [Axelrad, Tina R. - CPD Zoning Administrator](#)
To: [Allison Hibbs](#)
Cc: [David Brehm](#); eric@theraleighhouse.com; harriet@theraleighhouse.com
Subject: RE: 4401 S. Quebec Street - Rezone
Date: Friday, October 8, 2021 1:35:12 PM

Hi Alison and Raleigh House team,

I can set up a time on Tuesday the 12th, but my only availability would be from 11 – Noon, or from 1 – 2 pm. Would either of those time slots work? I can set up a MS Teams meeting once I know.

Tina

From: Allison Hibbs <ahibbs@planwest.com>
Sent: Friday, October 8, 2021 11:23 AM
To: Axelrad, Tina R. - CPD Zoning Administrator <Tina.Axelrad@denvergov.org>
Cc: David Brehm <dbrehm@planwest.com>; eric@theraleighhouse.com;
harriet@theraleighhouse.com
Subject: [EXTERNAL] RE: 4401 S. Quebec Street - Rezone

Tina,

Thank you for getting back to me. Would you have availability at 8:30 on Tuesday 10/12? I can dive back into the calendars if that time doesn't work for you. I have included Eric Lapp, Founder of the Raleigh House and Harriet Doyle, Executive Assistant, on this email, as well, as I believe Eric will be able to talk more to the specifics of what he hopes to do at the property during our meeting next week.

It is my understanding that clients would be staying on-site for short-term observation and treatment, so we may need to adjust our scope to ensure we are headed down the correct path and choosing the best zone district. This would fall more into the office/medical clinic category than the residential character.

Thank you,

Allison Hibbs
Planner / Designer

PLANWEST
ph: 303-741-1411 ext. 106

From: Axelrad, Tina R. - CPD Zoning Administrator <Tina.Axelrad@denvergov.org>
Sent: Wednesday, October 6, 2021 5:14 PM
To: Allison Hibbs <ahibbs@planwest.com>
Cc: David Brehm <dbrehm@planwest.com>
Subject: RE: 4401 S. Quebec Street - Rezone

Hi Allison,

I'm happy to schedule a quick virtual meeting to discuss. One quick question I have is whether the Raleigh House use planned for the Quebec property is primarily residential in character/operation, or primarily office/medical clinic in character/operation (even with the overnight stays)? Our zoning code does allow a medical clinic to host patients overnight for observation and treatment – best example in Denver are several eating disorder clinics. Just want to be sure before we meet that we are talking about the correct zoning use. If what is intended is more of a recovery residence business model vs. treatment clinic/office where many (but not all) clients may stay on-site for short-term observation and treatment, then “residential care” is the correct use category, and we should discuss what effect the November referendum may have on your progress forward.

Please provide me with some dates/times for next week that work for you, and I'll respond hopefully with a meeting invite.

Take care,
Tina

From: Allison Hibbs <ahibbs@planwest.com>
Sent: Wednesday, October 6, 2021 3:52 PM
To: Axelrad, Tina R. - CPD Zoning Administrator <Tina.Axelrad@denvergov.org>
Cc: David Brehm <dbrehm@planwest.com>
Subject: [EXTERNAL] 4401 S. Quebec Street - Rezone

Good Afternoon,

My name is Allison Hibbs with Plan West. We are assisting the Raleigh House of Hope in a rezone to allow for limited overnight stay in support of their mental health counseling services. Working with Denver Planning and Zoning and Councilwoman Black of District 4, we were advised to reach out to you before we submit any formal applications. We understand the proposed overnight stay will require a rezone to Mixed Use and a zoning permit for Residential Care as an update to the current PUD. The property is located at 4401 S. Quebec Street.

It has come to our attention that the Residential Care Use is on the upcoming ballot for potential referendum. We are trying to determine how this might affect our rezoning application and the opportunity to offer short-term overnight care. While our client would like to move forward as quickly as possible, we're wondering whether it is advisable to submit this application before the vote or if we should wait for the outcome. Your insight and suggestions would be appreciated.

Below is some additional background on the proposed use and how it would fit with a rezoning request:

The intent is to rezone the +/- 1 acre site from an outdated PUD to a S-MX-3 or 5 for the purpose of allowing the Residential Care, Type 2 use. The Raleigh House (<https://www.theraleighhouse.com/>) is looking for the opportunity to extend their counseling services to 15 to 20 overnight guests for a maximum of 2 to 15 days. If necessary, longer-term care would be provided in other facilities. There are no plans to alter the outside of the building or the site. We discussed the intended

operations at a pre-application meeting with the City of Denver Planning Staff on 9/23/21. Our approach is to be as transparent and open as possible working with everyone to avoid misinformation and potential roadblocks. Our client, the Raleigh House, wishes to move forward with providing their expanded counseling services as quickly as possible.

We would greatly appreciate a few minutes of your time to share more details on the proposed uses and listen to your thoughts and suggestions. Please let us know a time that is convenient for you.

We look forward to hearing from you soon.

Thank you,

Allison Hibbs
Planner / Designer

PLANWEST
ph: 303-741-1411 ext. 106



Planning | Site Design | Landscape Architecture | Entitlements
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Denver, CO 80204
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From: [Gile, Kathleen O. - CC YA2246 City Council Aide Senior](#)
To: [Allison Hibbs](#); [Black, Kendra A. - CC Member District 4 Denver City Council](#)
Cc: [David Brehm](#); eric@theraleighhouse.com; harriet@theraleighhouse.com
Subject: RE: Rezone - 4401 S Quebec St
Date: Wednesday, October 13, 2021 1:06:45 PM
Attachments: [image004.png](#)
[image001.png](#)

Hi Allison,

Thank you for the update. I don't think we need a phone call right now. Please reach out if anything changes.

Sincerely,
Kathy

DENVER
THE MILE HIGH CITY

Kathy Gile | Senior Council Aide
Councilwoman Kendra Black | District 4
3540 S. Poplar St., Ste. 100 | Denver, CO 80237
p: (720) 337-4444 | kathy.gile@denvergov.org

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KENDRA BLACK | DENVER
DENVER CITY COUNCIL DISTRICT 4 | THE MILE HIGH CITY

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E-Newsletter

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From: Allison Hibbs <ahibbs@planwest.com>
Sent: Tuesday, October 12, 2021 2:44 PM
To: Gile, Kathleen O. - CC YA2246 City Council Aide Senior <kathy.gile@denvergov.org>; Black, Kendra A. - CC Member District 4 Denver City Council <Kendra.Black@denvergov.org>
Cc: David Brehm <dbrehm@planwest.com>; eric@theraleighhouse.com; harriet@theraleighhouse.com
Subject: [EXTERNAL] RE: Rezone - 4401 S Quebec St

Councilwoman Black and Kathy,

To keep you up to speed, we just held a meeting with Tina Axelrod and her office and determined a clear path forward for our Rezone of 4401 S. Quebec.

It appears we can simplify our process and pursue a Rezone to S-MX-TBD, with a Use Permit for Clinic, Medical or Dental, which will allow for limited over-night stay for up to 20 guests at a time for a maximum of 30 days. This will get us out of the Residential Care Use Type and mean that Eric's ability to use the property as planned won't be contingent upon the November ballot. This would be similar

to some of the eating disorder clinics that are currently operating this way, with a focus on mental health counseling in a commercial services capacity, rather than a more residential character.

We plan to package our submittal shortly and proceed with the rezone to get that 1986 PUD into a more current zone district. Please let us know if you have any questions or concerns, or if you think it would be worthwhile to have another call to discuss your thoughts.

We appreciate your assistance in pointing us in the right direction and recommending a meeting with the Zoning Administrator.

Thank you,

Allison Hibbs
Planner / Designer

PLANWEST
ph: 303-741-1411 ext. 106

From: Gile, Kathleen O. - CC YA2246 City Council Aide Senior <kathy.gile@denvergov.org>
Sent: Thursday, October 7, 2021 1:47 PM
To: Allison Hibbs <ahibbs@planwest.com>; Black, Kendra A. - CC Member District 4 Denver City Council <Kendra.Black@denvergov.org>
Cc: David Brehm <dbrehm@planwest.com>; eric@theraleighhouse.com;
harriet@theraleighhouse.com; Axelrad, Tina R. - CPD Zoning Administrator <Tina.Axelrad@denvergov.org>
Subject: RE: Rezone - 4401 S Quebec St

Hi All,

Thank you for the meeting with us on Tuesday. I have briefed Councilwoman Black on the meeting and she recommends that you go ahead with the rezoning to S-MX-5. She also recommends that you follow up with Tina Axelrad, the CPD Zoning Administrator Tina.Axelrad@denvergov.org and ask her about the Residential Care Type 2 use permit. It is possible that a Residential Care or Group Home would be allowed under the old code if the referendum to repeal the Group Living ordinance passes.

Sincerely,
Kathy Gile



Kathy Gile | Senior Council Aide
Councilwoman Kendra Black | District 4
3540 S. Poplar St., Ste. 100 | Denver, CO 80237
p: (720) 337-4444 | kathy.gile@denvergov.org



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From: Allison Hibbs <ahibbs@planwest.com>
Sent: Friday, October 1, 2021 4:42 PM
To: Black, Kendra A. - CC Member District 4 Denver City Council <Kendra.Black@denvergov.org>
Cc: David Brehm <dbrehm@planwest.com>; eric@theraleighhouse.com;
harriet@theraleighhouse.com; Gile, Kathleen O. - CC YA2246 City Council Aide Senior
<kathy.gile@denvergov.org>; Cohn, Taylor - CC YA2246 City Council Aide Senior
<Taylor.Cohn@denvergov.org>
Subject: [EXTERNAL] RE: Rezone - 4401 S Quebec St

Thank you very much for the quick response. In order to keep the ball rolling, we would love to talk with one of your aides next week..
Kathy or Taylor, do you have availability for a phone call or Teams meeting? Please let me know if there are a couple of times that work best for your schedule.

We look forward to talking with you.

Thank you,
Allison Hibbs
Planner / Designer

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From: Black, Kendra A. - CC Member District 4 Denver City Council <Kendra.Black@denvergov.org>
Sent: Friday, October 1, 2021 2:27 PM
To: Allison Hibbs <ahibbs@planwest.com>
Cc: David Brehm <dbrehm@planwest.com>; eric@theraleighhouse.com;
harriet@theraleighhouse.com; Gile, Kathleen O. - CC YA2246 City Council Aide Senior
<kathy.gile@denvergov.org>; Cohn, Taylor - CC YA2246 City Council Aide Senior
<Taylor.Cohn@denvergov.org>

Subject: RE: Rezone - 4401 S Quebec St

Hi Ms. Hibbs,

Thanks for reaching out. I'm happy to meet with you but won't be available until mid-November. If you need to meet earlier, you can meet with my aides who are copied here.

Kendra Black

From: Allison Hibbs <ahibbs@planwest.com>

Sent: Friday, October 1, 2021 1:36 PM

To: Black, Kendra A. - CC Member District 4 Denver City Council <Kendra.Black@denvergov.org>

Cc: David Brehm <dbrehm@planwest.com>; eric@theraleighhouse.com;
harriet@theraleighhouse.com

Subject: [EXTERNAL] Rezone - 4401 S Quebec St

Dear Councilwoman Black,

By way of introduction, my name is Allison Hibbs with Plan West. We are assisting the Raleigh House of Hope in a rezone to allow for limited overnight stay in support of their mental health counseling services. Working with Denver Planning and Zoning, we were advised to reach out to you before we submit any formal applications. We understand the proposed overnight stay will require a rezone to Mixed Use and a zoning permit for Residential Care as an update to the current PUD. The property is located at 4401 S. Quebec Street.

I spoke with a member of your team yesterday morning (9/30), but thought it might be helpful for you to have an email to read, giving you some background on the proposed use and how it would fit with a rezoning request. Your insight and suggestions would be appreciated.

The intent is to rezone the +/- 1 acre site from an outdated PUD to a S-MX-5 for the purpose of allowing the Residential Care, Type 2 use. The Raleigh House (<https://www.theraleighhouse.com/>) is looking for the opportunity to extend their counseling services to 15 to 20 overnight guests for a maximum of 2 to 15 days. If necessary, longer-term care would be provided in other facilities. There are no plans to alter the outside of the building or the site. We discussed the intended operations at a pre-application meeting with the City of Denver Planning Staff on 9/23/21. It has come to my attention that the Residential Care ordinance is on the upcoming November ballot and is subject to a referendum spearheaded by *Safe and Sound Denver*. We are not yet sure how that might affect our application. Our approach is to be as transparent and open as possible working with everyone to avoid misinformation and potential roadblocks. Our client, the Raleigh House, wishes to move forward with providing their expanded counseling services as quickly as possible.

We would greatly appreciate a few minutes of your time to share more details on the proposed uses and listen to your thoughts and suggestions. Please let us know a time that is convenient for you. My contact information is below. I have also copied David Brehm, Owner of Plan West, Eric Lapp, Founder of The Raleigh House of Hope, and Harriet Doyle, Executive Assistant for the Raleigh House of Hope, on this email in order to keep everyone up to speed.

We look forward to hearing from you soon.
Thank you,

Allison Hibbs
Planner / Designer

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