

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at MileHighOrdinance@DenverGov.org by **9 a.m. Friday**. Contact the Mayor's Legislative team with questions

Date of Request: 07/07/2025

Please mark one: ☐ Bill Request or ☒ Resolution Request

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.)

Amends the Loan Agreement between the City and County of Denver and Kappa Tower II LLLP to allow for the partial release of the vacant parcel for the contemplation of the future development as planned. No change to agreement length or amount, in Council District 8 (OEDEV-201952502/HOST-202579980-01).

3. **Requesting Agency:** Department of Housing Stability

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: Autumn Buehler	Name: Polly Kyle
Email: autumn.buehler@denvergov.org	Email: polly.kyle@denvergov.org

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

Kappa Tower II improvements were developed on only a portion of the Kappa Tower II property, leaving a portion vacant for the future development of a second senior affordable housing rental project to be called Kappa Tower III. The vacant parcel slated for the Kappa Tower III development will be carved out of the Kappa II parcel. We must execute an amendment to allow for the partial release due to the fact that the Kappa Tower II, LLLP loan documents do not show any contemplation of this planned future development. This amendment will also update the legal description of the Kappa Tower II project to reflect the Kappa Tower III project.

6. City Attorney assigned to this request (if applicable):

McKenzie Brandon

7. City Council District:

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8. ****For all contracts, fill out and submit accompanying Key Contract Terms worksheet****

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

Key Contract Terms

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

Vendor/Contractor Name (including any dba's):
Kappa Tower II LLLP

Contract control number (legacy and new):
OEDEV-201952502-00
HOST-202579980-01

Location:
9020 Northfield Boulevard, Denver, Colorado 80238

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):
Existing Term: July 17, 2020 through December 31, 2075
New Term: No Change

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>
<i>(A)</i>	<i>(B)</i>	<i>(A+B)</i>
\$700,000	\$0	\$700,000

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>
07/17/2020 – 12/31/2075	N/A	

Scope of work:

1. Approval of the partial release of the Deed of Trust and Rental and Occupancy Covenants from Kappa Tower II, LLLP to allow for the development of Kappa Tower III, LLLP.
2. Executive Director authority to execute documents necessary to complete the amendment of the loan documents.
3. Approval from HOST on the required easement agreement to share the amenities existing on the Kappa Tower II project.

Was this contractor selected by competitive process? No **If not, why not?** Amendment to contract

Has this contractor provided these services to the City before? ☒ Yes ☐ No

Source of funds: Affordable Housing Permanent Funds

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

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

Who are the subcontractors to this contract? N/A

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