

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team

at MileHighOrdinance@DenverGov.org by **3:00pm on Monday**. Contact the Mayor's Legislative team with questions

Please mark one: ☒ Bill Request or ☐ Resolution Request Date of Request: 12/4/22

1. Type of Request:

- ☒ Contract/Grant Agreement ☐ Intergovernmental Agreement (IGA) ☐ Rezoning/Text Amendment
☐ Dedication/Vacation ☐ Appropriation/Supplemental ☐ DRMC Change
☒ Other: Development Agreement

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 development agreement with ACM Park Hill JV VII, LLC, and any future successors and assigns, establishing infrastructure construction and maintenance responsibilities, funding commitments, requirements for affordable housing, creation of 100 acres of publicly accessible parks and open space, construction of the 303 Heritage Artway Trail, real estate transfers to the City, and vested property rights for the Park Hill Golf Course property at 4141 E. 35th Avenue in Council District 8.

3. Requesting Agency: Mayor's Office on behalf of multiple agencies

4. Contact Person:

Contact person with knowledge of proposed ordinance/resolution	Contact person to present item at Mayor-Council and Council
Name: Shannon Gifford	Name: Skye Stuart
Email: Shannon.gifford@denvergov.org	Email: skye.stuart@denvergov.org

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

Development agreement priorities were informed by community input received throughout the planning process. Terms include:

Affordable Housing

- Construct at least 25% of total units as income restricted units (IRUs) – more than double what would be required under EHA
 - Rental IRUs will be affordable to incomes ranging from 30% to 80% of Area Median Income, with an average affordability of no greater than 60% AMI
 - For-sale IRUs will be affordable to incomes ranging from 70% to 120% AMI, with an average affordability of no greater than 100% AMI
 - IRUs will include a minimum of 300 for-sale units. Minimum 200 units with 2 bedrooms or more, including 100 units with 3 bedrooms or more
 - Commitments to build at least 60 senior IRUs, 40 permanent supportive housing IRUs, and 150 family rental IRUs
- Prioritization policy will apply to all units except permanent supportive housing IRUs
- Affordable projects with more than 50% IRUs at or below 80% AMI will be excluded from metro district debt mills
- Waiver of rights to height increases allowed under EHA

Parks & Public Open Space:

- 100 acres of publicly accessible open space on-site. 80 acres transferred up front, with subsequent conveyances and easements expanding total to at least 100 acres

To be completed by Mayor's Legislative Team:

Resolution/Bill Number: _____

Date Entered: _____

- \$20M from landowner to contribute to master plan, design, and construction of the park. Developer will cover cost of master plan and initial maintenance costs.
- Construction of 303 Artway Heritage Trail

Infrastructure:

- Construct safety improvement at key intersections along Colorado Blvd., reconstruction of 40th and Albion intersection
- Provide funding for city to construct Dahlia

Other Key Items:

- Requires landowner to rezone back to OS-B zoning if conservation easement is not lifted
- Commits the applicant to create private design standards and guidelines
- Addresses mechanics of lifting conservation easement, subject to citywide vote and in accordance with state law

This development agreement runs with the land and will apply to any successor ownership of the property. A summary of the development agreement terms is included as a supplemental document.

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

7. **City Council District:** 8

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):

Vendor/Contractor Name:

Contract control number:

Location:

Is this a new contract? ☐ Yes ☐ No Is this an Amendment? ☐ Yes ☐ No If yes, how many? _____

Contract Term/Duration (for amended contracts, include existing term dates and amended dates):

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>

<i>Current Contract Term</i>	<i>Added Time</i>	<i>New Ending Date</i>

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Scope of work:

Was this contractor selected by competitive process?

If not, why not?

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

Source of 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?

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