

August 5, 2024

Via Email

Denver Development Services
Operations Staff
201 W. Colfax Ave., Suite. 205 (2nd Floor)
Denver, CO 80202

Rezoning Map Amendment Narrative – Evergreen Devco.

PROJECT SUMMARY

Evergreen Devco. is the master developer of a mixed-use development project sprawling across 60 acres of land, located south of Green Valley Ranch Boulevard, east of Pena Boulevard, west of Telluride Street and north of 45th Avenue. This development is a dynamic, modern community that integrates commercial, multifamily and industrial uses. The project has been meticulously planned, with a comprehensive Master Plat (#2021-PROJMSTR-0000247 / 2022-SDPSUB-0000009) that subdivided the development into multiple parcels. The Master Plat is accompanied with a master TEP, stormwater management plan, storm/sanitary plan, master drainage report and Denver Water utility main plan with capacity to service all future uses, including the parcel we are requesting a map amendment for. The Plat has dedicated public right-of-way (Rifle Way), that serves as a vital component of the development by seamlessly connecting multifamily, commercial, and industrial uses. Each parcel will be submitting site development plans that tie into the master Plat, TEP, SSPR, Denver Water and Drainage Study. This approach will facilitate the creation of diverse spaces that cater to both residential and commercial needs, fostering a vibrant and interconnected community.

The 60 acre development is currently zoned Chambers PUD 319, this zoning document for the City's Gateway area outlines permitted uses, development guidelines and establishes a mixed-use community that integrates low and high density residential with a variety of commercial uses. The PUD 319 has set aside land for essential city amenities, including parks, open spaces, and school facilities. With careful planning and dedication, these requirements have not only been met but exceeded, ensuring that new development contributes to the existing community.

1873 South Bellaire Street, Suite 1200, Denver, CO 80222
phone 303.757.0401 evgre.com

Development | Services | Investments



Evergreen

The property is bounded to the west, by the east edge of the Pena Blvd right-of-way. To the south of the project, there is a vacant parcel of land anticipated to be a pedestrian oriented mixed-use development by Paul's Corp. To the east of the project, there is 12 acres of vacant land Evergreen will be developing into multifamily residential, and to the north, the Derby lateral irrigation ditch and Tract B which is owned by the City.

Enclosed with this application you will find the following:

- I. **Zone Map Amendment (PUD Rezoning) – Application**
- II. **Legal Description of the Property**
- III. **Proof of Ownership**
- IV. **Review Criteria: Consistency with Adopted Plans**
- V. **Uniformity of District Regulations**
- VI. **Further Public Health Safety and Welfare**
- VII. **Justifying Circumstances**
- VIII. **Consistency with Neighborhood Context, Zone District Purpose and Intent**

Thank you,

Jazzmine Clifton
Evergreen Devco. - Development Manager





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.

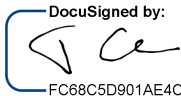
REZONING GUIDE

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
Tyler Carlson	1873 S Bellaire St. #1200 Denver CO	100	DocuSigned by:  FC68C5D901AE4C6...	8/5/2024	(A)	YES
						YES
						YES
						YES

Legal Description

Lot 1, Block 3, C.P. BEDROCK FILING NO.8, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 18, 2024 UNDER RECEPTION NO. 2024022177, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

1873 South Bellaire Street, Suite 1200, Denver, CO 80222
phone 303.757.0401 evgre.com

Development | Services | Investments



Evergreen

Proof of Ownership

[Neighborhood](#)[Business](#)[Visiting](#)[Government](#)[Online Services](#)[A to Z](#)

Denver Property Taxation and Assessment System

[New Search](#)

4507 N RIFLE WAY

Owner	Schedule Number	Legal Description	Property Type	Tax District
EVERGREEN-GREEN VALLEY RANCH & TELLURIDE LAND LLC 2390 E CAMELBACK RD STE410 PHOENIX, AZ 85016-3479	00211-28-001-000	CP BEDROCK FLG 8 B3 L1	DRY FARM LAND	DENVER

1873 South Bellaire Street, Suite 1200, Denver, CO 80222
phone 303.757.0401 evgre.com

Development | Services | Investments



Evergreen

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity named: Evergreen-Green Valley Ranch & Telluride Land, L.L.C., an Arizona limited liability company.
2. This type of entity is a Limited Liability Company.
3. The entity is formed under the laws of: Arizona.
4. The mailing address for the entity is: c/o Evergreen Devco, Inc., 2390 E. Camelback Road, Suite 410, Phoenix, AZ 85016
5. The name and position of each person authorized to execute licenses, and/or instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is:

Tyler Carlson, CEO
6. The authority to bind the entity is not limited.
7. Other matters concerning the manner in which the entity deals with interest in real property. NA
8. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.

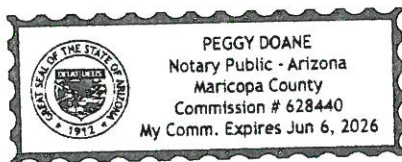
Executed this 25th day of May, 2023.

By: Andrew Skipper
Name: Andrew Skipper
Its: Authorized Signatory

STATE OF Arizona)
) ss.
County of Maricopa)

The foregoing instrument was acknowledged before me this 25th day of May, 2023 by Andrew Skipper as Authorized Signatory of Evergreen- Green Valley Ranch & Telluride Land, L.L.C., an Arizona limited liability company.

Witness my hand and official seal.



Notary Public
My Commission Expires: June 6, 2026
Peggy Doane

Review Criteria: Consistency with Adopted and Proposed Plans

As mentioned below, the application requesting map amendment for the Property located at Lot 1 Block 3, C.P. Bedrock Filing No. 8 (the "Property") to S-MX-5 zoning is consistent with the City's adopted plans outlined below:

1. Denver Comprehensive Plan 2040
2. Blueprint Denver
3. Far Northeast Area Plan

1. DENVER COMPREHENSIVE PLAN 2040 – REVIEW CRITERIA

The proposed map amendment is consistent with the following goals and strategies outlined in the Denver Comprehensive Plan 2040; the italicized text is a direct excerpt from the plan. The language that follows will detail how the proposed map amendment meets the goal set forth.

Strong and Authentic Neighborhood Goals

Goal 1: Create a city of complete neighborhoods.

Strategy A: "Build a network of well connected, vibrant, mixed-use centers and corridors"

The Property location is positioned east of Pena Blvd., providing convenient access to rail transport and regional pedestrian-oriented trail systems. The envisioned development aspires to establish a seamlessly connected community, incorporating a diverse array of nearby commercial and residential amenities, connecting shopping centers and corridors. Additionally, the proposal aims to complete the regional trail system along the western property line which will connect to Denver 60's trail connection and 40th Light rail station to the south.

Strategy D: "Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities."

The proposed S-MX-5 zoning will blend perfectly with the surrounding zone districts by encouraging a variety of compatible commercial and residential uses. The future development on the Property will provide open space, trail connection and amenities that will enhance the neighborhood's existing uses, community dynamics, and adhere to the current Denver Zoning code, notably by replacing the PUD 319 zoning governed by former Chapter 59 standards.

Vision Elements: Environmentally Resilient

Goal 5: Clean our soils, conserve land and grow responsibly.

Strategy A: "Promote infill development where infrastructure and services are already in place".

The Property is part of a larger development that integrates commercial, multifamily and industrial uses. This 12-acre parcel was created with a comprehensive master plat (Recordation #2024022177). The plat is accompanied with a transportation engineering plan, stormwater management plan, storm and sanitary plan, master drainage report and Denver water plan with capacity to service all future development on the master plat, including this parcel. The plat dedicated 65' wide public right-of-way (N. Rifle Way), that serves as a vital component to the development by tying multifamily, commercial, and industrial uses. This map amendment will enable a range of compatible commercial and residential uses within the existing master planned development, fostering a vibrant and interconnected community.

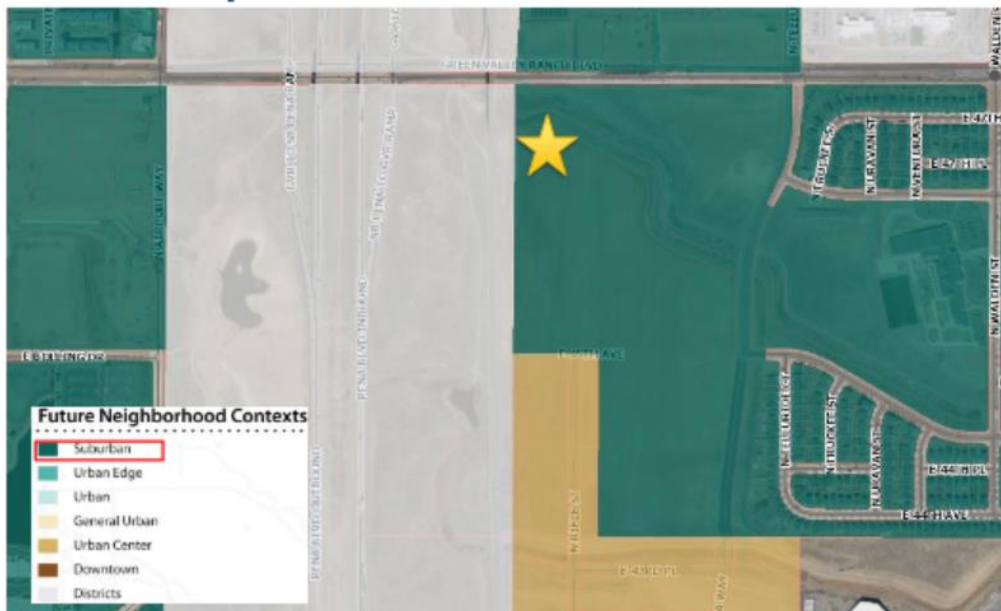
Strategy B: “Encourage mixed-use communities where residents can live, work, play in their own neighborhoods”.

The proposed zoning to S-MX-5 encourages mixed-use communities, promoting a lifestyle where residents can live, work, and engage in recreational activities within their own neighborhoods. S-MX-5, facilitates this vision by allowing for both commercial and residential uses. This zoning designation sets the stage for the development of commercial pads alongside residential areas, ensuring a balanced mix of amenities and living spaces. By integrating commercial and residential zones, the community becomes more self-sufficient, reducing the need for long commutes and enhancing local economic activity. Overall, the implementation of Strategy B creates vibrant, cohesive neighborhoods that offer convenience and a high quality of life for their residents.

2. [BLUEPRINT DENVER 2019– REVIEW CRITERIA](#)

Blueprint Denver is a citywide land use and transportation plan that was first adopted in 2002 and updated in 2019. The plan covers a 20-year period and calls for growing an inclusive city through complete neighborhoods and complete transportation networks; a measured, common-sense approach to new growth; and for the first time, land-use decisions through the lens of social equity.

Blueprint Denver



Neighborhood Context

The Property is designated in Blueprint Denver’s Future Neighborhood Context as Suburban. The Suburban context represent the most varied development in Denver’s neighborhoods. It calls for providing a mix of commercial and residential uses that are single and multi-unit/multi-tenant. Although designated as more reliant on single occupancy vehicles, it encourages walkability to local hubs, biking, and access to various transit options. The suggested rezone from PUD 319 to S-MX-5 aims to fulfill these needs by promoting the development of residential and/or commercial areas. This transition will also improve infrastructure and trail systems, creating a more inviting atmosphere for walking and biking.

1873 South Bellaire Street, Suite 1200, Denver, CO 80222

phone 303.757.0401 evgre.com

Development | Services | Investments

Blueprint Denver



Future Places

The Future Places designation within the suburban context is Community Center. Community Center is designed to offer a blend of office, commercial, and residential spaces, it attracts not only from nearby residents but also from surrounding neighborhoods. This center comprises a mix of large and small-scale buildings, creating a dynamic and inclusive environment. S-MX-5 zoning will provide accessibility and connection with its design standards and permitted uses which help create a diverse development that encourages people from different neighborhoods to visit the area. Vibrant open space areas and amenities will promote communal areas and gathering spaces for residents, businesses and visitors. By incorporating these elements, S-MX-5 zoning can effectively fulfill the requirements set forth in the Community Center landscape.

Growth Area

Blueprint Denver's growth strategy directs approximately 20% of new jobs and 25% of new households citywide into community centers and community corridors. Focusing growth on centers and corridors helps to provide a variety of housing, jobs, and entertainment options within a comfortable distance to residential areas and is the key element to building complete neighborhoods. The Property is located within a community center context which sets an emphasis on high and medium - high intensity residential areas. S-MX-5 will provide this density with allowing up to 5 stories in height and providing flexibility of uses to create a strong and strategic infill development with strong transportation options.

1873 South Bellaire Street, Suite 1200, Denver, CO 80222
phone 303.757.0401 evgre.com

Development | Services | Investments

3. FAR NORTHEAST AREA PLAN - REVIEW CRITERIA

In addition to the Comprehensive Plan and Blueprint Denver, the Property is also subject to the Far Northeast Area Plan. This plan sets recommendations for each neighborhood in far northeast areas which is made up of three neighborhoods, Montbello, Gateway - Green Valley Ranch & DIA. The proposed map amendment falls within the Gateway – Green Valley Ranch neighborhood.

The Far northeast area plan states the following:

“The City adopted the Denver Zoning Code (DZC) in 2010. Although the majority of the city was rezoned in 2010 to be included in the DZC, a significant portion of Denver is still covered by the old zoning code called Former Chapter 59. The presence of old code zoning presents challenges to consistent and efficient administration and means that many properties are not able to enjoy the benefits of a modern, flexible and context-based zoning code. Blueprint Denver recommends rezoning properties out of Former Chapter 59 and into the Denver Zoning Code, and limiting the use of Planned Unit Developments (PUDs) and other customized zoning tools to situations where standard zone districts do not exist to implement adopted plans.”

The city has expressed their strong preference to rezone the Property which will allow it to be newly developed in compliance with modern standards that govern and guide the rest of the city. The site is currently in the PUD319, and adheres to Former Chapter 59 zoning, which is an obstacle in the way of compliance with new Denver zoning code standards. The choice to rezone the Property out of the PUD319 to new zoning code is based on the following arguments.

- PUD319 restricts the flexibility of utilizing residential and commercial uses which would create a mixed-use suburban, community center.
- The Denver zoning code promotes progressive zoning with higher density, which is alignment with Denver’s comprehensive plan Blueprint Denver and the Far Northeast Area Plan.
- Alignment with city’s vision: Map Amendment ensures that the Property’s development is in line with the long-term goals and vision of the city. This includes objectives related to access to opportunity, housing, job diversity and quality of life.
- The Denver zoning code provides more flexibility in land uses, allowing for a broader range of commercial and residential uses that can better serve the community’s needs.
- By rezoning to a mixed-use zoning code, the city can encourage development that meets a variety of needs, such as residential, commercial, and recreational uses, fostering a vibrant and diverse urban environment.
- The Denver zoning code prioritizes more efficient land use patterns, such as higher-density development near transit hubs and mixed-use neighborhoods. This can help reduce urban sprawl, preserve open space, and support more sustainable development.

Land Use and Built Form Objectives

The Far Northeast Area plan, similar to Blueprint Denver, categorizes this property as Suburban Community, encompassing a blend of multi-unit residential, office, retail, and commercial services within an 5-story maximum building form. This designation aligns with S-MX-5 zoning uses and design standards, that aim for mixed-use development in the area. Currently, commercial retail is slated north and east under PUD 319 zoning, while C-MX-8 zoning exists to the south including plans for retail and residential. With S-MX-5 zoning, the Property can sustain its existing employment base, advance future residential and commercial growth, and promote housing diversity and choice.

Land Use Recommendations

LU-4 “Create new community and regional centers in large undeveloped areas”

The Far Northeast Area plan recommends that larger undeveloped areas (generally south of 56th and east of Pena Blvd.) create new community centers by providing community serving amenities, expand walkable and pedestrian oriented environments and promote pedestrian friendly streets through attractive building facades, street trees and landscaping. The Property is currently undeveloped land located within the area identified above. S-MX-5 zoning aligns with the plan's objectives by enabling retail, grocery stores, and residential developments, thus supporting its key characteristics.

LU-5 “Create quality of streetscapes that contribute to the neighborhood character and sense of place”

Situated within a distinctive infill site with surrounding infrastructure and connectivity options, S-MX-5 zoning presents a prime opportunity to establish an appealing mixed-use environment that prioritizes pedestrian-friendly streets, attractive building design, and inviting landscaping. Given the existing framework, the project stands in an advantageous position to leverage it, encouraging a vibrant and robust urban presence.

LU -5.5 “Create transitions between exsisting and new development by incorporating compatible building height, building form and, massing and architectural detailing.”

As previously noted, commercial retail lies to the north and multifamily housing to the east under PUD 319 zoning, while C-MX-8 zoning is present to the south. Placing S-MX-5 zoning at the center offers an optimal solution, allowing for a compatible design option with a maximum height of 5 stories. Moreover, architectural coherence is ensured as neighboring developments to the east and west fall within the Gateway Design Review requiring compliance with the same set of design standards across the board.



Uniformity Of District Regulations

The proposed rezoning to Mixed Use District S-MX-5 incorporates the criteria of the various adopted plans of the City and County of Denver. The current zoning is a remnant from the former Chapter 59 zoning and warrants revision to bring it in line with citywide district regulations and restrictions. An S-MX-5 Mixed-use district is consistent with adjacent uses and supportive of the stated objectives of the Far Northeast Area plan, Blueprint Denver and Denver Comprehensive Plan 2040 (as described above).

Public Health, Safety And General Welfare

The proposed rezoning to S-MX-5 is intended to allow development at this Property in accordance with the criteria that have been established by the City and County of Denver through the various plans that have been created. The proposed map amendment furthers the public health, safety and general welfare of the City and County of Denver by taking undeveloped land and using for to further the city's economic growth objectives and adding to the greater community by contributing to the creation of a safer improved road and pedestrian sidewalk network and open space amenities.

General Review Criteria – Section 12.4.10.8

The Code also requires that non-legislative rezonings meet the following additional criteria: (A) Justifying Circumstances; and (B) Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements.

Justifying Circumstances

The identified justifying circumstance for the zoning map amendment is 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 must include one of the following:

- a. *Changed or changing conditions in a particular area in the City generally; or,*
- b. *A City adopted plan; or*
- c. **That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning**

The city has expressed their strong preference to rezone the Property which will allow it to be newly developed in compliance with modern standards that govern and guide the rest of the city. The site is currently in the PUD 319, and adheres to Former Chapter 59 zoning, which is an obstacle in the way of compliance with new Denver zoning code standards

Consistency with Neighborhood Context

As mentioned prior, the proposed zoning designation, S-MX-5, is classified as one of zone districts established within the suburban and community center context by the Far Northeast Area plan, Blueprint Denver and Denver Comprehensive Plan 2040. The general purpose of the S-MX-5 zone district includes creation of a mixed, diverse neighborhood that contributes positively to the surrounding area creating an urban setting with transitions between commercial and residential development. The S-MX-5 zone districts permit a mix of residential, retail, entertainment, restaurant and office use that are compatible with the suburban and community center context.



In conclusion, the need for this map amendment is not merely a strategic decision but a visionary one. It grants us the freedom to foster innovative creativity and adaptability, allowing us to shape a project that aligns seamlessly with the needs and aspirations of the community.



Jazzmine Clifton
Development Manager
Evergreen Devco, Inc.

1873 South Bellaire Street, Suite 1200, Denver, CO 80222
phone 303.757.0401 evgre.com

Development | Services | Investments



Evergreen

OUTREACH DOCUMENTATION

The Applicants, before submittal of this Application, conducted outreach to the neighboring property owners. The Applicant sent mailings to every property owner within 200’ of the Property. Below is an example of a letter that was sent to the following property owners within 200’ the Property.

1. CITY & COUNTY OF DENVER
201 W COLFAX AVE DEPT 401
DENVER, CO 80211-5330
2. EVERGREEN-GREEN VALLEY RANCH & TELLURIDE LAND LLC
2390 E CAMELBACK RD STE 410
PHOENIX, AZ 85016-3479
3. GATEWAY EAST RESIDENTIAL LLC
100 SAINT PAUL ST STE 300
DENVER, CO 80206-5136
4. QUIKTRIP CORPORATION
4705 South 129th Avenue East
Tulsa, Oklahoma 74134
5. GATEWAY EAST RESIDENTIAL LLC
100 SAINT PAUL ST STE 300
DENVER, CO 80206-5136

[Neighbor's Address]
[Date]
[Neighbor's Name]
[Neighbor's Address]
[City, State, Zip Code]

Re: Zoning Map Amendment Application – Lot 1, Block 3, C.P. Bedrock Filing No. 8

Dear [Neighbor's Name],

I hope this letter finds you well. We are writing to formally notify you that Evergreen – Green Valley Ranch & Telluride Land, L.L.C., property owner of 12-acres identified as Lot 1, Block 3, C.P. Bedrock Filing No. 8, has submitted an application for a zoning map amendment, commonly referred to as a rezoning, to remove the property out of PUD 319 zoning to S-MX-5 zoning code. This amendment is a critical step in our efforts to enhance and develop the area in accordance with the applicable regulations and Denver’s zoning code.

We value our relationship with our neighbors and believe in open communication throughout this process. Should you have any questions or require further information regarding this matter, please do not hesitate to reach out to Jazzmine Clifton at jclifton@evgre.com or 720-519-6577.

Thank you for your attention to this important matter.

EQUITY RESPONSE:

Please provide a response that details how the proposed zone district will either advance Blueprint Denver’s equity concepts or, at a minimum, prevent further inequitable scores in the immediate and surrounding area. For suggestions, refer to the attached menu of strategies document.

ACCESS TO OPPORTUNITY - Creating more equitable access to quality-of-life amenities, health, and education.

Response from Applicant

Empty response area for Access to Opportunity.

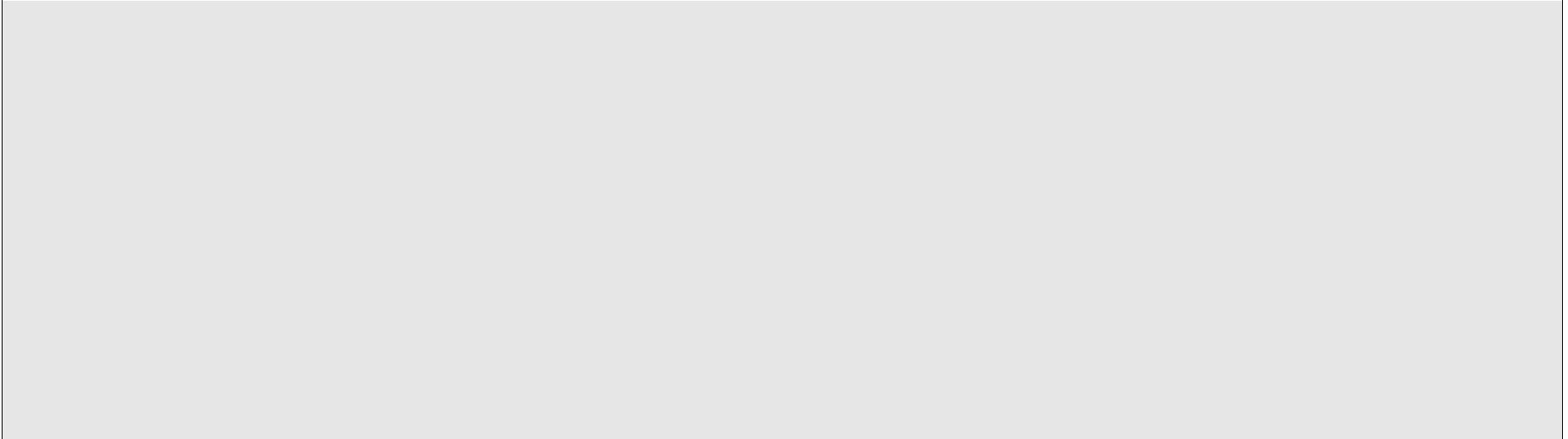
REDUCING VULNERABILITY TO DISPLACEMENT – Stabilizing residents and businesses who are vulnerable to involuntary displacement due to increasing property values and rents.

Response from Applicant

Empty response area for Reducing Vulnerability to Displacement.

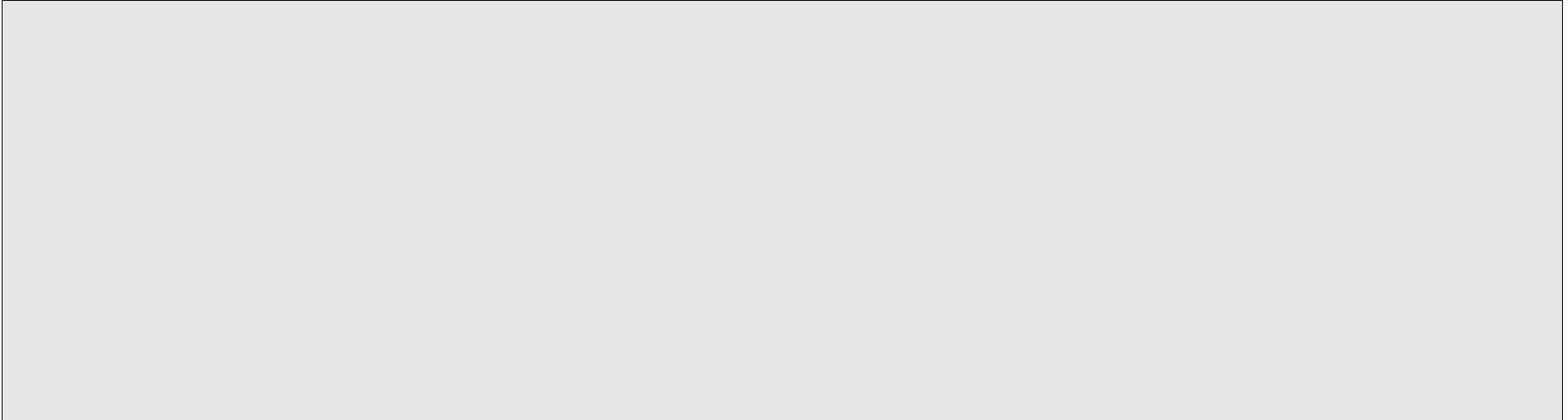
EXPANDING HOUSING DIVERSITY - providing a better and more inclusive range of housing in all neighborhoods.

Response from Applicant

A large, empty rectangular area with a light gray gradient background, intended for the applicant's response to the housing diversity question.

EXPANDING JOB DIVERSITY - providing a better and more inclusive range of employment options in all neighborhoods.

Response from Applicant

A large, empty rectangular area with a light gray gradient background, intended for the applicant's response to the job diversity question.