

## 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	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<p><b>*If More Than One Property Owner:</b>            All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p><b>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</b></p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p> <p>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.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			

## REVIEW CRITERIA

<p>General Review Criteria: The proposal must comply with all of the general review criteria</p> <p>DZC Sec. 12.4.10.7</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. Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</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>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria</p> <p>DZC Sec. 12.4.10.8</p>	<p><b>Justifying Circumstances - One of the following circumstances exists:</b></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 on 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="margin-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or</p> <p style="margin-left: 20px;">b. A City adopted plan; or</p> <p style="margin-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. Please provide an attachment describing the justifying circumstance.</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. Please provide an attachment describing how the above criterion is met.</p>

## REQUIRED ATTACHMENTS

Please ensure the following required attachments are submitted with this application:

- ☐ Legal Description (required to be attached in Microsoft Word document format)
- ☐ Proof of Ownership Document(s)
- ☐ Review Criteria, as identified above

## ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- ☐ Written Authorization to Represent Property Owner(s)
- ☐ Individual Authorization to Sign on Behalf of a Corporate Entity

Please list any additional attachments:

# REZONING GUIDE

Rezoning Application Page 3 of 3

## PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION

We, the undersigned represent that we are the owners 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 or deed of trust, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
<b>EXAMPLE</b> 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>	01/01/12	(A)	YES
<i>FC Stapleton II, LLC</i>	4650 Central Park Drive Denver, CO Lot I, Block I, Stapleton Filing #55	<i>100%</i>	<i>[See attached signature sheet for Brian Fennell]</i>	7/26/18	<i>Bargain &amp; Sale Deed</i>	<i>Yes</i>

Last updated, May 24, 2018

 Return completed form to [rezoning@denvergov.org](mailto:rezoning@denvergov.org)

201 W. Colfax Ave., Dept. 205

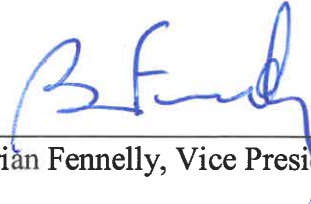
Denver, CO 80202

 (720) 865-2974 • [rezoning@denvergov.org](mailto:rezoning@denvergov.org)

**FC STAPLETON II, LLC**, a Colorado limited liability company

By: Stapleton Land, LLC, a Colorado limited liability company, its Sole Member

By: Forest City Stapleton Land, LLC, a Colorado limited liability company, its Administrative Member

By: \_\_\_\_\_  
Brian Fennelly, Vice President

**LEGAL DESCRIPTION**

**4650 Central Park Drive**

**Denver, CO**

Lot I, Block I, Stapleton Filing #55

East of North bound Central Park Blvd. Borders 46<sup>th</sup> Place (south), 47<sup>th</sup> Ave (north), & Beeler Court (east)

# FORESTCITY

7351 E. 29th Avenue  
Denver, CO 80238  
303.382.1800 phone  
303.996.5950 fax  
[www.forestcity.net](http://www.forestcity.net)

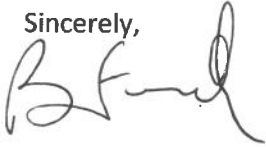
August 21, 2018

Denver Community Development and Planning  
201 W Colfax Ave Department 205  
Denver, CO, 80202

Reference: Written Authorization for Rezoning of Property located at Lot 1, Block 1, Stapleton Filing 55

Jeffrey Jones and America Development and Investments have the authority to represent the property owner in the rezoning application process for the above reference property.

Sincerely,



Brian Fennelly  
CFO/Vice President  
Forest City Stapleton, Inc.  
7351 East 29th Avenue  
Denver, CO 80238

## STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity named FC Stapleton II, LLC.

2. The type of entity is a

- |                          |  |                                     |  |
|--------------------------|--|-------------------------------------|--|
| <input type="checkbox"/> | Corporation                                      | <input type="checkbox"/>            | Non-Profit Corporation                   |
| <input type="checkbox"/> | General Partnership                              | <input type="checkbox"/>            | Limited Partnership                      |
| <input type="checkbox"/> | Limited Partnership Association                  | <input type="checkbox"/>            | Registered Limited Liability Partnership |
| <input type="checkbox"/> | Registered Limited Liability Limited Partnership | <input type="checkbox"/>            | Unincorporated Non-Profit Association    |
| <input type="checkbox"/> | Government, Governmental Subdivision or Agency   | <input checked="" type="checkbox"/> | Limited Liability Company                |
| <input type="checkbox"/> | Trust  | <input type="checkbox"/>            | Business Trust                           |
| <input type="checkbox"/> | Other  |                                     |  |

3. The entity is formed under the laws of Colorado.

4. The mailing address for the entity is 7351 E. 29<sup>th</sup> Avenue Ste. 300, Denver, Colorado 80238.

5. The name and position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is Brian Fennelly, as Vice President of Forest City Stapleton Land, LLC, Administrative Member of Stapleton Land, LLC, Sole Member of FC Stapleton II, LLC, a Colorado limited liability company.

6. (Optional) The authority of the foregoing person(s) to bind the entity ☒ is not limited ☐ is limited as follows: \_\_\_\_\_

7. (Optional) Other matters concerning the manner in which the entity deals with interests in real property: \_\_\_\_\_


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 14<sup>th</sup> day of August, 2018.

**FC STAPLETON II, LLC**, a Colorado limited liability company

By: Stapleton Land, LLC, a Colorado limited liability company, its Sole Member

By: Forest City Stapleton Land, LLC, a Colorado limited liability company, its Administrative Member

By:   
Brian Fennelly, Vice President

STATE OF **COLORADO** )  
 )SS  
CITY AND COUNTY OF DENVER )

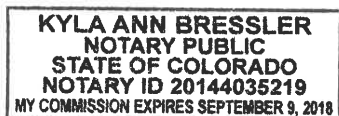
The foregoing instrument was acknowledged before me on August 14, 2018 by Brian Fennelly, as Vice President of Forest City Stapleton Land, LLC, Administrative Member of Stapleton Land, LLC, Sole Member of FC Stapleton II, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My Commission Expires:

09/09/2018

  
Notary Public



**WRITTEN CONSENT OF THE PARTNERS**

**OF**

**AMERICA DEVELOPMENT & INVESTMENTS, LTD.**

On this the 10<sup>th</sup> day of August, 2018, the undersigned, constituting a required percentage of the partners of America Development & Investments, Ltd. (the "Partnership"), for the purpose of taking action in lieu of a meeting, hereby consent to and adopt the following resolution(s), and direct that this consent (the "Consent"), be filed with the record of proceedings of the Partnership:

**RESOLVED**, that the Partnership hereby waives all notices of this action and all meeting requirements as may be required by law.

**RESOLVED**, that Jeffrey G. Jones ("Jones") is hereby authorized and directed, in his capacity as President of ADI Holdings, LLC, the general partner of the Partnership (the "General Partner"), to execute and deliver any and all documents in connection with any and all transactions of the Partnership.

**RESOLVED**, that Jones is hereby authorized and directed to execute and deliver, as Manager of the General Partner, such other documents, agreements, certificates and instruments, and to take such other actions as he deems necessary or advisable to effectuate any transactions required by Jones on behalf of the Partnership.

**RESOLVED**, that the Partnership hereby ratifies, authorizes, adopts, confirms and approves any and all prior actions taken or caused to be taken by Jones, the General Partner or the Partnership in connection with any and all transactions of the Partnership.

**RESOLVED**, that this Written Consent shall be effective as of the date set forth above.

The signing of this consent by the undersigned partners shall constitute full ratification of the actions taken as set forth in the foregoing resolutions.

**GENERAL PARTNER**

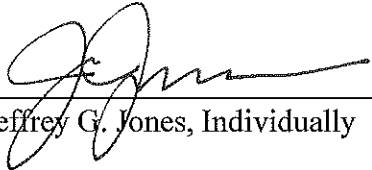
**ADI HOLDINGS, LLC**

By:   
Jeffrey G. Jones, President

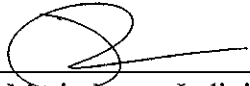


**LIMITED PARTNERS**

**JEFFREY JONES**

By:   
Jeffrey G. Jones, Individually

**PAULA MARIE JONES**

  
Paula Marie Jones, Individually



2017118498

Page: 1 of 5

09/07/2017 04:18 PM

R \$33.00

D

D \$12.95

City & County of Denver  
Electronically Recorded

After Recording, Return to:  
Tammi Holloway, Esq.  
Stapleton Development Corporation  
7350 E. 29<sup>th</sup> Avenue, Suite 200  
Denver, CO 80238  
(303) 393-7700

---

**PROPERTY DEED**

**(Statutory Bargain and Sale)**

STAPLETON FILING NO. 55, PARCEL 1

STAPLETON DEVELOPMENT CORPORATION, a Colorado non-profit corporation ("Grantor"), whose address is 7350 E. 29<sup>th</sup> Avenue, Suite 200, Denver, CO 80238, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby sells and conveys to FC STAPLETON II, LLC, a Colorado limited liability company ("Grantee") whose address is 7351 E. 29<sup>th</sup> Avenue Suite 301, Denver, CO 80238, the following described property in the City and County of Denver, State of Colorado, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND  
INCORPORATED HEREIN BY THIS REFERENCE

Together with all rights, privileges and easements appurtenant to the Property, including without limitation, any and all development rights, air rights, ditches and ditch rights (including shares, if any, in any ditch company and any easements or rights-of-way, express or implied, in existing ditches or laterals and the right to use, relocate, and fill in such ditches), and associated rights appurtenant to each of the foregoing (hereinafter collectively referred to as the "Property"), which has been subjected to reservations by the City and County of Denver, a municipal corporation ("City") pursuant to that certain Property Deed contemporaneously recorded herewith in the Office of the Clerk and Recorder of the City and County of Denver, Colorado (the "City Deed"). By acceptance of this Deed, Grantee affirms its agreement, assumption and acceptance of all of the terms, covenants, conditions and restrictions of "Grantee" under the City Deed from and after the date hereof, which terms, covenants, conditions and restrictions of "Grantee" thereunder are hereby acknowledged as being covenants that run with the land, binding on Grantee hereunder, its successors and assigns.

[Signatures on Following Page]

Doc Fee \$12.48

EXECUTED TO BE EFFECTIVE as of the 1<sup>TH</sup> day of September, 2017.

STAPLETON DEVELOPMENT CORPORATION  
a Colorado non-profit corporation

By: [Signature]  
Title: Vice Chairman

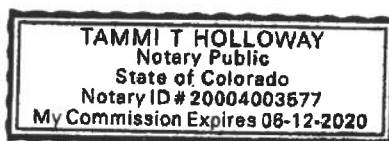
STATE OF COLORADO                    )  
  ) ss.  
CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of September, 2017 by Kevin Marchman as Vice Chairman of Stapleton Development Corporation, a Colorado non-profit corporation.

My commission expires:

6-12-2020

[Signature]  
Notary Public



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**EXHIBIT A**

Page 1 of 3

**PARCEL 1  
DESCRIPTION**

A part of the Northwest Quarter of Section 22, Township 3 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows:

**COMMENCING** at the Northwest corner of said Section 22;  
thence South  $31^{\circ}48'38''$  East a distance of 1165.68 feet to the northwest corner of Parcel 4 described at Reception Number 2012083125 in the Clerk and Recorder's Office of said City and County of Denver, also being a point on the easterly line of Parcel 3 - North described at Reception Number 2009116903 in said Clerk and Recorder's Office and the **POINT OF BEGINNING**;

thence North  $00^{\circ}00'00''$  East, along said easterly line of Parcel 3 - North described at Reception Number 2009116903, a distance of 511.73 feet;

thence North  $90^{\circ}00'00''$  East a distance of 128.62 feet;  
thence South  $85^{\circ}14'11''$  East a distance of 240.83 feet;  
thence North  $90^{\circ}00'00''$  East a distance of 43.99 feet;  
thence North  $78^{\circ}41'24''$  East a distance of 9.82 feet;  
thence North  $11^{\circ}18'36''$  East a distance of 9.82 feet;  
thence North  $00^{\circ}00'00''$  East a distance of 4.95 feet;  
thence North  $90^{\circ}00'00''$  East a distance of 68.00 feet;  
thence South  $00^{\circ}00'00''$  East a distance of 4.95 feet;  
thence South  $11^{\circ}18'36''$  East a distance of 9.82 feet;  
thence South  $78^{\circ}41'24''$  East a distance of 9.82 feet;  
thence North  $90^{\circ}00'00''$  East a distance of 4.95 feet;  
thence South  $00^{\circ}00'00''$  East a distance of 68.00 feet;  
thence North  $90^{\circ}00'00''$  West a distance of 4.95 feet;  
thence South  $78^{\circ}41'24''$  West a distance of 9.82 feet;  
thence South  $11^{\circ}18'36''$  West a distance of 9.82 feet;  
thence South  $00^{\circ}00'00''$  East a distance of 414.63 feet to the most northerly northeast corner of Parcel 4B described at Reception Number 2012146179 in said Clerk and Recorder's Office;

thence along the northerly line of said Parcel 4B described at Reception Number 2012146179 the following four (4) courses:

- 1.) North  $90^{\circ}00'00''$  West a distance of 68.00 feet;
- 2.) South  $00^{\circ}00'00''$  East a distance of 5.00 feet;
- 3.) South  $11^{\circ}18'36''$  West a distance of 9.82 feet;
- 4.) South  $78^{\circ}41'24''$  West a distance of 9.82 feet to the northerly line of said Parcel 4 described at Reception Number 2012083125;

OK  
8/21/17

**EXHIBIT A**

Page 2 of 3

thence along said northerly line of Parcel 4 described at Reception Number 2012083125 the following three (3) courses:

- 1.) North 90°00'00" West a distance of 39.46 feet;
- 2.) North 86°11'09" West a distance of 285.63 feet;
- 3.) North 90°00'00" West a distance of 88.15 feet to the POINT OF BEGINNING.

Containing 253,114 square feet or 5.811 acres, more or less.

**BASIS OF BEARINGS:** Bearings are based on the west line of the Northwest Quarter of Section 22, Township 3 South, Range 67 West of the Sixth Principal Meridian, said west line bearing North 00°16'53" West, based on NAD 83/92 Colorado Central Zone State Plane Coordinates, and as marked by a found 3-1/4" Aluminum Cap Stamped: AECOM PLS 20683 at the Northwest corner of said Section 22, and by a found 2-1/2" Aluminum Cap Stamped: PLS 35597 at the West Quarter corner of said Section 22.

  
A. David Johnson, P.E. 20683  
For and on behalf of AECOM  
6200 South Quebec St.,  
Greenwood Village, CO 80111  
phone 303.740.2847  
dave.johnson@aecom.com

OK  
8/21/17

## REZONING APPLICATION REVIEW CRITERIA

**PROPERTY ADDRESS:** 4650 Central Park Blvd  
**NEIGHBORHOOD:** Stapleton/Northfield  
**CITY COUNCIL DISTRICT:** 8  
**CURRENT ZONING:** M-IMX8  
**REQUESTED ZONING:** CMP-H  
**EXISTING LAND USE:** Vacant  
**Legal:** Lot 1, Block1, Stapleton Filing  
55

The nature of the proposed map amendment is to permit rezoning of a 4.2 acre of property located in the Northfield/Stapleton neighborhood, at a newly constructed city block with Central Park Blvd on the west, 46th Ave on the south, 47th Ave on the north and Beeler Ct on east. The block was just recently created in the Northfield Stapleton area.

The proposed rezoning is to rezone from M-IMX8 to CMP-H. 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**

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

### **Sec. 12.4.10.7, General Review Criteria Applicable to All Zone Map Amendments**

#### **1. Consistency with Adopted Plans**

The following Adopted Plans apply to the subject properties:

- Denver Comprehensive Plan 2000
- Blueprint Denver: A Land Use and Transportation Plan (2002)
- Stapleton Development Plan (1999)
- Stapleton Development GDP North Area – Minor Amendment 1 (2009)

#### **Denver Comprehensive Plan 2000**

The proposal is consistent with many Denver Comprehensive Plan strategies, including:

- Mobility Strategy 3-B – Promote transit-oriented development (TOD) as an urban design framework for urban centers and development areas. Development at transit stations should provide both higher ridership to the transit system and viability and walkability in the area.
- Mobility Strategy 9-E – Encourage parking management strategies in the development approval for new, expanded or remodeled community facilities such as schools, sports facilities, cultural

facilities and health-care centers. (p. 81)

- Economic Activity 3-B – Support retention and expansion of businesses in industries historically important to Denver, including small business, health care, manufacturing, and federal and state government. (p. 133)
- Human Services 1A - Improve access to and convenience of public transportation for work and everyday life with a special emphasis on A more accommodating public transportation system, particularly at the neighborhood level. This empowers single working parents, the elderly and persons with disabilities to reach essential destinations such as employment, grocery shopping, health care, child care and school. (p. 185) [ref: Mobility 1-A/B]
- Human Services 1-C – Expand access to needed health services in areas critical to well-being and self-sufficiency (p.185):
  - Ensure through effective outreach that individuals and families know about, understand and can access medical programs for which they are eligible, such as Medicaid, Medicare and Colorado’s Child Health Plan Plus.
  - Increase health-care services that affect employability, such as dentistry, optometry, mental health and substance-abuse services. Add rehabilitation.

### **Blueprint Denver**

**Concept Land Use:** According to the Blueprint Denver Plan Map, updated by subsequent adopted plans, this site spans two Concept Land Uses.

TOD areas are unique in that they “offer an alternative to traditional development patterns by providing housing, services and employment opportunities for a diverse population in a configuration that facilitates pedestrian and transit access” (P. 44). These areas are intended to develop or redevelop with compact, mid- to high-density development featuring a pedestrian-friendly and attractive pedestrian environment. The CMP-H zone district caters to and is consistent with this future land use classification with a focus on employment.

Employment areas “contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology ... These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial and some industrial activity. Employment areas require access to major arterials or interstates. Those areas with manufacturing and warehousing uses must be able to accommodate extensive truck traffic and rail in some instances. Due to these special transportation requirements, attention to design, screening and buffering is necessary when employment districts are near other districts that include residential use” (p. 39). Examples of employment districts include the Denver Tech Center and portions of Stapleton and Lowry. The area of the subject site designated for Employment is further described in the Stapleton Development Plan.

This healthcare development will ultimately provide over 150 jobs to this rezoned area. Those jobs will primarily happen during the day with a portion of the jobs at night. Similar to office employee patterns.

**Area of Change:** The subject site is designated by Blueprint Denver as an Area of Change. The goal for Areas of Change is to “channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips” (p. 127). Rezoning to the CMP-H zone district will enable the site to accommodate new uses and services that will improve access to jobs and health services for seniors and the community at large. Therefore, the rezoning application is consistent with

the Blueprint Denver Area of Change recommendations.

The Northfield area has changed significantly over the last 5-10 years and has virtually all elements of mixed use other than medical or healthcare facilities. Current uses include residential, multi-family, office, retail, hotels, restaurants, etc. Additionally, our primary use for this property is to build a new inpatient (physical therapy) rehabilitation hospital. There are no rehabilitation hospitals in this area and only limited medical or healthcare services.

### **Stapleton Development Plan**

The target 4.2-acre CMP-H site resides in District 5 that comprises 561 acres north of I-70 and immediately west of Havana Street. "This area has the greatest capacity to accommodate employment activity, particularly larger foot-print buildings" (p. 57).

The requested CMP-H zone district and target site remain consistent with the Stapleton adopted plan as demonstrated in the Key Elements on page 54: "Density of 1-3 story structures with surface parking".

### **2. Uniformity of District Regulations and Restrictions**

The proposed rezoning to CMP-H will result in the uniform application of zone district building form, use and design regulations. This rezoning incorporates the criteria of the various adopted plans of the City and is consistent with nearby parcels.

### **3. Public Health, Safety and General Welfare**

The proposed official map amendment furthers the public health, safety, and general welfare of the City by placing an increased focus on healthcare itself. In order to better service the community and provide healthcare-focused uses, this rezoning can address a vital need of the greater Stapleton neighborhood and surrounding communities in NE Denver.

## **Sec. 12.4.10.8 Additional Review Criteria for Non-Legislative Rezoning**

### **4. Justifying Circumstance**

The application identifies several changed or changing conditions 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 a degree that the proposed rezoning is in the public interest. Such change may include:

- a. Changed or changing conditions in a particular area, or 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."

#### **Section 12.4.10.8.A.5**

"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."

Since the approval of the Stapleton Development Plan in 1999, the City and more specifically the



Stapleton Neighborhood has undergone significant change.

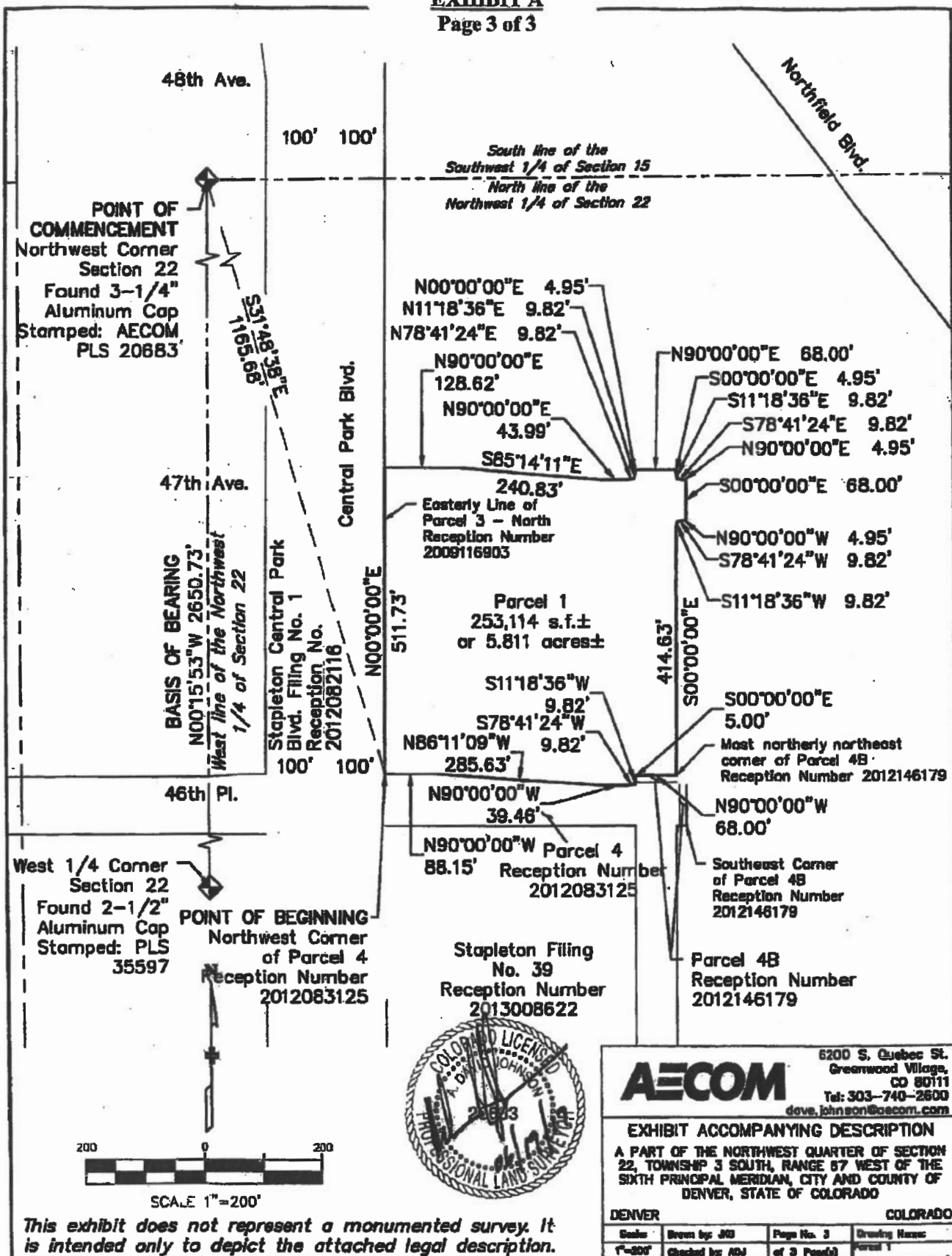
Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements  
The requested CMP-H zone district is within the city's adopted land use plans and is consistent with the District 5 Neighborhood Special Context. Both the existing Master Planned Context and proposed Campus Context fall within the overall category of Special Contexts: areas that typically serve a principle use.

The neighborhood context generally consists of larger sites that accommodate multiple buildings oriented around a central use. The Healthcare Campus Zone Districts are intended to promote and encourage the maintenance and concentration of existing and proposed healthcare facilities and their related uses. The district is established to allow for flexible placement of buildings, and unified treatment of signs, open space, landscaping and other site elements while providing compatible transitions between the campus and adjacent neighborhoods. The Campus Context often has high levels of access to the multimodal transit system (DZC 9.2-1) and therefor significantly increasing its participation in the City's mobility initiatives.

The proposed rezoning to CMP-H will lead to development that is consistent with the zone district purpose and intent and will provide a very essential healthcare service to this area that does not currently exist.

**EXHIBIT A**

Page 3 of 3



**LEGAL DESCRIPTION**

**4650 Central Park Drive**

**Denver, CO**

Lot I, Block I, Stapleton Filing #55

East of North bound Central Park Blvd. Borders 46<sup>th</sup> Place (south), 47<sup>th</sup> Ave (north), & Beeler Court (east)