



Legislation Details (With Text)

File #: 22-1634 **Version:** 1

Type: Bill **Status:** Passed

File created: 12/5/2022 **In control:** Land Use, Transportation & Infrastructure Committee

On agenda: 1/23/2023 **Final action:** 1/23/2023

Title: A bill for an ordinance approving a proposed Development Agreement between the City and County of Denver and ACM Park Hill JV VII, LLC, for the redevelopment of the land known as the Park Hill Golf Course located at 4141 East 35th Avenue.
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. The last regularly scheduled Council meeting within the 30-day review period is on 2-6-2023. The Committee approved filing this item at its meeting on 12-13-2022.

Sponsors:

Indexes: Lucas Palmisano

Code sections:

Attachments: 1. BR22-1634_MO_Bill_request_PHGC_DevelopmentAgreement, 2. Summary_DevelopmentAgreement, 3. Full_DevelopmentAgreement, 4. 22-1634 Filed Bill_ACM Park Hill JV VII LLC.JM.pdf, 5. Development_Agreement_ACM Park Hill JV VII, LLC, 6. 22-1634 Filed Bill_ACM Park Hill JV VII LLC, 7. 22-1634 - signed, 8. 22-1634 For an ordinance approving a proposed Development Agreement between the

Date	Ver.	Action By	Action	Result
1/24/2023	1	Mayor	signed	
1/24/2023	1	Council President	signed	
1/23/2023	1	City Council	postponed	Pass
1/23/2023	1	City Council	placed upon final consideration and do pass	Pass
1/23/2023	1	City Council	placed upon final consideration and do pass	
1/17/2023	1	City Council	ordered published	Pass
12/13/2022	1	Land Use, Transportation & Infrastructure Committee	approved for filing	Pass

Contract Request Template (Contracts; IGAs; Leases)

Date Submitted: 12-12-2022

Requesting Agency: Mayor’s Office on behalf of multiple agencies
Division:

Subject Matter Expert Name: Shannon Gifford
Email Address: Shannon.Gifford@denvergov.org

Phone Number:

Item Title & Description:

(Do not delete the following instructions)

*These appear on the Council meeting agenda. Initially, the requesting agency will enter a 2-3 sentence description. Upon bill filling, the City Attorney's Office should enter the title above the description (the title should be in **bold** font).*

*Both the title and description must be entered between the red "title" and "body" below. Do **not** at any time delete the red "title" or "body" markers from this template.*

A bill for an ordinance approving a proposed Development Agreement between the City and County of Denver and ACM Park Hill JV VII, LLC, for the redevelopment of the land known as the Park Hill Golf Course located at 4141 East 35th Avenue.

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. The last regularly scheduled Council meeting within the 30-day review period is on 2-6-2023. The Committee approved filing this item at its meeting on 12-13-2022.

Affected Council District(s) or citywide? 8

Contract Control Number: N/A

Vendor/Contractor Name (including any "DBA"): ACM Park Hill JV VII, LLC,

Type and Scope of services to be performed:

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

- \$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.

For New contracts

Term of initial contract:

Options for Renewal:

How many renewals (i.e. up to 2 renewals)?

Term of any renewals (i.e. 1 year each):

Cost of initial contract term:

Cost of any renewals:

Total contract value council is approving if all renewals exercised:

For Amendments/Renewals Extensions:

Is this a change to cost/pricing; length of term; terms unrelated to time or price (List all that apply)?

If length changing

What was the length of the term of the original contract?

What is the length of the extension/renewal?

What is the revised total term of the contract?

If cost changing

What was the original value of the entire contract prior to this proposed change?

What is the value of the proposed change?

What is the new/revised total value including change?

If terms changing

Describe the change and the reason for it (i.e. compliance with state law, different way of doing business etc.)