

# Highland United Neighbors, Inc.

P.O. Box 11235, Denver, Colorado 80211

## PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE

Authorized by the Board of Directors to represent HUNI in all zoning and planning matters.

October 18, 2010

City and County of Denver  
City Council  
Land Use, Transportation, and Infrastructure Committee  
City and County Building  
Denver, CO 80204

Re: 3300 and 3316 Tejon Street  
Proposed Rezoning to U-MS-3, Application No. 2010I-00014

Dear Chairpersons Montero and Robb and Committee Members:

The Planning and Community Development (PCD) Committee of Highland United Neighbors, Inc. (HUNI), met on October 12, 2010 to review this application for rezoning for a third time. The PCD Committee voted 5-0 at this meeting to reiterate our position. We oppose the change to U-MS-3, but would support a change to U-MX-3. The PCD Committee is authorized by the HUNI Board of Directors to represent HUNI in all zoning, land use, and planning matters. Membership in HUNI is open to all residents and businesses in the Highland Neighborhood, which is bounded by West 38<sup>th</sup> Avenue, Federal Boulevard, Speer Boulevard, and Interstate 25. There are approximately 300 paying members of HUNI, and the bi-monthly newsletter has a mailing list of over 3000 households and businesses. Notices of meetings with detailed agendas reach an email list of nearly 1000 members.

We do understand that the currently proposed uses would be unaffected under either zone district. We would point out that the currently proposed uses would be allowed WITHOUT any rezoning. The applicant has stated to our committee that he is simply wanting to make sure that his property has the same redevelopment rights as the other 3-story zoned properties along Tejon. We do not disagree with this goal.

However, there is a significant difference between U-MS zoning and U-MX zoning: the parking requirements are substantially less for restaurant and other commercial uses under the U-MS zoning than under the U-MX zoning.

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So, from our perspective, this comes down to fairness: All other 3-story commercial zoned properties along Tejon are zoned U-MX-3 and must provide 4.5 spaces per 1000 sf. These two properties are currently zoned U-MS-2 and must provide only 2.0 spaces per 1000 sf. If the Applicant wants 3 story zoning to be consistent with other properties along Tejon Street, it is only fair that these properties follow the same rules that the neighboring properties must.

We strongly believe that no spot zoning should be granted that give a particular property an unfair advantage over similar and adjacent properties. Therefore, HUNI's PCD Committee has voted 5-0 to oppose the change in zoning from U-MS-2 to U-MS-3. We continue to support a change from U-MS-2 to U-MX-3.

Thank you for your consideration of our position.

Sincerely,

HIGHLAND UNITED NEIGHBORS, INC.

A handwritten signature in black ink that reads "Timothy C. Boers". The signature is written in a cursive style with a large, prominent 'T' and 'B'.

Timothy C. Boers, AIA  
Chair, Planning and Community Development Committee

Cc: HUNI Board President  
Committee Members