

From: [Lynn Edone](#)
To: [Jeff Laws](#)
Cc: [Shepherd, Susan K. - City Council District 1](#); [Faatz, Jeanne R. - City Council Dist #2](#); [Lopez, Paul D. - City Council Dist #3](#); [Lehmann, Peggy A. - City Council Dist #4](#); [Susman, Mary Beth - City Council](#); [Brown, Charlie - City Council District #6](#); [Nevitt, Chris - City Council Dist #7](#); [Brooks, Albus - City Council District 8](#); [Montero, Judy H. - City Council District #9](#); [Robb, Jeanne - City Council Dist. #10](#); [Herndon, Christopher J. - City Council District 11](#); [kniechatlarge; dencc - City Council](#); [Dave Decker \(davebyersstreet@aol.com\)](#); [Karen Harris](#); [Jim Harris \(Jim.Harris@jrharrisandco.com\)](#); [Jeanne Laws](#); [Sandoval Joann \(titlebyjoann@gmail.com\)](#); [drg@tde.com](#); [Kristi Petersen \(kpetersenmd@mac.com\)](#); [Greenberg, Amanda S. <agreenberg@ottenjohnson.com>](#); [\(agreenberg@ottenjohnson.com\)](#); [Rutz, Cory M. \(CRutz@ottenjohnson.com\)](#); [Basha \(bashacohen@aol.com\)](#); [Thompson, Maggie - City Council Operations](#); [Montano, Dana - City Council District #2](#); [Murphy, Megan K - City Council Operations](#); [Orrantia, Jesus - City Council](#); [Magana, Adriana - City Council](#); [Young, Diane - City Council District #4](#); [Grohskopf, Lori S. - City Council District 4](#); [Palmisano, Lucas W - City Council Operations](#); [Kline, Genevieve M. - City Council](#); [Simonet, Stacy B - City Council Aide](#); [Kerns, Valerie L. - City Council District #7](#); [Batchelder, Nathan D. - City Council District 7](#); [Montoya, Chy - City Council](#); [Micheau, Brande - City Council District 8](#); [Sandoval, Amanda P - City Council Operations](#); [Miguel, Nola J - City Council Operations](#); [Kimball, Nora D. - City Council District #10](#); [Scott, Susan W. - City Council Operations](#); [Anderson, Kathi - City Council Dist #10](#); [Schoultz, Amanda M - City Council Operations](#); [Pettis, Alan - City Council District #11](#); [Netsanet, Feven H - City Council Operations](#); [Brudzynski, Laura R - City Council Operations](#); [Aldretti, Susan K - City Council Operations](#); [Paterson, John A - City Council Operations](#); ["Robert Schmid" \(rcsair@me.com\)](#); ["Esther Kettering" \(eskettering@hotmail.com\)](#); [Dave Ramirez \(dear6@excite.com\)](#); [whitneyself@hotmail.com](#)
Subject: Re: PUD-G11 Neighborhood Report
Date: Monday, January 19, 2015 8:01:21 PM

Derek and Lynn Edone 5085 Utica St.
Would also like to be added to this letter.

On Jan 16, 2015, at 9:14 AM, Jeff Laws <jlaws@CITYHORIZONS.COM> wrote:

TO: Denver City Council
FROM: Utica, Vrain & West 50th Neighborhood Concerned Neighbors
DATE: January 15, 2015
RE: Official Zoning Map Amendment Application #2014I-00041
4625 West 50th Avenue and 5030 Vrain Street
Rezoning from Former Chapter 59 PUD-273 to DZC PUD G11

NEIGHBORHOOD REPORT

In response to the CPD Staff Report dated 12/5/14 this report was developed in an effort to provide information pertinent to City Council's consideration of the above referenced rezoning request.

"IT'S ALL ABOUT CONTEXT"

This is the predominate message on the opening page of the Denver Zoning Code (DZC) web site and what was a guiding concept in the decade long development of the new DZC to better reflect the widely varied character of the neighborhoods found throughout the city.

The neighborhood immediately affected by this rezoning is a small, fairly isolated community that has a significantly different context and character from that which is to the east of Tennyson Street. The DZC recognizes the neighborhood's significant difference by zoning this small area as Urban Edge (E-SU-Dx) rather than simply include it in the Urban Context (U-SU-C) zone district that makes up the rest of the Regis

neighborhood. In fact, the existing neighborhood, in an area of stability, actually has many characteristics that closely adhere to a Suburban Context: *modified or non-existent grid, with cul-de-sacs and typically no alley; sidewalks may be detached or non-existent; and generous landscaping between the street and buildings; residential buildings typically have consistent, deep front setbacks and varying side setbacks; and a higher reliance on the automobile with some access to pedestrian and bicycle facilities and the multi-modal transportation system.* The DZC also recognized this almost suburban feel by designating the zone district to include the Suburban House Form.

<image002.jpg>

As Council Women Shepherd indicated in committee, turning into this neighborhood represents a complete change in character, and there is nothing remotely “urban” about that character.

The neighborhood is made up of two dead end streets, a private access drive for two additional residences, and an access drive serving the golf course. Utica (a 1920’ a cul-de-sac) and Vrain (dead end private drive) are accessed from W 50th Ave (a dead end street) with a single access point for the entire neighborhood at Tennyson St (residential collector). Per recognized transportation engineering criteria, dead ends and cul-de-sacs are the lowest in street hierarchy, and particularly where there is no interconnecting street grid or more than one way out (such as within this neighborhood) they are not typically characterized as local streets. This can be attested to by the dozens of cars that have to be towed from the bottom of the hill at the end of Utica every winter. Tennyson Street terminates in a ½ block jog two blocks north at 52nd Ave, at which point there is a downgrading in traffic and street character into Adams County. The nearest signalized intersection is well over ½ mile to the east at 50th & Lowell. The next closest are over ¾ mile away at 52nd & Sheridan and 46th & Tennyson.

<image004.png>

<image006.png>

Although there is substantial resident pedestrian activity within the neighborhood, the area is highly automobile dependant. The “node of neighborhood commercial services” referenced in the Staff Report is shown above. Those “services” are extremely limited and typically not utilized by the residents of the neighborhood.

There is a single bus line that runs approximately every half hour at 50th & Tennyson, and although Tennyson is marked as a bike route, the steep hills limit bicycle use in this area.

In the almost exclusively residential Regis Neighborhood bordered by Tennyson, Lowell, W 48th and W 52nd, Metroscan indicates a total of 766 properties (717 single family homes and 6 duplexes), yielding a coverage of a little over 4 units /acre. West of Tennyson, in the neighborhood most affected by this PUD, there are 23 single family homes and 2 non-conforming legacy duplexes which yields a coverage ratio of approximately 3.9 units/acre. The proposed PUD coverage is 7.7 units/acre on Subareas B & C, and 16.7 units/acre in Subarea A.

The houses in the neighborhood are an eclectic mix of styles, but are consistent in their relatively large zone lots with minimal lot coverage, large front setbacks, and generally wide side separations. Vehicle access is overwhelmingly from the street with drives that generally lead to garages (attached and detached) at the rear of lots. There is a great deal of green open space throughout the neighborhood unrelated to the surrounding golf course. Zone lots throughout the neighborhood are on sloped lots with similar and even greater changes in elevation than the topography of the land subject to PUD G-11. The average zone lot size in the affected neighborhood (Vrain, Utica, 50th) is 10,585 sf. Even if all zone lots that could be sub-divided were to be scraped and divided (an unlikely scenerio given those particular residences), the average lot size would still be over 7,000sf.

<image008.jpg>

IT'S ABOUT PREDICTABILITY

BLUEPRINT DENVER

In addition to the DZC, Blueprint Denver is the primary official City of Denver planning document to which citizens may refer in order to verify planned land use intent that profoundly affects what is typically the largest purchase of each individual's life, their home. Blueprint Denver designated the property within this PUD as *future Golf Course use*. The CPD Staff Report simply dismisses this official planning document and indicates it is instead "a mistake". This seems to be conjecture. Once a future land use map is adopted by the community and the City Council it is, in fact, not a mistake. Blueprint Denver was created through an arduous process and with the studied dedication of the city personnel and citizens involved, as well as a nationally recognized urban planning consultant guiding the process. The Blueprint Denver 2002

future land use map is a controlling document, and not to be cited as “of little value in this analysis.” The desired future use of the land in question by the planning authorities at the time was not based on past land ownership, but instead on what they deemed as the appropriate use of that land given its location and neighborhood context. Rather than disregarding this inconvenient recommendation, a careful analysis of the recommendation should be the undertaken instead. If the city golf course is not in a position to acquire the land that was envisioned to be public open space, the development of that land for other use should be approached very carefully and with a very light hand.

<image011.png>

CPD Staff Report cites Blueprint Denver allowing “modest” in-fill while maintaining the character of the area. With a proposed unit/acre ratio more than 400% of what the existing zone district would allow and given the relative size of the PUD compared to the existing neighborhood, this defies the definition of “modest,” and rather than maintaining character, it will forever CHANGE the the character of an existing area of stability.

Regarding Blueprint Denver’s principles to advise future land use and development in Areas of Stability PUD G11 does not:

<!--[if !supportLists]--> <!--[endif]-->*Respect valued development patterns (including relationship of buildings to the street; location of garages/driveways/parking; building scale) -- especially in Subarea A where development patterns are abandoned to accommodate the applicants’ desired building and vehicle traffic orientations.*

<!--[if !supportLists]--> <!--[endif]-->*Expand transportation choices*

<!--[if !supportLists]--> <!--[endif]-->*Minimize traffic impact on neighborhood street -- since ALL additional development traffic must pass through the existing neighborhood from the only access point into the area.*

<!--[if !supportLists]--> <!--[endif]-->*Respect adjoining property -- because of unprecedented building forms and the prohibition of more appropriate building forms that could be developed in the same base zone district designation anywhere else in the city.*

ZONE DISTRICTS

The existing zoning for the affected neighborhood is E-SU-Dx. The proposed base zone district designations for the various areas of this PUD are E-SU-D1, E-TU-C, and U-RH-3A. None of these zone districts are found anywhere in the larger Regis Neighborhood. The entire greater Regis neighborhood is instead designated SU. Imposing these unprecedented zone districts on this small neighborhood CHANGES the entire character of a stable neighborhood forever. This is not “modest infill” and it does not occur where infrastructure to serve it is already in place.

Without access to a city data base, the nearest non-legacy E-TU-C we identified is

many miles south of this site at Lakewood Gulch near 6th Ave. Closer TU zone districts are generally Urban Context in areas of change adjacent to MX and/or MS zoning. The CPD Staff Report rationalizes the TU zone district designation on the existence of a scattering of non-complying duplex buildings (6 of 723) in the greater Regis neighborhood. This is contrary to their very designation as non-compliant, and would not be allowed if any other property owner wished to develop their land based on the existence of a non-complying building, even if it were next door.

<image020.png>

The nearest large U-RH zone district we found is also miles away. A few loser RH zone districts are very small and again are adjacent to MX and MS districts served by collectors and arterials. We were unable to find an instance in the city where a large U-RH superblock district existed isolate at the end of on a dead end street, accessed wholly through an Urban Edge neighborhood in an area of stability, with no adjacency or connection to compatible urban context districts.

<image021.jpg>

ALLOWED MODIFICATIONS

Because of the diligence of the neighborhood, Subareas B & C allow only a few modifications to standard zone district requirements; however, this is not the case in Subarea A.

Instead of bringing that area closer to DZC zone district standards, this PUD creates a confusing mix of urban density and building form coupled with a suspension of valued development standards otherwise typically promoted by CPD. It provides none of the zoning safeguards found in a standard zone district. As written it could allow almost total lot coverage with row houses. There is no maximum lot coverage, no open space requirements, no minimum garden court dimensions, no 35% rear lot height reductions, no minimum space between buildings, no sidewalks required, and no setbacks except at the perimeter of the superblock. The superblock setbacks are minimal with a 5' (rather than 20') front setback along Vrain street, which is more appropriate to Main Street or Mixed Use environments than to a half block long dead end street otherwise serving single family homes in an almost suburban setting. There could be a townhouse enclave of nothing but roofs, asphalt drives, and concrete, forty foot flat façade canyons set directly adjacent to the streets with ground floor street-facing garage doors, and virtually no green space, no street activation, and no transparency or pedestrian connection to or through the development.

It is also confusing and unpredictable when zoning questions directed to CPD about modifications, such as how modified measurements will be made or why language is missing or changed between PUD drafts, are referred to and answered by the applicant. When asked why the more compatible and appropriate Urban House and Duplex Building forms (that would be allowed in U-RH zone districts anywhere else in the city) were intentionally prohibited in that base zone district for this PUD, the answer was that it was the applicants choice and that they chose "not make a change to the draft PUD to allow a single-unit structure only under the "Urban House" form in the U-RH-3A district or a two-unit structure only under the "Duplex" form standards." Should this be the applicant's choice? When considering zoning law, should the applicant decide what is worth taking the time to re-write? Not knowing who may or

may not develop the project, should a more sensitive and appropriate building form be prohibited? This would certainly not be the case for development in a non-PUD zone district elsewhere within the city.

NEED FOR A PUD

DZC 9.6.1.1.C – “A PUD District is not intended as either a vehicle to develop a site inconsistent with the applicable neighborhood context and character, or solely as a vehicle to enhance a proposed development’s economic feasibility.”

One of the goals during the development of the new DZC was that there existed within that code enough flexibility and categories of context and form to virtually eliminate the need for PUDs. Instead a PUD should only be required as a response to “unique and extraordinary circumstances on a property.”

There is no reason that Subareas B & C should require a PUD. There are no unique or extraordinary circumstances on this parcel which was platted with the rest of the neighborhood almost a century ago. Simply extending the adjacent contextual zoning would have been the logical approach and would also have fulfilled the DZC goal to eliminate old PUDs and to bring properties closer to DZC zone districts. Instead, the applicant sought unprecedented base zone districts and numerous unnecessary modifications to base zone district designations simply to enhance the economic return on the property. Only neighborhood insistence on minimal modifications stemmed this approach, however, these subareas remain in the PUD with advantageous modifications unavailable to identically platted lots directly across the street.

There is nothing unique or extraordinary about the fact that the PUD property is adjacent to open space (the rest of the neighborhood and other neighborhoods around the city are as well), that there is a slope on the property (as there is on all properties that have been developed in the rest of the neighborhood with no modification to zoning code) and that it has a desirable view. These are actually property attributes, not things that need to be mitigated through the creation of a PUD allowing extraordinary exceptions and modification to enhance the development’s economic return. In fact, similar modifications to take advantage of those very attributes by individuals in the neighborhood have been denied by CPD.

The preservation of the El Jebel Shrine Building is the only unique or extraordinary circumstance related to this property that requires a PUD. It could be argued that a single zone lot PUD could address that unique building while using typical city platting and lot development standards on the rest of the property, or that a preservation easement could be established in order to bring the larger property closer to CPD zone districts. Since the entire premise of the applicant from the beginning of public meetings was that this project was expressly designed to preserve the El Jebel Shrine Building, it was astounding that a preservation PUD was written and submitted to Planning Board with absolutely no requirement for preserving the building in question. When the neighborhood discovered this discrepancy, rather than being

presented with preservation language (as directed by the Planning Board), the applicants instead gave a detailed resentation as to why it was not economically feasible to preserve the Shrine Building for their stated residential use. Although preservation language was eventually added to the PUD, there remains no evidence that the feasibility of preservation has changed.

Especially since a PUD can not presume who will actually develop the land, the only way to give any predictability to what will be built is to write it into the PUD. If circumstances are so unique and extraordinary as to necessitate a PUD, and because of the ability of the new DZC to affectively address so many varied circumstances, it could be argued that a detailed PUD including a site plan would typically be required to codify the intent and predictability of a PUD. As it stands PUD G11 lacks that expected predictability. Although, the applicant has presented numerous site plans, made promises, and has testified in hearings stating unit counts which would greatly enhance the predictability of this this project, none of these are codified in the PUD.

In our view, this Rezoning application requires further consideration and development by the Staff at CPD, the Applicant and the Neighbors to comply with acceptable City and County of Denver practices and procedures.

We ask Denver City Council to act to require further consideration to insure the interests of the City and the Neighborhood and the integrity of the process are honored, in spite of the hasty economic arguments presented by the Seller and Applicant for immediate approval.

Respectfully,

Karen Harris, AIA and Jim Harris PE, PhD. 5090 Utica Street

Jeanne Laws & Jeff Laws, 5086 Vrain Street

Joann and Rick Sandoval, 50—Utica Street

Kay Godel Gengenbach, PhD., 5062 Vrain Street

Kristi Petersen, MD 4425 W. 50th Avenue

<NEIGHBORHOOD REPORT.PDF>

From: [Lynn Edone](#)
To: [Karen Harris](#); [Jeff Laws](#); [Shepherd, Susan K. - City Council District 1](#); [Faatz, Jeanne R. - City Council Dist #2](#); [Lopez, Paul D. - City Council Dist #3](#); [Lehmann, Peggy A. - City Council Dist #4](#); [Susman, Mary Beth - City Council](#); [Brown, Charlie - City Council District #6](#); [Nevitt, Chris - City Council Dist #7](#); [Brooks, Albus - City Council District 8](#); [Montero, Judy H. - City Council District #9](#); [Robb, Jeanne - City Council Dist. #10](#); [Herndon, Christopher J. - City Council District 11](#); [kniechatlarge](#); [dencc - City Council](#); [Jeanne Laws](#); [Robert Schmid](#); ["Dave Ramirez"](#); ["Sandoval Joann"](#); ["Dave Decker"](#); ["Rutz, Cory M."](#); [agreenberg@ottenjohnson.com](#); [Axelrad, Tina R. - CPD Development Svcs \(CPDDS\)](#); [Stocklin-Steely, Barbara - CPD Planning Services](#); [Derek Edone](#)
Cc: [Thompson, Maggie - City Council Operations](#); [Montano, Dana - City Council District #2](#); [Murphy, Megan K - City Council Operations](#); [Orrantia, Jesus - City Council](#); [Magana, Adriana - City Council](#); [Young, Diane - City Council District #4](#); [Grohskopf, Lori S. - City Council District 4](#); [Palmisano, Lucas W - City Council Operations](#); [Kline, Genevieve M. - City Council](#); [Simonet, Stacy B - City Council Aide](#); [Kerns, Valerie L. - City Council District #7](#); [Batchelder, Nathan D. - City Council District 7](#); [Montoya, Chy - City Council](#); [Micheau, Brande - City Council District 8](#); [Sandoval, Amanda P - City Council Operations](#); [Miguel, Nola J - City Council Operations](#); [Kimball, Nora D. - City Council District #10](#); [Scott, Susan W. - City Council Operations](#); [Anderson, Kathi - City Council Dist #10](#); [Schoultz, Amanda M - City Council Operations](#); [Pettis, Alan - City Council District #11](#); [Netsanet, Feven H - City Council Operations](#); [Brudzynski, Laura R - City Council Operations](#); [Aldretti, Susan K - City Council Operations](#); [Paterson, John A - City Council Operations](#)
Subject: CB 14-1075 PUD G11 Rezoning Application for El Jebel Shrine - DEFINE THE DENSITY- HONOR THE PROCESS
Date: Monday, December 22, 2014 10:39:49 AM

I strongly agree with the declaration of opposition below. The applicant will try to indicate that they have made last minute concessions in the latest draft of the PUD, but the steps they have taken were not in cooperation with the neighborhood, and they change virtually nothing. There is still no limit on the number of units in an urban edge neighborhood consisting of 3 short dead end streets with a single access point.

THIS IS A DECLARATION OF OPPOSITION TO CB 14 -1075 A bill for an ordinance changing the zoning classification of 4625 West 50th Avenue and 5030 Vrain Street

The applicant testified in a quasi-judicial forum (Planning Board) that the unit density of Sub-parcel A would be "around 45 units".

Neighbors requested applicant codify maximum unit density in Sub-parcel A in the PUD.

Applicant refused.

CPD Staff allowed application to proceed with no definition of maximum unit density in Sub-parcel A.

CPD Staff stated it was satisfied with "the basic density entitlement under the application", even though undefined.

Neighbor AIA architectural professionals have determined the maximum unit density to be in excess of 110 units in Sub-parcel A.

The City Council of Denver cannot allow this intentional oversight to burden the neighborhood and the integrity of the planning process.

City Council should Deny this application or Approve it with Conditions limiting unit density in Sub-parcel A to 45 units.

Lynn Edone
5085 Utica St
Denver CO 80212
303-730-0884

From: Jeff Laws [mailto:jlaws@CITYHORIZONS.COM]

Sent: Monday, December 22, 2014 8:33 AM

To: 'Susan Shepherd'; jeanne.faatz@denvergov.org; paul.lopez@denvergov.org; peggy.lehmann@denvergov.org; marybeth.susman@denvergov.org; charlie.brown@denvergov.org; chris.nevitt@denvergov.org; albus.brooks@denvergov.org; judy.montero@denvergov.org; jeanne.robb@denvergov.org; Christopher.Herndon@denvergov.org; kniechatlarge@denvergov.org; denc@denvergov.org; Jeanne Laws; Harris, Karen; 'Robert Schmid' (rcsair@me.com); 'Edone, Lynn'; Dave Ramirez (dear6@excite.com); Sandoval Joann (titlebyjoann@gmail.com); Dave Decker (davebyersstreet@aol.com); Rutz, Cory M. (CRutz@ottenjohnson.com); Greenberg, Amanda S. <agreenberg@ottenjohnson.com> (agreenberg@ottenjohnson.com); Tina.Axelrad@denvergov.org; Stocklin-Steely, Barbara - CPD Planning Services

Cc: Thompson, Maggie - City Council Operations (Maggie.Thompson@denvergov.org); dana.montano@denvergov.org; megan.murphy@denvergov.org; jesus.orrantia@denvergov.org; adriana.magana@denvergov.org; diane.young@denvergov.org; lori.grohskopf@denvergov.org; lucas.palmisano@denvergov.org; genevieve.kline@denvergov.org; stacy.simonet@denvergov.org; valerie.kerns@denvergov.org; nathan.batchelder@denvergov.org; Chy.Montoya@denvergov.org; Brande.Micheau@denvergov.org; Amanda.Sandoval@denvergov.org; Nola.Miguel@denvergov.org; nora.kimball@ci.denver.co.us; susan.scott@denvergov.org; kathi.anderson@denvergov.org; Amanda.Schoultz@denvergov.org; Alan.pettis@denvergov.org; feven.netsanet@denvergov.org; laura.brudzynski@denvergov.org; susan.aldretti@denvergov.org; John.Paterson@denvergov.org

Subject: RE: CB 14-1075 PUD G11 Rezoning Application for El Jebel Shrine - DEFINE THE DENSITY-HONOR THE PROCESS

THIS IS A DECLARATION OF OPPOSITION TO CB 14 -1075 A bill for an ordinance changing the zoning classification of 4625 West 50th Avenue and 5030 Vrain Street

The applicant testified in a quasi-judicial forum (Planning Board) that the unit density of Sub-parcel A would be "around 45 units".

Neighbors requested applicant codify maximum unit density in Sub-parcel A in the PUD.

Applicant refused.

CPD Staff allowed application to proceed with no definition of maximum unit density in Sub-parcel A.

CPD Staff stated it was satisfied with "the basic density entitlement under the application", even though undefined.

Neighbor AIA architectural professionals have determined the maximum unit density to be in excess of 110 units in Sub-parcel A.

The City Council of Denver cannot allow this intentional oversight to burden the neighborhood and the integrity of the planning process.

City Council should Deny this application or Approve it with Conditions limiting unit density in Sub-parcel A to 45 units.

Jeff Laws, Neighbor, 5086 Vrain Street

From: Jeff Laws

Sent: Sunday, December 21, 2014 3:22 PM

To: 'Susan Shepherd'; 'jeanne.faatz@denvergov.org'; 'paul.lopez@denvergov.org'; 'peggy.lehmann@denvergov.org'; 'marybeth.susman@denvergov.org'; 'charlie.brown@denvergov.org'; 'chris.nevitt@denvergov.org'; 'albus.brooks@denvergov.org'; 'judy.montero@denvergov.org'; 'jeanne.robb@denvergov.org'; 'Christopher.Herndon@denvergov.org'; 'kniechatlarge@denvergov.org'; 'denc@denvergov.org'; Jeanne Laws; Harris, Karen; 'Robert Schmid' (rksair@me.com); 'Edone, Lynn'; Dave Ramirez (dear6@excite.com); Sandoval Joann (titlebyjoann@gmail.com); Dave Decker (davebyersstreet@aol.com); Rutz, Cory M. (CRutz@ottenjohnson.com); Greenberg, Amanda S. <agreenberg@ottenjohnson.com> (agreenberg@ottenjohnson.com); Tina.Axelrad@denvergov.org; 'Stocklin-Steely, Barbara - CPD Planning Services'

Cc: Thompson, Maggie - City Council Operations (Maggie.Thompson@denvergov.org); 'dana.montano@denvergov.org'; 'megan.murphy@denvergov.org'; 'jesus.orrantia@denvergov.org'; 'adriana.magana@denvergov.org'; 'diane.young@denvergov.org'; 'lori.grohskopf@denvergov.org'; 'lucas.palmisano@denvergov.org'; 'genevieve.kline@denvergov.org'; 'stacy.simonet@denvergov.org'; 'valerie.kerns@denvergov.org'; 'nathan.batchelder@denvergov.org'; 'Chy.Montoya@denvergov.org'; 'Brande.Micheau@denvergov.org'; 'Amanda.Sandoval@denvergov.org'; 'Nola.Miguel@denvergov.org'; 'nora.kimball@ci.denver.co.us'; 'susan.scott@denvergov.org'; 'kathi.anderson@denvergov.org'; 'Amanda.Schoultz@denvergov.org'; 'Alan.pettis@denvergov.org'; 'feven.netsanet@denvergov.org'; 'laura.brudzynski@denvergov.org'; 'susan.aldretti@denvergov.org'; 'John.Paterson@denvergov.org'

Subject: PUD G11 Rezoning Application for El Jebel Shrine - A Lump of Coal from Shrine Preservation Partners

Season's Greetings Councilors and Staff!

I regret to have to interrupt what should be for all of us a holiday spent with family and friends, but I must draw this application for rezoning to your attention before the First Reading on December 22, 2014.

As neighbors we had expected the Applicant would honor the holiday as well and follow the request of our Councilwoman Shepard, and delay the filing to allow final neighbor resolution of these important matters regarding undefined unit density in Sub-parcel A.

Regrettably, the applicant has declined to extend the customary traditions of seasonal peace and fellowship, thus requiring we all suffer these efforts for their sole expediency.

I have asked all concerned citizens and neighbors to also interrupt their merrymaking to express their concerns and intentions to object to this application.

Please consider the season and forgive us for intruding on your personal time to ask your attention to this very important matter.

Happy Holidays,

Jeff Laws
5086 Vrain Street
720-308-3573

From: [Karen Harris](#)
To: [Shepherd, Susan K. - City Council District 1](#); [Faatz, Jeanne R. - City Council Dist #2](#); [Lopez, Paul D. - City Council Dist #3](#); [Lehmann, Peggy A. - City Council Dist #4](#); [Susman, Mary Beth - City Council](#); [Brown, Charlie - City Council District #6](#); [Nevitt, Chris - City Council Dist #7](#); [Brooks, Albus - City Council District 8](#); [Montero, Judy H. - City Council District #9](#); [Robb, Jeanne - City Council Dist. #10](#); [Herndon, Christopher J. - City Council District 11](#); [kniechatlarge](#); [denc - City Council](#)
Cc: [Nicolle Thompson](#); [Thompson, Maggie - City Council Operations](#); [Montano, Dana - City Council District #2](#); [Murphy, Megan K - City Council Operations](#); [Orrantia, Jesus - City Council](#); [Magana, Adriana - City Council](#); [Young, Diane - City Council District #4](#); [Grohskopf, Lori S. - City Council District 4](#); [Palmisano, Lucas W - City Council Operations](#); [Kline, Genevieve M. - City Council](#); [Simonet, Stacy B - City Council Aide](#); [Kerns, Valerie L. - City Council District #7](#); [Batchelder, Nathan D. - City Council District 7](#); [Montoya, Chy - City Council](#); [Micheau, Brande - City Council District 8](#); [Sandoval, Amanda P - City Council Operations](#); [Miguel, Nola J - City Council Operations](#); [Kimball, Nora D. - City Council District #10](#); [Scott, Susan W. - City Council Operations](#); [Anderson, Kathi - City Council Dist #10](#); [Schoultz, Amanda M - City Council Operations](#); [Pettis, Alan - City Council District #11](#); [Netsanet, Feven H - City Council Operations](#); [Brudzynski, Laura R - City Council Operations](#); [Aldretti, Susan K - City Council Operations](#); [Paterson, John A - City Council Operations](#)
Subject: CB 14-1075 - PUD G11 - Rezoning Application for El Jebel Shrine - 4625 West 50th Avenue and 5030 Vrain Street
Date: Tuesday, January 20, 2015 9:55:52 AM

Dear Denver City Council Members,

This letter expresses my opposition regarding the above referenced PUD as it is currently written.

Please note for the record that all of the communication that you might receive from architects regarding this PUD are strictly based on their individual opinions and expertise only and do not reflect any position from the American Institute of Architect (AIA), the Colorado AIA Chapter, or the Denver AIA Section.

As an architect who lives and works in the City of Denver it is vitally important to good design and urban planning that there be a consistently enforced zoning code to provide predictability for those undertaking building projects in the city, those acquiring property in the city, and the citizens living and working within the city.

Without safeguards such as a number certain of units on Subarea A outside the Shrine Building, lot coverage maximums, building separation minimums, open space requirements, pedestrian accommodations, and allowing otherwise allowable building forms, PUD G11 does not offer that predictability at this time.

Thanks you,

Karen Harris, AIA
Architecture Matters, Inc
5090 Utica St
Denver, CO 80212
303-831-1547
720-272-7372 cell

From: [Karen Harris](#)
To: [Shepherd, Susan K. - City Council District 1](#); [Faatz, Jeanne R. - City Council Dist #2](#); [Lopez, Paul D. - City Council Dist #3](#); [Lehmann, Peggy A. - City Council Dist #4](#); [Susman, Mary Beth - City Council](#); [Brown, Charlie - City Council District #6](#); [Nevitt, Chris - City Council Dist #7](#); [Brooks, Albus - City Council District 8](#); [Montero, Judy H. - City Council District #9](#); [Robb, Jeanne - City Council Dist. #10](#); [Herndon, Christopher J. - City Council District 11](#); [kniechatlarge](#); [dencc - City Council](#); ["Jeanne Laws"](#); ["Robert Schmid"](#); ["Edone, Lynn"](#); ["Dave Ramirez"](#); ["Sandoval Joann"](#); ["Dave Decker"](#); ["Rutz, Cory M."](#); [agreenberg@ottenjohnson.com](#); [Axelrad, Tina R. - CPD Development Svcs \(CPDDS\)](#); [Stocklin-Steely, Barbara - CPD Planning Services](#); [Jeff Laws](#)
Cc: [Thompson, Maggie - City Council Operations](#); [Montano, Dana - City Council District #2](#); [Murphy, Megan K - City Council Operations](#); [Orrantia, Jesus - City Council](#); [Magana, Adriana - City Council](#); [Young, Diane - City Council District #4](#); [Grohskopf, Lori S. - City Council District 4](#); [Palmisano, Lucas W - City Council Operations](#); [Kline, Genevieve M. - City Council](#); [Simonet, Stacy B - City Council Aide](#); [Kerns, Valerie L. - City Council District #7](#); [Batchelder, Nathan D. - City Council District 7](#); [Montoya, Chy - City Council](#); [Micheau, Brande - City Council District 8](#); [Sandoval, Amanda P - City Council Operations](#); [Miguel, Nola J - City Council Operations](#); [Kimball, Nora D. - City Council District #10](#); [Scott, Susan W. - City Council Operations](#); [Anderson, Kathi - City Council Dist #10](#); [Schoultz, Amanda M - City Council Operations](#); [Pettis, Alan - City Council District #11](#); [Netsanet, Feven H - City Council Operations](#); [Brudzynski, Laura R - City Council Operations](#); [Aldretti, Susan K - City Council Operations](#); [Paterson, John A - City Council Operations](#)
Subject: RE: CB 14-1075 PUD G11 Rezoning Application for El Jebel Shrine - DEFINE THE DENSITY- HONOR THE PROCESS
Date: Monday, December 22, 2014 10:28:14 AM

In my opposition to the above referenced PUD, I would like council to be aware of the following Denver Zoning Code sections, which I believe are pertinent to the matter at hand:

"DZC 12.3.3.5 - Except as otherwise expressly stated in this Code or in any rules or regulations for administering this Article 12, all statements made in an application required by this Code that are necessary for compliance with this Code's regulations are binding. As applicable, all statements made by the applicant in the course of public hearings that are not in the application shall be considered a part of the application, shall be written as part of the application, or the review- or decision-making body should take action to bind such applicant statements by expressing them as specific conditions of approval."

"DZC 9.6.1.1.C - A PUD District is not intended as either a vehicle to develop a site inconsistent with the applicable neighborhood context and character, or solely as a vehicle to enhance a proposed development's economic feasibility."

Karen Harris, AIA
5090 Utica St
Denver, CO 80212
303-831-1547
720-272-7372 cell

From: Karen Harris [mailto:karen.harris@arc matters.com]
Sent: Monday, December 22, 2014 10:11 AM
To: 'Jeff Laws'; 'Susan Shepherd'; 'jeanne.faatz@denvergov.org'; 'paul.lopez@denvergov.org'; 'peggy.lehmann@denvergov.org'; 'marybeth.susman@denvergov.org'; 'charlie.brown@denvergov.org'; 'chris.nevitt@denvergov.org'; 'albus.brooks@denvergov.org'; 'judy.montero@denvergov.org'; 'jeanne.robb@denvergov.org'; 'Christopher.Herndon@denvergov.org'; 'kniechatlarge@denvergov.org'; 'dencc@denvergov.org'; 'Jeanne Laws'; 'Robert Schmid' (rcsair@me.com); 'Edone, Lynn'; 'Dave Ramirez (dear6@excite.com)'; 'Sandoval Joann (titlebyjoann@gmail.com)'; 'Dave Decker (davebyersstreet@aol.com)'; 'Rutz, Cory M. (CRutz@ottenjohnson.com)'; 'Greenberg, Amanda S. <agreenberg@ottenjohnson.com> (agreenberg@ottenjohnson.com)'; 'Tina.Axelrad@denvergov.org'; 'Stocklin-Steely, Barbara - CPD Planning Services'
Cc: 'Thompson, Maggie - City Council Operations (Maggie.Thompson@denvergov.org)'; 'dana.montano@denvergov.org'; 'megan.murphy@denvergov.org'; 'jesus.orrantia@denvergov.org';

'adriana.magana@denvergov.org'; 'diane.young@denvergov.org'; 'lori.grohskopf@denvergov.org';
'lucas.palmisano@denvergov.org'; 'genevieve.kline@denvergov.org'; 'stacy.simonet@denvergov.org';
'valerie.kerns@denvergov.org'; 'nathan.batchelder@denvergov.org'; 'Chy.Montoya@denvergov.org';
'Brande.Micheau@denvergov.org'; 'Amanda.Sandoval@denvergov.org'; 'Nola.Miguel@denvergov.org';
'nora.kimball@ci.denver.co.us'; 'susan.scott@denvergov.org'; 'kathi.anderson@denvergov.org';
'Amanda.Schoultz@denvergov.org'; 'Alan.pettis@denvergov.org'; 'feven.netsanet@denvergov.org';
'laura.brudzynski@denvergov.org'; 'susan.aldretti@denvergov.org'; 'John.Paterson@denvergov.org'
Subject: RE: CB 14-1075 PUD G11 Rezoning Application for El Jebel Shrine - DEFINE THE DENSITY-
HONOR THE PROCESS

We agree with the declaration of opposition below. The applicant will try to indicate that they have made last minute concessions in the latest draft of the PUD, but the steps they have taken were not in cooperation with the neighborhood, and they change virtually nothing. There is still no limit on the number of units in an urban edge neighborhood consisting of 3 short dead end streets with a single access point.

-
THIS IS A DECLARATION OF OPPISITION TO CB 14 -1075 A bill for an ordinance changing the zoning classification of 4625 West 50th Avenue and 5030 Vrain Street

-
The applicant testified in a quasi-judicial forum (Planning Board) that the unit density of Sub-parcel A would be “around 45 units”.

-
Neighbors requested applicant codify maximum unit density in Sub-parcel A in the PUD.

-
Applicant refused.

-
CPD Staff allowed application to proceed with no definition of maximum unit density in Sub-parcel A.

-
CPD Staff stated it was satisfied with “the basic density entitlement under the application”, even though undefined.

-
Neighbor AIA architectural professionals have determined the maximum unit density to be in excess of 110 units in Sub-parcel A.

-
The City Council of Denver cannot allow this intentional oversight to burden the neighborhood and the integrity of the planning process.

-
City Council should Deny this application or Approve it with Conditions limiting unit density in Sub-parcel A to 45 units.

Karen Harris, AIA / James Robert Harris, PE, PhD
5090 Utica St
Denver, CO 80212
303-831-1547
720-272-7372 cell

From: Jeff Laws [<mailto:jlaws@CITYHORIZONS.COM>]

Sent: Monday, December 22, 2014 8:33 AM

To: 'Susan Shepherd'; jeanne.faatz@denvergov.org; paul.lopez@denvergov.org; peggy.lehmann@denvergov.org; marybeth.susman@denvergov.org; charlie.brown@denvergov.org; chris.nevitt@denvergov.org; albus.brooks@denvergov.org; judy.montero@denvergov.org; jeanne.robb@denvergov.org; Christopher.Herndon@denvergov.org; kniechatlarge@denvergov.org; denc@denvergov.org; Jeanne Laws; Harris, Karen; 'Robert Schmid' (r@sair.me.com); 'Edone, Lynn'; Dave Ramirez (dear6@excite.com); Sandoval Joann (titlebyjoann@gmail.com); Dave Decker (davebyersstreet@aol.com); Rutz, Cory M. (CRutz@ottenjohnson.com); Greenberg, Amanda S. <agreenberg@ottenjohnson.com> (agreenberg@ottenjohnson.com); Tina.Axelrad@denvergov.org; Stocklin-Steely, Barbara - CPD Planning Services

Cc: Thompson, Maggie - City Council Operations (Maggie.Thompson@denvergov.org); dana.montano@denvergov.org; megan.murphy@denvergov.org; jesus.orrantia@denvergov.org; adriana.magana@denvergov.org; diane.young@denvergov.org; lori.grohskopf@denvergov.org; lucas.palmisano@denvergov.org; genevieve.kline@denvergov.org; stacy.simonet@denvergov.org; valerie.kerns@denvergov.org; nathan.batchelder@denvergov.org; Chy.Montoya@denvergov.org; Brande.Micheau@denvergov.org; Amanda.Sandoval@denvergov.org; Nola.Miguel@denvergov.org; nora.kimball@ci.denver.co.us; susan.scott@denvergov.org; kathi.anderson@denvergov.org; Amanda.Schoultz@denvergov.org; Alan.pettis@denvergov.org; feven.netsanet@denvergov.org; laura.brudzynski@denvergov.org; susan.aldretti@denvergov.org; John.Paterson@denvergov.org

Subject: RE: CB 14-1075 PUD G11 Rezoning Application for El Jebel Shrine - DEFINE THE DENSITY-HONOR THE PROCESS

THIS IS A DECLARATION OF OPPOSITION TO CB 14 -1075 A bill for an ordinance changing the zoning classification of 4625 West 50th Avenue and 5030 Vrain Street

-
The applicant testified in a quasi-judicial forum (Planning Board) that the unit density of Sub-parcel A would be "around 45 units".

-
Neighbors requested applicant codify maximum unit density in Sub-parcel A in the PUD.

-
Applicant refused.

-
CPD Staff allowed application to proceed with no definition of maximum unit density in Sub-parcel A.

-
CPD Staff stated it was satisfied with "the basic density entitlement under the application", even though undefined.

-
Neighbor AIA architectural professionals have determined the maximum unit density to be in excess of 110 units in Sub-parcel A.

-
The City Council of Denver cannot allow this intentional oversight to burden the neighborhood and the integrity of the planning process.

-
City Council should Deny this application or Approve it with Conditions limiting unit density in Sub-parcel A to 45 units.

-
Jeff Laws, Neighbor, 5086 Vrain Street

From: Jeff Laws

Sent: Sunday, December 21, 2014 3:22 PM

To: 'Susan Shepherd'; 'jeanne.faatz@denvergov.org'; 'paul.lopez@denvergov.org'; 'peggy.lehmann@denvergov.org'; 'marybeth.susman@denvergov.org'; 'charlie.brown@denvergov.org'; 'chris.nevitt@denvergov.org'; 'albus.brooks@denvergov.org'; 'judy.montero@denvergov.org'; 'jeanne.robb@denvergov.org'; 'Christopher.Herndon@denvergov.org'; 'kniechatlarge@denvergov.org'; 'dencc@denvergov.org'; Jeanne Laws; Harris, Karen; 'Robert Schmid' (rcsair@me.com); 'Edone, Lynn'; Dave Ramirez (dear6@excite.com); Sandoval Joann (titlebyjoann@gmail.com); Dave Decker (davebyersstreet@aol.com); Rutz, Cory M. (CRutz@ottenjohnson.com); Greenberg, Amanda S. <agreenberg@ottenjohnson.com> (agreenberg@ottenjohnson.com); Tina.Axelrad@denvergov.org; 'Stocklin-Steely, Barbara - CPD Planning Services'

Cc: Thompson, Maggie - City Council Operations (Maggie.Thompson@denvergov.org); 'dana.montano@denvergov.org'; 'megan.murphy@denvergov.org'; 'jesus.orrantia@denvergov.org'; 'adriana.magana@denvergov.org'; 'diane.young@denvergov.org'; 'lori.grohskopf@denvergov.org'; 'lucas.palmisano@denvergov.org'; 'genevieve.kline@denvergov.org'; 'stacy.simonet@denvergov.org'; 'valerie.kerns@denvergov.org'; 'nathan.batchelder@denvergov.org'; 'Chy.Montoya@denvergov.org'; 'Brande.Micheau@denvergov.org'; 'Amanda.Sandoval@denvergov.org'; 'Nola.Miguel@denvergov.org'; 'nora.kimball@ci.denver.co.us'; 'susan.scott@denvergov.org'; 'kathi.anderson@denvergov.org'; 'Amanda.Schoultz@denvergov.org'; 'Alan.pettis@denvergov.org'; 'feven.netsanet@denvergov.org'; 'laura.brudzynski@denvergov.org'; 'susan.aldretti@denvergov.org'; 'John.Paterson@denvergov.org'

Subject: PUD G11 Rezoning Application for El Jebel Shrine - A Lump of Coal from Shrine Preservation Partners

Season's Greetings Councilors and Staff!

I regret to have to interrupt what should be for all of us a holiday spent with family and friends, but I must draw this application for rezoning to your attention before the First Reading on December 22, 2014.

As neighbors we had expected the Applicant would honor the holiday as well and follow the request of our Councilwoman Shepard, and delay the filing to allow final neighbor resolution of these important matters regarding undefined unit density in Sub-parcel A.

Regrettably, the applicant has declined to extend the customary traditions of seasonal peace and fellowship, thus requiring we all suffer these efforts for their sole expediency.

I have asked all concerned citizens and neighbors to also interrupt their merrymaking to express their concerns and intentions to object to this application.

Please consider the season and forgive us for intruding on your personal time to ask your attention to this very important matter.

Happy Holidays,

Jeff Laws

5086 Vrain Street

720-308-3573

From: [Karen Harris](#)
To: ["Jeff Laws"](#); [Shepherd, Susan K. - City Council District 1](#); [Faatz, Jeanne R. - City Council Dist #2](#); [Lopez, Paul D. - City Council Dist #3](#); [Lehmann, Peggy A. - City Council Dist #4](#); [Susman, Mary Beth - City Council](#); [Brown, Charlie - City Council District #6](#); [Nevitt, Chris - City Council Dist #7](#); [Brooks, Albus - City Council District 8](#); [Montero, Judy H. - City Council District #9](#); [Robb, Jeanne - City Council Dist. #10](#); [Herndon, Christopher J. - City Council District 11](#); [kniechatlarge](#); [dencc - City Council](#); ["Jeanne Laws"](#); ["Robert Schmid"](#); ["Edone, Lynn"](#); ["Dave Ramirez"](#); ["Sandoval Joann"](#); ["Dave Decker"](#); ["Rutz, Cory M."](#); [agreenberg@ottenjohnson.com](#); [Axelrad, Tina R. - CPD Development Svcs \(CPDDS\)](#); [Stocklin-Steely, Barbara - CPD Planning Services](#)
Cc: [Thompson, Maggie - City Council Operations](#); [Montano, Dana - City Council District #2](#); [Murphy, Megan K - City Council Operations](#); [Orrantia, Jesus - City Council](#); [Magana, Adriana - City Council](#); [Young, Diane - City Council District #4](#); [Grohskopf, Lori S. - City Council District 4](#); [Palmisano, Lucas W - City Council Operations](#); [Kline, Genevieve M. - City Council](#); [Simonet, Stacy B - City Council Aide](#); [Kerns, Valerie L. - City Council District #7](#); [Batchelder, Nathan D. - City Council District 7](#); [Montoya, Chy - City Council](#); [Micheau, Brande - City Council District 8](#); [Sandoval, Amanda P - City Council Operations](#); [Miguel, Nola J - City Council Operations](#); [Kimball, Nora D. - City Council District #10](#); [Scott, Susan W. - City Council Operations](#); [Anderson, Kathi - City Council Dist #10](#); [Schoultz, Amanda M - City Council Operations](#); [Pettis, Alan - City Council District #11](#); [Netsanet, Feven H - City Council Operations](#); [Brudzynski, Laura R - City Council Operations](#); [Aldretti, Susan K - City Council Operations](#); [Paterson, John A - City Council Operations](#)
Subject: RE: CB 14-1075 PUD G11 Rezoning Application for El Jebel Shrine - DEFINE THE DENSITY- HONOR THE PROCESS
Date: Monday, December 22, 2014 10:11:28 AM

We agree with the declaration of opposition below. The applicant will try to indicate that they have made last minute concessions in the latest draft of the PUD, but the steps they have taken were not in cooperation with the neighborhood, and they change virtually nothing. There is still no limit on the number of units in an urban edge neighborhood consisting of 3 short dead end streets with a single access point.

-
THIS IS A DECLARATION OF OPPISITION TO CB 14 -1075 A bill for an ordinance changing the zoning classification of 4625 West 50th Avenue and 5030 Vrain Street

-
The applicant testified in a quasi-judicial forum (Planning Board) that the unit density of Sub-parcel A would be "around 45 units".

-
Neighbors requested applicant codify maximum unit density in Sub-parcel A in the PUD.

-
Applicant refused.

-
CPD Staff allowed application to proceed with no definition of maximum unit density in Sub-parcel A.

-
CPD Staff stated it was satisfied with "the basic density entitlement under the application", even though undefined.

-
Neighbor AIA architectural professionals have determined the maximum unit density to be in excess of 110 units in Sub-parcel A.

-
The City Council of Denver cannot allow this intentional oversight to burden the neighborhood and the integrity of the planning process.

-
City Council should Deny this application or Approve it with Conditions limiting unit density in Sub-parcel A to 45 units.

Karen Harris, AIA / James Robert Harris, PE, PhD
5090 Utica St
Denver, CO 80212
303-831-1547
720-272-7372 cell

From: Jeff Laws [mailto:jlaws@CITYHORIZONS.COM]

Sent: Monday, December 22, 2014 8:33 AM

To: 'Susan Shepherd'; jeanne.faatz@denvergov.org; paul.lopez@denvergov.org; peggy.lehmann@denvergov.org; marybeth.susman@denvergov.org; charlie.brown@denvergov.org; chris.nevitt@denvergov.org; albus.brooks@denvergov.org; judy.montero@denvergov.org; jeanne.robb@denvergov.org; Christopher.Herndon@denvergov.org; kniechatlarge@denvergov.org; denc@denvergov.org; Jeanne Laws; Harris, Karen; 'Robert Schmid' (rcsair@me.com); 'Edone, Lynn'; Dave Ramirez (dear6@excite.com); Sandoval Joann (titlebyjoann@gmail.com); Dave Decker (davebyersstreet@aol.com); Rutz, Cory M. (CRutz@ottenjohnson.com); Greenberg, Amanda S. <agreenberg@ottenjohnson.com> (agreenberg@ottenjohnson.com); Tina.Axelrad@denvergov.org; Stocklin-Steely, Barbara - CPD Planning Services

Cc: Thompson, Maggie - City Council Operations (Maggie.Thompson@denvergov.org); dana.montano@denvergov.org; megan.murphy@denvergov.org; jesus.orrantia@denvergov.org; adriana.magana@denvergov.org; diane.young@denvergov.org; lori.grohskopf@denvergov.org; lucas.palmisano@denvergov.org; genevieve.kline@denvergov.org; stacy.simonet@denvergov.org; valerie.kerns@denvergov.org; nathan.batchelder@denvergov.org; Chy.Montoya@denvergov.org; Brande.Micheau@denvergov.org; Amanda.Sandoval@denvergov.org; Nola.Miguel@denvergov.org; nora.kimball@ci.denver.co.us; susan.scott@denvergov.org; kathi.anderson@denvergov.org; Amanda.Schoultz@denvergov.org; Alan.pettis@denvergov.org; feven.netsanet@denvergov.org; laura.brudzynski@denvergov.org; susan.aldretti@denvergov.org; John.Paterson@denvergov.org

Subject: RE: CB 14-1075 PUD G11 Rezoning Application for El Jebel Shrine - DEFINE THE DENSITY-HONOR THE PROCESS

THIS IS A DECLARATION OF OPPOSITION TO CB 14 -1075 A bill for an ordinance changing the zoning classification of 4625 West 50th Avenue and 5030 Vrain Street

-
The applicant testified in a quasi-judicial forum (Planning Board) that the unit density of Sub-parcel A would be "around 45 units".

-
Neighbors requested applicant codify maximum unit density in Sub-parcel A in the PUD.

-
Applicant refused.

-
CPD Staff allowed application to proceed with no definition of maximum unit density in Sub-parcel A.

-
CPD Staff stated it was satisfied with "the basic density entitlement under the application", even though undefined.

-
Neighbor AIA architectural professionals have determined the maximum unit density to be in excess of 110 units in Sub-parcel A.

-
The City Council of Denver cannot allow this intentional oversight to burden the neighborhood

and the integrity of the planning process.

City Council should Deny this application or Approve it with Conditions limiting unit density in Sub-parcel A to 45 units.

Jeff Laws, Neighbor, 5086 Vrain Street

From: Jeff Laws

Sent: Sunday, December 21, 2014 3:22 PM

To: 'Susan Shepherd'; 'jeanne.faatz@denvergov.org'; 'paul.lopez@denvergov.org'; 'peggy.lehmann@denvergov.org'; 'marybeth.susman@denvergov.org'; 'charlie.brown@denvergov.org'; 'chris.nevitt@denvergov.org'; 'albus.brooks@denvergov.org'; 'judy.montero@denvergov.org'; 'jeanne.robb@denvergov.org'; 'Christopher.Herndon@denvergov.org'; 'kniechatlarge@denvergov.org'; 'dencc@denvergov.org'; Jeanne Laws; Harris, Karen; 'Robert Schmid' (rksair@me.com); 'Edone, Lynn'; Dave Ramirez (dear6@excite.com); Sandoval Joann (titlebyjoann@gmail.com); Dave Decker (davebyersstreet@aol.com); Rutz, Cory M. (CRutz@ottenjohnson.com); Greenberg, Amanda S. <agreenberg@ottenjohnson.com> (agreenberg@ottenjohnson.com); Tina.Axelrad@denvergov.org; 'Stocklin-Steely, Barbara - CPD Planning Services'

Cc: Thompson, Maggie - City Council Operations (Maggie.Thompson@denvergov.org); 'dana.montano@denvergov.org'; 'megan.murphy@denvergov.org'; 'jesus.orrantia@denvergov.org'; 'adriana.magana@denvergov.org'; 'diane.young@denvergov.org'; 'lori.grohskopf@denvergov.org'; 'lucas.palmisano@denvergov.org'; 'genevieve.kline@denvergov.org'; 'stacy.simonet@denvergov.org'; 'valerie.kerns@denvergov.org'; 'nathan.batchelder@denvergov.org'; 'Chy.Montoya@denvergov.org'; 'Brande.Micheau@denvergov.org'; 'Amanda.Sandoval@denvergov.org'; 'Nola.Miguel@denvergov.org'; 'nora.kimball@ci.denver.co.us'; 'susan.scott@denvergov.org'; 'kathi.anderson@denvergov.org'; 'Amanda.Schoultz@denvergov.org'; 'Alan.pettis@denvergov.org'; 'feven.netsanet@denvergov.org'; 'laura.brudzynski@denvergov.org'; 'susan.aldretti@denvergov.org'; 'John.Paterson@denvergov.org'

Subject: PUD G11 Rezoning Application for El Jebel Shrine - A Lump of Coal from Shrine Preservation Partners

Season's Greetings Councilors and Staff!

I regret to have to interrupt what should be for all of us a holiday spent with family and friends, but I must draw this application for rezoning to your attention before the First Reading on December 22, 2014.

As neighbors we had expected the Applicant would honor the holiday as well and follow the request of our Councilwoman Shepard, and delay the filing to allow final neighbor resolution of these important matters regarding undefined unit density in Sub-parcel A.

Regrettably, the applicant has declined to extend the customary traditions of seasonal peace and fellowship, thus requiring we all suffer these efforts for their sole expediency.

I have asked all concerned citizens and neighbors to also interrupt their merrymaking to express their concerns and intentions to object to this application.

Please consider the season and forgive us for intruding on your personal time to ask your attention to this very important matter.

Happy Holidays,

Jeff Laws
5086 Vrain Street
720-308-3573

From: [Jeanne Laws](#)
To: ["Jeff Laws"](#); [Shepherd, Susan K. - City Council District 1](#); [Faatz, Jeanne R. - City Council Dist #2](#); [Lopez, Paul D. - City Council Dist #3](#); [Lehmann, Peggy A. - City Council Dist #4](#); [Susman, Mary Beth - City Council](#); [Brown, Charlie - City Council District #6](#); [Nevitt, Chris - City Council Dist #7](#); [Brooks, Albus - City Council District 8](#); [Montero, Judy H. - City Council District #9](#); [Robb, Jeanne - City Council Dist. #10](#); [Herndon, Christopher J. - City Council District 11](#); [kniechatlarge](#); [dencc - City Council](#); ["Harris, Karen"](#); ["Robert Schmid"](#); ["Edone, Lynn"](#); ["Dave Ramirez"](#); ["Sandoval Joann"](#); ["Dave Decker"](#); ["Rutz, Cory M."](#); [agreenberg@ottenjohnson.com](#); [Axelrad, Tina R. - CPD Development Svcs \(CPDDS\)](#); [Stocklin-Steely, Barbara - CPD Planning Services](#); [Kay Godel Gengenbach](#); [Esther Kettering](#); [Kristi Petersen MD](#)
Cc: [Thompson, Maggie - City Council Operations](#); [Montano, Dana - City Council District #2](#); [Murphy, Megan K - City Council Operations](#); [Orrantia, Jesus - City Council](#); [Magana, Adriana - City Council](#); [Young, Diane - City Council District #4](#); [Grohskopf, Lori S. - City Council District 4](#); [Palmisano, Lucas W - City Council Operations](#); [Kline, Genevieve M. - City Council](#); [Simonet, Stacy B - City Council Aide](#); [Kerns, Valerie L. - City Council District #7](#); [Batchelder, Nathan D. - City Council District 7](#); [Montoya, Chy - City Council](#); [Micheau, Brande - City Council District 8](#); [Sandoval, Amanda P - City Council Operations](#); [Miguel, Nola J - City Council Operations](#); [Kimball, Nora D. - City Council District #10](#); [Scott, Susan W. - City Council Operations](#); [Anderson, Kathi - City Council Dist #10](#); [Schoultz, Amanda M - City Council Operations](#); [Pettis, Alan - City Council District #11](#); [Netsanet, Feven H - City Council Operations](#); [Brudzynski, Laura R - City Council Operations](#); [Aldretti, Susan K - City Council Operations](#); [Paterson, John A - City Council Operations](#)
Subject: RE: CB 14-1075 PUD G11 Rezoning Application for El Jebel Shrine - DEFINE THE DENSITY- HONOR THE PROCESS
Date: Monday, December 22, 2014 9:53:42 AM

THIS IS A DECLARATION OF OPPISITION TO CB 14 -1075 A bill for an ordinance changing the zoning classification of 4625 West 50th Avenue and 5030 Vrain Street

-
The applicant testified in a quasi-judicial forum (Planning Board) that the unit density of Sub-parcel A would be "around 45 units".

-
Neighbors requested applicant codify maximum unit density in Sub-parcel A in the PUD.

-
Applicant refused.

-
CPD Staff allowed application to proceed with no definition of maximum unit density in Sub-parcel A.

-
CPD Staff stated it was satisfied with "the basic density entitlement under the application", even though undefined.

-
Neighbor AIA architectural professionals have determined the maximum unit density to be in excess of 110 units in Sub-parcel A.

-
The City Council of Denver cannot allow this intentional oversight to burden the neighborhood and the integrity of the planning process.

-
City Council should Deny this application or Approve it with Conditions limiting unit density in Sub-parcel A to 45 units.

-
Jeanne Laws, Neighbor, 5086 Vrain Street

From: [Jeff Laws](#)
To: [Shepherd, Susan K. - City Council District 1](#); [Faatz, Jeanne R. - City Council Dist #2](#); [Lopez, Paul D. - City Council Dist #3](#); [Lehmann, Peggy A. - City Council Dist #4](#); [Susman, Mary Beth - City Council](#); [Brown, Charlie - City Council District #6](#); [Nevitt, Chris - City Council Dist #7](#); [Brooks, Albus - City Council District 8](#); [Montero, Judy H. - City Council District #9](#); [Robb, Jeanne - City Council Dist. #10](#); [Herndon, Christopher J. - City Council District 11](#); [kniechatlarge](#); [dence - City Council](#); [Jeanne Laws](#); [Harris, Karen](#); ["Robert Schmid" \(rcsair@me.com\)](#); ["Edone, Lynn"](#); [Dave Ramirez \(dear6@excite.com\)](#); [Sandoval Joann \(titlebyjoann@gmail.com\)](#); [Dave Decker \(davebyersstreet@aol.com\)](#); [Rutz, Cory M. \(CRutz@ottenjohnson.com\)](#); [Greenberg, Amanda S. <agreenberg@ottenjohnson.com> \(agreenberg@ottenjohnson.com\)](#); [Axelrad, Tina R. - CPD Development Svcs \(CPDDS\)](#); [Stocklin-Steely, Barbara - CPD Planning Services](#)
Cc: [Thompson, Maggie - City Council Operations](#); [Montano, Dana - City Council District #2](#); [Murphy, Megan K - City Council Operations](#); [Orrantia, Jesus - City Council](#); [Magana, Adriana - City Council](#); [Young, Diane - City Council District #4](#); [Grohskopf, Lori S. - City Council District 4](#); [Palmisano, Lucas W - City Council Operations](#); [Kline, Genevieve M. - City Council](#); [Simonet, Stacy B - City Council Aide](#); [Kerns, Valerie L. - City Council District #7](#); [Batchelder, Nathan D. - City Council District 7](#); [Montoya, Chy - City Council](#); [Micheau, Brande - City Council District 8](#); [Sandoval, Amanda P - City Council Operations](#); [Miguel, Nola J - City Council Operations](#); [Kimball, Nora D. - City Council District #10](#); [Scott, Susan W. - City Council Operations](#); [Anderson, Kathi - City Council Dist #10](#); [Schoultz, Amanda M - City Council Operations](#); [Pettis, Alan - City Council District #11](#); [Netsanet, Feven H - City Council Operations](#); [Brudzynski, Laura R - City Council Operations](#); [Aldretti, Susan K - City Council Operations](#); [Paterson, John A - City Council Operations](#)
Subject: PUD G11 Rezoning Application for El Jebel Shrine - A Lump of Coal from Shrine Preservation Partners
Date: Sunday, December 21, 2014 3:22:16 PM

Season's Greetings Councilors and Staff!

I regret to have to interrupt what should be for all of us a holiday spent with family and friends, but I must draw this application for rezoning to your attention before the First Reading on December 22, 2014.

As neighbors we had expected the Applicant would honor the holiday as well and follow the request of our Councilwoman Shepard, and delay the filing to allow final neighbor resolution of these important matters regarding undefined unit density in Sub-parcel A. Regrettably, the applicant has declined to extend the customary traditions of seasonal peace and fellowship, thus requiring we all suffer these efforts for their sole expediency.

I have asked all concerned citizens and neighbors to also interrupt their merrymaking to express their concerns and intentions to object to this application.

Please consider the season and forgive us for intruding on your personal time to ask your attention to this very important matter.

Happy Holidays,

Jeff Laws
5086 Vrain Street
720-308-3573

From: [Jeff Laws](#)
To: [Shepherd, Susan K. - City Council District 1](#); [Faatz, Jeanne R. - City Council Dist #2](#); [Lopez, Paul D. - City Council Dist #3](#); [Lehmann, Peggy A. - City Council Dist #4](#); [Susman, Mary Beth - City Council; Brown, Charlie - City Council District #6](#); [Nevitt, Chris - City Council Dist #7](#); [Brooks, Albus - City Council District 8](#); [Montero, Judy H. - City Council District #9](#); [Robb, Jeanne - City Council Dist. #10](#); [Herndon, Christopher J. - City Council District 11](#); [kniechtallarge; dencc - City Council; Dave Decker \(davebyersstreet@aol.com\)](#); [Karen Harris; Jim Harris \(Jim.Harris@rharrisandco.com\)](#); [Jeanne Laws; Jeff Laws; Sandoval Joann \(titlebyjoann@gmail.com\); drq@tde.com](#); [Kristi Petersen \(kpetersenmd@mac.com\)](#); [Greenberg, Amanda S. <agreenberg@ottenjohnson.com>](#); [agreenberg@ottenjohnson.com](#); [Rutz, Cory M. \(CRutz@ottenjohnson.com\)](#); [Basha \(bashacohen@aol.com\)](#)
Cc: [Thompson, Maggie - City Council Operations](#); [Montano, Dana - City Council District #2](#); [Murphy, Megan K. - City Council Operations](#); [Orrantia, Jesus - City Council; Magana, Adriana - City Council; Young, Diane - City Council District #4](#); [Grobskopf, Lori S. - City Council District 4](#); [Palmisano, Lucas W. - City Council Operations](#); [Kline, Genevieve M. - City Council; Simonet, Stacy B. - City Council Aide](#); [Kerns, Valerie L. - City Council District #7](#); [Batchelder, Nathan D. - City Council District 7](#); [Montoya, Chy - City Council; Micheau, Brande - City Council District 8](#); [Sandoval, Amanda P. - City Council Operations](#); [Miguel, Nola J. - City Council Operations](#); [Kimball, Nora D. - City Council District #10](#); [Scott, Susan W. - City Council Operations](#); [Anderson, Kathi - City Council Dist #10](#); [Schoultz, Amanda M. - City Council Operations](#); [Pettis, Alan - City Council District #11](#); [Netsanet, Feven H. - City Council Operations](#); [Brudzynski, Laura R. - City Council Operations](#); [Aldretti, Susan K. - City Council Operations](#); [Paterson, John A. - City Council Operations](#); ["Robert Schmid" \(rcsair@me.com\)](#); ["Esther Kettering" \(eskettering@hotmail.com\)](#); [Dave Ramirez \(dear6@excite.com\)](#); ["Edone, Lynn"; whitneyself@hotmail.com](#)
Subject: PUD-G11 Neighborhood Report
Date: Friday, January 16, 2015 9:16:18 AM
Attachments: [image004.png](#)
[image006.png](#)
[image011.png](#)
[image020.png](#)
[NEIGHBORHOOD REPORT.PDF](#)

TO: Denver City Council
FROM: Utica, Vrain & West 50th Neighborhood Concerned Neighbors
DATE: January 15, 2015
RE: Official Zoning Map Amendment Application #2014I-00041
4625 West 50th Avenue and 5030 Vrain Street
Rezoning from Former Chapter 59 PUD-273 to DZC PUD G11

NEIGHBORHOOD REPORT

In response to the CPD Staff Report dated 12/5/14 this report was developed in an effort to provide information pertinent to City Council's consideration of the above referenced rezoning request.

"IT'S ALL ABOUT CONTEXT"

This is the predominate message on the opening page of the Denver Zoning Code (DZC) web site and what was a guiding concept in the decade long development of the new DZC to better reflect the widely varied character of the neighborhoods found throughout the city.

The neighborhood immediately affected by this rezoning is a small, fairly isolated community that has a significantly different context and character from that which is to the east of Tennyson Street. The DZC recognizes the neighborhood's significant difference by zoning this small area as Urban Edge (E-SU-Dx) rather than simply include it in the Urban Context (U-SU-C) zone district that makes up the rest of the Regis neighborhood. In fact, the existing neighborhood, in an area of stability, actually has many characteristics that closely adhere to a Suburban Context: *modified or non-existent grid, with cul-de-sacs and typically no alley; sidewalks may be detached or non-existent; and generous landscaping between the street and buildings; residential buildings typically have consistent, deep front setbacks and varying side setbacks; and a higher reliance on the automobile with some access to pedestrian and bicycle facilities and the multi-modal transportation system.* The DZC also recognized this almost suburban feel by designating the zone district to include the Suburban House Form.



As Council Women Shepherd indicated in committee, turning into this neighborhood represents a complete change in character, and there is nothing remotely "urban" about that character.

The neighborhood is made up of two dead end streets, a private access drive for two additional residences, and an access drive serving the golf course. Utica (a 1920's cul-de-sac) and Vrain (dead end private drive) are accessed from W 50th Ave (a dead end street) with a single access point for the entire neighborhood at Tennyson St (residential collector). Per recognized transportation engineering criteria, dead ends and cul-de-sacs are the lowest in street hierarchy, and particularly where there is no interconnecting street grid or more than one way out (such as within this neighborhood) they are not typically characterized as local streets. This can be attested to by the dozens of cars that have to be towed from the bottom of the hill at the end of Utica every winter. Tennyson Street terminates in a ½ block jog two blocks north at 52nd Ave, at which point there is a downgrading in traffic and street character into Adams County. The nearest signalized intersection is well over ½ mile to the east at 50th & Lowell. The next closest are over ¾ mile away



Although there is substantial resident pedestrian activity within the neighborhood, the area is highly automobile dependant. The “node of neighborhood commercial services” referenced in the Staff Report is shown above. Those “services” are extremely limited and typically not utilized by the residents of the neighborhood. There is a single bus line that runs approximately every half hour at 50th & Tennyson, and although Tennyson is marked as a bike route, the steep hills limit bicycle use in this area.

In the almost exclusively residential Regis Neighborhood bordered by Tennyson, Lowell, W 48th and W 52nd, Metroscan indicates a total of 766 properties (717 single family homes and 6 duplexes), yielding a coverage of a little over 4 units /acre. West of Tennyson, in the neighborhood most affected by this PUD, there are 23 single family homes and 2 non-conforming legacy duplexes which yields a coverage ratio of approximately 3.9 units/acre. The proposed PUD coverage is 7.7 units/acre on Subareas B & C, and 16.7 units/acre in Subarea A.

The houses in the neighborhood are an eclectic mix of styles, but are consistent in their relatively large zone lots with minimal lot coverage, large front setbacks, and generally wide side separations. Vehicle access is overwhelmingly from the street with drives that generally lead to garages (attached and detached) at the rear of lots. There is a great deal of green open space throughout the neighborhood unrelated to the surrounding golf course. Zone lots throughout the neighborhood are on sloped lots with similar and even greater changes in elevation than the topography of the land subject to PUD G-11. The average zone lot size in the affected neighborhood (Vrain, Utica, 50th) is 10,585 sf. Even if all zone lots that could be sub-divided were to be scraped and divided (an unlikely scenario given those particular residences), the average lot size would still be over 7,000sf.

NEIGHBORHOOD CONTEXT



SIDE SEPARATION



BLOCK SENSITIVE SETBACKS



IT'S ABOUT PREDICTABILITY

BLUEPRINT DENVER

In addition to the DZC, Blueprint Denver is the primary official City of Denver planning document to which citizens may refer in order to verify planned land use intent that profoundly affects what is typically the largest purchase of each individual's life, their home. Blueprint Denver designated the property within this PUD as *future Golf Course use*. The CPD Staff Report simply dismisses this official planning document and indicates it is instead "a mistake". This seems to be conjecture. Once a future land use map is adopted by the community and the City Council it is, in fact, not a mistake. Blueprint Denver was created through an arduous process and with the studied dedication of the city personnel and citizens involved, as well as a nationally recognized urban planning consultant guiding the process. The Blueprint Denver 2002 future land use map is a controlling document, and not to be cited as "of little value in this analysis." The desired future use of the land in question by the planning authorities at the time was not based on past land ownership, but instead on what they deemed as the appropriate use of that land given its location and neighborhood context. Rather than disregarding this inconvenient recommendation, a careful analysis of the recommendation should be undertaken instead. If the city golf course is not in a position to acquire the land that was envisioned to be public open space, the development of that land for other use should be approached very carefully and with a very light hand.



CPD Staff Report cites Blueprint Denver allowing “modest” in-fill while maintaining the character of the area. With a proposed unit/acre ratio more than 400% of what the existing zone district would allow and given the relative size of the PUD compared to the existing neighborhood, this defies the definition of “modest,” and rather than maintaining character, it will forever CHANGE the the character of an existing area of stability.

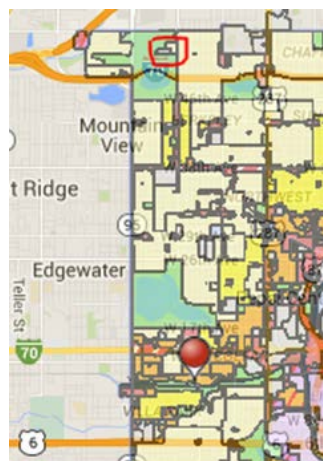
Regarding Blueprint Denver’s principles to advise future land use and development in Areas of Stability PUD G11 does not:

- *Respect valued development patterns (including relationship of buildings to the street; location of garages/driveways/parking; building scale) -- especially in Subarea A where development patterns are abandoned to accommodate the applicants’ desired building and vehicle traffic orientations.*
- *Expand transportation choices*
- *Minimize traffic impact on neighborhood street -- since ALL additional development traffic must pass through the existing neighborhood from the only access point into the area.*
- *Respect adjoining property -- because of unprecedented building forms and the prohibition of more appropriate building forms that could be developed in the same base zone district designation anywhere else in the city.*

ZONE DISTRICTS

The existing zoning for the affected neighborhood is E-SU-Dx. The proposed base zone district designations for the various areas of this PUD are E-SU-D1, E-TU-C, and U-RH-3A. None of these zone districts are found anywhere in the larger Regis Neighborhood. The entire greater Regis neighborhood is instead designated SU. Imposing these unprecedented zone districts on this small neighborhood CHANGES the entire character of a stable neighborhood forever. This is not “modest infill” and it does not occur where infrastructure to serve it is already in place.

Without access to a city data base, the nearest non-legacy E-TU-C we identified is many miles south of this site at Lakewood Gulch near 6th Ave. Closer TU zone districts are generally Urban Context in areas of change adjacent to MX and/or MS zoning. The CPD Staff Report rationalizes the TU zone district designation on the existence of a scattering of non-complying duplex buildings (6 of 723) in the greater Regis neighborhood. This is contrary to their very designation as non-compliant, and would not be allowed if any other property owner wished to develop their land based on the existence of a non-complying building, even if it were next door.



The nearest large U-RH zone district we found is also miles away. A few loser RH zone districts are very small and again are adjacent to MX and MS districts served by collectors and arterials. We were unable to find an instance in the city where a large U-RH superblock district existed isolate at the end of on a dead end street, accessed wholly through an Urban Edge neighborhood in an area of stability, with no adjacency or connection to compatible urban context districts.

the PUD. If circumstances are so unique and extraordinary as to necessitate a PUD, and because of the ability of the new DZC to affectively address so many varied circumstances, it could be argued that a detailed PUD including a site plan would typically be required to codify the intent and predictability of a PUD. As it stands PUD G11 lacks that expected predictability. Although, the applicant has presented numerous site plans, made promises, and has testified in hearings stating unit counts which would greatly enhance the predictability of this this project, none of these are codified in the PUD.

In our view, this Rezoning application requires further consideration and development by the Staff at CPD, the Applicant and the Neighbors to comply with acceptable City and County of Denver practices and procedures.

We ask Denver City Council to act to require further consideration to insure the interests of the City and the Neighborhood and the integrity of the process are honored, in spite of the hasty economic arguments presented by the Seller and Applicant for immediate approval.

Respectfully,

Karen Harris, AIA and Jim Harris PE, PhD. 5090 Utica Street

Jeanne Laws & Jeff Laws, 5086 Vrain Street

Joann and Rick Sandoval, 50—Utica Street

Kay Godel Gengenbach, PhD., 5062 Vrain Street

Kristi Petersen, MD 4425 W. 50th Avenue

From: [Kettering, Esther](#)
To: [Faatz, Jeanne R. - City Council Dist #2](#); [Lopez, Paul D. - City Council Dist #3](#); peggy.lehman@denvergov.org; [Susman, Mary Beth - City Council](#); charle.brown@denvergov.org; [Nevitt, Chris - City Council Dist #7](#); [Brooks, Albus - City Council District 8](#); judymontero@denvergov.org; [Robb, Jeanne - City Council Dist. #10](#); [Herndon, Christopher J. - City Council District 11](#); [kniechatlarge](#); [dencc - City Council](#); [Jeanne Laws](#); jeff.laws@cityhorizons.com; [RCS Design](#); karen.harris@arc matters.com; [Sandoval Joann](#); [Dave Decker](#); axelrad.tina.r@cpddevelopment.com; [Shepherd, Susan K. - City Council District 1](#); ledone@hotmail.com; agreenberg@ottenjohnson.com; [Montano, Dana - City Council District #2](#); megan.murphy@denvergov.org; [Orrantia, Jesus - City Council](#); [Magana, Adriana - City Council](#); [Young, Diane - City Council District #4](#); [Grohskopf, Lori S. - City Council District 4](#); [Palmisano, Lucas W - City Council Operations](#); genevieve.kline@denvergov.org; atacy.simonet@denvergov.org; [Kerns, Valerie L. - City Council District #7](#); nathan.batchelder@denver.gov; [Montoya, Chy - City Council](#); [Micheau, Brande - City Council District 8](#); [Sandoval, Amanda P - City Council Operations](#); [Miguel, Nola J - City Council Operations](#); [Kimball, Nora D. - City Council District #10](#); [Scott, Susan W. - City Council Operations](#); kathi.anderson@denvergov.org; [Schoultz, Amanda M - City Council Operations](#); [Pettis, Alan - City Council District #11](#); [Netsanet, Feven H - City Council Operations](#); [Brudzynski, Laura R - City Council Operations](#); [Aldretti, Susan K - City Council Operations](#); [Paterson, John A - City Council Operations](#)
Subject: CB 14-1075 PUD G11 Rezoning Application for El Jebel Shrine - DENSITY, TRAFFIC, PRECEDENCE
Date: Monday, December 22, 2014 12:18:16 PM

All – I support the statement below submitted by my neighbor Jeff Laws. I am a resident and owner at 5080 Utica Street, which is within 250 feet of the proposed PUD G11 site.

As a commercial real estate professional and land developer of over 12,000 acres of land in Colorado over a period of many years, the process and decisions driven by Denver Planning Staff and the Applicant / Developer of the Shrine property has been a mishandled mockery of Blueprint Denver and the arduously constructed Zoning Code composed by citizens, government and professionals over a period of many years.

- **PLANNING & PREDICTABILITY** - For a property of this size, the City should require a Detailed PUD, if a PUD is to be required at all. Planning exists to manage expectations and create predictability in our environment. This project has failed in that effort thus far.
- **“IT’S ALL ABOUT CONTEXT”** – For the 181-acre neighborhood north of I-70, south of W 52nd, and west of Lowell, there are 740 existing dwelling units with 97% of those being Single Family. Density of Row-Homes in Sub-parcel A of the proposed PUD is certainly out of context with the neighborhood, introducing an unprecedented density of easily 20 DU/acre or more.
- **TRAFFIC** – For a proposed development of perhaps 100+ dwelling units to be located on a dead-end street, which also serves as sole access to a public golf course and 15 existing homes is dumbfounding. There is no safety measure or secondary access proposed. Applicant/Developer states that a one-lane alley should suffice, but has submitted no Traffic Study to support this and City has not required such.

I urge City Council to **reject** this PUD application in its current form.

Esther Kettering, MBA
Senior Vice President, Principal
Cassidy Turley
T 303-312-4278 C 303-956-0444

Begin forwarded message:

From: Jeff Laws
Sent: Monday, December 22, 2014 8:33 AM
To: 'Susan Shepherd'; jeanne.faatz@denvergov.org; paul.lopez@denvergov.org; peggy.lehmann@denvergov.org; marybeth.susman@denvergov.org; charlie.brown@denvergov.org; chris.nevitt@denvergov.org;

'albus.brooks@denvergov.org'; 'judy.montero@denvergov.org';
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Cc: Thompson, Maggie - City Council Operations
(Maggie.Thompson@denvergov.org); 'dana.montano@denvergov.org';
'megan.murphy@denvergov.org'; 'jesus.orrantia@denvergov.org';
'adriana.magana@denvergov.org'; 'diane.young@denvergov.org';
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'laura.brudzynski@denvergov.org'; 'susan.aldretti@denvergov.org';
'John.Paterson@denvergov.org'

Subject: RE: CB 14-1075 PUD G11 Rezoning Application for El Jebel Shrine -
DEFINE THE DENSITY- HONOR THE PROCESS

THIS IS A DECLARATION OF OPPOSITION TO CB 14 -1075 A bill for an ordinance changing the zoning classification of 4625 West 50th Avenue and 5030 Vrain Street

The applicant testified in a quasi-judicial forum (Planning Board) that the unit density of Sub-parcel A would be "around 45 units".

Neighbors requested applicant codify maximum unit density in Sub-parcel A in the PUD.

Applicant refused.

CPD Staff allowed application to proceed with no definition of maximum unit density in Sub-parcel A.

CPD Staff stated it was satisfied with "the basic density entitlement under the application", even though undefined.

Neighbor AIA architectural professionals have determined the maximum unit density to be in excess of 110 units in Sub-parcel A.

The City Council of Denver cannot allow this intentional oversight to burden the neighborhood and the integrity of the planning process.

City Council should Deny this application or Approve it with Conditions

limiting unit density in Sub-parcel A to 45 units.

Jeff Laws, Neighbor, 5086 Vrain Street

From: Jeff Laws
Sent: Sunday, December 21, 2014 3:22 PM
To: 'Susan Shepherd'; 'jeanne.faatz@denvergov.org'; 'paul.lopez@denvergov.org'; 'peggy.lehmann@denvergov.org'; 'marybeth.susman@denvergov.org'; 'charlie.brown@denvergov.org'; 'chris.nevitt@denvergov.org'; 'albus.brooks@denvergov.org'; 'judy.montero@denvergov.org'; 'jeanne.robb@denvergov.org'; 'Christopher.Herndon@denvergov.org'; 'kniechatlarge@denvergov.org'; 'denc@denvergov.org'; Jeanne Laws; Harris, Karen; 'Robert Schmid' (rcsair@me.com); 'Edone, Lynn'; Dave Ramirez (dear6@excite.com); Sandoval Joann (titlebyjoann@gmail.com); Dave Decker (davebyersstreet@aol.com); Rutz, Cory M. (CRutz@ottenjohnson.com); Greenberg, Amanda S. <agreenberg@ottenjohnson.com> (agreenberg@ottenjohnson.com); 'Tina.Axelrad@denvergov.org'; 'Stocklin-Steely, Barbara - CPD Planning Services'
Cc: Thompson, Maggie - City Council Operations (Maggie.Thompson@denvergov.org); 'dana.montano@denvergov.org'; 'megan.murphy@denvergov.org'; 'jesus.orrantia@denvergov.org'; 'adriana.magana@denvergov.org'; 'diane.young@denvergov.org'; 'lori.grohskopf@denvergov.org'; 'lucas.palmisano@denvergov.org'; 'genevieve.kline@denvergov.org'; 'stacy.simonet@denvergov.org'; 'valerie.kerns@denvergov.org'; 'nathan.batchelder@denvergov.org'; 'Chy.Montoya@denvergov.org'; 'Brande.Micheau@denvergov.org'; 'Amanda.Sandoval@denvergov.org'; 'Nola.Miguel@denvergov.org'; 'nora.kimball@ci.denver.co.us'; 'susan.scott@denvergov.org'; 'kathi.anderson@denvergov.org'; 'Amanda.Schultz@denvergov.org'; 'Alan.pettis@denvergov.org'; 'feven.netsanet@denvergov.org'; 'laura.brudzynski@denvergov.org'; 'susan.aldretti@denvergov.org'; 'John.Paterson@denvergov.org'
Subject: PUD G11 Rezoning Application for El Jebel Shrine - A Lump of Coal from Shrine Preservation Partners

Season's Greetings Councilors and Staff!

I regret to have to interrupt what should be for all of us a holiday spent with family and friends, but I must draw this application for rezoning to your attention before the First Reading on December 22, 2014.

As neighbors we had expected the Applicant would honor the holiday as well and follow the request of our Councilwoman Shepard, and delay the filing to allow final neighbor resolution of these important matters regarding undefined unit density in Sub-parcel A.

Regrettably, the applicant has declined to extend the customary

traditions of seasonal peace and fellowship, thus requiring we all suffer these efforts for their sole expediency.

I have asked all concerned citizens and neighbors to also interrupt their merrymaking to express their concerns and intentions to object to this application.

Please consider the season and forgive us for intruding on your personal time to ask your attention to this very important matter.

Happy Holidays,

Jeff Laws
5086 Vrain Street
720-308-3573

From: titlebyjoann@gmail.com
To: [Lynn Edone](#); [Karen Harris](#); [Jeff Laws](#); [Shepherd, Susan K.](#) - City Council District 1; [Faatz, Jeanne R.](#) - City Council Dist #2; [Lopez, Paul D.](#) - City Council Dist #3; [Lehmann, Peggy A.](#) - City Council Dist #4; [Susman, Mary Beth](#) - City Council; [Brown, Charlie](#) - City Council District #6; [Nevitt, Chris](#) - City Council District #7; [Brooks, Albus](#) - City Council District 8; [Montero, Judy H.](#) - City Council District #9; [Robb, Jeanne](#) - City Council Dist. #10; [Herndon, Christopher J.](#) - City Council District 11; [kniechatlarge](#); [denc](#) - City Council; [Jeanne Laws](#); [Robert Schmid](#); [Dave Ramirez](#); [Dave Decker](#); [Rutz, Cory M.](#); agreenberg@ottenjohnson.com; [Axelrad, Tina R.](#) - CPD Development Svcs (CPDDS); [Stocklin-Steely, Barbara](#) - CPD Planning Services; [Derek Edone](#); [Thompson, Maggie](#) - City Council Operations; [Montano, Dana](#) - City Council District #2; [Murphy, Megan K](#) - City Council Operations; [Orrantia, Jesus](#) - City Council; [Magana, Adriana](#) - City Council; [Young, Diane](#) - City Council District #4; [Grohskopf, Lori S.](#) - City Council District 4; [Palmisano, Lucas W](#) - City Council Operations; [Kline, Genevieve M.](#) - City Council; [Simonet, Stacy B](#) - City Council Aide; [Kerns, Valerie L.](#) - City Council District #7; [Batchelder, Nathan D.](#) - City Council District 7; [Montoya, Chy](#) - City Council; [Micheau, Brande](#) - City Council District 8; [Sandoval, Amanda P](#) - City Council Operations; [Miguel, Nola J](#) - City Council Operations; [Kimball, Nora D.](#) - City Council District #10; [Scott, Susan W.](#) - City Council Operations; [Anderson, Kathi](#) - City Council Dist #10; [Schoultz, Amanda M](#) - City Council Operations; [Pettis, Alan](#) - City Council District #11; [Netsanet, Feven H](#) - City Council Operations; [Bruzynski, Laura R](#) - City Council Operations; [Aldretti, Susan K](#) - City Council Operations; [Paterson, John A](#) - City Council Operations

Subject: Re: CB 14-1075 PUD G11 Rezoning Application for El Jebel Shrine - DEFINE THE DENSITY- HONOR THE PROCESS

Date: Monday, December 22, 2014 11:35:48 AM

We concur with our neighbors in the opposition of this application.

We are very concerned with the lack of limits regarding density and how that would adversely compromise traffic and safety.

THIS IS A DECLARATION OF OPPOSITION TO CB 14 -1075 A bill for an ordinance changing the zoning classification of 4625 West 50th Avenue and 5030 Vrain Street

The applicant testified in a quasi-judicial forum (Planning Board) that the unit density of Sub-parcel A would be “around 45 units”.

Neighbors requested applicant codify maximum unit density in Sub-parcel A in the PUD.

Applicant refused.

CPD Staff allowed application to proceed with no definition of maximum unit density in Sub-parcel A.

CPD Staff stated it was satisfied with “the basic density entitlement under the application”, even though undefined.

Neighbor AIA architectural professionals have determined the maximum unit density to be in excess of 110 units in Sub-parcel A.

The City Council of Denver cannot allow this intentional oversight to burden the neighborhood and the integrity of the planning process.

City Council should Deny this application or Approve it with Conditions limiting unit density in Sub-parcel A to 45 units.

Joann and Rick Sandoval
5051 Utica Street

Denver,CO 80212

Sent from my iPhone
Joann Sandoval

On Dec 22, 2014, at 10:39 AM, Lynn Edone <ledone@hotmail.com> wrote:

I strongly agree with the declaration of opposition below. The applicant will try to indicate that they have made last minute concessions in the latest draft of the PUD, but the steps they have taken were not in cooperation with the neighborhood, and they change virtually nothing. There is still no limit on the number of units in an urban edge neighborhood consisting of 3 short dead end streets with a single access point.

THIS IS A DECLARATION OF OPPOSITION TO CB 14 -1075 A bill for an ordinance changing the zoning classification of 4625 West 50th Avenue and 5030 Vrain Street

The applicant testified in a quasi-judicial forum (Planning Board) that the unit density of Sub-parcel A would be “around 45 units”.

Neighbors requested applicant codify maximum unit density in Sub-parcel A in the PUD.

Applicant refused.

CPD Staff allowed application to proceed with no definition of maximum unit density in Sub-parcel A.

CPD Staff stated it was satisfied with “the basic density entitlement under the application”, even though undefined.

Neighbor AIA architectural professionals have determined the maximum unit density to be in excess of 110 units in Sub-parcel A.

The City Council of Denver cannot allow this intentional oversight to burden the neighborhood and the integrity of the planning process.

City Council should Deny this application or Approve it with Conditions limiting unit density in Sub-parcel A to 45 units.

Lynn Edone
5085 Utica St
Denver CO 80212
303-730-0884

From: Jeff Laws [<mailto:jlaws@CITYHORIZONS.COM>]
Sent: Monday, December 22, 2014 8:33 AM
To: 'Susan Shepherd'; jeanne.faatz@denvergov.org; paul.lopez@denvergov.org; peggy.lehmann@denvergov.org; marybeth.susman@denvergov.org; charlie.brown@denvergov.org; chris.nevitt@denvergov.org; albus.brooks@denvergov.org; judy.montero@denvergov.org; jeanne.robb@denvergov.org; Christopher.Herndon@denvergov.org; kniechatlarge@denvergov.org; denc@denvergov.org; Jeanne Laws; Harris, Karen; 'Robert Schmid' (rcsair@me.com); 'Edone, Lynn'; Dave Ramirez (dear6@excite.com); Sandoval Joann (titlebyjoann@gmail.com); Dave Decker (davebyersstreet@aol.com); Rutz, Cory M. (CRutz@ottenjohnson.com); Greenberg, Amanda S. <agreenberg@ottenjohnson.com> (agreenberg@ottenjohnson.com); Tina.Axelrad@denvergov.org; Stocklin-Steely, Barbara - CPD Planning Services
Cc: Thompson, Maggie - City Council Operations (Maggie.Thompson@denvergov.org); dana.montano@denvergov.org; megan.murphy@denvergov.org; jesus.orrantia@denvergov.org; adriana.magana@denvergov.org; diane.young@denvergov.org; lori.grohskopf@denvergov.org; lucas.palmisano@denvergov.org; genevieve.kline@denvergov.org; stacy.simonet@denvergov.org; valerie.kerns@denvergov.org; nathan.batchelder@denvergov.org; Chy.Montoya@denvergov.org; Brande.Micheau@denvergov.org; Amanda.Sandoval@denvergov.org; Nola.Miguel@denvergov.org; nora.kimball@ci.denver.co.us; susan.scott@denvergov.org; kathi.anderson@denvergov.org; Amanda.Schoultz@denvergov.org; Alan.pettis@denvergov.org; feven.netsanet@denvergov.org; laura.brudzynski@denvergov.org; susan.aldretti@denvergov.org; John.Paterson@denvergov.org
Subject: RE: CB 14-1075 PUD G11 Rezoning Application for El Jebel Shrine - DEFINE THE DENSITY- HONOR THE PROCESS

THIS IS A DECLARATION OF OPPOSITION TO CB 14 -1075 A bill for an ordinance changing the zoning classification of 4625 West 50th Avenue and 5030 Vrain Street

The applicant testified in a quasi-judicial forum (Planning Board) that the unit density of Sub-parcel A would be "around 45 units".

Neighbors requested applicant codify maximum unit density in Sub-parcel A in the PUD.

Applicant refused.

CPD Staff allowed application to proceed with no definition of maximum unit density in Sub-parcel A.

CPD Staff stated it was satisfied with “the basic density entitlement under the application”, even though undefined.

Neighbor AIA architectural professionals have determined the maximum unit density to be in excess of 110 units in Sub-parcel A.

The City Council of Denver cannot allow this intentional oversight to burden the neighborhood and the integrity of the planning process.

City Council should Deny this application or Approve it with Conditions limiting unit density in Sub-parcel A to 45 units.

Jeff Laws, Neighbor, 5086 Vrain Street

From: Jeff Laws

Sent: Sunday, December 21, 2014 3:22 PM

To: 'Susan Shepherd'; 'jeanne.faatz@denvergov.org'; 'paul.lopez@denvergov.org'; 'peggy.lehmann@denvergov.org'; 'marybeth.susman@denvergov.org'; 'charlie.brown@denvergov.org'; 'chris.nevitt@denvergov.org'; 'albus.brooks@denvergov.org'; 'judy.montero@denvergov.org'; 'jeanne.robb@denvergov.org'; 'Christopher.Herndon@denvergov.org'; 'kniechatlarge@denvergov.org'; 'dencc@denvergov.org'; Jeanne Laws; Harris, Karen; 'Robert Schmid' (rscsair@me.com); 'Edone, Lynn'; Dave Ramirez (dear6@excite.com); Sandoval Joann (titlebyjoann@gmail.com); Dave Decker (davebyersstreet@aol.com); Rutz, Cory M. (CRutz@ottenjohnson.com); Greenberg, Amanda S. <agreenberg@ottenjohnson.com> (agreenberg@ottenjohnson.com); Tina.Axelrad@denvergov.org; 'Stocklin-Steely, Barbara - CPD Planning Services'

Cc: Thompson, Maggie - City Council Operations (Maggie.Thompson@denvergov.org); 'dana.montano@denvergov.org'; 'megan.murphy@denvergov.org'; 'jesus.arrantia@denvergov.org'; 'adriana.magana@denvergov.org'; 'diane.young@denvergov.org'; 'lori.grohskopf@denvergov.org'; 'lucas.palmisano@denvergov.org'; 'genevieve.kline@denvergov.org'; 'stacy.simonet@denvergov.org'; 'valerie.kerns@denvergov.org'; 'nathan.batchelder@denvergov.org'; 'Chy.Montoya@denvergov.org';

'Brande.Micheau@denvergov.org'; 'Amanda.Sandoval@denvergov.org'; 'Nola.Miguel@denvergov.org'; 'nora.kimball@ci.denver.co.us'; 'susan.scott@denvergov.org'; 'kathi.anderson@denvergov.org'; 'Amanda.Schoultz@denvergov.org'; 'Alan.pettis@denvergov.org'; 'feven.netsanet@denvergov.org'; 'laura.brudzynski@denvergov.org'; 'susan.aldretti@denvergov.org'; 'John.Paterson@denvergov.org'

Subject: PUD G11 Rezoning Application for El Jebel Shrine - A Lump of Coal from Shrine Preservation Partners

Season's Greetings Councilors and Staff!

I regret to have to interrupt what should be for all of us a holiday spent with family and friends, but I must draw this application for rezoning to your attention before the First Reading on December 22, 2014.

As neighbors we had expected the Applicant would honor the holiday as well and follow the request of our Councilwoman Shepard, and delay the filing to allow final neighbor resolution of these important matters regarding undefined unit density in Sub-parcel A.

Regrettably, the applicant has declined to extend the customary traditions of seasonal peace and fellowship, thus requiring we all suffer these efforts for their sole expediency.

I have asked all concerned citizens and neighbors to also interrupt their merrymaking to express their concerns and intentions to object to this application.

Please consider the season and forgive us for intruding on your personal time to ask your attention to this very important matter.

Happy Holidays,

Jeff Laws

5086 Vrain Street

720-308-3573

From: [RCS Design](#)
To: [Jeanne Laws](#); [Jeff & Jeanne Laws](#); [Shepherd, Susan K. - City Council District 1](#); [Faatz, Jeanne R. - City Council Dist #2](#); [Lopez, Paul D. - City Council Dist #3](#); [Lehmann, Peggy A. - City Council Dist #4](#); [Susman, Mary Beth - City Council](#); [Brown, Charlie - City Council District #6](#); [Nevitt, Chris - City Council Dist #7](#); [Brooks, Albus - City Council District 8](#); [Montero, Judy H. - City Council District #9](#); [Robb, Jeanne - City Council Dist. #10](#); [Herndon, Christopher J. - City Council District 11](#); [kniechatlarge](#); [dencc - City Council](#); [Karen Harris](#); [Lynn Edone](#); [dear6.excite](#); [Joann Sandoval](#); [David Decker](#); [Rutz, Cory M.](#); [agreenberg@ottenjohnson.com](#); [Axelrad, Tina R. - CPD Development Svcs \(CPDDS\)](#); [Stocklin-Steely, Barbara - CPD Planning Services](#); [Kay Godel Gengenbach](#); [Esther Kettering](#); [Kristi Petersen MD](#); [Thompson, Maggie - City Council Operations](#); [Montano, Dana - City Council District #2](#); [Murphy, Megan K - City Council Operations](#); [Orrantia, Jesus - City Council](#); [Magana, Adriana - City Council](#); [Young, Diane - City Council District #4](#); [Grohskopf, Lori S. - City Council District 4](#); [Palmisano, Lucas W. - City Council Operations](#); [Kline, Genevieve M. - City Council](#); [Simonet, Stacy B - City Council Aide](#); [Kerns, Valerie L. - City Council District #7](#); [Batchelder, Nathan D. - City Council District 7](#); [Montoya, Chy - City Council](#); [Micheau, Brande - City Council District 8](#); [Sandoval, Amanda P - City Council Operations](#); [Miguel, Nola J - City Council Operations](#); [Kimball, Nora D. - City Council District #10](#); [Scott, Susan W. - City Council Operations](#); [Anderson, Kathi - City Council Dist #10](#); [Schultz, Amanda M - City Council Operations](#); [Pettis, Alan - City Council District #11](#); [Netsanet, Feven H - City Council Operations](#); [Brudzynski, Laura R - City Council Operations](#); [Aldretti, Susan K - City Council Operations](#); [Paterson, John A - City Council Operations](#)
Subject: Re: CB 14-1075 PUD G11 Rezoning Application for El Jebel Shrine - DEFINE THE DENSITY- HONOR THE PROCESS
Date: Monday, December 22, 2014 11:20:55 AM

I am in support of the declaration noted below.

I will add that this PUD introduces zone designation and building type forms that are not compatible with the neighborhood. The area and neighborhood in question is an area of stability, as defined by Blueprint Denver. This PUD violates Blueprint Denver in several respects. Further, the PUD is not well conceived, containing conflicting language in at least one instance. It should be denied based on this and the accounts noted below.

A more detailed letter will follow tomorrow.

Regards,

Robert

Robert Charles Schmid, AIA, CSI, NCARB
RCS Design / Planning / Consulting
PO Box 12207
Denver, CO 80212
V - 303-433-6659
F - 303-433-6692
M - 303-809-2315
E - rcsdesign@me.com
W - rcsdcp.com

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On Dec 22, 2014, at 9:53 AM, Jeanne Laws <jeannelaws@comcast.net> wrote:

THIS IS A DECLARATION OF OPPOSITION TO CB 14 -1075 A bill for an ordinance changing the zoning classification of 4625 West 50th Avenue and 5030 Vrain Street

The applicant testified in a quasi-judicial forum (Planning Board) that the unit density of Sub-parcel A would be “around 45 units”.

Neighbors requested applicant codify maximum unit density in Sub-parcel A in the PUD.

Applicant refused.

CPD Staff allowed application to proceed with no definition of maximum unit density in Sub-parcel A.

CPD Staff stated it was satisfied with “the basic density entitlement under the application”, even though undefined.

Neighbor AIA architectural professionals have determined the maximum unit density to be in excess of 110 units in Sub-parcel A.

The City Council of Denver cannot allow this intentional oversight to burden the neighborhood and the integrity of the planning process.

City Council should Deny this application or Approve it with Conditions limiting unit density in Sub-parcel A to 45 units.

Jeanne Laws, Neighbor, 5086 Vrain Street

From: [RCS Design](#)
To: [Shepherd, Susan K. - City Council District 1](#); [Faatz, Jeanne R. - City Council Dist #2](#); [Lopez, Paul D. - City Council Dist #3](#); [Lehmann, Peggy A. - City Council Dist #4](#); [Susman, Mary Beth - City Council](#); [Brown, Charlie - City Council District #6](#); [Nevitt, Chris - City Council Dist #7](#); [Brooks, Albus - City Council District 8](#); [Montero, Judy H. - City Council District #9](#); [Robb, Jeanne - City Council Dist. #10](#); [Herndon, Christopher J. - City Council District 11](#); [kniechatlarge, denc - City Council](#); [Thompson, Maggie - City Council Operations](#); [Montano, Dana - City Council District #2](#); [Murphy, Megan K - City Council Operations](#); [Orrantia, Jesus - City Council](#); [Magana, Adriana - City Council](#); [Young, Diane - City Council District #4](#); [Grohskopf, Lori S. - City Council District 4](#); [Palmisano, Lucas W. - City Council Operations](#); [Kline, Genevieve M. - City Council](#); [Simonet, Stacy B - City Council Aide](#); [Kerns, Valerie L. - City Council District #7](#); [Batchelder, Nathan D. - City Council District 7](#); [Montoya, Chy - City Council](#); [Micheau, Brande - City Council District 8](#); [Sandoval, Amanda P - City Council Operations](#); [Miguel, Nola J - City Council Operations](#); [Kimball, Nora D. - City Council District #10](#); [Scott, Susan W. - City Council Operations](#); [Anderson, Kathi - City Council Dist #10](#); [Schoultz, Amanda M - City Council Operations](#); [Pettis, Alan - City Council District #11](#); [Netsanet, Feven H - City Council Operations](#); [Brudzynski, Laura R - City Council Operations](#); [Aldretti, Susan K - City Council Operations](#); [Paterson, John A - City Council Operations](#)
Cc: [David Decker](#); [Karen Harris](#); [Jim Harris](#); [Jeff & Jeanne Laws](#); [Jeanne Laws](#); [Joann Sandoval](#); [Kay Godel Gengenbach](#); [Kristi Petersen](#); [Greenberg, Amanda S. <agreenberg@ottenjohnson.com>](#); [\(agreenberg@ottenjohnson.com\)](#); [Rutz, Cory M. \(CRutz@ottenjohnson.com\)](#); [Basha \(bashacohen@aol.com\)](#); ["Esther Kettering" \(eskettering@hotmail.com\)](#); [dear6.excite](#); [Lynn Edone](#); [Chad and Whitney Kollar](#)
Subject: CB 14-1075 - PUD G11 - Rezoning Application for El Jebel Shrine - 4625 West 50th Avenue and 5030 Vrain Street
Date: Friday, January 16, 2015 1:48:30 PM
Attachments: [image004.png](#)
[image006.png](#)
[image011.png](#)
[image020.png](#)

Dear Denver City Council and Staff,

I would like to add my name to the attached document. As a resident of Utica Street and as an architect that in the capacity of past AIADenver Zoning Code Task Force Chair during the formulation and enactment of the Denver Zoning Code, I am very concerned as to the path this PUD and proposed project is on. Over the past several months of studying this document, as well as observing and participating in the application and review process, I have become aware of a number of problems and issues associated with this PUD.

These problems and issues exist on three levels:

01. The subversion of the public process and manipulation of key base Denver planning documents to produce a contrived end result, while paying little or no attention to the concerns of the adjacent neighbors regarding context, density, and traffic.
02. City support for a flawed PUD document that not only has inconsistent language, but also proposes a development plan that is not aligned with the principals of Blueprint Denver regarding neighborhood density, context and impact on the neighborhood and infrastructure.
03. By the PUD's passage create a precedent for this type of action by Community Planning and Development and the Denver Planning Board that will allow this type of out-of-context development to occur in any of Denver's established single family residential neighborhoods.

In early December I spearheaded an effort by the neighbors for a revision to Sub-area A that would have mitigated many of the problems and issues noted above. This alternative plan had complete support of the neighbors. However, this alternative plan was largely ignored by the Applicant and the Owner with a counter proposal that did little to address the neighbors concerns. A revision by District 1 Councilperson Shepherd at the December first reading to cap the project density at 78 units does little to address the real issues since the only site plan

presented to the neighborhood in October contained 80 units. To this day, and in spite of all the rhetoric, a majority of the Utica/Vrain/50th Street neighbors continue to oppose the PUD as currently written.

Under these circumstances I ask that Council vote down this Bill and have the PUD withdrawn and rewritten in consideration of the issues noted above.

Regards,

Robert

Robert Charles Schmid, AIA, CSI, NCARB
RCS Design / Planning / Consulting
PO Box 12207
Denver, CO 80212
V - 303-433-6659
F - 303-433-6692
M - 303-809-2315
E - rcsdesign@me.com
W - rcsdep.com

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TO: Denver City Council
FROM: Utica, Vrain & West 50th Neighborhood Concerned Neighbors
DATE: January 15, 2015
RE: Official Zoning Map Amendment Application #2014I-00041
4625 West 50th Avenue and 5030 Vrain Street
Rezoning from Former Chapter 59 PUD-273 to DZC PUD G11

NEIGHBORHOOD REPORT

In response to the CPD Staff Report dated 12/5/14 this report was developed in an effort to provide information pertinent to City Council's consideration of the above referenced rezoning request.

"IT'S ALL ABOUT CONTEXT"

This is the predominate message on the opening page of the Denver Zoning Code (DZC) web site and what was a guiding concept in the decade long development of the new DZC to better reflect the

widely varied character of the neighborhoods found throughout the city.

The neighborhood immediately affected by this rezoning is a small, fairly isolated community that has a significantly different context and character from that which is to the east of Tennyson Street. The DZC recognizes the neighborhood's significant difference by zoning this small area as Urban Edge (E-SU-Dx) rather than simply include it in the Urban Context (U-SU-C) zone district that makes up the rest of the Regis neighborhood. In fact, the existing neighborhood, in an area of stability, actually has many characteristics that closely adhere to a Suburban Context: *modified or non-existent grid, with cul-de-sacs and typically no alley; sidewalks may be detached or non-existent; and generous landscaping between the street and buildings; residential buildings typically have consistent, deep front setbacks and varying side setbacks; and a higher reliance on the automobile with some access to pedestrian and bicycle facilities and the multi-modal transportation system.* The DZC also recognized this almost suburban feel by designating the zone district to include the Suburban House Form.



As Council Women Shepherd indicated in committee, turning into this neighborhood represents a complete change in character, and there is nothing remotely “urban” about that character. The neighborhood is made up of two dead end streets, a private access drive for two additional residences, and an access drive serving the golf course. Utica (a 1920's cul-de-sac) and Vrain (dead end private drive) are accessed from W 50th Ave (a dead end street) with a single access point for the entire neighborhood at Tennyson St (residential collector). Per recognized transportation engineering criteria, dead ends and cul-de-sacs are the lowest in street hierarchy, and particularly where there is no interconnecting street grid or more than one way out (such as within this neighborhood) they are not typically characterized as local streets. This can be attested to by the dozens of cars that have to be towed from the bottom of the hill at the end of Utica every winter. Tennyson Street terminates in a ½ block jog two blocks north at 52nd Ave, at which point there is a downgrading in traffic and street character into Adams County. The nearest signalized intersection is well over ½ mile to the east at 50th & Lowell. The next closest are over ¾ mile away at 52nd & Sheridan and 46th & Tennyson.



Although there is substantial resident pedestrian activity within the neighborhood, the area is highly automobile dependant. The “node of neighborhood commercial services” referenced in the Staff Report is shown above. Those “services” are extremely limited and typically not utilized by the residents of the neighborhood. There is a single bus line that runs approximately every half hour at 50th & Tennyson, and although Tennyson is marked as a bike route, the steep hills limit bicycle use in this area.

In the almost exclusively residential Regis Neighborhood bordered by Tennyson, Lowell, W 48th and W 52nd, Metroscan indicates a total of 766 properties (717 single family homes and 6 duplexes), yielding a coverage of a little over 4 units /acre. West of Tennyson, in the neighborhood most affected by this PUD, there are 23 single family homes and 2 non-conforming legacy duplexes which yields a coverage ratio of approximately 3.9 units/acre. The proposed PUD coverage is 7.7 units/acre on Subareas B & C, and 16.7 units/acre in Subarea A.

The houses in the neighborhood are an eclectic mix of styles, but are consistent in their relatively large zone lots with minimal lot coverage, large front setbacks, and generally wide side separations. Vehicle access is overwhelmingly from the street with drives that generally lead to garages (attached and detached) at the rear of lots. There is a great deal of green open space throughout the neighborhood unrelated to the surrounding golf course. Zone lots throughout the neighborhood are on sloped lots with similar and even greater changes in elevation than the topography of the land subject to PUD G-11. The average zone lot size in the affected neighborhood (Vrain, Utica, 50th) is 10,585 sf. Even if all zone lots that could be sub-divided were to be scraped and divided (an unlikely scenerio given those particular residences), the average lot size would still be over 7,000sf.



IT'S ABOUT PREDICTABILITY

BLUEPRINT DENVER

In addition to the DZC, Blueprint Denver is the primary official City of Denver planning document to which citizens may refer in order to verify planned land use intent that profoundly affects what is typically the largest purchase of each individual's life, their home. Blueprint Denver designated the property within this PUD as *future Golf Course use*. The CPD Staff Report simply dismisses this official planning document and indicates it is instead "a mistake". This seems to be conjecture. Once a future land use map is adopted by the community and the City Council it is, in fact, not a mistake. Blueprint Denver was created through an arduous process and with the studied dedication of the city personnel and citizens involved, as well as a nationally recognized urban planning consultant guiding the process. The Blueprint Denver 2002 future land use map is a controlling document, and not to be cited as "of little value in this analysis." The desired future use of the land in question by the planning authorities at the time was not based on past land ownership, but instead on what they deemed as the appropriate use of that land given its location and neighborhood context. Rather than disregarding this inconvenient recommendation, a careful analysis of the recommendation should be undertaken instead. If the city golf course is not in a position to acquire the land that was envisioned to be public open space, the development of that land for other use should be approached very carefully and with a very light hand.



CPD Staff Report cites Blueprint Denver allowing “modest” in-fill while maintaining the character of the area. With a proposed unit/acre ratio more than 400% of what the existing zone district would allow and given the relative size of the PUD compared to the existing neighborhood, this defies the definition of “modest,” and rather than maintaining character, it will forever CHANGE the the character of an existing area of stability.

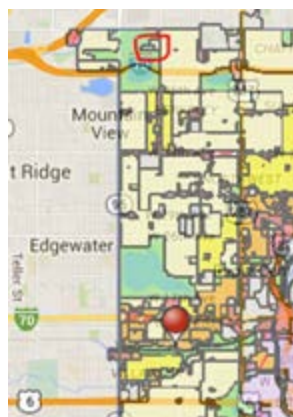
Regarding Blueprint Denver’s principles to advise future land use and development in Areas of Stability PUD G11 does not:

- *Respect valued development patterns (including relationship of buildings to the street; location of garages/driveways/parking; building scale) -- especially in Subarea A where development patterns are abandoned to accommodate the applicants’ desired building and vehicle traffic orientations.*
- *Expand transportation choices*
- *Minimize traffic impact on neighborhood street -- since ALL additional development traffic must pass through the existing neighborhood from the only access point into the area.*
- *Respect adjoining property -- because of unprecedented building forms and the prohibition of more appropriate building forms that could be developed in the same base zone district designation anywhere else in the city.*

ZONE DISTRICTS

The existing zoning for the affected neighborhood is E-SU-Dx. The proposed base zone district designations for the various areas of this PUD are E-SU-D1, E-TU-C, and U-RH-3A. None of these zone districts are found anywhere in the larger Regis Neighborhood. The entire greater Regis neighborhood is instead designated SU. Imposing these unprecedented zone districts on this small neighborhood CHANGES the entire character of a stable neighborhood forever. This is not “modest infill” and it does not occur where infrastructure to serve it is already in place.

Without access to a city data base, the nearest non-legacy E-TU-C we identified is many miles south of this site at Lakewood Gulch near 6th Ave. Closer TU zone districts are generally Urban Context in areas of change adjacent to MX and/or MS zoning. The CPD Staff Report rationalizes the TU zone district designation on the existence of a scattering of non-complying duplex buildings (6 of 723) in the greater Regis neighborhood. This is contrary to their very designation as non-compliant, and would not be allowed if any other property owner wished to develop their land based on the existence of a non-complying building, even if it were next door.



The nearest large U-RH zone district we found is also miles away. A few loser RH zone districts are very small and again are adjacent to MX and MS districts served by collectors and arterials. We were unable to find an instance in the city where a large U-RH superblock district existed isolate at the end of on a dead end street, accessed wholly through an Urban Edge neighborhood in an area of stability, with no adjacency or connection to compatible urban context districts.



ALLOWED MODIFICATIONS

Because of the diligence of the neighborhood, Subareas B & C allow only a few modifications to standard zone district requirements; however, this is not the case in Subarea A.

Instead of bringing that area closer to DZC zone district standards, this PUD creates a confusing mix of urban density and building form coupled with a suspension of valued development standards otherwise typically promoted by CPD. It provides none of the zoning safeguards found in a standard zone district. As written it could allow almost total lot coverage with row houses. There is no maximum lot coverage, no open space requirements, no minimum garden court dimensions, no 35% rear lot height reductions, no minimum space between buildings, no sidewalks required, and no setbacks except at the perimeter of the superblock. The superblock setbacks are minimal with a 5' (rather than 20') front setback along Vrain street, which is more appropriate to Main Street or Mixed Use environments than to a half block long dead end street otherwise serving single family homes in an almost suburban setting. There could be a townhouse enclave of nothing but roofs, asphalt drives, and concrete, forty foot flat façade canyons set directly adjacent to the streets with ground floor street-facing garage doors, and virtually no green space, no street activation, and no transparency or pedestrian connection to or through the development.

It is also confusing and unpredictable when zoning questions directed to CPD about modifications, such as how modified measurements will be made or why language is missing or changed between PUD drafts, are referred to and answered by the applicant. When asked why the more compatible and appropriate Urban House and Duplex Building forms (that would be allowed in U-RH zone districts anywhere else in the city) were intentionally prohibited in that base zone district for this PUD, the answer was that it was the applicants choice and that they chose "not make a change to the draft PUD to allow a single-unit structure only under the "Urban House" form in the U-RH-3A district or a two-unit structure only under the "Duplex" form standards." Should this be the applicant's choice? When considering zoning law, should the applicant decide what is worth taking the time to re-write? Not knowing who may or may not develop the project, should a more sensitive and appropriate building form be prohibited? This would certainly not be the case for development in a non-PUD zone district elsewhere within the city.

NEED FOR A PUD

DZC 9.6.1.1.C – “A PUD District is not intended as either a vehicle to develop a site inconsistent with the applicable neighborhood context and character, or solely as a vehicle to enhance a proposed development’s economic feasibility.”

One of the goals during the development of the new DZC was that there existed within that code enough flexibility and categories of context and form to virtually eliminate the need for PUDs. Instead a PUD should only be required as a response to “unique and extraordinary circumstances on a property.”

There is no reason that Subareas B & C should require a PUD. There are no unique or extraordinary circumstances on this parcel which was platted with the rest of the neighborhood almost a century ago. Simply extending the adjacent contextual zoning would have been the logical approach and would also have fulfilled the DZC goal to eliminate old PUDs and to bring properties closer to DZC zone districts. Instead, the applicant sought unprecedented base zone districts and numerous unnecessary modification to base zone district designations simply to enhance the economic return on the property. Only neighborhood insistence on minimal modifications stemmed this approach, however, these subareas remain in the PUD with advantageous modifications unavailable to identically platted lots directly across the street.

There is nothing unique or extraordinary about the fact that the PUD property is adjacent to open space (the rest of the neighborhood and other neighborhoods around the city are as well), that there is a slope on the property (as there is on all properties that have been developed in the rest of the neighborhood with no modification to zoning code) and that it has a desirable view. These are actually property attributes, not things that need to be mitigated through the creation of a PUD allowing extraordinary exceptions and modification to enhance the development’s economic return. In fact, similar modifications to take advantage of those very attributes by individuals in the neighborhood have been denied by CPD.

The preservation of the El Jebel Shrine Building is the only unique or extraordinary circumstance related to this property that requires a PUD. It could be argued that a single zone lot PUD could address that unique building while using typical city platting and lot development standards on the rest of the property, or that a preservation easement could be established in order to bring the larger property closer to CPD zone districts. Since the entire premise of the applicant from the beginning of public meetings was that this project was expressly designed to preserve the El Jebel Shrine Building, it was astounding that a preservation PUD was written and submitted to Planning Board with absolutely no requirement for preserving the building in question. When the neighborhood discovered this discrepancy, rather than being presented with preservation language (as directed by the Planning Board), the applicants instead gave a detailed resentation as to why it was not economically feasible to preserve the Shrine Building for their stated residential use. Although preservation language was eventually added to the PUD, there remains no evidence that the feasibility of preservation has changed.

Especially since a PUD can not presume who will actually develop the land, the only way to give any predictability to what will be built is to write it into the PUD. If circumstances are so unique and extraordinary as to necessitate a PUD, and because of the ability of the new DZC to affectively

address so many varied circumstances, it could be argued that a detailed PUD including a site plan would typically be required to codify the intent and predictability of a PUD. As it stands PUD G11 lacks that expected predictability. Although, the applicant has presented numerous site plans, made promises, and has testified in hearings stating unit counts which would greatly enhance the predictability of this this project, none of these are codified in the PUD.

In our view, this Rezoning application requires further consideration and development by the Staff at CPD, the Applicant and the Neighbors to comply with acceptable City and County of Denver practices and procedures.

We ask Denver City Council to act to require further consideration to insure the interests of the City and the Neighborhood and the integrity of the process are honored, in spite of the hasty economic arguments presented by the Seller and Applicant for immediate approval.

Respectfully,

Karen Harris, AIA and Jim Harris PE, PhD. 5090 Utica Street

Jeanne Laws & Jeff Laws, 5086 Vrain Street

Joann and Rick Sandoval, 50—Utica Street

Kay Godel Gengenbach, PhD., 5062 Vrain Street

Kristi Petersen, MD 4425 W. 50th Avenue