

March 30, 2016, delivered by hand

Denver Planning Board  
Community Planning Development  
City & County of Denver  
201 W. Colfax Ave., Dept. 205

RE: Zoning Map Amendment Application 20151-00174  
3914 N. King St. and 3441 W. 39<sup>th</sup> Ave.

TO WHOM IT MAY CONCERN:

I am writing today to express my concerns regarding the above referenced zoning map amendment application and request changes to it that your Board would mandate for its approval. I do so after having studied the application, meeting with an Associate City Planner, attending a community meeting with the property's prospective buyer and reviewing the city's new zoning code and rezoning process. More importantly, my concerns and objections are informed by my almost twenty-five years as home owner residing on the same block as the Steele Gymnasium/Community Center and the child care center in question.

As a long-time resident of this neighborhood I have worked with the different owners and tenants of these properties to address the ongoing trash, parking and traffic issues caused by their respective occupancies. Often we've been able to find mutually-agreeable solutions to these problems, with the two most intractable issues being traffic congestion and parking. Understanding that these latter two issues will be considered later in the zoning permit process, never-the-less I'm concerned that the both the current and prospective owners have not only failed to offer creative solutions to these problems, *but seem to not even be fully aware of their existence or impact on the neighborhood.*

In order to partially meliorate the traffic congestion and parking concerns I offer the follow proposals as special conditions should the Board choose to approve this zoning map amendment application or its resubmittal (or any other subsequent zoning map amendment application). These conditions would require the current and/or future owners to:

- Enter into an agreement with the proper authorities at Denver Public Schools to develop and implement a joint-traffic plan which would expedite the drop off and pick up of both Skinner Middle School students and child care center clients. This plan would delineate desired North/South and East/West flows, establish drop-off and pick-up procedures, educate and train parents as to these procedures, staff high-use periods with 'traffic marshals' and erect proper signage in conjunction with the City and County of Denver.
- Enter into an agreement with any number of nearby property owners (e.g. US Bank or Mt. Saint Vincent Home) to provide off-street, off-site parking for child care center employees.
- Explore other initiatives to encourage both clients and employees to use alternative forms of transportation (e.g. free bus passes, shuttle services, carpooling, covered and secured bicycle storage, etc.).

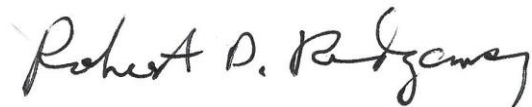
R. D. Ridgeway  
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In addition to the above referenced concerns, as a Denver native and long-time neighborhood resident, I'm opposed to the rezoning of the Robert W. Steele Gymnasium from PUD 406 to U-SU-B1. As you may know, the Robert W. Steele Gymnasium is listed on the State Historic Register. I understand it is not the current and prospective owners' intention to redevelop this property as single-family residences, but that may not be the case with any future owners. Once the property is zoned U-SU-B1 all any owner would need to do to redevelop the property as single-family residences would be to secure a demolition permit and/or a certificate of non-historical standing.

Accordingly, I would ask the Board to require the current and/or future owners to apply for landmark designation for the Robert W. Steele Gymnasium as a special condition for approval of this zoning map amendment application. Alternately I would ask the Board to require the current and/or future owners to split the two parcels and resubmit *a separate zoning map amendment application for the 3914 N. King St. property* which would create a new PUD that would clearly allow for the use of the property as a child care center, and prohibit its redevelopment as single-family residences.

Finally, should the Board fail to grant any of the above requested special conditions for approval of this zoning map amendment application or to alternately ask the applicant to split the two parcels and resubmit *a separate zoning map amendment application for the 3914 N. King St. property*, I would ask the Board to continue to a later date consideration of this application. This continuance would allow for further discussions between the current and/or future owners, the property's neighbors, the Registered Neighborhood Organizations and other interested parties and prospective partners, with the goal of finding solutions to the concerns and issues I have briefly identified above.

Sincerely,

A handwritten signature in black ink that reads "Robert D. Ridgeway". The signature is written in a cursive style with a large, stylized initial "R".

Robert D. Ridgeway  
3937 Julian St.  
Denver, CO 80211

Cc: David McMurtry  
Councilman Rafael Espinoza  
Mike Beasley, BRUN, Inc.

**Berkeley Regis United Neighbors, Inc**  
3905 Zenobia St, Denver CO 80212  
BerkeleyRegisNeighbors.org



March 29, 2016

Mr Brad Buchanan  
Executive Director  
Community Planning and Development  
City and County of Denver  
201 West Colfax Avenue  
Denver CO 80202

Re: 3914 N King Street and 3441 W 39<sup>th</sup> Ave

Dear Mr Buchanan:

Berkeley Regis United Neighbors ("BRUN") is a registered neighborhood organization with the city of Denver. The RNO's boundaries are Federal Blvd to the east, Sheridan Blvd to the west, 38<sup>th</sup> Ave to the south, and 52<sup>nd</sup> Ave to the north. Membership is available to households and businesses within BRUN's boundaries. BRUN currently has 92 active paid members and a list of 741 contacts and 804 followers on Facebook. Information is shared with the neighborhood regularly through email blasts and postings on various forms of social media as well as our website including notices of upcoming meetings and summaries of those past. General meetings with the BRUN Board are held monthly and are open to the public.

BRUN members, including myself as a Board representative and Chair of the BRUN Zoning Committee as well as Michael Beasley, also a Board representative and Chair of the BRUN Public Works Committee, met with neighbors, community leaders and the applicant at the site on March 28<sup>th</sup>, 2016. The BRUN Board of Directors voted via email with 9 in favor on March 29<sup>th</sup>, 2016, in support of the following position statement:

The property, known as the Robert W Steele Gymnasium/ Community Center, has held a significant position in the neighborhood for the past century, originally built to house recreational and social activities for children, a purpose for which it is still used today. We understand that David McMurtry intends to convert the property into a Goddard School for children ages 6 weeks through 6 years old and believe that this is a desirable use for the community. We understand that the current PUD does not allow enough square-footage dedicated to childcare for the property to be converted to a preschool as desired by the applicant. As such, there is a need for a modification of the zoning.

We support the desire to modify the zoning designation, however we are concerned that instead of modifying the permitted uses of the existing PUD, re-zoning the property simply to U-SU-B1 does not reflect the unique circumstances of the property. We urge the Planning Board to consider customizing the zoning designation. In particular, we would like to see a relaxation of the on-site parking requirements associated with permitted community/public services, cultural purposes, and public assembly so that future developers are not encouraged to demolish existing structures in order to provide parking. We feel that there are opportunities for off-site and street parking that are more desirable to the neighborhood than the limited possibilities for on-site parking. We

would also suggest that the new zoning allow, subject to review, permitted office uses so that the “Denver Square” property at 3441 W 39<sup>th</sup> Ave is encouraged to be used in a manner that is comfortable for a property so tightly connected to young children. Lastly, as support of these modifications to the U-SU-B1 zoning designation, we would like to see Landmark designation pursued for the gymnasium building at 3914 King Street.

Thank you for the opportunity to provide input on this application.

Best Regards,

Michelle Frankel  
Chair, Zoning and Licensing Committee  
Berkeley Regis United Neighbors

CC:

Analiese Hock, Associate City Planner  
Michael Painter / Colorado Uplift / Ben Hughes  
David McMurtry  
Rafael Espinoza, Denver District 1 Councilman  
Amanda Sandoval, Council Aide  
Paul Vorndran, BRUN President  
Berkeley Regis United Neighbors Board of Directors

To Denver's Neighborhoods and Planning Committee,  
Re: Rezoning PUD 406 to U-SU-B1

The neighbors adjacent to the properties at the addresses of 3914 King St. and 3441 West 39<sup>th</sup> Ave, along with interested North Denver residents, met with the future owner of the Steele properties, David McMurtry, on March 28<sup>th</sup>. The purpose of the meeting was to learn about the Goddard School that would open on this site, and to share questions and concerns about Mr. McMurtry's plans.

At the Planning Board's Public Hearing, on March 30<sup>th</sup>, we shared four letters that brought those questions and concerns to the Board's attention. The main concerns and questions are:

1. Amendments need to be made to the current PUD if it remains in place.
2. Customized zoning would be a way to support the stabilizing presence of the Steele Center campus.
3. The Steele Gymnasium and the Foursquare (Manse) need to be zoned in a way that takes into account their history, since 1914, as a "campus?"
4. Since the Foursquare has not been used as a residence for over 20 years, it should be allowed uses other than residential under the proposed rezoning to U-SU-B1.
5. Neighbors could support proposed zoning that incorporates a UO-3 overlay, available for historic properties in residential zone districts. We would want the two parcels to be combined into one parcel, eliminating the zone lot line, and combining the square footage of the buildings in order to meet the UO-3 requirement for 5K square feet.
6. Conditions related to parking requirements and traffic planning must be included in the approval of the rezoning.

In light of the Steele community's responses to Mr. McMurtry's tentative plans for the site, we ask that:

7. David McMurtry's submit use permit applications for the Foursquare, once the rezoning is complete, as a necessary condition of rezoning approval. His choices for the reuse of this building could include: office space, training space, Child play area for bad weather days, storage and others.
8. David McMurtry commit to Landmark applications for both buildings, as a campus, within the year 2016, as a condition of the rezoning.

9. Mr. McMurtry enter into agreements with neighbors, nearby property owners and the proper authorities to effectively mitigate traffic congestion and parking issues resulting from Goddard's presence on this site.

Thank you for your serious consideration of these zoning, use, parking and traffic questions.

Respectfully,

Marie Edgar [edgardm1@msn.com](mailto:edgardm1@msn.com)

Tim and Sara Mackie

Laurie Simmons

To Denver Planning Board:

My name is Marie Edgar and I live one block from the Historic Steele site that you are considering today. I attended a recent meeting with friends and neighbors of the Steele Gymnasium and the Foursquare historic manse, located on that site. I, and my neighbors have a shared interest in David McMurtry's successful purchase and reuse of these neighborhood assets. His intention to create a school campus on this historic site will affect our lives for years to come, even as he serves the needs of the Denver families with young children who enroll in his planned Goddard School.

We would be in favor of your approval of amendments to the current PUD as a first choice. A second possible solution could be "customized zoning" that would support the stabilizing presence of the Goddard campus in our neighborhood.

We read over the criteria in the Denver Comprehensive Plan that Community Planning and Development has offered to support approval of the rezoning application from a PUD to U-SU-B1. We do not agree that this rezoning would be:

- "promoting or creating infill development"
- "creating density at a transit node"
- creating a reasonable expectation that Mr. McMurtry will "coordinate with DPS and community base organizations to expand recreation opportunities and after school programs" as a private preschool.

However, in step with Denver's Comprehensive Plan, as part of both a Neighborhood Strategy and an Education Strategy, we do agree that Goddard School would "continue to foster integrity and livability" in the surrounding neighborhood and will "support high quality comprehensive preschool education." These two pertinent criteria can be met appropriately in the current PUD with amendments to waive any unworkable parking requirements and to offer flexibility for use of the Denver Square as a valued part of the school campus with which it has been associated for a century. We feel that with two valued historic buildings on this zone lot, the amended PUD or a comparable "specialized zoning" would be strongly justified.

These two solutions, in line with Blue Print Denver, as well, would enable a "community use to remain embedded within the neighborhood." It will also help preserve two significant historic buildings.

Thank you for your time and dedicated attention to this rezoning question.

Respectfully,

Marie Giedraitis-Edgar

## **Bob Ridgeway**

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**From:** Bob Ridgeway [bobridgeway@q.com]  
**Sent:** Monday, April 11, 2016 2:01 PM  
**To:** 'Bartleson, Debra - City Council'  
**Cc:** Marie and Doug Edgar  
**Subject:** RE: Council Committee - Neighborhoods and Planning April 13 PM meeting  
**Attachments:** Rezoning\_Customer\_Guide.pdf; April 11 , 2016 PLAN LTR - v3.pdf

Ms. Bartleson:

Please find attached a letter addressed to the Neighborhoods and Planning Committee which we would like included in their "packet" for their meeting on this Wednesday the 13<sup>th</sup>.

I understood you to say in our telephone conversation of the 7<sup>th</sup> that during this upcoming Committee Meeting there would be no opportunity for public comment. However, after once again reviewing the City's website on public comment at Committee meetings (<https://www.denvergov.org/content/denvergov/en/denver-city-council/news/public-comments.html>) as well as its "Rezoning Customer Guide", there still appears to me an opportunity to do so. Because I'm guessing you would be the staff person handling that inquiry I thought I would give you a 'heads up' I will be making that request.

Thanks again for your help regarding this matter. Bob

**Bob Ridgeway**

720-233-8229 (m: Voice & Text Only!)

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**From:** Bartleson, Debra - City Council [<mailto:Debra.Bartleson@denvergov.org>]  
**Sent:** Friday, April 08, 2016 3:45 PM  
**To:** Bob Ridgeway  
**Subject:** RE: Council Committee - Neighborhoods and Planning April 13 PM meeting

Hello Mr. Ridgeway,

I concur, I could not find your April 6 submittal to Ms. Hock in her staff report for next week's meeting. I cannot speak to why it did not make it in the staff report as Community Planning & Development also have timelines which need to be met in order to be included in various staff packets for Council.

That said, as the Council correspondence policy states which I sent you; you may send your feedback to me by Monday, April 11 by 3 pm and I will place in our system for the record.

Thank you for your patience.

*Respectfully,*

*Debra*



April 11, 2016

Neighborhoods and Planning Committee  
Denver City Council  
City & County Building  
1437 Bannock St., Rm 451  
Denver, CO 80202

RE: Zoning Map Amendment Application 2015I-00174  
3914 N. King St. and 3441 W. 39<sup>th</sup> Ave.

TO WHOM IT MAY CONCERN:

We, the undersigned residents of City Council District 1, are writing today to express our concerns regarding the above referenced zoning map amendment application. We do so after having studied the application, meeting with an Associate City Planner, attending a community meeting with the property's prospective buyer and reviewing the city's new zoning code and rezoning process. In addition, we've submitted written comments regarding this matter to the Denver Planning Board, testified at its recent public hearing held on March 30, 2016 and met with our City Councilman. More importantly, our concerns and objections are informed by our many years as home owners residing in the same neighborhood as the Steele Gymnasium/Denver Foursquare manse and the proposed child care center in question.

As long-time residents of this neighborhood we have worked with the different owners and tenants of these properties to address the ongoing trash, parking and traffic issues caused by their respective occupancies. Often we've been able to find mutually-agreeable solutions to these problems, with the two most intractable issues being traffic congestion and parking. We understand that these latter two issues will be considered later in the zoning permit process. Never-the-less, we're concerned that both the current and prospective owners have failed to respond to several solutions recently offered by community members to these problems. The current on-site parking capacity of these two parcels is woefully inadequate to support the child care center as envisioned by the prospective owners. Rezoning these parcels to U-SU-B1 does absolutely nothing to ameliorate these problems.

In addition to the above referenced concerns, as long-time neighborhood residents, we're very concerned about the potential loss of such valuable community resources as the Robert W. Steele Gymnasium and adjacent Denver Foursquare manse. As you may know, the Steele Gymnasium/Community Center is listed on the State Historic Register. We understand it is not the current and prospective owners' intention to redevelop this property as single-family residences, but that may not be the case with any future owners. Once the property is zoned U-SU-B1 all any owner would need to do to redevelop the property as single-family residences would be to secure a demolition permit and/or a certificate of non-historical standing. And in fact, the current owners of the manse have already applied for and received a Certificate of Non-Historical Status, so should this zoning map amendment application be approved, they could demolish it.

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We further contend that our concerns regarding the rezoning of these properties have not been incorporated into the City's process for considering this zoning map amendment application. In the staff report submitted to this Committee by the Community and Planning Development department (CPD) on April 6, 2016 two letters submitted to CPD on April 6, 2016 by neighborhood residents while referenced, were omitted from the packet. In the Bill Resolution/Request submitted on this application (BR 16 -0252) no note of any controversy is made, nor any groups or individuals with concerns were mentioned. Questions we have raised (with CPD staff and the Planning Board) as to why another PUD wasn't used to rezone these unique properties, rather than the single-family zone district (U-SU-B1) proposed, have not been addressed. And an inquiry made to the City Attorney's Office regarding what "conditions" the Planning Board and/or the City Council can attach to the approval of this application (per Section 12.4.10.4 {E.1 & G.2} of the Revised 2010 Denver Zoning Code) has not been answered.

Because of the outstanding parking, traffic, historical and process issues identified above, we, the undersigned residents of City Council District 1, ask the Committee to deem this application for a zoning map amendment not ready for hearing at the City Council and to hold it in Committee and continue it to a later date for further discussion (per Section 12.4.10.4 {F. 1 & 2} of the Revised 2010 Denver Zoning Code). This continuance would allow for further discussions between the current and/or future owners, the property's neighbors, the Registered Neighborhood Organizations and other interested parties and prospective partners, with the goal of finding solutions to the issues and concerns we have briefly identified above.

Sincerely,

Robert Ridgeway 3937 Julian St.	Marie Edgar 3532 W. 39 <sup>th</sup> Ave.	Marilyn Quinn 3249 W. Fairview Pl.	Leona Cohen 3949 Julian St.
Dave Wilkins 3949 Julian St.	Ben Gearhart 3931 Julian St.	Peter Del Santo 3936 King St.	

Cc: Michael Painter, Colorado UpLift  
David McMurtry, ACDFD, LLC