From:	Bruce O"Donnell
To:	dencc - City Council; Marjorie Grimsley; Linda Brunn; Nadia Patrick; Leah Rounds; Lara, Adriana - CC City Council Central Office; Lori Smith; Kashmann, Paul J. - CC City Council Elected; Brooks, Albus - CC City Council Elected; Herndon, Christopher J. - CC City Council Elected; Susman, Mary Elizabeth - CC City Council Elected; Deborah Ortega - Councilwoman At Large; Espinoza, Rafael G. - CC City Council Elected; New, Wayne C. - CC City Council Elected; Clark, Jolon M. - CC City Council Elected; Lopez, Paul D. - CC City Council Elected; Black, Kendra A. - CC City Council Elected; Kniech, Robin L. - CC City Council Elected; Flynn, Kevin J. - CC City Council Elected; Gilmore, Stacie M. - CC City Council Elected
Cc:	Lucero, Theresa - CPD PS Citywide Planning; Lucero, Nathan J. - CAO MUNI Municipal Ops Liability
Subject:	**IMPORTANT INFORMATION** for Council Bill 17-0750 RE: Public Hearing on August 21, 2017
Date:	Thursday, August 17, 2017 8:41:40 PM
Attachments:	1208 N Quitman Bldg Height PROTECTIVE COVENANT AND DEED RESTRICTION 081717.pdf 1208 Quitman 2016I-00039 City Council Presentation 082117.pdf

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This Communication is intended to be made part of the public record for the Denver City Council Public Hearing on August 21, 2017 for Council Bill 17-0750

TO: Members of Denver City Council

CC: Neighbors, Stakeholders and Interested Parties, CPD, City Attorney's Office

On Monday night 8/21 Council will hold a Public Hearing on CB 17-0750, concerning the proposed rezoning of 1208 N. Quitman from G-MU-3 to G-RX-5 (Rezoning Application # 2016I-00039). This email and the email chain below, as well as the two attached PDF documents are provided for the purpose of introducing into the record of proceedings pertinent information in support of the rezoning.

The first PDF attached is a fact sheet and presentation to members of Council outlining and recapping the following:

- Plan Support for the TOD rezoning
- Justifying Circumstances in support of the TOD rezoning
- RNO and Community Support
- CPD and Planning Board Support for the rezoning
- Applicant responsiveness to community input by voluntarily limiting building heights

The second PDF attached is a Deed Restriction and Protective Covenant that, in response to neighborhood input, has been recorded and limits building heights to 4 stories under the requested
G-RX-5 zoning.

Thank you for your thoughtful consideration of this information.

Sincerely,

Bruce C. O'Donnell

STARBOARD Realty Group, LLC
770 Sherman Street, Suite 108
Denver, CO 80203
Work: 720-441-3310
Cell: 303-810-3674
E Mail: bodonnell@starboardrealtygroup.com
Web: www.starboardrealtygroup.com www.denverzoning.com

---------- Forwarded message ----------
From: **Bruce O'Donnell** <bodonnell@starboardrealtygroup.com>
Date: Thu, Aug 17, 2017 at 3:27 PM
Subject: Update Re: Proposed Compromise for 1208 Quitman Rezoning
To: Marjorie Grimsley <m_grimsley@msn.com>, "Lara, Adriana - CC City Council Central Office" <adriana.lara@denvergov.org>, Lori Smith <laslori3@verizon.net>, Linda Brunn <tbrunn2473@aol.com>, Leah Rounds <leahr@wecandenver.org>, Nadia Patrick <nadia@wecandenver.org>, Theresa Lucero <theresa.lucero@denvergov.org>, "Lucero, Nathan J - City Attorney Office" <nathan.lucero@denvergov.org>

Stakeholders and Interested Parties to 1208 Quitman Rezoning:

This afternoon, In response to input from neighbors about building heights, a Protective Covenant and Deed Restriction was recorded in the Denver Clerk and Recorders Office for 1208 N. Quitman St. The Deed Restriction stipulates that if the property is rezoned to to G-RX-5, ***building heights will be limited to 4 stories***. The attached PDF is a copy of the recorded Deed Restriction.

This Covenant has been entered into and recorded voluntarily and requires no quid-pro-quo or action of any kind by neighbors or RNOs. Please feel free to share this

information with others who may be interested. This information will also be sent to members of City Council in advance of the Public Hearing on this matter scheduled for Monday night August 21.

Thank you for your interest and participation in this process.

Bruce C. O'Donnell

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On Tue, Aug 15, 2017 at 4:17 PM, Bruce O'Donnell <bodonnell@starboardrealtygroup.com> wrote:

> DATE: 8/15/2017
>
> TO: Interested Parties to Rezoning Application 2016I-00039 for 1208 Quitman St.
>
> RE: Compromise Proposal to Limit Building Heights to 4 Stories at 1208 Quitman St.
>
> Dear West Colfax Neighbors, Council District 3 Office, SLCG and WeCAN:
>
> In response to concerns expressed by Neighbors related to a potential 5 story building at 1208 Quitman as would be allowed under G-RX-5 Zoning, the

Applicant and property owner, Urban Land Acquisitions LLC, hereby offers the following compromise proposal:

The Applicant and Neighbors agree to enter into and execute a Memorandum of Understanding prior to the Public Hearing on Monday 8/21 that will:

1. Commit the Neighbors to withdraw their opposition to the rezoning application
2. Commit the Neighbors to withdraw their Protest Petition
3. Commit a spokesperson for the Neighbors to testify at the 8/21 City Council Public Hearing that all rezoning opposition is withdrawn and the Protest Petition is withdrawn.

In consideration of the Neighbors agreeing to MOU items 1-3 above, the Applicant will agree in the MOU:

1. To record a covenant or deed restriction that will run with the land and have a term of 20 years from the date of recordation that will limit the height of buildings at 1208 Quitman to 4 stories. The recording of this covenant will occur if: (i) the Neighbors perform their MOU 1-3 obligations; and (ii), City Council approves the rezoning to G-RX-5.
2. The MOU will obligate the Applicant to record the covenant with the Denver Clerk and Recorder within 15 days of City Council's voting to approve the rezoning.

In making this proposal I am a bit uncertain who the "Neighbors" are in this case. As such, In addition to the WeCAN and SLCG RNOs and Council District 3, I have sent this to Lori Smith who I believe (but am not certain) organized the post card writing effort that opposed 5 stories and who I think also may have filed the Protest Petition yesterday.

I am available to meet with anyone and everyone on this anytime the rest of this week and on Monday to work through the details and reach agreement on an MOU that works for all parties and results in limiting building heights at 1208 Quitman to 4 stories. I am attending an out of town wedding this weekend and am not available over the weekend.

Thank you for your consideration of this proposal. I look forward to your response and to working together to reach a compromise solution that works for everyone and benefits the neighborhood.

Sincerely,

Bruce C. O'Donnell

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