



**DENVER**  
THE MILE HIGH CITY

201 W Colfax Ave, Dept 205  
Denver, CO 80202  
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[www.denvergov.org/planning](http://www.denvergov.org/planning)

**TO: Land Use, Transportation and Infrastructure Committee  
Denver City Council**  
**FROM: Ellen Ittelson, Senior City Planner**  
**DATE: December 12, 2011**  
**RE: Zoning Map Amendment #20111-00020  
Rezoning from U-TU-B to U-MS-2x**

**Staff Report and Recommendation**

Pursuant to Section 59-301(b) of the Revised Municipal Code, the Land Use, Transportation and Infrastructure (LUTI) Committee is scheduled to review Rezoning Application **#20111-00020 for the property located at 1532 and 1540 Monroe and 1551 Garfield from U-TU-B to U-MS-2x** at its regularly scheduled meeting on December 20, 2011.

**I. Scope of Rezoning**

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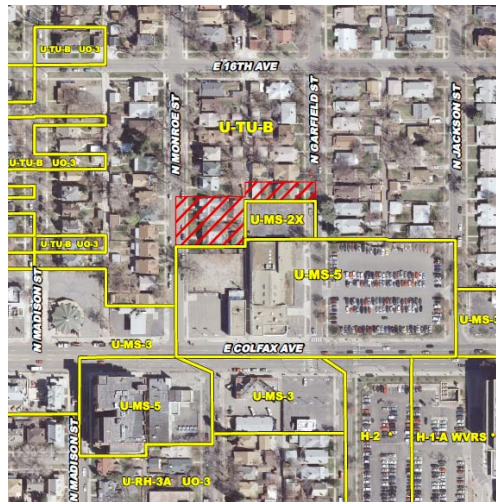
Application: #20111-00020  
Address: 1532 and 1540 Monroe Street and 1551 Garfield Street  
Neighborhood/Council Dist.: City Park South; Council District #8  
RNO's:  
Colfax on the Hill, Inc.  
Capitol Hill United Neighborhoods, Inc.  
Neighborhood Advisory Committee to the Botanic Gardens  
Northeast Community Congress for Education  
Points Historical Redevelopment Corp  
Inter-Neighborhood Cooperation  
South City Park Neighborhood Association  
Area of Property: 21,070 SF/0.48 acres  
Current Zoning: U-TU-B  
Proposed Zoning: U-MS-2x  
Applicants/Owners: Russell Perkins, Evergreen Development, Justin C. Rosen Marital Trust and Shamar Properties  
Contact Person: Al Colussy, klipp

**II. Summary of Proposal**

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**Vicinity Description**

The three properties proposed for rezoning are located immediately north of the former Rosen/Novak (previously Elway) Car Dealership at 3625 East Colfax. The car dealership property is currently vacant. The three properties proposed for rezoning are single and two unit residential structures constructed in the first quarter of the 20<sup>th</sup> century and similar in character to adjacent structures in the City Park South neighborhood. The applicant is proposing a commercial development on the Colfax property and is seeking rezoning to provide adequate parking for the expected retail tenant, a Sunflower Farmers Market.



**Photos**



**III. Legal Justification for Rezoning**

**Change of Conditions**

The car dealership that occupied the Colfax property for many years is currently vacant. A site plan for a Sunflower Farmers Market has been submitted to the City for site development plan review. As currently proposed, the development meets the requirements of the U-MS-5 zoning. The site plan does incorporate the three subject properties to provide adequate parking. While the zoning requirement for parking is far less and could easily fit on the property currently zoned U-MS, the proposed number of parking spaces is consistent with other Sunflower Farmers Markets in Denver, particularly the one at West 38<sup>th</sup> and Wolff.

The residential blocks of the City Park South neighborhood have no documented change of conditions; however, residents have expressed a desire for a food market such as this so long as parking impacts do not extend into the neighborhood.

Medium-size food markets, such as the 25,000 square foot market proposed here, have emerged in recent years as a retail trend, particularly in more urban neighborhoods. Markets

such as Sunflower are considered neighborhood amenities and typically have less land use impacts than full size supermarkets.

**IV. Zoning Context**

	Zoning	Existing Land Use	Blueprint Denver
<b>Site</b>	U-TU-B	Single and two unit dwellings	Area of Stability Single Family Residential
<b>North</b>	U-TU-B	Single and two unit dwellings	Area of Stability Single Family Residential
<b>South</b>	U-MS-5	Vacant car dealership	Area of Change Pedestrian Shopping Corridor
<b>West</b>	U-TU-B	Single and two unit dwellings	Area of Stability Single Family Residential
<b>East</b>	U-MS-2x and U-TU-B	Vacant land and single and two-unit dwellings	Area of Change Pedestrian Shopping Corridor Area of Stability Single Family Residential

**V. Summary of Legal Notice and Public Process**

The property was legally posted for a period of 15 days announcing the Denver Planning Board public hearing, and written notification of the hearing has been sent to all affected registered neighborhood organizations (RNOs). Required notice of the LUTI Committee meeting has been provided to affected RNOs

**VI. Summary of Agency Referral Responses**

These rezonings have been reviewed for general compliance with the Denver Zoning Code and other applicable City Codes as utilized by the referral agencies listed below.

- Asset Management: Approved for rezoning.
- Fire Department: Approved for rezoning
- Denver Parks: Approved/No Comment.
- DES-Transportation: Approved for rezoning. The applicant should note that redevelopment of this site may require additional engineering, ROW dedication to the City, access changes, traffic studies and/or right of way improvements. The extent of the required design and improvements will be determined once this property begins the redevelopment process. All access points to be determined through Traffic Impact Study and review process that is currently in progress.

DES-Wastewater: Approved for rezoning. Public Works DES Wastewater approves this Zone Map Amendment. The applicant should note that this approval is for zoning change only, and development of this site will require approval of drainage/sanitary sewer studies and construction plans.

DES-Surveyor Approved

**VII. Community Response**

Considerable community response was received concerning the rezoning and support for the Sunflower Market. By the time of the Planning Board hearing on December 7, I had received 351 e-mails summarized below, as well as \_\_\_ letters included in this submittal.

	Support	Oppose	Concerns
South City Park	50	4	2
All other responses	<u>295</u>	<u>0</u>	<u>0</u>
Total	345	4	2

In addition to South City Park, neighborhoods indicating significant support included Park Hill, Congress Park, Stapleton, and many others in east central Denver.

**VIII. Criteria for Review**

The criteria for review of this rezoning application include conformance with adopted regulations, including the Denver Zoning Code, and consistency with the Comprehensive Plan and applicable supplements. Applicable plans are as follows:

- *Denver Comprehensive Plan 2000*
- *Blueprint Denver*
- *East Colfax Neighborhood Plan*

**A. Regulations (Zoning Code Compliance)**

**Evaluation of Other Zoning Options**

**Leave Property under existing U-TU-B zoning:** Parking for an adjacent commercial development is not an allowed use in the U-TU-B Zone District.

**Rezone to U-MS-2x Zone District:** A small portion of the Rosen property is zoned U-MS-2x to provide a buffer between the higher density U-MS-5 along Colfax between Monroe and Jackson streets. The U-MS-2x Zone District establishes development character and land uses that provide transition between the Main Street Zoning along Colfax and the residential zoning in the neighborhood. Parking can be provided for the U-MS-5 property on U-MS-2x property.

**Rezone to U-MS-5 Zone District:** Expanding the U-MS-5 Zone District would provide inadequate transition between the Colfax Main Street character and the City Park South neighborhood.

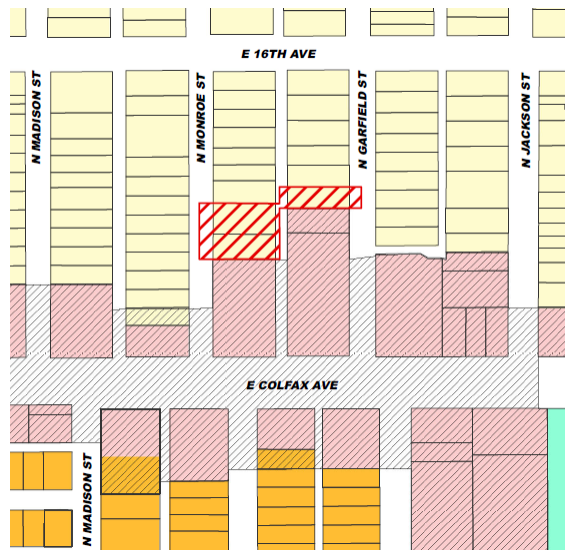
## B. Denver Comprehensive Plan 2000

The proposed rezoning application has been submitted to provide additional property to support commercial re development along Colfax. The Comprehensive Plan has objectives and strategies that support the proposed Colfax redevelopment and oppose the loss of existing residential structures.

- Environmental Sustainability Strategy 2F—*Conserve Land by promoting infill development within Denver at sites where services and infrastructure are already in place; designing mixed use communities and reducing sprawl so that residents can live, work and play within their own neighborhoods*
- Land Use Objective 3: Residential Neighborhoods and Business Centers—*Preserve and enhance the individuality, diversity and livability of Denver’s neighborhoods and expand the vitality of Denver’s business centers.*
- Land Use Strategy 3-B—*Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.*
- Housing Objective 2: *Preserve and Expand Existing Housing: Encourage preservation of Denver’s existing housing stock and established neighborhoods. Support addition of housing in expansion and infill development.*
- Economic Activity Strategy 4-B—*Enhance existing business centers and establish new business centers in a manner that offers variety of high-quality uses that support Denver’s business environment, complements neighboring residential areas, generates public revenue, and creates jobs. Consider the following key strategies as top priorities:*
  - *Continue to strengthen and where necessary, revitalize Denver’s commercial corridors such as East and West Colfax...*

## C. Blueprint Denver (2002)

Blueprint Denver, the City’s Land Use and Transportation Plan, identifies the property as being within an Area of Stability with future land use identified as Single Family Residential. The adjacent land along Colfax is identified as an Area of Change, Pedestrian Shopping Corridor.



East Colfax: Pedestrian Shopping Corridor, Area of Change with varying parcel depths  
Street classifications: Colfax Main Arterial; Monroe and Garfield undesignated local streets  
East Colfax pedestrian shopping corridor extends from Lincoln to Colorado. Key concepts are recapturing the sense of a main street/streetcar line, providing parking and retail to support entertainment venues, and redevelopment with high density residential and mixed-use development.

Guiding principles for Areas of Change

- Contribute to urban design vision
- Respect valued attributes of area
- Contribute to the economic vision
- Expand transportation choice
- Improve environmental quality

1532-40 Monroe and 1551 Garfield: Single family residential, Area of Stability  
Predominantly single unit dwellings, lower density, auto oriented

Guiding principles for Areas of Stability

- Respect valued development patterns
- Respect valued attributes of area
- Respect adjoining property
- Expand transit choice
- Minimize traffic impacts on neighborhood streets
- Respect environmental quality

Blueprint Denver supports both the reinvestment in vacant and underutilized properties in Main Street Areas of Change and retention of existing structures in Areas of Stability. It does recognize that the transitions from Areas of Change to Areas of Stability is challenging and must be addressed on a case-by-case basis.

**D. Neighborhood Plan: East Colfax Neighborhood Plan (2004)**

Plan study area: Sherman/Grant to Albion; 14<sup>th</sup> to 16<sup>th</sup>

- Relevant land use issues/opportunities
- Business impacts may be incompatible with adjacent residential
- Businesses adjacent to residential may wish to expand
- Residential to commercial edge is abrupt with little room for buffering/transition
- Rosen properties are identified as “underutilized” (land value to improvement value less than one); residential area to the north as “adequate” (land value to improvement value one or more). Car dealerships are identified as one of the land uses with the highest potential for redevelopment.
- Plan maps show only a handful of sites along East Colfax deep enough for medium-scale development and adequate parking. The Colfax assemblage of parcels adjacent to the subject properties is identified as one of these few opportunity sites.
- Districts: Capitol Village; Downing Station; Midtown Colfax; Esplanade Station; Colfax Promenade; Colorado Blvd Station

Colfax Promenade District-St. Paul to Garfield; Colfax to 16<sup>th</sup>

- Desired/realistic retail—smaller shops, delis, markets, services, galleries
- Commercial depths limited; stable residential limits expansion and impacts adjacent neighborhoods, especially City Park South, which is only 2 blocks deep

- Goals: Mom & Pop commercial; reinforce residential character of this section of Colfax; preserve single family character of adjacent neighborhoods

Immediately west of Transit Oriented Development (Colorado Blvd Station-Colorado to Garfield)

- Junction of 2 or more major transit routes
- Density/intensity focused on station area
- High concentration of housing
- Serves daily needs of commuters, residents and workers
- Colorado Blvd Station (Colorado and Colfax west to Garfield)
- National Jewish as major anchor
- Rosen properties (formerly Elway Dealership) development opportunity
- Vision for high density development with wrapped structured parking
- Reinvestment in adjacent residential makes expansion of parcel depth more problematic

**Finding: The above referenced plans are supportive of the proposed development of the food market along Colfax. The proposed project is immediately adjacent to the Colfax and Colorado TOD area and utilizes a plan-identified “development opportunity” site with a use that is consistent with the plan recommendations. These same plans, however, are not supportive of expanding commercial uses and zoning into the adjacent stable residential area, including the subject properties. Therefore, it is not possible to make a finding of consistency with the Comprehensive Plan.**

However, the review criteria in the DZC for approval of a rezoning provides for an exception to a finding of plan consistency:

“...or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of the adoption of the City’s plan.”

**While the proposed rezoning is not consistent with adopted plans, several factors inform a determination that the proposed rezoning meets a community need:**

- 1. Community Need Not Anticipated During the Planning Process – Access to Healthy Food**
  - a. Medium size food markets have emerged in recent years as a retail trend, and markets such as Sunflower, Marczyk’s, and Whole Foods are desired neighborhood amenities.
  - b. Access to healthy food has emerged as an important component of community health and sustainability. Currently there are no other grocery stores within walking distance of the City Park South neighborhood. “Healthy Food, Healthy Coloradans: The Need for More Supermarkets in Colorado”, a report prepared by the Food Trust and University of Colorado-Denver in 2009, identifies the East Colfax corridor in Denver as having less than the state average of supermarket sales relative to total population and as having low supermarket sales area regardless of income. The study concludes that convenient access to healthy food is a key contributor to overall health and that development of supermarkets should be encouraged by the public sector. Furthermore, “Healthy Food for All: Encouraging Grocery Investment in Colorado” was issued by the Denver Food Access Task Force in December 2011. The summary of recommendations reads in part:

*To protect the health of Denver residents, particularly our children, against obesity and diet related illnesses..., it is critical that we develop our food market systems to ensure equal access to healthy, affordable food... To ensure that all Denver residents live in areas that provide access to healthy, affordable food, the Denver Food Access Task Force presents the following recommendations for action...*

*2. We recommend that in partnership with the task force, the City and County of Denver prioritize food retailing, work with grocers to navigate the development review process and explore ways to expedite the opening of new stores.*

Currently there are only two supermarkets in Council District 8, both in Uptown: the Safeway at 757 East 20<sup>th</sup> Avenue and the Marczyk's at 770 East 17<sup>th</sup> Avenue.

**2. Character of Subject Area Related to Community Need:**

- a. One of very few sites remaining along Colfax with adequate depth for medium-scale or larger commercial development.
- b. The proposed use, a medium-size food market, is identified in the East Colfax Plan as appropriate, and this is one of relatively few sites large enough for such a use. The proposed development requires only a small amount of additional land (the subject properties) for meeting market demand for parking.
- c. Retailers such as Sunflower Farmers Market have market-driven parking requirements that are greater than the zoning-required parking.
- d. The proposed development does not preclude future densification of this site through addition of structured parking or reduction or sharing of surface parking.

Other Criteria

- **Uniformity of District Regulations and Restrictions**  
The proposed rezoning to U-MS-2x will result in the uniform application of zone district building form, use and design regulations. This district has been used to provide a transition from higher intensity main street districts to residential districts.
- **Public health, safety and welfare**  
The proposed official map amendment furthers the public health, safety and general welfare of the City.

Additional criteria for Non-legislative rezoning

**A. Justifying circumstances-changing conditions**

The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area

As described above, changing conditions are leading to Sunflower Market proposing to develop one of the few sites along Colfax with adequate depth to accommodate such a development. However, the residential blocks of City Park South Neighborhood have not experienced changed conditions.

**B. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements**

The City Park South Neighborhood east of Steele Street is part of the Urban Neighborhood Context. The pattern of development is consistent with the context description. The U-MS-2x is intended to be applied to embedded commercial in predominantly residential neighborhoods. It



has also been used to provide transition between higher intensity Main Street and residential districts, such as the property at 1547 Garfield.

#### **IX. STAFF RECOMMENDATION TO PLANNING BOARD**

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Based on the criteria for review as defined above, Staff finds that the proposed rezoning is not consistent with adopted plans' recommendations to limit expansion of commercial zoning into existing, stable residential neighborhoods such as City Park South; however, Staff also finds there are factors that support a determination that the rezoning is necessary to provide for a community need not anticipated at the time of the plans' adoption.

Therefore, Staff **does not oppose** approval for Application #2011I-00020 for U-MS-2x zoning.

#### **X. PLANNING BOARD RECOMMENDATION TO CITY COUNCIL**

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Following the staff report and recommendation, 14 individuals testified. This included testimony from South City Park Neighborhood that the RNO will not be taking a position until January. Based on the staff's report and on the public testimony received to date, Shannon Gifford moved that the Planning Board recommend to the City Council approval of the proposed rezoning of the property located at 1532 and 1540 Monroe and 1551 Garfield based on the Board's finding that:

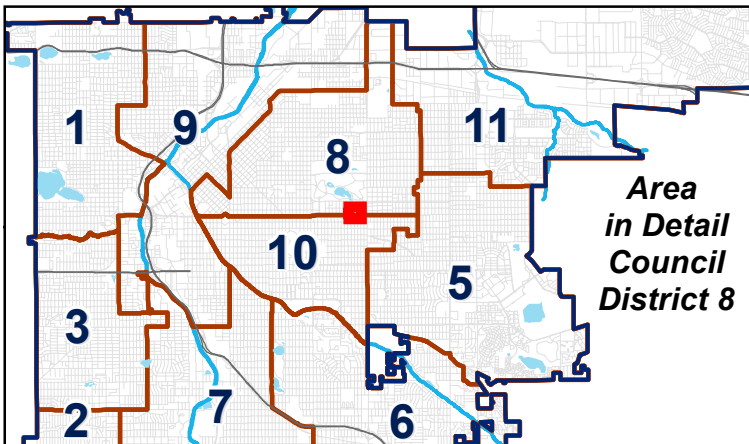
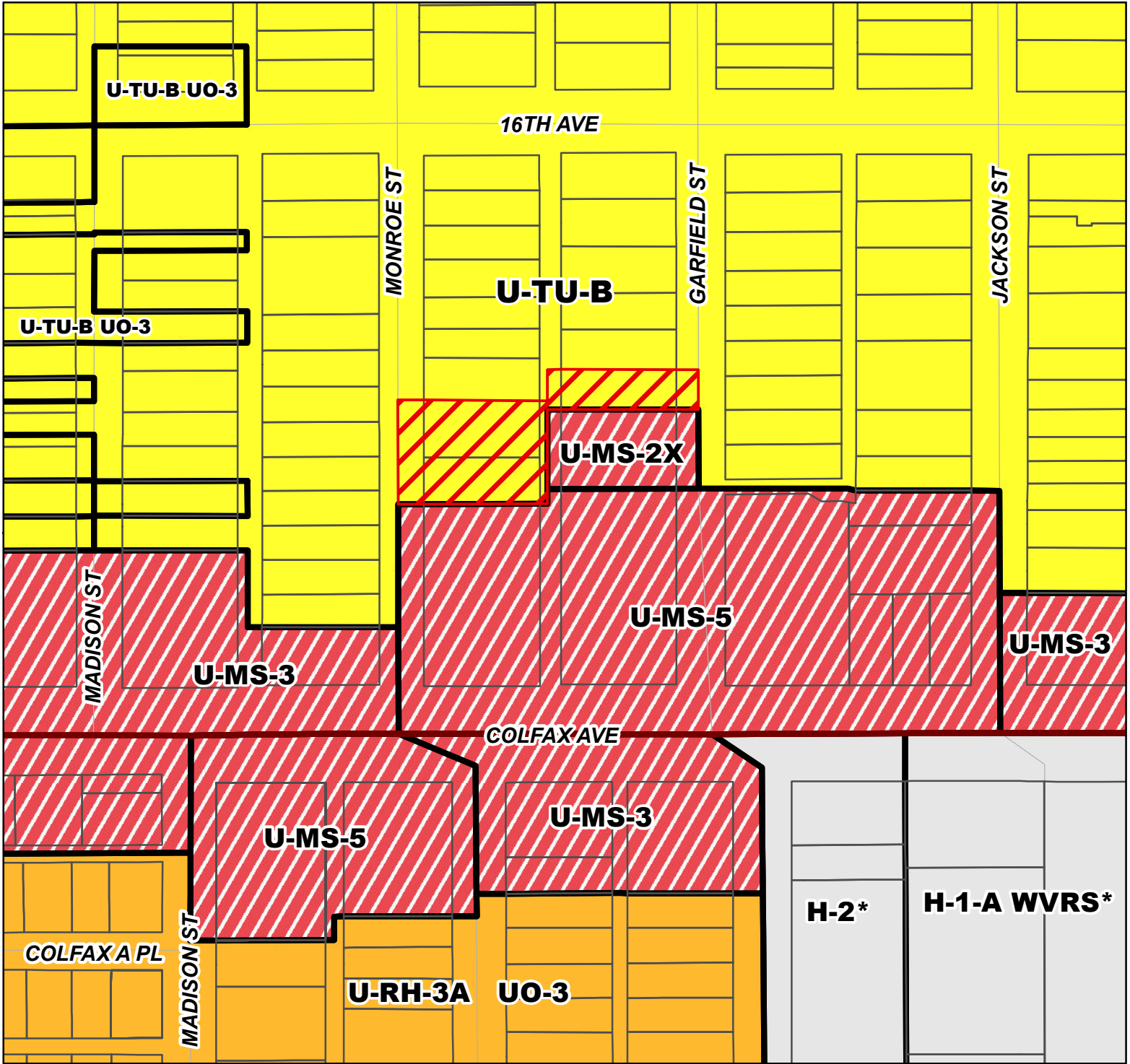
1. The proposal is necessary to provide land for a community need that was not anticipated at the adoption of the City's adopted plans;
2. The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area;
3. The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District;
4. The proposal results in uniformity of district regulations and restrictions; and
5. The proposal furthers the public health, safety and general welfare of the City.

Dave Webster seconded the motion. The motion passed unanimously, 8/0.

#### **Attachments:**

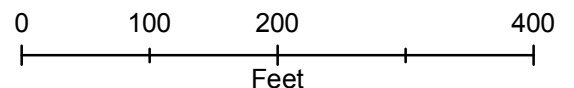
1. **Map Series-aerial. Zoning, Blueprint Map**
2. **Application**
3. **Letters of Support/Opposition submitted to Planning Board**

# Pending Zone Map Amendment #2011I-00020



Application #2011I-00020  
 Location: 1532, 1540 Monroe St.  
 1551 Garfield St.

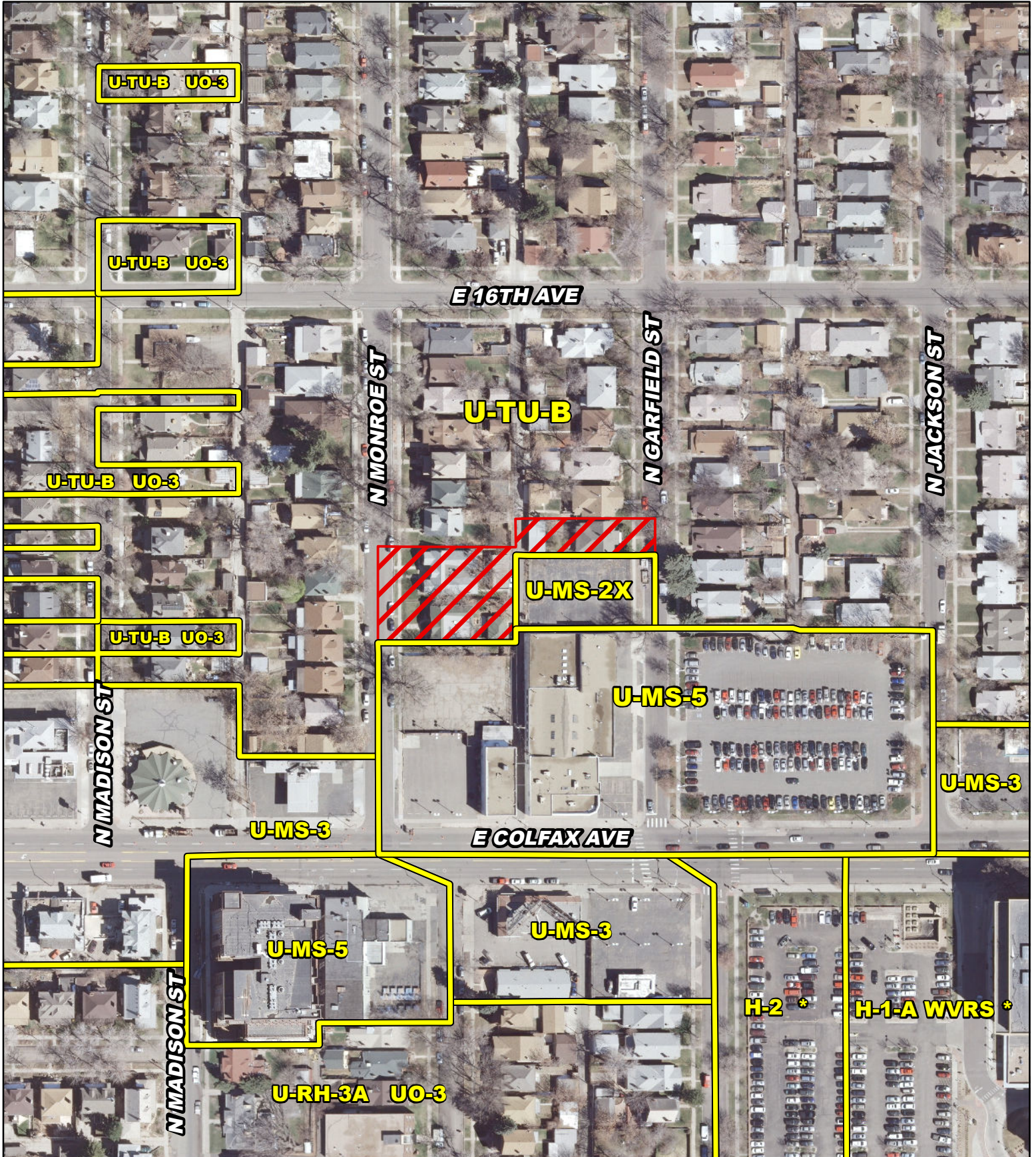
 Proposed Rezoning  
 From: U-TU-B  
 To: U-MS-2X



Map Date: 9/15/11

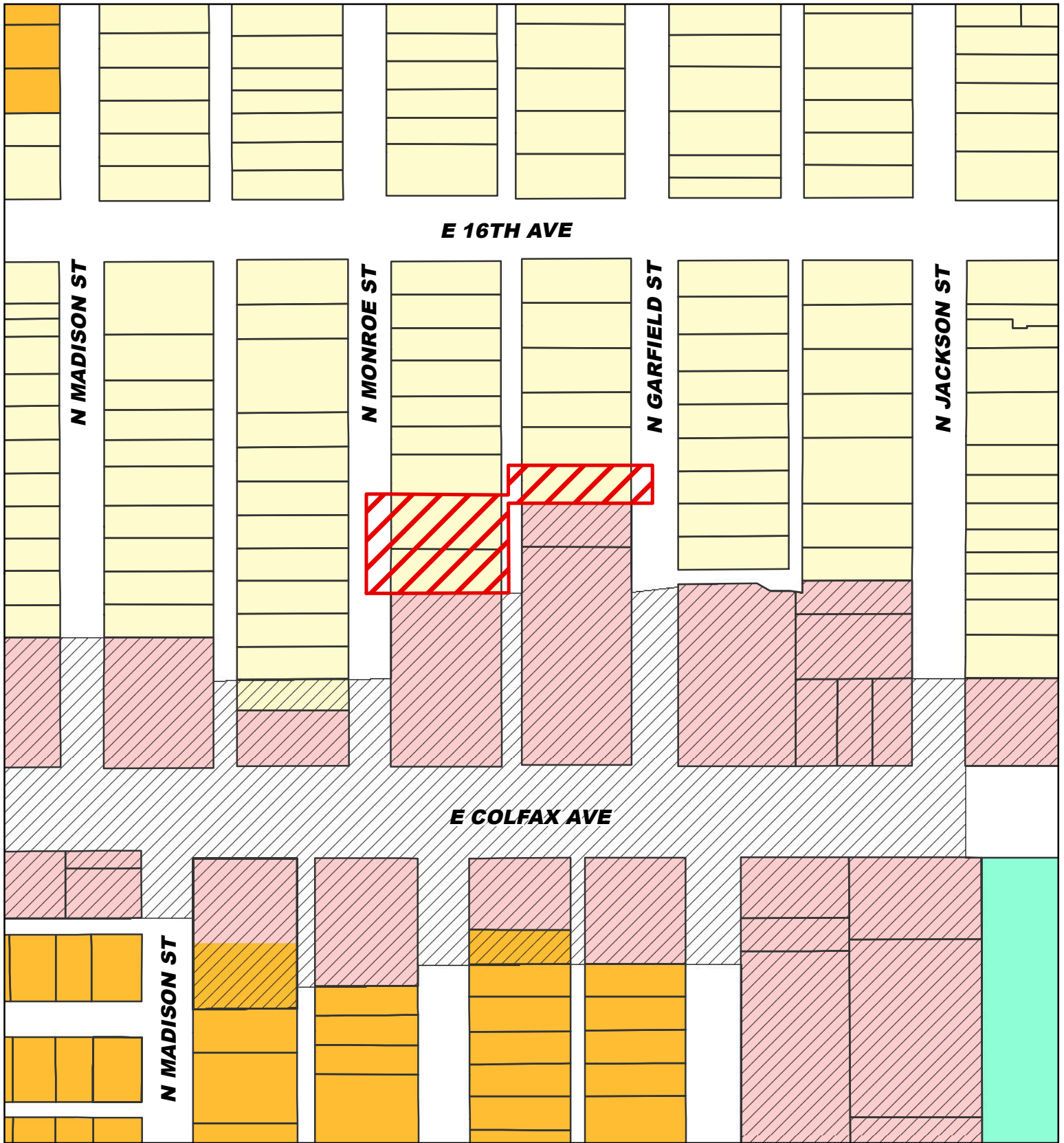
# Pending Zone Map Amendment - Aerial & Zoning Overlay







 Application #2011-00020




# Pending Zone Map Amendment - Blueprint Denver Overlay

 Application #2011I-00020



 Single Family Residential	 Area of Change	 Pending Zoning Amendment
 Urban Residential		
 Pedestrian Shopping Corridor		
 Campus		

0 100 200 400 Feet 

**Map Date: 9/15/11**




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**Community Planning and Development**  
**Planning Services**  
Plan Implementation

201 W Colfax Ave, Dept 205  
Denver, CO 80202  
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**APPLICATION FOR ZONE MAP AMENDMENT**

<b>Application #</b>	2011I-00020	<b>Date Submitted</b>	9/13/11 Revised: 10/10/11	<b>Fee Required</b>	\$1000.00	<b>Fee Paid</b>	\$1000.00
<b>APPLICANT INFORMATION</b>				<b>CONTACT INFORMATION (Same as Applicant? <input type="checkbox"/>)</b>			
<b>Applicant Name</b>	Russell Perkins Evergreen Development			<b>Contact Name</b>	Alan Colussy, AIA klipp		
<b>Address</b>	12460 First Street PO Box 247			<b>Address</b>	201 Broadway		
<b>City, State, Zip</b>	Eastlake, CO 80614			<b>City, State, Zip</b>	Denver, CO 80203		
<b>Telephone / Fax</b>	602-808-8600 / 602-567-7143			<b>Telephone / Fax</b>	303-893-1990 x.114 / 303-893-2204		
<b>Email</b>	russ.perkins@evergreendev.com			<b>Email</b>	al@klipparch.com		
<b>Subject Property Location [Please Include Assessor's Parcel Number(s)]</b>							
Part 1A: 1532 Monroe Street (Parcel # 0236413030000) Part 1B: 1540 Monroe Street (Parcel # 0236413008000) Part 2: 1551 Garfield Street (Parcel # 0236413017000)							
<b>Legal Description of Subject Property</b>							
Part 1A: Lots 14 and 15, Block 21, Colfax Avenue Park Subdivision, City and County of Denver, State of Colorado. Part 1B: Lots 12 and 13 and the south half of Lot 11, Block 21, Colfax Avenue Park Subdivision, City and County of Denver, State of Colorado. Part 2: Lot 36 and the south 3/4 of Lot 37, Block 21, Colfax Avenue Park Subdivision, City and County of Denver, State of Colorado.							
<b>Area of Subject Property (Acres/Sq Ft)</b>		<b>Present Zone District</b>		<b>Proposed Zone District (Waivers and Conditions Require Separate form)</b>			
.48 acres / 21,070 SF		U-TU-B		U-MS-2X			
<b>Describe the nature and effect of the proposed Zone Map Amendment</b>							
This Zone Map Amendment includes rezoning existing residential parcels located in the South City Park Neighborhood at 1532 and 1540 Monroe Street, and 1551 Garfield Street. Current zoning of these parcels is U-TU-B and are proposed to be rezoned U-MS-2X.							
A plan has been presented to redevelop the former Rosen-Novak car dealership at 3625 E. Colfax Avenue (zoned U-MS-5) into an approximately 25,000 square foot neighborhood market. During public meetings with the South City Park Neighborhood Association (SCPNA, held 8/25/11 and 9/7/2011), the Capitol Hill United Neighborhoods (CHUN, held 9/7/2011), and Colfax on the Hill (COTH, held 9/28/2011) neighbors were extremely supportive of the proposed market use, but also vocal that the redevelopment provide adequate parking for the future use(s) and screening to buffer commercial uses from their homes and yards.							
The U-MS-2X zoning limits uses and heights of any future development, providing a transition of scale and use from the adjacent U-MS-5 zoning. The U-MS-2X zoning will provide adequate area for parking of the market, as well as an appropriate shift from the heavily trafficked, commercial corridor of Colfax Avenue to the residential uses and streets of the South City Park Neighborhood.							
<b>Select Legal Basis for the Zone Map Amendment and explain in detail</b>				<b>Error in the map as approved by City Council</b>			<input type="checkbox"/>
				<b>Changed or Changing Conditions that make a Zone Map Amendment Necessary</b>			<input checked="" type="checkbox"/>
The properties have historically been used for residential duplexes and single-family residences. The adjacent property at 3625 E. Colfax Avenue has been vacant for several years and has become a nuisance to the immediate neighbors. The Rosen family (property owners) have partnered with Evergreen Development to demolish the former dealership buildings and redevelop the properties into active, viable commercial.							
The zoning must be changed to accommodate the parking needs of the market, which is a highly desired use in this neighborhood and along this corridor. The current U-TU-B zoning does not allow for accessory parking of a U-MS-5 zone lot.							
<b>State the land use and the development proposed for the subject property. Include the time schedule (if any) for development</b>							
The proposed land use of the rezoned parcels is accessory parking to the adjacent U-MS-5 zone lot. Redevelopment of the U-MS-5 zone lot shall be a neighborhood market. Concurrent with zoning standards of the Urban Neighborhood Context, development density will be to the primary street (Colfax Avenue) and reduce in density towards the residential U-TU-B zone district.							
The site planning efforts will be produced concurrently with the rezoning application. Demolition of the existing dealership building will begin the first quarter of 2012, and construction will commence following zoning approval and site plan approval. The agreement in place with the market user requires an operational facility by January 2013.							

Required Exhibits		Additional Exhibits	
Applicant & Owner Information Sheet		<input checked="" type="checkbox"/>	Maps of rezoning areas attached.
Maps – Required for Final Submissions		<input checked="" type="checkbox"/>	Letters from Owners regarding Applicant authority attached.
Case Manager	Ellen T. Ittelson, AICP		
Signature			Date
			10/10/2011

## APPLICANT & OWNER INFORMATION SHEET

**[1] Section 59-648(c) of the Denver Revised Municipal Code requires that an applicant for rezoning provide the applicant's name, address, and respective ownership interest, if any, on the application. In addition, unless subject to paragraph [2] below, the applicant must provide, in the space provided on this form, a list of all the owners of the property and the holders of deeds of trust, identifying which owners and holders of deeds of trust are represented by the applicant.**

**[2] If the application is for designation of an area as B-2, B-3, R-X or PUD zone district, the applicant must submit the concurrence of the owners and holders of deeds of trust of the entire land area to be included in the proposed district (and any structures thereon). In such cases, this form must be completed for each individual owner, together with sufficient evidence of ownership for each owner and holder of a deed of trust. Documentation verifying ownership interest may include (but is not limited to): Copies of deeds, powers of attorney, and corporate/partnership registrations filed with the Secretary of State.**

Application Number	Applicant's Name
2011I-00020	Evergreen Development

**Property Address(es)**  
 Part 1A: 1532 Monroe Street (Parcel # 0236413030000)  
 Part 1B: 1540 Monroe Street (Parcel # 0236413008000)  
 Part 2: 1551 Garfield Street (Parcel # 0236413017000)

**Applicant's Address**  
 Evergreen Development  
 12460 First Street  
 PO Box 247  
 Eastlake, CO 80614


**NOTE: If application is for rezoning to B-2, B-3, R-X or PUD, and the applicant is not the property owner, this form must be accompanied by a Power of Attorney statement from the property owner.**

**Indicate as accurately as possible the form of interest in the property, and the amount held by the individual or entity listed as "applicant" above.**

Fee Title Owner (Has Deed of Ownership)	All	A Portion
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Contract Owner	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
Holder of a Security Interest	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

**List the names and addresses of all owners and holders of Deeds of Trust for the property, if any, and indicate which owners or holders of deeds of trust are represented by the applicant in the space below (please add additional pages, if needed).**

Part 1A: Justyn C. Rosen Marital Trust, 1478 Birch Street, Denver, CO 80220 – Represented by applicant  
 Part 1B: Justyn C. Rosen Marital Trust, 1478 Birch Street, Denver, CO 80220 – Represented by applicant  
 Part 2: Shamar Properties, 1478 Birch Street, Denver, CO 80220 – Represented by applicant

Signature of Applicant	Date Signed
	10/10/2011

October 12, 2011

City of Denver  
Community Planning & Development  
Planning Services  
201 W Colfax Ave, Dept 205  
Denver, CO 80202

**Re: Rezoning Application No. 2011I-00020  
1532 and 1540 Monroe and 1551 Garfield, from U-TU-B to U-MS-2x**

To Whom it May Concern:

As owner of the properties located at 1532 and 1540 Monroe Street, I hereby authorize Russell Perkins from Evergreen Devco, Inc. to submit an application to the City of Denver for rezoning and to fully represent my interests as Applicant under said application.

Justyn C. Rosen Marital Trust No. 1

By: Marian Rosen  
Marian Rosen

Jay H. Chapman  
Jay H. Chapman  
Its Trustees

Justyn C. Rosen Marital Trust No. 1  
c/o Sean Mandel  
1478 Birch Street  
Denver, CO 80220

Date: 10/12/2011



October 12, 2011

City of Denver  
Community Planning & Development  
Planning Services  
201 W Colfax Ave, Dept 205  
Denver, CO 80202

**Re: Rezoning Application No. 2011I-00020  
1532 and 1540 Monroe and 1551 Garfield, from U-TU-B to U-MS-2x**

To Whom it May Concern:

As owner of the properties located at 1551 Garfield Street, I hereby authorize Russell Perkins from Evergreen Devco, Inc. to submit an application to the City of Denver for rezoning and to fully represent my interests as Applicant under said application.

Shamar Properties LLP, a Colorado general partnership

By: Marian Rosen  
Marian Rosen, Partner

By: Marsha Zimmerman Irrevocable Trust, Partner

Marian Rosen  
By: Marian Rosen, Trustee

By: Sharon J. Mandel Irrevocable Trust, Partner

Marian Rosen  
By: Marian Rosen, Trustee

Shamar Properties LLP

c/o Sean Mandel  
1478 Birch Street  
Denver, CO 80220

Date: 10/12/2011



October 14, 2011

Denver County (Shaded)

Denver County 2008 Aerials Color

 Parcels  
 Denver Boundaries

Assessment Parcel Dimensions for the selected property can be seen at:

 [Assessor Parcel Map #02364 \(30 x 36 inches, requires Adobe Acrobat Reader\)](#)

December 13, 2011

**Record of written submittals regarding Zoning Application #2011I-00020, 1532 and 1540  
Monroe and 1551 Garfield**

**Letters**

Bonita Lehey (President, South City Park Neighborhood Association), Oct. 31, 2011  
Bonita Lehey (President, South City Park Neighborhood Association), Nov. 23, 2011  
David Lichtenstein (South City Park Neighborhood Association)-no position as of yet  
Marjorie Parkis (South City Park)-oppose/second letter-support  
Barbara Allen and Chuck Ford (South City Park)-oppose  
Colfax on the Hill-support  
FAX Partnership-support  
Steve's Snappin' Dogs-support  
Boutique Apartments-support  
Alek Orloff (Park Hill)-support  
Bryan Saunders (Park Hill)-support  
Miriam Mirsky (Congress Park)-support  
Blair Dunn (Congress Park)-support  
Charles Schiell (Congress Park)-support  
Zachary Krevor (Congress Park)-support  
Maxximillian Messer (Congress Park)-support  
Patrick and Meg Picard (City Park West)-support (with attachments)  
Elizabeth McCann, State Representative, support

**E-mails**

I have received 351 e-mails regarding the proposed rezoning. The e-mails have come from throughout central Denver with South City Park, Congress Park, and Park Hill residents responding most frequently. Residents from Swansea, Stapleton, Hale, Mayfair, Capitol Hill and other neighborhoods also responded. The e-mails have been saved and are available through SIRE.

	Support	Oppose	Concerns
South City Park	50	4	2
All other responses	<u>295</u>	<u>0</u>	<u>0</u>
Total	345	4	2



December 1, 2011

Ellen Ittelson, Senior City Planner  
Community Planning and Development  
201 W. Colfax Avenue, Dept. 205  
Denver, CO 80202

Re: Colfax on the Hill support of Rezoning Application #2011I-00020

Dear Ms. Ittelson:

Given that this zoning amendment engenders the very mission of Colfax on the Hill to revitalize and redevelop our RNO district's Broadway to Colorado Blvd. section of East Colfax, it will come as no surprise that the Board of Directors of Colfax on the Hill, Inc. voted on this date to unanimously support the proposed zoning amendment: 10 in favor; none opposed; with three (3) abstentions.

The Sunflower Market project this zoning amendment is intended to facilitate and bring to our business district and into neighborhood service is a long-sought milestone going back to our engagement over the years with the Denver Comprehensive Plan (2000), Blueprint Denver (2002) and the East Colfax Neighborhood Plan (2004). It is not hyperbole to state that this prized grocery store in this place and in this time will be critical to the eventual fulfillment of the Main Street vision so many Colfax stakeholders have held and worked on for decades. It is also telling that to date, 962 constituents have signed a letter supporting this development project, which we're happy to document upon request.

Thank you for conveying this letter of support to the Planning Board and Denver City Council.

Sincerely,

A handwritten signature in black ink, appearing to read "DN", is positioned above the typed name of the sender.

Don Novak, President  
Colfax on the Hill, Inc.



**SOUTH CITY PARK**  
Neighborhood Association

PO Box 18375  
Denver, CO 80218  
[www.scpna.org](http://www.scpna.org)  
[southcitypark@gmail.com](mailto:southcitypark@gmail.com)

October 31, 2011

To the City and County of Denver:

Regarding Application #**20111-00020**

Application Address: **1532 & 1540 Monroe Street / 1551 Garfield Street**

From: **U-TU-B** To: **U-MS-2X**

The South City Park residents are very excited at the prospect of a grocery store coming to our neighborhood. We couldn't think of a better business. We also appreciate Sean Mandel and his team coming to us to discuss the real issues of putting a large development into a small residential neighborhood. The neighbors most affected have been meeting for a month to discuss implications for traffic, parking, landscaping, noise, odor, lighting, alley relocation, etc. All of which may have enormous impact on our neighborhood which is only two blocks wide. It has been and remains a collaborative, very cordial effort.

In the interest of mutual understanding, we would like to clarify that while there is support for this idea, there remain a number of questions regarding implementation of this idea and the group has not endorsed the rezoning at this time. Discussion of this topic is ongoing, including issues such as the zoning change which represents a very real concern to our neighborhood. This is the first request for zoning change along Colfax since passage of new Zoning code and the request must be approached with particular thoughtfulness in light of implications of all those to come.

Whenever the City changes the codes we are assured that "there will be no more variances." Main Street zoning promised us that our residential property was protected and no buildings would be higher than three stories along our border. The properties in question include five residences and a commercial parcel zoned five story.

If we agree to the zoning change, almost 75% of the east side of the 1500 block of Monroe and the west side of the 1500 block of Garfield will be zoned commercial. For a neighborhood only two blocks wide, that is quite significant. The South City Park Neighborhood Association has, to this point, made no decision on the zoning change. When we make a decision the city will be informed.

We very much want this to be a win/win for everyone; to that end, there remain significant issues to address.

Sincerely,

Bonita Lahey  
President  
South City Park Neighborhood Association



**SOUTH CITY PARK**  
Neighborhood Association

PO Box 18375  
Denver, CO 80218  
[www.scpna.org](http://www.scpna.org)  
[southcitypark@gmail.com](mailto:southcitypark@gmail.com)

November 23, 2011

To the City and County of Denver:

Regarding Application #**2011I-00020**  
Application Address: **1532 & 1540 Monroe Street / 1551 Garfield Street**  
From: **U-TU-B To: U-MS-2X**

The South City Park residents are very excited at the prospect of a grocery store coming to our neighborhood. We couldn't think of a better business. We also appreciate Sean Mandel and his team coming to us to discuss the real issues of putting a large development into a small residential neighborhood. The neighbors most affected have been meeting for a month to discuss implications for traffic, parking, landscaping, noise, odor, lighting, alley relocation, etc. All of which may have enormous impact on our neighborhood which is only two blocks wide. It has been and remains a collaborative, very cordial effort.

In the interest of mutual understanding, we would like to clarify that while there is support for this idea, there remain a number of questions regarding implementation of this idea and the group has not endorsed the rezoning at this time. Discussion of this topic is ongoing, including issues such as the zoning change which represents a very real concern to our neighborhood. This is the first request for zoning change along Colfax since passage of new Zoning code and the request must be approached with particular thoughtfulness in light of implications of all those to come.

Whenever the City changes the codes we are assured that "there will be no more variances." Main Street zoning promised us that our residential property was protected and no buildings would be higher than three stories along our border. The properties in question include five residences and a commercial parcel zoned five story. We are willing to compromise in exchange for Rosen Properties agreeing to rezone the entire property for MS-5 to MS-3.

If we agree to the zoning change, almost 75% of the east side of the 1500 block of Monroe and the west side of the 1500 block of Garfield will be zoned commercial. For a neighborhood only two blocks wide, that is quite significant. That is a 40% incursion into the neighborhood. The South City Park Neighborhood Association has, to this point, made no decision on the zoning change. When we make a decision the city will be informed.

We very much want this to be a win/win for everyone; to that end, there remain significant issues to address.

Sincerely,

Bonita Lahey  
President  
South City Park Neighborhood Association



December 6, 2011

Ellen Ittelson, Senior City Planner  
City of Denver  
ellen.ittelson@denvergov.org

Dear Ms. Ittelson,

We are writing in support of placing a Sunflower Market on Colfax, between Garfield and Monroe Streets.

As owners of Boutique Apartments, we strive to improve the livability of central Denver's neighborhoods by providing expert apartment property management and renovations, and as part of that, we support public improvement efforts that benefit our residents and the neighborhood in general.

Boutique Apartments has renovated and manages 12 apartment buildings in central Denver with upwards of 400 total residents. By renovating existing structures, we lessen the impact on the environment while contributing to smart growth. Our uniquely designed buildings are a magnet for individuals seeking to live in the city center, who want to be close to a safe, active, local business community within walking distance of their apartment.

To that end, we believe that allowing Sunflower Market to occupy space along Colfax would provide a much-needed healthy and affordable grocery resource for residents in that area, within walking distance of houses and apartment buildings. Of our 12-building portfolio, we have three buildings (Metropolis, Lodge, and Works) and one building under renovation (2801 E. Colfax) within walking distance of the proposed site.

Choosing a regional business that provides healthful and affordable groceries for that site will be a good fit for the diverse demographic of that area, and will attract other desirable businesses, in addition to making the neighborhood safer and creating new jobs in our community.

Thank you for your consideration.

Sincerely,

Grant Barnhill  
President  
Boutique Apartments

Zvi Rudawsky  
Principal  
Boutique Apartments

December 5, 2011

Dear Ms. Ittelson,

I am writing to provide my support in the development of the new Sunflower Market and related development along East Colfax. Please add my voice of support to this project for all upcoming planning and zoning reviews and city council meetings.

I am a longtime Denver resident and currently live in South East Park Hill. I have also lived in the City Park West neighborhood and in the North Congress Park area. I work off Lower Downtown. There are so many reasons that this development will improve the lives of the people in these neighborhoods and the neighborhoods in general, it almost seems too obvious to mention, but here are few details that have been provided in support of the this development.

- The neighborhood is currently void of a grocery store.
- Bringing a grocery store to the area would reduce the need for people to drive for groceries and would make Colfax more pedestrian friendly.
- Sunflower Market has an established itself as a great company that is known for providing healthy food at affordable prices.
- The addition of the market would make the neighborhood safer by eliminating blighted buildings that has attracted, crime, vagrancy, and litter. These buildings have been vacant and vandalized for years.
- Sunflower Market will attract other desirable businesses that want to participate in the improvement of the area.
- Sunflower market will create between 90-110 new jobs in our community with an average annual payroll of \$2.2Million dollars.

While I understand any concerns about traffic and parking concerns, I am confident the developers and city will take all necessary efforts to address these concerns. I would not be surprised to see this Sunflower Market become one the most successful stores in their company and bring new vitality to an area that serves as a crossroads to many of Denver's great neighborhoods. Thank you for your time.

Sincerely,  
Bryan T. Saunders

1565 Newport Street  
Denver, CO 80220  
303-250-7153  
btsaund@msn.com





**Steve's Snappin Dogs**  
3525 East Colfax @ Monroe  
Denver, CO 80206  
303-333-SNAP (7627)  
[www.stevessnappindogs.com](http://www.stevessnappindogs.com)

**To: Ellen Ittelson - Senior City Planner, City and county of Denver**  
**Re: Sunflower Market – Colfax & Monroe**  
**From: Steve Ballas – Owner**  
**Date: December 5, 2011**  
**Dear Ellen,**

**I understand that you are overseeing the Sunflower Market project. I would like you, our city council and the neighborhood to know how excited we are at Steve's Snappin Dogs, as well as many of my customers, that this project is finally coming to fruition.**

**As a fellow recipient of a loan from the City and County of Denver and the Office of Economic Development, as well as a local business man that has taken the plunge to do business on Colfax, my hats off to the Rosen family and especially Sean Mandel. I personally know Sharon Rosen, as well as Sean as they are also my landlord. When I first brought my vision to Sharon in August of 2005, I was greeted with the utmost respect and excitement that I have found not to be what a lot of landlords portray in the Denver market. Sharon also told me that her father would be so proud to see what I did with the property.**

**As you may know, I have renovated the property that was vacant for some time which was Costal Gas Station at the corner of Monroe and Colfax, and is owned by Rosen Properties as well as many properties along Colfax Avenue. I am excited with Sean's vision that he is bringing to the neighborhood with the development of not just Sunflower Market, but also development up and down the corridor. We all know that Colfax used to be the place to be, then it became the place NOT TO BE, but once again, its' becoming THE PLACE TO BE!**

**Steve's Snappin Dogs has become a destination. We are close to the Denver Zoo as well as the Museum of Nature and Science. Since this project has been announced, I have been polling my customers that range from neighbors in the South City Park, Congress Park, Capitol Hill and the entire Metro area. Everyone is excited that they can come to the Bluebird District, enjoy the cultural experience, eat, shop and walk safely up and down the fax.**

**Sunflower Market will reduce the need for folks to drive for healthy, affordable groceries and make Colfax more pedestrian friendly. After all, it is a combination of Police, local business owners, their customers and neighbors that have made this area safe to walk, shop, eat and drink in. It s all of the activity of people coming and going, which in fact is what Sunflower Market will help continue to stimulate as well as create 90 to 110 jobs, in an economy that is very fragile and necessary to keep the neighborhood thriving. It will also inspire other businesses, large and small to invest in Colfax and other Rosen properties.**

**This is an exciting time for Colfax, and Sunflower Market will be another positive footprint to show, yet another business, that believes Colfax is a natural extension for their growth.**

**Sincerely,**

**Steven Ballas, Jr.**

City and County of Denver Planning Board  
Attention: Ellen Ittelson  
Via e-mail: ellen.ittelson@denvergov.org.  
Denver, Colorado

Re: Sunflower Market on Colfax and Garfield

Dear Ms Ittelson:

I am a resident of the market area for the proposed Sunflower Market on Colfax and Garfield. While I am sure that there is opposition to the proposed market there is also strong support for the market. As with any project of this scope and nature the people who are opposed to the project are a minority of residents while the majority of residents in favor of the project are likely to stay out of the political process and not let their opinions be heard.

The addition of this market to the Bluebird neighborhood will increase foot traffic and personal security in the neighborhood. When it comes to retail business, restaurants, markets, shoe repair stores or anything similar the more that you have the more vibrant the neighborhood, the more used to the neighborhood and the more useful the neighborhood to local residents.

I live in the southwest corner of the general location (south of Colfax in Congress Park) in the five-story condo unit there and the convenience of having this market across the street is impossible overemphasize. My wife and I moved to this location specifically because it was changing for the better and also because we lived in the neighborhood 30 years ago in a different address at 13<sup>th</sup> & Monroe

The addition of the market would make the neighborhood more functional safer by eliminating a blighted building and replacing it with new construction of retail businesses that will be supported by the large number of residential dwellings in South City Park, Congress Park, Park Hill and other nearby neighborhoods.

Having a grocery store in this neighborhood location would reduce the need for my wife and I to the use her automobile to do daily grocery shopping. As we age this need would just continue to grow. The anchor that Sunflower Market would create will attract new businesses and redevelop old ones because money follows money and good business investment opportunities are rare without this kind of commitment by a major company.

Finally the market will create jobs locally to our community and tax revenues both directly and indirectly from other businesses that become interested due to Sunflower's location.

Thank you for your time and consideration. I would be happy to discuss this letter and my support for this project at any time I have included my contact information for your use.

Charles R. Schiell

1488 Madison St  
Unit 301  
Denver CO 80206  
(303) 489-8704 cell  
(303) 432-1755 fax  
Home Phone: (303) 467-9654

Ms. Ellen Ittelson,

As a citizen of the City Park West Neighborhood and urban planner myself, I am writing in support of the zoning change that would allow Sunflower Market to locate a new store at E. Colfax and Garfield. A few years ago, my wife and I attended a neighborhood meeting regarding the old Safeway/Church in the City site at Colfax and Josephine. At that meeting we heard Sunflower Market was interested in this site, and many other community members at this meeting were as excited as we were about this possibility. While we are excited about the future Denver Rec Center now planned for the site, as well as its current use as a dog park and community garden, we are still waiting for an affordable, healthy grocery option in the neighborhood.

We now have another opportunity to add a healthy, affordable fresh food option if Sunflower were to locate at the Colfax and Garfield site. This would be a great addition to the neighborhood and East Colfax. Sunflower Market would offer a different kind of grocer than is currently available in the neighborhood and would fill the void that now exist in the area, as there is no supermarket within a couple miles of this location. In fact, while pursuing my Master's in urban planning a couple years ago at UC Denver, I performed a market analysis for a grocery store at the Colfax and Josephine site and concluded that this would be a great location for a grocery in part because of the lack of grocers nearby and the existing population density of the neighborhood. The Colfax and Garfield site would be even better (see maps attached from that analysis). Additionally, a grocery store of this kind located on Colfax, close to Colorado Boulevard, each with high frequency transit routes, would dramatically improve the ability for low income and car-free residents to access affordable fresh produce, something that is difficult to do at the moment.

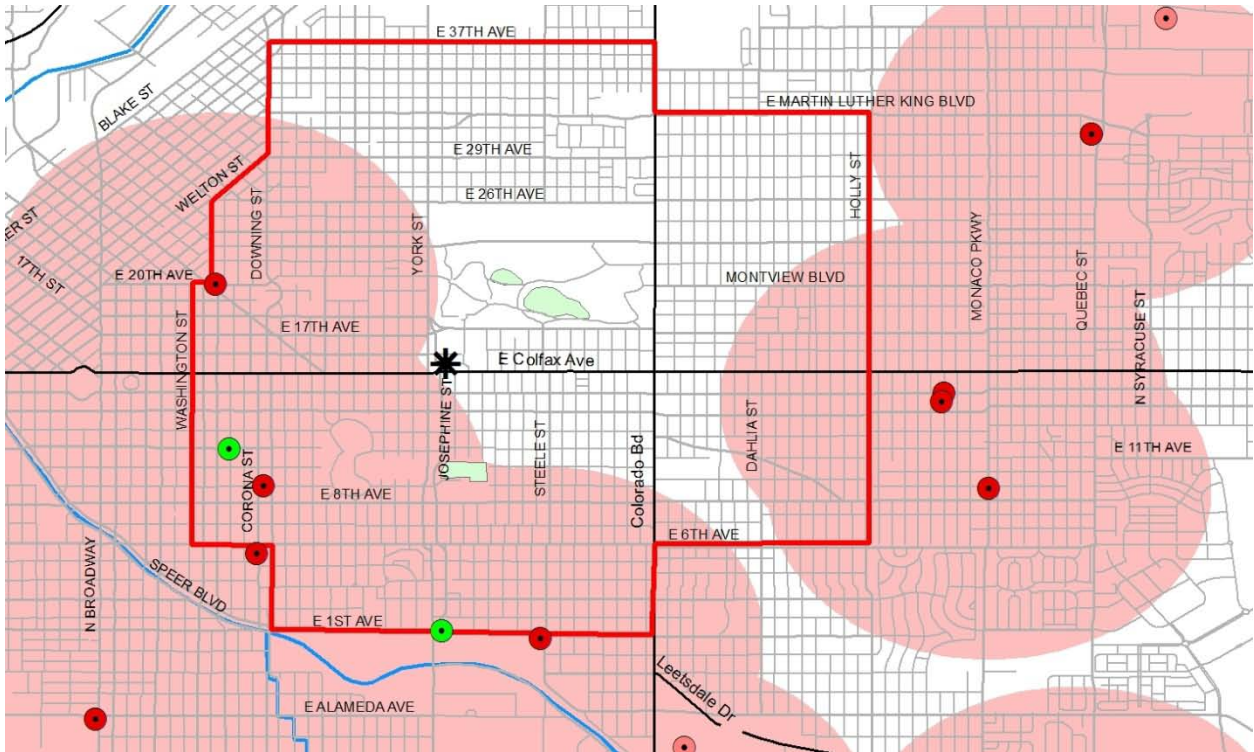
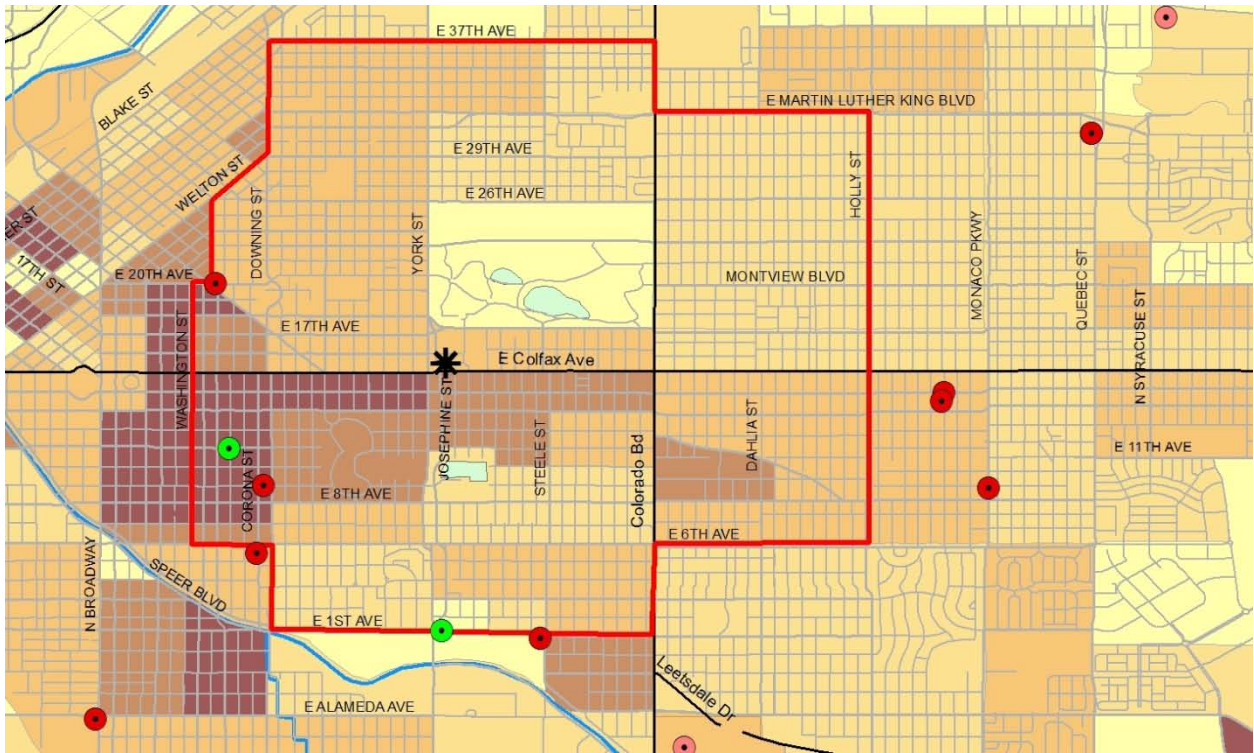
Thank you for your time, and when making your decision on this matter next week, please consider the tremendous opportunity we have to add a healthy food option to the neighborhood, reduce longer driving trips that are now being made to other stores, and add another dynamic feature to East Colfax that it is currently lacking, an affordable, healthy supermarket.

Sincerely,

Patrick Picard, MURP  
Transportation Planner  
2208 E. 17th Ave Apt. 4  
Denver, CO 80206  
[\(917\) 621-6887](tel:9176216887)

Also in support of this letter:

Meg Picard, MA  
2208 E. 17th Ave Apt. 4  
Denver, CO 80206  
[\(970\) 640-1723](tel:9706401723)



Alek M. Orloff  
5400 E. 17<sup>th</sup> Avenue Pkwy.  
Denver, CO 80220

December 5, 2011

Ms. Ellen Ittelson  
Senior Planner  
Dept. of Community Planning and Development  
City and County of Denver  
201 W. Colfax Av., 2<sup>nd</sup> Floor  
Denver, CO 80202

Dear Ms. Ittelson:

I am writing you in support of the proposed zoning change for the site at the northeast corner of East Colfax Avenue and Monroe Street to allow for the development of a Sunflower Market grocery store at that location. There are many good reasons to support this proposed development and the related zoning request.

First, the existing uses on this block clearly do not support the City's "Main Street" zoning that faces Colfax. The proposed Sunflower development would replace an underutilized and decaying eyesore with exactly the kind of pedestrian-friendly street frontage the East Colfax zoning and Blueprint Denver comprehensive plan are ostensibly trying to encourage. These uses have precedents in "main street" thoroughfares such as Washington Street in Boston and Burnside Street in Portland in helping create the kind of vibrant, low crime urban neighborhood revitalization to which Denver always aspires, but doesn't always get right. (How many medical marijuana dispensaries are really needed on Colfax between Colorado Boulevard and Monaco Street to serve chronic pain sufferers in the area?)

Second, the addition of a high-quality anchor retailer to East Colfax would attract other businesses seeking to serve similar customers. Sunflower, by example of its other locations in the Denver area, would create a model for other retailers and service providers to follow in the immediate area. Sunflower is a Colorado-based company with an impressive track record of offering high quality natural foods and affordable prices. Given the large number of employees needed to staff a grocery store, this location would become a job creation hub for East Colfax.

Finally, there is a strong residential trade area comprised of the western sections of the Hale and Park Hill neighborhoods as well as City Park and Congress Park for which there is not a true grocery store within a short distance. The nearest true grocery stores for these areas are around two miles away near 14<sup>th</sup> Avenue and Krameria Street or farther at 1<sup>st</sup> Avenue and University Boulevard. The proposed Sunflower development would redirect retail spending into the immediate area and reduce cross-town vehicular traffic. Moreover, for the large contingent of educated, high income residents in Stapleton, the nearest natural grocer is as much as eight miles away. The project goes a long way in terms of making Denver a more livable city for large numbers of its east side residents.

I believe it is self evident that the proposed rezoning supports the continued improvement of East Colfax Avenue. Thank you for your careful consideration of the city planning and economic development aspects of this important decision.

Very truly yours,

Alek M. Orloff

Maxximillian Messer  
1350 Josephine St., #207  
Denver, CO 80206

December 6, 2011

**VIA E-MAIL - ELLEN.ITTELSON@DENVERGOV.ORG**

Ellen Ittelson  
Senior City Planner

Dear Ms. Ittelson

In considering the rezoning required to bring Sunflower Market to Colfax please keep the following in mind:

The neighborhood is currently lacking a grocery store and bringing a grocery store to the area would reduce the need for people to drive for groceries and would make Colfax more pedestrian friendly. Sunflower Market is a great company that is known for providing healthy food at an affordable price. The addition of the market would make the neighborhood safer by eliminating a blighted building that has attracted, crime, vagrancy, and litter. Sunflower Market will attract other desirable businesses that want to participate in the improvement of the area. Sunflower market will create between 90-110 new jobs in our community with an average annual payroll of 2.2 million dollars.

I urge you to please vote for the rezoning and in doing so help us to improve the livability, safety and overall well-being of our neighborhood.

Thank you.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Maxximillian Messer', with a long horizontal flourish extending to the right.

Maxximillian Messer

December 6, 2011

Dear Ms. Ittleson,

I live in the Congress Park neighborhood and am very excited about the plans to bring a Sunflower Market to the abandoned car dealership on the corner of Colfax Avenue and Garfield Street. I chose to live in this neighborhood because it is in central Denver, close enough to ride my bike or the bus to work and play. However, I still have to use my car once a week because there is not a grocery store within 1.5 miles of my house. I could walk to the proposed new Sunflower Market!

Sunflower Market is a terrific company to bring to the neighborhood because they specialize in local products and healthy foods at affordable prices. Their efforts to "buy local" will positively impact our economy beyond just the direct jobs they create at this store. Plus, I believe that replacing the car dealership that's been closed for six (or more?) years with an active business will encourage and bolster the revitalization of this section of Colfax that is already under way. The store's presence would also likely reduce the crime, vagrancy, and litter that have occurred on the property.

Please bring this letter of support to the City Council Planning Board meeting on December 7<sup>th</sup> to demonstrate that this project has the support of a Congress Park resident. I strongly encourage them to approve the rezoning needed to make the Sunflower Market project a reality. Thank you for your work overseeing this project as a Senior City Planner.

Thank you for your time and consideration.

Sincerely,

Miriam Mirsky

1244 Garfield St  
Denver, CO 80206

David Lichtenstein  
1600 Jackson Street  
Denver, Colorado 80206-1923  
(303) 831-4750 (B) – (303) 489-9993 (C)

December 6, 2011

VIA E-MAIL ([ellen.ittelson@denvergov.org](mailto:ellen.ittelson@denvergov.org))

Community Planning and Development  
City and County of Denver  
Attn: Ellen Ittelson, Senior City Planner  
201 W Colfax Ave, Dept. 205  
Denver, CO 80202

RE: Application Number 2011I-00020  
1532-1540 Monroe St. / 1551 Garfield St.

Ladies and Gentlemen,

These comments on the above rezoning application are submitted in my capacity as chairman of the *ad hoc* committee that was established by the South City Park Neighborhood Association (SCPNA) to study the related proposed Sunflower Farmers Market project. The comments are intended to supplement those of SCPNA President Bonita Lahey submitted to you by letter dated November 23, 2011. As Ms. Lahey notes, SCPNA has not yet taken a formal position on the rezoning.

Our committee's purposes are to gather and provide information about the rezoning and the proposed project to the SCPNA membership at large, to make recommendations to the SCPNA membership about positions it may take, and to attempt to negotiate, if possible, a memorandum of understanding with the applicants and Sunflower that will govern certain design features, store operation parameters, and other matters that will affect South City Park residents and their properties.

Our sincere hope is that if the project proceeds, an effective MOU will mitigate the severe impact of the expansion of commercial zoning into our two-block deep neighborhood. This impact is recognized in your Staff Report of November 22, as well as in the May 2004 East Colfax Corridor Plan (p. 129).



Community Planning and Development  
December 6, 2011  
Page 2

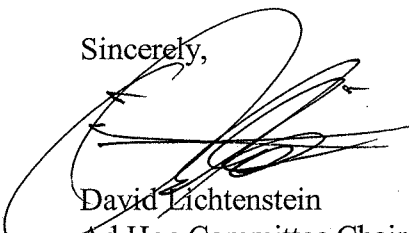
To move the MOU process forward, the applicants and their architects had two meetings, in late September and early October, with representatives of our committee. After SCPNA was formally notified of the application and conceptual site plan on October 26, the applicants and their architects conducted a site visit with residents and our committee on October 29. In the wake of that meeting, SCPNA developed and submitted to the applicants, on November 23, written questions about the proposed project's anticipated design features, what alternative features had been considered or might be feasible (including those that might not require rezoning), and what other terms the applicants might accept in an MOU.

We received a response to those questions yesterday, and a rough draft of an MOU today, which our committee is reviewing. The applicants have advised that they are fully committed to the MOU process. However, as Ms. Lahey suggests, there is much work to do on the details.

If the MOU discussion process can stay on track, we hope to be able to make an informed recommendation to the SCPNA membership as early as the next regularly scheduled SCPNA meeting January 18, 2012.

I hope the above provides a helpful perspective to the Planning Board. I would be pleased to answer any questions the Planning Board may have about the ad hoc committee's involvement in the process.

Sincerely,



David Lichtenstein  
Ad Hoc Committee Chair  
South City Park Neighborhood Association

cc: Bonita Lahey

Barbara Allen and Chuck Ford  
1539 Monroe St.  
Denver, CO 80206  
303-322-9699

December 2, 2011

Ellen Ittelson  
City of Denver Planning and Zoning Commission  
201 W. Colfax Ave.  
Denver, CO 80202

Dear Ms. Ittelson:

We are writing in opposition to Application 2011I-00020 to be heard before the Planning Commission on December 7, in our capacity as homeowners living at 1539 Monroe Street since 1995. We want to be clear that we do not oppose the location of a Sunflower market or other reasonably sized grocery store on the property which was formerly occupied by an auto dealership. There has been a need for a grocery store in this area for more than twenty years. This is not a newly discovered or recently recognized need. Smaller, local markets such as the new Marczyk grocery, or, the Whole Foods located at 12<sup>th</sup> and Ogden, the size of the former John Elway, are welcomed and encouraged in the pedestrian shopping corridor envisioned in the Blue Print Denver Plan.

This is a protest against rezoning 3 residential lots from U-TU-B to U-MS-2x to be used for parking. We have followed the zoning discussion for ten years. We were satisfied by the results of Blue Print Denver discussions. We attended the 2009 round of neighborhood zoning discussions, Barbara participating, in part, as a member of the League of Women Voters. At those meetings, Barbara was told, unequivocally by Planning and Zoning staff, that the zoning of 1532 and 1540 properties owned by the Rosen family; and the auto dealership on the corner, were not open for discussion.

We are very concerned about the presence of a retail operation requiring, perhaps as many as 75 automobiles an hour, coming and going through the neighborhood. We have always understood that the point of the Main Street zoning was to minimize the impact of auto traffic and to encourage public transportation. The very idea of a commercial property with 100 parking spaces, flies in the face of ten years of planning and neighborhood discussion. We, along with our entire neighborhood, are frightened by the prospect of so many cars flowing along Garfield and Monroe streets. Some cars will wait at the light at Garfield and Colfax; but most will not. Many will turn into the neighborhood, towards their destination, utilizing 17<sup>th</sup> Street, instead. Semi-trucks, loaded with groceries necessary to stock a 25,000 sf store may drive up and down Colfax, through the light at the misaligned streets of Garfield, but how many will drive down our street as the Sysco truck delivering to Steve's Hotdogs does now? Our recent experience with the City Park Jazz influx of traffic on lazy summer nights has made us cautious. We are frustrated by the speed with which this proposal is moving forward, because we do not want to be oppositional. We learned of the proposed zoning change in October. While waiting for more than six years for "something" (we thought a 5 story residential property), we've had insufficient time to digest the information; share our own ideas about what would work best and field those thoughts with respect to lighting, noise, design, and traffic; evaluating the ramifications and all the important details of how to assure that a mid-size grocery store will be a good neighbor.

We challenge the proposal because we want the concept of pedestrian shopping and the character of our neighborhood to be preserved. If 100 parking spaces are required by the lease; or 25,000 sf are necessary for a successful market; it is incumbent on the developer and architect to make that happen within the space already allocated, consistent with hardfought plans developed and negotiated over ten years. Our stately and beautiful home was built in 1918 – close to Colfax, its true. From our first, and second story windows, we still view homes built during the same era. We do not wish to change the view to a parking lot, surrounded by new growth trees and brick walls, though it may be. Our home and neighborhood deserve an urban neighborhood market which compliments them and meets the needs of the residents of South City Park and Congress Park, preserved, consistent with ten years of community dialogue and 100 years of thoughtful city leadership.

Sincerely,

Barbara Allen Ford

Chuck Ford

Blair Dunn  
1475 Cook Street  
Denver CO 80206

December 6, 2011

Dear Ms. Ittelson,

I have been in the neighborhood of the "Bluebird District" for eleven years and love the great neighborhood feel and am want to see it grow and improve. I am writing you to let you know that I support you in approving the re-zoning of the location where Sunflower Market project will be located.

It would be great for me and the community because:

It is a great company that I support with my shopping dollars already, good food and affordable.

We don't have a grocery store we can walk to now.

More people would walk to Sunflower in the area making neighborhood more walk able.

It would replace an abandoned building, safer for residence.

It would attract other good businessse to the area.

It would create community jobs and contribute to community sales.

Please don't let this opportunity for my neighborhood slip by.

With thanks,

Blair Dunn

To: Ellen Ittelson, Senior City Planner

From: Zachary C. Krevor, Sr. Aerospace Engineer at Sierra Nevada Corporation

1253 Monroe St., Denver, CO 80206

Dear Ellen:

I live between 12<sup>th</sup> and 13<sup>th</sup> St. on Monroe. When the Sunflower market was announced, my wife and I excitedly discussed its arrival. We shop at Sunflower and currently make the drive down Colorado and Hampden every week. Thus, personally and with an acknowledged biased view, we are very excited for a Sunflower to occupy the Colfax location. I am also excited about the growth in property value.

Now I'd like to discuss the opening objectively. I have read the forums and blogs and think the objections are misguided. This opening will bring jobs to our area, replace a blighted building, and no one has come up with an alternative idea. If Sunflower is disapproved, what alternative is currently vying for the same space? I have not heard of one alternative; thus, we'll continue to have an unused space occupied with a blighted building. Furthermore, there is always a "trickle down" effect for new business openings. With Sunflower opening, the nearby businesses will all benefit with additional traffic, from both Sunflower employees and people who visit the store.

Finally, I cannot understand any of the rationale of people who object, beyond not wanting to change. No one will notice the additional traffic on Colfax, just as no one would notice a potential traffic decrease on Colorado and Hampden if that Sunflower closed. It's not a liquor store or marijuana dispensary; thus, it will not attract a more derelict crowd. Finally, please note that Yelp.com, a noted review site, has only positive posts about how excited folks are about Sunflower moving in.

I cannot personally attend your meeting because I have to work. However, if there are additional objections beyond the ones I've considered, I would be interested to hear from you or someone on your staff to help rebut them. This really is a win all around for everyone and I would be extremely disappointed if the permit were disapproved.

Respectfully,

Zachary C. Krevor

State Representative  
ELIZABETH (BETH) McCANN  
Colorado State Capitol  
200 E. Colfax Avenue, Room 271  
Denver, CO 80203  
Capitol: 303-866-2959  
Email: beth.mccann.house@state.co.us



Vice Chair:  
Judiciary Committee  
Member:  
State, Veterans, & Military  
Affairs Committee

**COLORADO**  
**HOUSE OF REPRESENTATIVES**  
State Capitol  
Denver  
80203

December 9, 2011

Denver Planning Board

Dear Denver Planning Board Members:

I am writing to ask you to approve the zoning request that will allow Sunflower Market to locate on Colfax Avenue and Madison Street in Denver. This location is in my House district and has been the source of some concern because of the large number of vacant buildings in the surrounding area. The addition of such a well regarded grocery store in the neighborhood will be a welcome boost to the businesses and residents. As you probably realize, the inner city is lacking in the number of grocery stores that are accessible to urban dwellers. Often, residents are left with little choice except to pick up unhealthy food at a convenience store if they do not have access to transportation to larger grocery stores. This neighborhood does not currently have a grocery store. Sunflower Market is a well regarded company that carries healthy food at an affordable price.

In addition, having a productive healthy business in the neighborhood would eliminate a blighted building that has attracted crime, vagrancy and litter. By allowing the development of Sunflower Market, the city would encourage other businesses to locate in the area, promote the economy and create jobs. I have been told that Sunflower alone will create between 90-110 new jobs in our community with an average annual payroll of \$2.2 million dollars.

The city is presented with an opportunity to improve the business situation on the Colfax corridor, increase the number of people who will visit Colfax Avenue, create jobs, and provide healthy food choices to residents and those who work in the area. It seems to be a win/win for everyone.

I urge your support of the proposed zoning change.

Yours truly,

Elizabeth H. McCann  
State Representative  
House District 8

Plan Implementation  
Community Planning and Development  
201 W. Colfax Avenue Dept. 205  
Denver, CO 80202  
Re: Application 20111-00020

December 6, 2011

Dear Ms. Ellen ~~Httelson~~ <sup>Httelson</sup>:

I am writing in opposition to Application 20111-00020 to be heard before the Planning Commission on December 7, 2011.

I own and live in the property at 1557 Garfield Street, which I purchased in May, 2008.

Like most South City Park residents, I was thrilled to hear that a grocery store would be coming to our neighborhood, assuming that it would be within the three large commercially-zoned parcels along Colfax at Garfield/Monroe that are owned by the Rosen Property Group (sum of parcels 62,378 sf). A market with thoughtful design would fit well into that space and into the Main Street zoning concept that blends pedestrian-friendly retail districts into residential neighborhoods.

What would not fit well, and would indeed run counter to the concept of Main Street zoning and to the residential character of South City Park, is the present plan for a 25,000 sf store that would require demolishing three brick residences to make room for its large adjacent parking lot, and would encroach two thirds of the way into the blocks of Garfield and Monroe.

I think the Denver City planning document puts it well:

**"Commercial lot depths are particularly shallow in the Colfax Promenade (more so than along other parts of the corridor), and deep assemblages are limited by the presence of highly stable turn of the century neighborhoods to the north and south. Expansion of the commercial area beyond its existing boundaries would severely impact the adjacent residential neighborhoods, particularly South City Park which is only two blocks deep."**

The character of this neighborhood prompted my purchase of a home here. I also chose to buy my home because it had another residence beside it as a buffer from commercial developments along Colfax. The proposed map amendment would remove that buffer, and thus the visual and sound barrier between my home and a large active commercial parking lot.

Like many of my neighbors, I find myself opposing something that seemed so promising; because we were presented with a signed lease and a submitted rezoning proposal before we could engage the developers in meaningful discussion about alternative designs, or get written commitments on mitigations.

Alternatives are very possible, as exemplified by other urban grocery stores in Denver that provide excellent amenities with smaller footprints and respect for the characters of the neighborhoods in which they are situated. Two that come to mind are the SafeWay at 6<sup>th</sup> and Downing (24,675 sf on a 41,732 sf parcel, and the Vitamin Cottage on Leetsdale (12,046 sf on a 49,590 sf parcel).

I urge you to refrain from supporting this map amendment until sufficient consideration has been given to alternatives that would not have so large a negative impact on the neighbors and neighborhood.

Respectfully,

A handwritten signature in black ink, appearing to read "Marjorie A. Parkis". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Marjorie Parkis  
1557 Garfield St.  
Denver, CO 80206



Plan Implementation  
Community Planning and Development  
201 W. Colfax Avenue Dept. 205  
Denver, CO 80202  
Re: Application 20111-00020

December 7, 2011

Dear Ms. Ittelson:

This letter is a follow-on to the letter I submitted yesterday in opposition to Application 20111-00020 – zoning map amendment for 1532 Monroe, 1540 Monroe, and 1551 Garfield St.

Yesterday evening I had an opportunity to meet with Sean Mandel of the Rosen Properties Group, and Al Colussy, senior architect handling the design of the proposed development. Our conversation led me to soften my opposition to the proposed rezoning.

I found Mr. Mandel and Mr. Colussy sincere in their willingness to address my concerns and those of my neighbors, in terms of mitigating the effects of such a large project on our small, semi-historic neighborhood.

While I continue to hope for design modifications that would spare the residences on Monroe, I was made aware of constraints, when trying to attract a desirable commercial tenant, that make this unlikely. Primary among these being Sunflower Market's request for 100 parking spaces.

If it is possible to make rezoning contingent upon the Rosen Property Group (with support from the neighbors) making good faith efforts to try to convince Sunflower that a smaller parking lot would be acceptable, I would favor that approach. Otherwise, I would not oppose the rezoning.

Respectfully,



Marjorie Parkis  
1557 Garfield St  
Denver, CO 80206