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**TO:** Denver City Council  
**FROM:** Ryan Winterberg-Lipp, AICP, Senior City Planner  
**DATE:** July 28, 2016  
**RE:** Legislative Map Amendment Application #2015I-00124  
1100 N. Meade St. Unit Vacant; 1100 N. Meade St.; 1001 N. Meade St. Unit Vacant;  
1000 N. Newton St. Unit Vacant; 1048 N. Newton St. Unit Vacant; 1049 N. Stuart St.;  
1101 N. Perry St. Unit Vacant  
Rezoning from OS-A to E-SU-D1x and E-TU-C

### Staff Report and Recommendation

Based on the criteria for review of legislatively-sponsored Official Map Amendments in the Denver Zoning Code, Staff recommends approval of Legislative Map Amendment #2015I-00124 for a rezoning from OS-A to E-SU-D1x and E-TU-C.

### Request for Rezoning

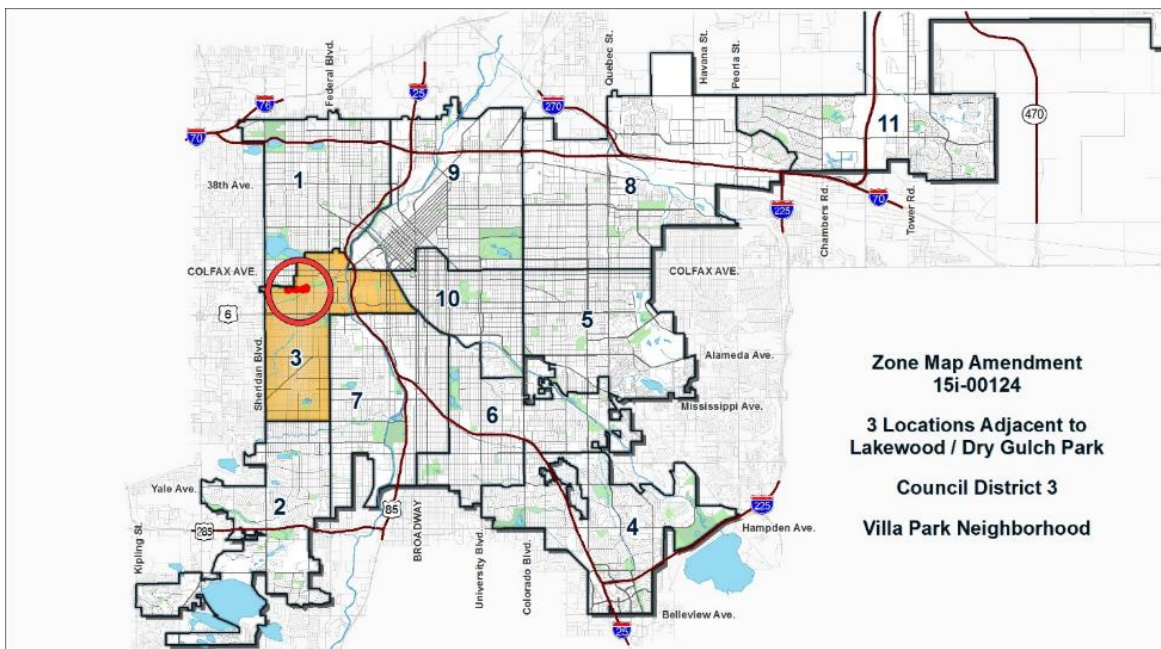
Application: #2015I-00124  
Address: 1100 N. Meade St. Unit Vacant; 1100 N. Meade St.; 1001 N. Meade St. Unit Vacant; 1000 N. Newton St. Unit Vacant; 1048 N. Newton St. Unit Vacant; 1049 N. Stuart St.; 1101 N. Perry St. Unit Vacant  
Neighborhood/Council District: Villa Park / Council District 3  
RNOs: Denver Neighborhood Association, Inc.; Inter-Neighborhood Cooperation; Sloan's Lake Citizen's Group; Villa Park Neighborhood Association; West Colfax Association of Neighbors  
Area of Property: 39,351 square feet  
Current Zoning: OS-A  
Proposed Zoning: E-SU-D1x and E-TU-C  
Property Owner(s): City and County of Denver (CCD)  
Owner Representative: City Councilman Paul López

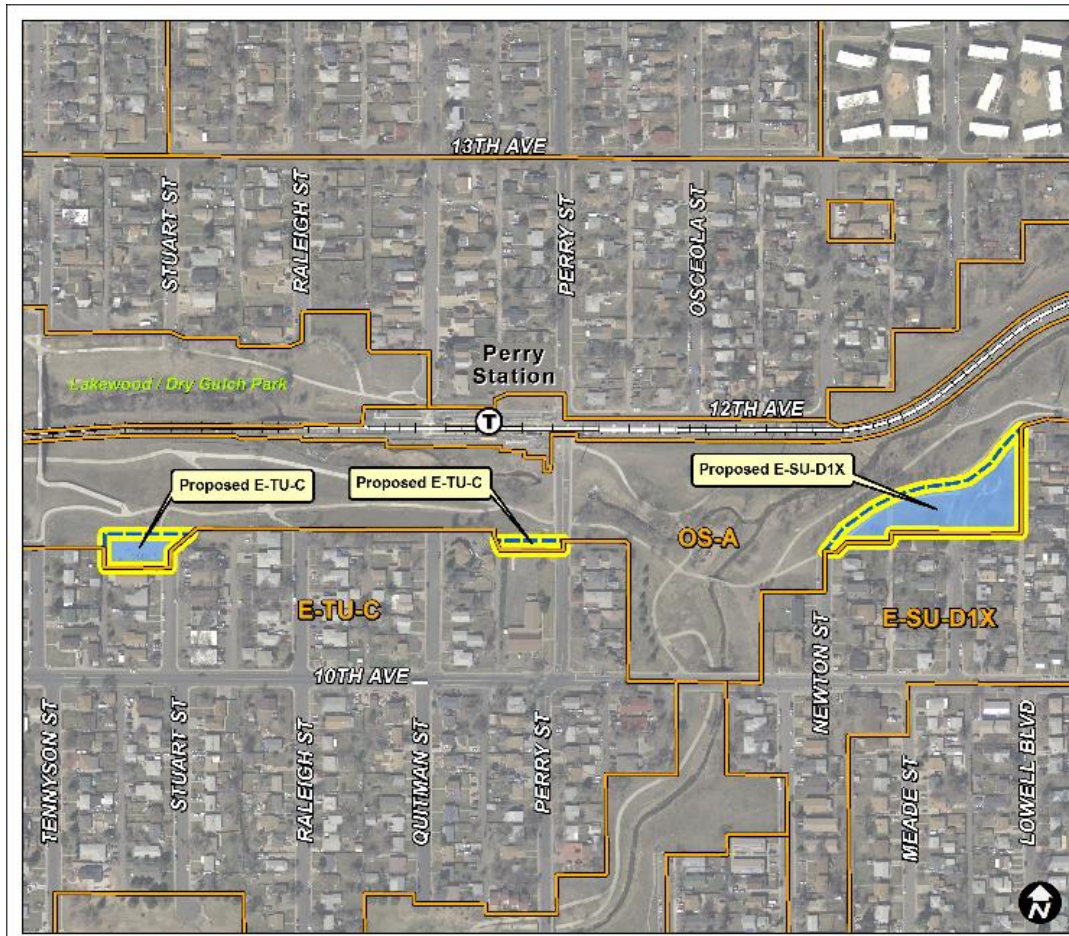
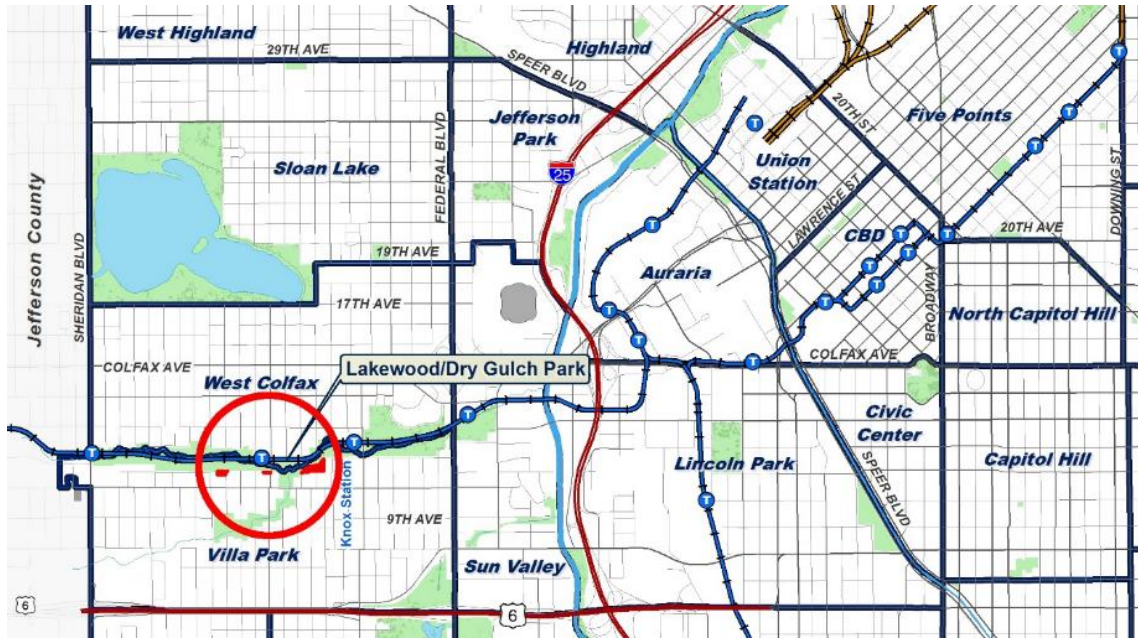
### Summary of Rezoning Request

- The subject properties are located in the Villa Park neighborhood and owned by the City of Denver. While they are near the City-designated Lakewood Gulch, they are separated from the Gulch by rights of way and are not included in the designated Lakewood Gulch park space. They are currently often used for illegal parking and dumping, and are generally poorly maintained.
- The subject properties are not maintained by the Department of Parks and Recreation (DPR), and have never appeared in a DPR database. The properties were discovered during survey

work for the City Council process to designate Lakewood Gulch as a City park in the fall of 2015. DPR has deemed the properties inappropriate and undesirable for development as City parks.

- These properties were incorrectly rezoned to OS-A during the Citywide rezoning effort in 2010 as a mistake of fact. OS-A zoning is intended to protect and preserve public parks owned, operated, or leased by the City and managed by the City's Department of Parks and Recreation for park purposes (Sec 9.3.2.1.A). These properties do not meet the intent of the OS-A zone district, and were rezoned in error based upon inaccurate map data illustrating park land.
- City Councilman Paul López is requesting a legislative map amendment to E-SU-D1x for the N. Meade and N. Newton Street properties and E-TU-C for the N. Perry and N. Stuart Street properties to return them to the appropriate single and two-unit zoning. The E-SU-D1x and E-TU-C zone districts, respectively, are adjacent to the subject sites.
- Prior to the Citywide rezoning, all sites were zoned R-2 in Former Chapter 59, a single and multi-unit zone district. The broader area surrounding the subject sites was also zoned R-2.
- Though a rezoning request does not approve a specific development or permit a specific use, the City intends to evaluate the subject sites for disposition as surplus properties for appropriate private development through a competitive, process after the rezoning. The rezoning request, however, does not preclude the properties from continued City ownership if disposition is deemed inappropriate.
- The requested E-SU-D1x zone district is in the Urban Edge Neighborhood context, allowing Single Unit uses. D indicates a minimum zone lot area of 6,000 square feet. The 1 designation indicates that Accessory Dwelling Units are allowed, and the x designation indicates that both the Suburban House and Urban House building forms are allowed. The E-TU-C zone district is in the Urban Edge Neighborhood context, allowing Two Unit uses, with the Urban House, Accessory Dwelling Unit, Duplex, and Tandem House forms. C indicates a minimum zone lot area of 5,500 square feet. Further details of the zone districts can be found in Article 4 of the Denver Zoning Code (DZC).





**Existing Context**

The following table summarizes the existing context proximate to the subject site:

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	OS-A	Vacant	Vacant	Block sizes and shapes are consistently oblong, and alleys are occasionally present.  Lots generally have more depth than width at the street.  The street pattern is interrupted by Lakewood Gulch, and the RTD West Line runs through the gulch.
North	OS-A	Designated City Park and RTD light rail	Park space and station platform	
South	E-SU-D1x, E-TU-C	Church, single family, duplex	Low-scale, generally one story structures; often driveway access from the street	
East	E-SU-D1x, E-TU-C	Single family, duplex	Low-scale, generally one story structures; often driveway access from the street	
West	E-SU-D1x, E-TU-C	Single family, duplex	Low-scale, generally one story structures; often driveway access from the street	

The sites are located to the south of Lakewood Gulch and RTD’s W Line, separated from the park space by City rights of way. The dedication of streets and alleys in this area in 2005 further delineated these lots from Lakewood Gulch. The N. Meade and N. Newton Street properties were acquired from the Public Service Company of Colorado in 1992 as part of a larger acquisition along the Gulch. They are irregularly shaped due to the curvilinear alignment of 12<sup>th</sup> Ave. The N. Stuart Street property was acquired by a tax deed in 1937, and it has a typical orientation and rectangular shape. The N. Stuart Street parcel is separated from Lakewood Gulch by an alley. The N. Perry Street property was purchased from the adjacent owner in 2001 for the creation of future rights of way; however, a 2,200 square foot remnant parcel remained after the alley dedication located between the adjacent church property and the newly created alley.

The immediately surrounding area is consistently low scale single-unit and two-unit residential. Alleys are occasionally present and often unimproved, but vehicular access is generally taken from the street. The subject sites are located no more than 2,000 feet walking distance at the furthest point from the Perry Street Station on the RTD W Line. The W Line runs along the adjacent Lakewood Gulch park space and trail.

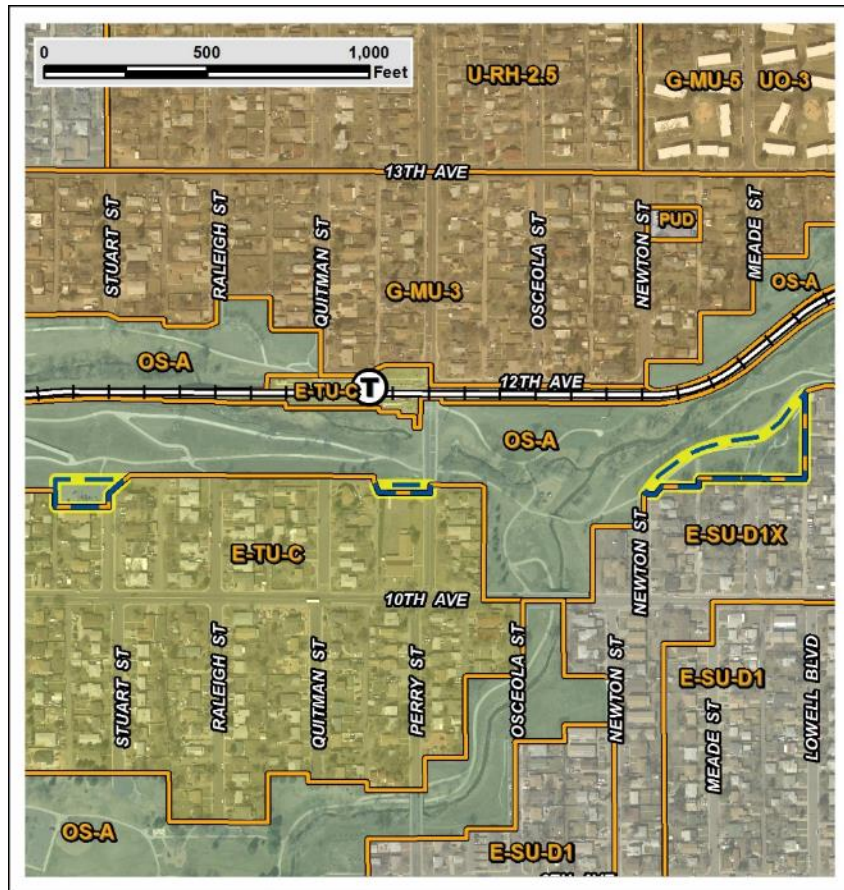
**1. Existing Zoning**

The sites are currently zoned OS-A, the Open Space Parks District. The sites were rezoned to OS-A in error during the 2010 citywide rezoning based upon inaccurate GIS data illustrating park land. The sites

were most likely assumed to be included in Lakewood Gulch as a result of their City ownership, but have never appeared in a Parks and Recreation database and have never been maintained by the Department of Parks and Recreation. Additionally, mapping data was seemingly never updated to reflect the dedication of various rights-of-way in 2005 that further delineated the subject sites from Lakewood Gulch.

With the recent designation of Lakewood Gulch as a City park in 2015 by action of the Denver City Council, the subject sites were not included in the official Lakewood Gulch area.

The OS-A district was introduced as part of the adoption of the Denver Zoning Code in 2010 and is intended to protect and preserve public parks owned, operated, or leased by the City's Department of Parks and Recreation for park purposes (DZC 8.3.2.1.A). However, the subject sites are not owned, operated, or leased by DPR and do not function as public parks. With further, site-specific analysis undertaken as part of the designation of Lakewood Gulch as a City park, it was discovered that the subject sites are not included in Lakewood Gulch and do not meet the intent of OS-A zoning. Additionally, the boundary between designated park space and properties not maintained as City parks is clear after the 2015 designation of Lakewood Gulch. As such, the sites do not meet the intent of the OS-A zone district.



## 2. Existing Land Use Map

As seen in the Existing Land Use Map on the following page, the subject sites are vacant, and while they are symbolized as Open Space, they do not function as public open spaces. The sites are likely included in the Lakewood Gulch open space category due to their proximity and City ownership. In the surrounding area, Lakewood Gulch divides a consistently single and two-unit surrounding area with one public, religious institution use.



**3. Existing Building Form and Scale**



1100 N. Meade St. Unit Vacant, looking south



1100 N. Meade St., looking north



1001 N. Meade St. Unit Vacant, looking West



1000 N. Newton St., looking East



1101 N. Perry St. Unit Vacant, looking West



1049 N. Stuart St, looking West



Church to the south of the N. Perry St. site

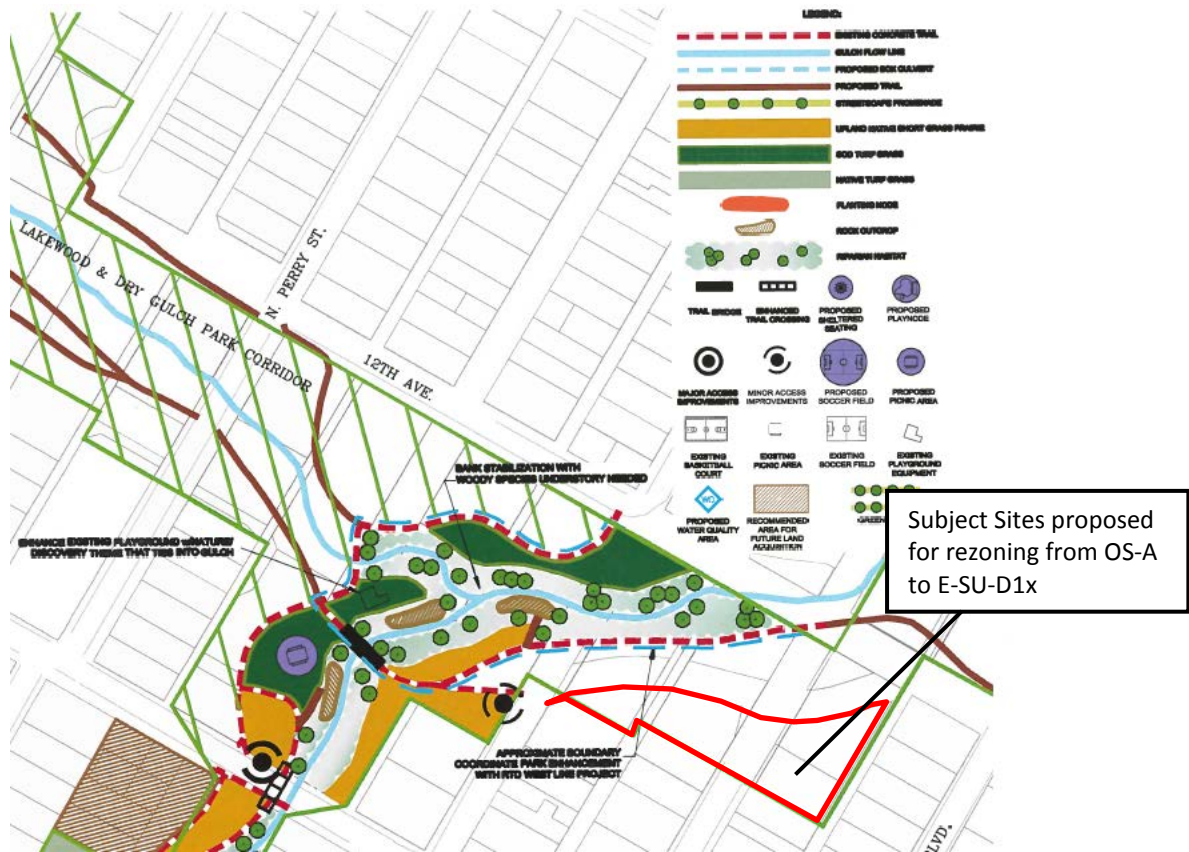


Typical, low-scale single-unit residential

#### **4. Denver Parks and Recreation Gulch Master Plan (2009)**

The *Gulch Master Plan* was created to define the vision for Denver’s gulch park systems and create an implementation strategy for the desired design. The *Gulch Master Plan* was not adopted by the Denver City Council, but serves as a guiding document for the park, and therefore provides direction for the properties that are near the Gulch. The scope of the *Gulch Master Plan* terminates at the confluence of Lakewood Gulch and Dry Gulch, near the alignment of N. Osceola St. As seen on the following page, the Lakewood Gulch concept plan excludes the City-owned subject sites from development as part of Lakewood Gulch. Additionally, the dashed red line shown on the concept plan indicates the “Approximate Boundary” of Lakewood Gulch Park, and the subject sites on N. Meade and N. Newton Streets are not included in the park. The *Gulch Master Plan* further defines that the subject sites were never intended for inclusion in Lakewood Gulch, and it is therefore appropriate to rezone them from the OS-A zone district. The N. Perry and N. Stuart Street properties are not included within the scope of the *Gulch Master Plan*.





**Summary of City Agency Referral Comments**

As part of the DZC review process, the rezoning application is referred to potentially affected City agencies and departments for comment. A summary of agency referral responses follows:

**Asset Management:** Approved – No Comments

**Development Services – Project Coordination:** Approved – No Comments

**Denver Fire Department:** Approved – No Comments

**Development Services – Wastewater:** Approved – No Comments

**Parks and Recreation:** Approved – See Letter Included in Application

**Public Works – City Surveyor:** Approved – No Comments

**Environmental Health:** Approved – See Comments:

Notes. DEH concurs with the proposed zoning change.

General Notes: Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas intrusion into buildings, DEH suggests installation of a radon mitigation system in structures planned for human occupation or frequent use. It may be more cost effective to install a radon system during new construction rather than after construction is complete.

Scope & Limitations: DEH performed a limited search for information known to DEH regarding environmental conditions at the subject site. This review was not intended to conform to ASTM standard practice for Phase I site assessments, nor was it designed to identify all potential environmental conditions. In addition, the review was not intended to assess environmental conditions for any potential right-of-way or easement conveyance process. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

**Development Services – Transportation:** Approved – No Comments

#### Public Review Process

- Staff from CPD and DPR attended the Inter-Neighborhood Parks and Recreation Committee on January 19, 2016, the Villa Park Neighborhood Association on January 27, 2016, and the Sloan's Lake Citizen's Group meeting on February 10, 2016 along with the City Council office to explain the rezoning proposal.
- CPD staff provided Informational notice of receipt of the rezoning application to affected members of City Council and registered neighborhood organizations (RNOs) on March 3, 2016.
- The property was legally posted for a period of 15 days announcing the April 6, 2016, Denver Planning Board public hearing, and written notification of the hearing was sent to all affected registered neighborhood organizations and City Council members. **The Denver Planning Board voted unanimously in favor (9-0) to recommend approval of the map amendment to City Council.**
- The Neighborhoods and Planning Committee (PLAN) of City council met to consider this request and move the bill out of Committee on April 20, 2016. Written notification was sent to all affected registered neighborhood organizations and City Council members on April 5, 2016.
- The property was posted for a period of 21 days announcing the July 11, 2016 Denver City Council public hearing. On July 11, the Denver City Council took action to delay the public hearing until August 1 to comply with public notice provisions of the Denver Zoning Code.
- The property was posted for a period of 21 days announcing the August 1, 2016 Denver City Council public hearing and written notification of the hearing was sent to all affected registered neighborhood organizations and City Council members on July 11, 2016.
- The RNOs identified on page 1 were notified of this application. At the time of this staff report, nineteen emails and letters have been received:
  - One letter of support has been received from the Inter-Neighborhood Cooperation Parks and Recreation Committee Co-Chairs, Cindy Johnstone and Maggie Price.
  - One email of support has been received from Niles Emerick, a Villa Park resident, supporting the rezoning as an opportunity to improve neighborhood character.

- Two letters of opposition and two emails of opposition have been received from Jennifer Qualteri, a West Colfax resident, requesting that the parcels remain undeveloped, be given to a neighborhood or non-profit organization, or remain as “greenways.” One email received 7/28/16 addresses the protest petition submitted by Ms. Qualteri that did not constitute a legal protest. *Note: the proposed rezoning does not prevent the lots from remaining vacant or an eventual transfer for community purposes. Photographs of properties included in the letter received 7/27/16 do not identify the correct boundaries of the proposed rezoning. Two of the photographs are images of the designated Lakewood Gulch park, areas not proposed for rezoning. The email dated 7/28/16 incorrectly states that the proposed zone districts would allow for the construction of rowhouses. Neither the rowhouse building form nor multi-unit use are allowed in the proposed zone districts.*
- One email of opposition from Kathy Sandoval, a Villa Park resident, requesting that the alley adjacent to the Perry Street parcel be vacated and integrated into Lakewood Gulch. *Note: the proposed rezoning does not preclude the vacation or improvement of the adjacent alley. Vacation of the alley will present access challenges, however, and would require the acquisition of additional property by the City to maintain access.*
- Three emails of opposition from Tony, Mary Grace Legg, and Anthony Terrafranca request that the sites be used as community gardens or urban farms. *Note: the proposed rezoning does not preclude the use of the sites for community gardens or urban farms.*
- One email of opposition from Jennifer C. O’Connell requesting that the parcels remain undeveloped and be included in the Lakewood Gulch park area to preserve neighborhood character.
- One email of opposition from Gregory Moore requesting that the parcels remain undeveloped in support of wildlife habitat.
- One email in opposition from Jacob Actkinson requesting that the N. Stuart Street parcel remain undeveloped to preserve the view of Denver from his home. *Note: adopted plans do not recommend preventing development for the preservation of views from private properties. No view plane exists for the subject sites or surrounding area.*
- One email from John E Gaspari II in opposition requesting that the properties remain vacant to stay natural areas in support of wildlife habitat.
- One handwritten note in opposition from an unidentified member of the Set Free Church (1001 N. Perry Street) requesting that the property remain vacant.
- One handwritten note from Manuela Galbadon opposing the rezoning because the Set Free Church does not need the (N. Perry Street) property.
- Three pieces of paper signed by Sanja M. Nielsen, an unidentified individual, and Lois Durisseau without comment, members of the Set Free Church (1001 N. Perry Street).

## Criteria for Review / Staff Evaluation

The criteria for review of this legislative map amendment application are found in DZC, Sections 12.4.10.7, as follows:

### DZC Section 12.4.10.7

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

#### 1. Consistency with Adopted Plans

The following adopted plans apply to this property:

- *Denver Comprehensive Plan 2000*
- *Blueprint Denver (2002)*
- *West Colfax Plan (2006)*
- *Villa Park Neighborhood Plan (1991)*

#### Denver Comprehensive Plan 2000

Denver's *Comprehensive Plan 2000* identifies a set of broad guiding principles that unite to form a coherent and compelling vision of a livable city. The proposed rezoning to E-SU-D1x and E-TU-C is consistent with many *Denver Comprehensive Plan 2000* strategies, including:

- **Environmental Sustainability Strategy 2-F** – *Conserve land by: promoting infill development with 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. Creating more density at transit nodes. (pg. 39-40)*
- **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. (pg. 60)*
- **Neighborhood Strategy I-F** – *Invest in neighborhoods to help meet citywide goals and objectives for a range of housing types and prices, community facilities, human services and mobility. Continue to foster integrity and livability of neighborhoods. (pg. 150)*

The proposed map amendment application to E-SU-D1x and E-TU-C will apply zone districts consistent with the surrounding area and will facilitate infill development that is consistent with the character of the adjacent neighborhood. Additionally, the rezoning will facilitate new investment opportunities in the Villa Park neighborhood to enhance the community's livability and vitality. With close proximity to light rail, the subject sites are an opportunity to reduce sprawl through appropriate infill development at a location where infrastructure and services are already in place. The rezoning is consistent with these Plan recommendations.



### **Area of Change / Area of Stability**

The subject sites are also designated as a *Blueprint Denver* Area of Stability, likely a mapping error as part of the Lakewood Gulch greenway corridor. Nevertheless, the rezoning application is consistent with the *Blueprint Denver* Area of Stability recommendations through reinvestment consistent with the existing character, mix of land uses, and building forms. However, the subject sites are surrounded by an Area of Change. *Blueprint Denver* recommends directing growth to the surrounding area to improve access to jobs, housing, and services given the proximity to the RTD W Line and station at N. Perry Street. It is appropriate to direct single-unit and two-unit development to these sites given this surrounding Area of Change designation.

### **Street Classifications**

While the subject sites are generally inwardly focused, *Blueprint Denver* street classifications offer guidance for appropriate zone districts. W. 10<sup>th</sup> Avenue is identified as a Residential Collector in *Blueprint Denver*. According to *Blueprint Denver*, “collectors are designed to provide a greater balance between [multimodal] mobility and land access within residential, commercial and industrial areas” (pg. 51). N. Perry Street is designated as a Main Collector given that it serves as a critical connection across Lakewood Gulch and is adjacent to the Perry Street Station. According to *Blueprint Denver*, “Main streets serve the highest intensity retail and mixed land uses in areas such as downtown and in regional and neighborhood centers. Main streets are designed to promote walking, bicycling, and transit within an attractive landscaped corridor” (pg. 56). N. Stuart Street, N. Newton Street, and N. Meade Streets are all classified as Undesignated Locals and will provide primarily local access to the subject sites. With these street classification, it is appropriate to encourage infill development consistent with neighborhood character at the subject sites through the requested zone districts.

### **Small Area Plan: West Colfax Plan (2006)**

The *West Colfax Plan* (2006) applies to the surrounding area and provides the direction to protect and enhance the stability, livability, urban character, and economic vitality of this inner-urban area while guiding change over time (pg. 9).

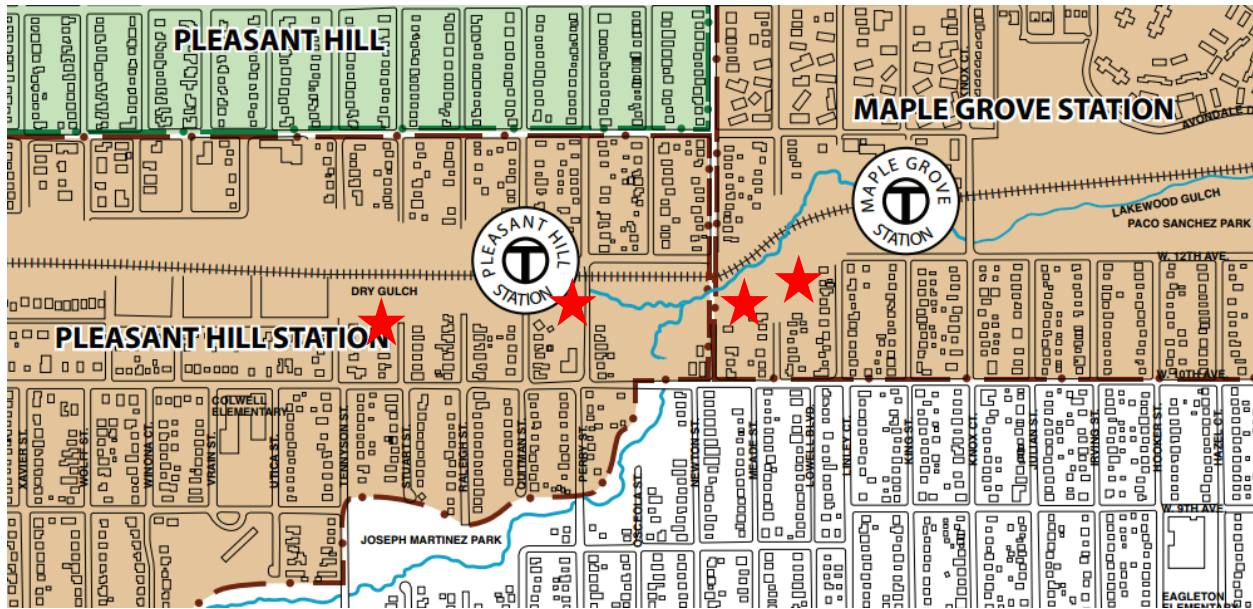


The subject sites are omitted from the land use framework in the *West Colfax Neighborhood Plan* as seen above, but they are adjacent to the “Urban Neighborhood Station” land use. Urban Neighborhood Station areas are defined as an evolving and flexible development pattern near stations. They are “variable compact, dense – highest intensity focused around the station platform” with single-family and multi-family residential uses with buildings 1-5 stories in height. “Development may progress initially from residential additions and rehabilitations to the addition of carriage houses and conversion of single-family structures to duplexes, triplexes and quads. Over the long-term, some more significant and welcome redevelopment may occur, adding small and medium scale apartments or condominium buildings in close proximity to the station areas” (pg. 85). The rezoning request to E-SU-D1x and E-TU-C is consistent with the residential infill seen within Urban Neighborhood Station areas, and particularly with the existing largely single family and duplex context at the Perry Street Station.

At the time of *West Colfax Plan’s* adoption, Lakewood Gulch was not designated as a City park, so the boundary between the subject sites and the park would not have been provided with the clarity available today.

The *West Colfax Plan* also includes District Plans that offer sub-area guidance throughout the plan’s geography. As stated, “The purpose of the District Plans section is to distinguish the unique attributes of distinct parts of the neighborhood. [...] District Plans do not imply zoning changes per se (please refer to the framework plan for guidance about zoning changes). The District Plans provide direction about unique places or niches within the larger community and may include both areas of change and areas of stability. Should zoning changes occur, the District Plans provide guidance regarding the appropriate character and scale of an area. However, the overriding intent of this section is to create a finer-grained

sense of place within portions of the study area” (pg. 120). Accordingly, recommendations from the District Plan sections will only be used to inform the desired future character of the subject sites.



In general, the *West Colfax Plan* recommends establishing appropriate regulatory conditions and incentives to facilitate redevelopment of the edges of the Villa Park neighborhood near rail facilities (pg. 142). Specifically, the N. Meade and N. Newton Street properties are located in the Maple Grove Station District Plan, where the plan states that the area presents the greatest opportunity for redevelopment (pg. 142). The N. Perry and N. Stuart Street sites are located within the Pleasant Hill Station District Plan area, where redevelopment is likely to occur more gradually near light rail stations consistent with neighborhood character (pg. 142-143). The *West Colfax Plan* also recommends that the relationship between residential uses and public open spaces should be enhanced through the orientation of new construction to face the parkland and capitalize on views (pg. 143). However, the plan does not offer recommendations on the preservation of views from individual private properties to specific locations or the creation of regulatory tools to preserve views, including view planes.

#### **Small Area Plan: Villa Park Neighborhood Plan (1991)**

The Villa Park Neighborhood Plan envisions that, “Villa Park will continue to be a neighborhood of mostly single-unit houses, with a few small apartment buildings and apartment complexes interspersed with the houses (pg. 2). Accordingly, specific strategies include **Strategy LZ-1: Discourage Higher Density Development**; and **Strategy LZ-2: Discourage Development that is Incompatible with the Scale and Quality of the Neighborhood** (pg. 18). Additional vision strategies call for “A strong and vital residential neighborhood,” and the rezoning request to E-SU-D1x and E-TU-C is consistent with this recommendation by applying zoning consistent with the surrounding neighborhood (pg. 21). Beyond land use, the *Villa Park Neighborhood Plan* envisions “improving neighborhood environmental conditions,” including dumping, and providing uniform sidewalk, street, curb, and gutter improvements (pg. 33, 46). Such improvements may be achieved through infill development at the subject sites.



Additional “eyes on the park” achieved through adjacent appropriate development will also implement further recommendations to develop Lakewood Gulch as a neighborhood asset and improve safety (pg. 48). The proposed rezoning to E-SU-D1x and E-TU-C is consistent with the *Villa Park Neighborhood Plan*.

## **2. Uniformity of District Regulations and Restrictions**

The proposed legislative map amendment to E-SU-D1x and E-TU-C will result in the uniform application of zone district building form, use, and design regulations. Additionally, the legislative map amendment will result in the uniform application of Denver Zoning Code zoning standards on non-park properties consistent with the surrounding context. The current OS-A zoning does not result in the uniform district regulations and restrictions as the zone district standards are applied to non-park properties.

## **3. Public Health, Safety and General Welfare**

The proposed legislative map amendment furthers the public health, safety, and general welfare of the City primarily through implementation of the City’s adopted land use plans including *Comprehensive Plan 2000*, *Blueprint Denver*, the *West Colfax Neighborhood Plan*, and the *Villa Park Neighborhood Plan*. Additionally, as stated in the application, appropriate infill development will improve site conditions.

### **Staff Recommendation**

Based on the analysis set forth above, CPD staff finds that the legislative map amendment at 1100 N. Meade St. Unit Vacant; 1100 N. Meade St.; 1001 N. Meade St. Unit Vacant; 1000 N. Newton St. Unit Vacant; 1048 N. Newton St. Unit Vacant; 1049 N. Stuart St; 1101 N. Perry St. Unit Vacant to E-SU-D1x and E-TU-C as described meets the requisite review criteria. Accordingly, staff recommends approval of the legislative map amendment.

### **Attachments**

1. Application
2. Letters Received

## Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<p><b>*If More Than One Property Owner:</b>            All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p><b>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</b></p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<input type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.  Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.
	<input type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.
	<input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <input type="checkbox"/> The existing zoning of the land was the result of an error. <input type="checkbox"/> The existing zoning of the land was based on a mistake of fact. <input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage. <input type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area. <input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code.  Please provide an attachment describing the justifying circumstance.
	<input type="checkbox"/> 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.  Please provide an attachment describing how the above criterion is met.
	Please provide an attachment describing how the above criterion is met.

## REQUIRED ATTACHMENTS

Please ensure the following required attachments are submitted with this application:

- Legal Description (required to be attached in Microsoft Word document format)
- Proof of Ownership Document(s)
- Review Criteria

## ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)

Please list any additional attachments:



# REZONING GUIDE

Rezoning Application Page 3 of 3

## PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION

We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (YES/NO)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	NO
City and County of Denver	201 West Colfax Ave Denver, CO 80202	100%	<i>[Signature]</i>	<i>2/29/16</i>	A	NO - see note below
Application initiated by member of City Council. No owner authorization required per 12.4.10.4.A.1.a.						



**TO:** Deirdre Oss, Senior City Planner  
**FROM:** Gordon Robertson, Director of Park Planning Design & Construction  
**SUBJECT:** City Properties at approximately 1100 Meade Street  
**DATE:** February 29, 2016

**Concerning the status of the following city properties:**

1100 N Meade St. (unit vacant)	Schedule No. 0506416025000
1100 N Meade St.	Schedule No. 0506416002000
1001 N Meade St. (unit vacant)	Schedule No. 0506415031000
1000 N Newton St. (unit vacant)	Schedule No. 0506415030000
1048 N Newton St. (unit vacant)	Schedule No. 0506415029000
1049 N Stuart St.	Schedule No. 0506409023000
1101 Perry St. (unit vacant)	Schedule No. 0506412016000

These parcels were acquired from Public Service Company of Colorado as part of a larger acquisition in January of 1992 as recorded in Quit Claim Deed at Reception No. R-92-0008428 in the Clerk and Recorder's Office. There were no restrictions cited in the deed. The City Charter is clear on how city property becomes a designated park. It states: "no land acquired by the City after December 31, 1955, shall be deemed a park unless specifically designated a park by ordinance". There is no City ordinance that designates these parcels as park. Additionally, these parcels are separated from the park by existing W. 12<sup>th</sup> Ave. which has formally been dedicated as right-of-way. They have not appeared in parks inventory list and have not been maintained by the Parks Department. Development of these parcels has not occurred nor has development by the Parks Department been considered. Concept plans for Lakewood/Dry Gulch Park completed in the late 1990's identify these parcels as City owned with the intention of being conveyed to others. The properties are currently zoned OS-A; however, this zoning is not consistent with historic or planned use. The Parks Dept is in support of Re-Zoning these properties and making them available for acquisition.

Sincerely,

Gordon Robertson  
Director of Parks Planning

1000 Newton St. – Sch# 0506415030000

LAND DESCRIPTION

A parcel of land lying in the NE quarter of Section 6, Township 4 S, Range 68 west of the 6<sup>th</sup> PM, City and County of Denver, State of Colorado.

Those portions of Lots 8-11, Block 15, West Villa Park, lying southeasterly of the southeasterly right-of-way dedicated as W. 12<sup>th</sup> Ave. by Ordinance 798, Series of 2005.

# Denver Property Taxation and Assessment System

[New Search](#)

1000 NEWTON ST UNIT VCNT

Owner	Schedule Number	Legal Description	Property Type	Tax District
CITY & COUNTY OF DENVER 201 W COLFAX AVE 401 DENVER, CO 80202-5330	0506415030000	WEST VILLA PARK BLK 15 L10 & 11 & PT L8 & L9 BEG SE COR L9 TH W TO PT ON S LI L9 TH NE TO TO PT ON W LI L8 TH S TO POB EXC PTN TO STREET PER DED ORD 2005-0798	VACANT LAND	DENV



[Property Summary](#)

[Property Map](#)

## Assessment

**Actual Value Year:** 2015 **Actual Value:** \$6,800 [More](#)

## Property

**Year Built:** 0 **Square Footage:** 0 [More](#)

## Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price

1001 Meade St. – Sch# 0506415031000

LAND DESCRIPTION

A parcel of land lying in the NE quarter of Section 6, Township 4 S, Range 68 west of the 6<sup>th</sup> PM, City and County of Denver, State of Colorado.

All of Lots 39-40 and those portions of Lots 41-42, Block 15, West Villa Park, lying south of the southerly right-of-way dedicated as W. 12<sup>th</sup> Ave. by Ordinance 798, Series of 2005.



# Denver Property Taxation and Assessment System

[New Search](#)

1001 MEADE ST UNIT VCNT

Owner	Schedule Number	Legal Description	Property Type	Tax District
CITY & COUNTY OF DENVER 201 W COLFAX AVE 401 DENVER , CO 80202-5330	0506415031000	WEST VILLA PARK BLK 15 L39 TO L42 EXC PTN TO STREET PER DED ORD 2005-0798	VACANT LAND	DENV



[Property Summary](#)

[Property Map](#)

## Assessment

<b>Actual Value Year:</b>	<b>2015</b>	<b>Actual Value:</b>	<b>\$15,500</b>
	<a href="#">More</a>		

## Property

<b>Year Built:</b>	<b>0</b>	<b>Square Footage:</b>	<b>0</b>
<a href="#">More</a>			

## Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price
-----------------------------	---------	-----------------	-------------

No comparables available for this property.

[More](#)

1048 Newton St. – Sch# 0506415029000

LAND DESCRIPTION

A parcel of land lying in the NE quarter of Section 6, Township 4 S, Range 68 west of the 6<sup>th</sup> PM, City and County of Denver, State of Colorado, being a portion of Lots 12-13, Block 15, West Villa Park.

That portion of the property conveyed to The City and County of Denver by deed recorded at reception number 1999193945 lying southeasterly of the southeasterly right-of-way dedicated as W. 12<sup>th</sup> Ave. by Ordinance 798, Series of 2005.

# Denver Property Taxation and Assessment System

[New Search](#)

1048 NEWTON ST UNIT VCNT

Owner	Schedule Number	Legal Description	Property Type	Tax District
CITY & COUNTY OF DENVER 201 W COLFAX AVE 401 DENVER , CO 80202-5330	0506415029000	WEST VILLA PARK B15 L12 & 13 BEG NW COR L12 TH E 22.83FT SW34.85FT N 26.34FT TO POB EXC PTN TO STREET PER DED ORD 2005-0798	VACANT LAND	DENV



[Property Summary](#)

[Property Map](#)

## Assessment

Actual Value Year: 2015 Actual Value: \$100 More

## Property

Year Built: 0 Square Footage: 0 More

## Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price
-----------------------------	---------	-----------------	-------------

No comparables available for this property.

1049 Stuart St. – Sch# 0506409023000

LAND DESCRIPTION

A parcel of land lying in the NE quarter of Section 6, Township 4 S, Range 68 west of the 6<sup>th</sup> PM, City and County of Denver, State of Colorado.

Lots 35-37, Block 9, West Villa Park, excepting therefrom that land dedicated as public alley by Ordinance 798, Series of 2005 lying northwesterly of a line beginning at a point 20 feet east of the NW corner of said lot 37 and terminating at a point 20 feet south of the NW corner of said lot 37.

# Denver Property Taxation and Assessment System

[New Search](#)

1049 STUART ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
CITY & COUNTY OF DENVER 144 W COLFAX AVE DENVER , CO 80202-5391	0506409023000	L 35 TO 38 INC BLK 9 WEST VILLA PARK EXC A PORTION DAF *	VACANT LAND	DENV



[Property Summary](#)

[Property Map](#)

## Assessment

<b>Actual Value Year:</b>	<b>2015</b>	<b>Actual Value:</b>	<b>\$15,500</b>
	<a href="#">More</a>		

## Property

<b>Year Built:</b>	<b>0</b>	<b>Square Footage:</b>	<b>0</b>
<a href="#">More</a>			

## Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price
-----------------------------	---------	-----------------	-------------

No comparables available for this property.

[More](#)

1100 Meade St. north – Sch# 0506416025000

LAND DESCRIPTION

A parcel of land lying in the NE quarter of Section 6, Township 4 S, Range 68 west of the 6<sup>th</sup> PM, City and County of Denver, State of Colorado.

All of Lot 7 and those portions of Lots 1-6, Block 16, West Villa Park, lying southeasterly of the southeasterly right-of-way dedicated as W. 12<sup>th</sup> Ave. by Ordinance 798, Series of 2005.

# Denver Property Taxation and Assessment System

[New Search](#)

1100 MEADE ST UNIT VCNT

Owner	Schedule Number	Legal Description	Property Type	Tax District
CITY & COUNTY OF DENVER 201 W COLFAX AVE 401 DENVER , CO 80202-5330	0506416025000	WEST VILLA PARK BLK 16 L5 TO 7 & PT L4 EXC PT TO STREET PER DED ORD 2005-0798	VACANT LAND	DENV



Property Summary

[Property Map](#)

## Assessment

<b>Actual Value Year:</b>	<b>2015</b>	<b>Actual Value:</b>	<b>\$4,500</b>
	<a href="#">More</a>		

## Property

<b>Year Built:</b>	<b>0</b>	<b>Square Footage:</b>	<b>0</b>
<a href="#">More</a>			

## Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price
-----------------------------	---------	-----------------	-------------

No comparables available for this property.

[More](#)

1100 Meade St. south – Sch# 0506416002000

LAND DESCRIPTION

A parcel of land lying in the NE quarter of Section 6, Township 4 S, Range 68 west of the 6<sup>th</sup> PM, City and County of Denver, State of Colorado.

Lots 8-10, Block 16, West Villa Park.



# Denver Property Taxation and Assessment System

[New Search](#)

1100 MEADE ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
CITY & COUNTY OF DENVER 201 W COLFAX AVE 401 DENVER , CO 80202-5330	0506416002000	L 8 TO 10 INC BLK 16 WEST VILLA PARK	VACANT LAND	DENV



[Property Summary](#)

[Property Map](#)

## Assessment

<b>Actual Value Year:</b>	<b>2015</b>	<b>Actual Value:</b>	<b>\$14,100</b>
	<a href="#">More</a>		

## Property

<b>Year Built:</b>	<b>0</b>	<b>Square Footage:</b>	<b>0</b>
<a href="#">More</a>			

## Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price
-----------------------------	---------	-----------------	-------------

No comparables available for this property.

[More](#)

1101 Perry St. – Sch# 0506412016000

LAND DESCRIPTION

A parcel of land lying in the NE quarter of Section 6, Township 4 S, Range 68 west of the 6<sup>th</sup> PM, City and County of Denver, State of Colorado.

That portion of Lot 37, Block 12, West Villa Park, lying southerly of the southerly right-of-way dedicated as public alley by Ordinance 798, Series of 2005.

# Denver Property Taxation and Assessment System

[New Search](#)

1101 PERRY ST UNIT VCNT

Owner	Schedule Number	Legal Description	Property Type	Tax District
CITY & COUNTY OF DENVER 201 W COLFAX AVE 401 DENVER , CO 80202-5330	0506412016000	WEST VILLA PARK BLK 12 L17 EXC PT TO STREET PER DED ORD 2005-0798	VACANT LAND	DENV



[Property Summary](#)

[Property Map](#)

## Assessment

Actual Value Year: 2015 Actual Value: \$3,400  
[More](#)

## Property

Year Built: 0 Square Footage: 0  
[More](#)

## Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price
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No comparables available for this property.

[More](#)

## Consistency with Adopted Plans

### **Comprehensive Plan 2000**

The rezoning request is consistent with Comprehensive Plan 2000 and the following specific strategies:

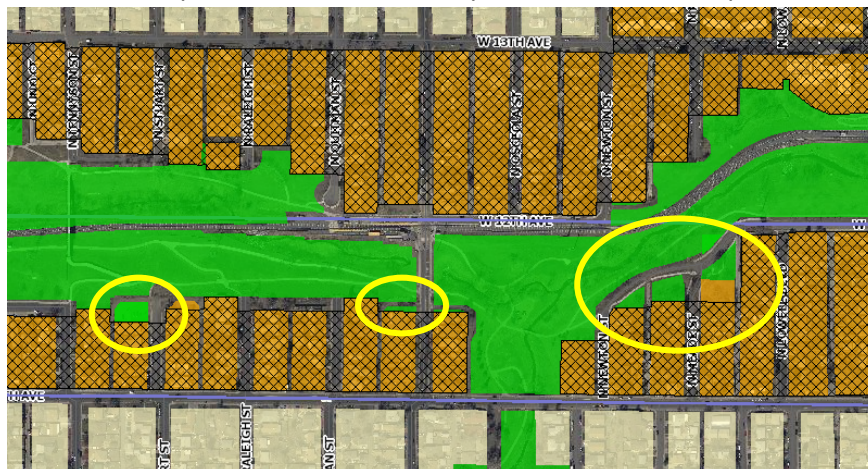
- Environmental Sustainability Strategy 2-F – *Conserve land by promoting infill development with Denver at sites where services and infrastructure are already in place* (pg. 39)
- Land Use Strategy 3-B – *Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.* (pg 60)
- Neighborhood Strategy 1-F – *Invest in neighborhoods to help meet citywide goals and objectives for a range of housing types and prices, community facilities, human services and mobility. Continue to foster integrity and livability of neighborhoods.* (pg 150)

The map amendment application to E-SU-D1x and E-TU-C will apply zone districts consistent with the surrounding area and will facilitate infill development that is consistent with the character of the surrounding neighborhood. Additionally, the rezoning will facilitate new investment opportunities in the Villa Park neighborhood to enhance the community’s livability and vitality.

### **Blueprint Denver**

According to the 2002 Blueprint Denver Plan Map, the sites have a concept land use of both Park and Urban Residential. The five parcels designated as Park concept land use were likely included as Park given their City ownership and proximity to Lakewood Gulch. Blueprint Denver states that “Parks and natural open space are public spaces, ranging from our historic, traditional parks to natural areas along the waterways. [...] A “greenway” is a linear park or open space developed along a stream, canal, or other natural or [man-made feature]” (pg. 40-41). The Park concept land use describes the Lakewood Gulch park space and greenway accurately, but the concept land use map inaccurately includes the five parcels in the Park designation.

Blueprint Denver designates one of the parcels on Meade Street as Urban Residential. Urban Residential neighborhoods are higher density and primarily residential but may include a noteworthy number of complementary commercial uses. A variety of housing types is present in Urban Residential neighborhoods including single family homes, townhouses, small multifamily apartments, and sometimes high-rise structures (pg 40). Given that Blueprint Denver inaccurately classifies five of the parcels as



Park, the Urban Residential parcel's designation offers guidance into the appropriate mix and intensity of land uses. Rezoning the subject sites to the surrounding two-unit and single-unit zone districts is consistent with the Urban Residential concept land use description.

The subject sites are also designated as a Blueprint Denver Area of Stability, likely a mapping error as part of the Lakewood Gulch greenway corridor. The rezoning application is consistent with the *Blueprint Denver* Area of Stability recommendations through reinvestment consistent with the existing character, mix of land uses, and building forms. However, the subject sites are surrounded by an Area of Change. Blueprint Denver recommends directing growth to the surrounding area to improve access to jobs, housing, and services given the proximity to the RTD W line and station at Perry Street.

West 10<sup>th</sup> Avenue is identified as a Residential Collector in Blueprint Denver. According to Blueprint Denver, "collectors are designed to provide a greater balance between [multimodal] mobility and land access within residential, commercial and industrial areas" (pg. 51). With this street classification, it is appropriate to encourage infill development consistent with neighborhood character at the subject sites.

### **West Colfax Neighborhood Plan (2006)**

The subject sites are omitted from the land use map in the West Colfax Neighborhood Plan, but they are adjacent to the Urban Neighborhood Station land use. Urban Neighborhood Station areas are defined as an evolving and flexible development pattern near stations. They are "variable compact, dense – highest intensity focused around the station platform" with single-family and multi-family residential uses with buildings 1-5 stories in height. "Development may progress initially from residential additions and rehabilitations to the addition of carriage houses and conversion of single-family structures to duplexes, triplexes and quads. Over the long-term, some more significant and welcome redevelopment may occur, adding small and medium scale apartments or condominium buildings in close proximity to the station areas" (pg. 85). The rezoning request to E-SU-D1x and E-TU-C is consistent with the described early residential infill seen within Urban Neighborhood Station areas.

### **Villa Park Neighborhood Plan (1991)**

The Villa Park Neighborhood Plan recommends discouraging higher density development that is inconsistent with the desired neighborhood character (pg. 18). The rezoning request to E-SU-D1x and E-TU-C is consistent with this recommendation by applying zoning consistent with the surrounding neighborhood. The Plan also recommends providing uniform sidewalk, curb, and gutter improvements, infrastructure investments that could be implemented through infill development enabled by the proposed rezoning (pg. 46).

### Uniformity of District Regulations and Restrictions

The rezoning request will result in the uniform application of the E-SU-D1x and E-TU-C zone district standards both across the city and within the adjacent Will Park neighborhood.

### Public Health, Safety and General Welfare

The rezoning request furthers the public health, safety, and welfare of the City through applying zone districts allowing single-unit and two-unit uses consistent with the character of the Villa Park neighborhood. The rezoning will also facilitate development to improve the condition of the properties and activate the area.

### Justifying Circumstances

The rezoning of the subjects sites to OS-A was mistake of fact per the Justifying Circumstance under DZC Section 12.4.10.8.A.2. Data used during the 2010 Citywide rezoning incorrectly identified these parcels as properties owned, operated, or leased by the City and managed by the Department of Parks and Recreation, resulting in the incorrect zoning designation of OS-A. The subject sites, while owned by the City of Denver, are not managed by the Department of Parks and Recreation and are not included in the Lakewood Gulch designated park space approved by City Council in 2015. The sparse maintenance of these parcels has created an area infamous for overgrown vegetation, homeless encampments, and illegal dumping.

### Consistency with Neighborhood Context, Stated Purpose and Intent

The requested E-SU-D1x and E-TU-C zone districts are in the Urban Edge Neighborhood Context. The Urban Edge Neighborhood Context is characterized by a mix of elements from both the Urban and Suburban Neighborhood Contexts. The Urban Edge Neighborhood Context is primarily single-unit and two-unit residential uses. Rezoning the subject sites to the Urban Edge neighborhood context is appropriate given the established neighborhood context.

The purpose of the E-SU and E-TU zone districts is to promote desirable residential areas through building form standards, design standards, and uses. The standards of the single unit districts accommodate the varied pattern of suburban and urban house forms. While lot sizes vary, lot coverage is typically low creating generous setbacks and yard space. The standards of the two unit and town house districts promote existing and future patterns of lower scale multi unit building forms that typically address the street in the same manner as an urban house building form. The intent of the E-SU-D1x zone district is to allow suburban houses, urban houses and detached accessory dwelling units with a minimum zone lot area of 6,000 square feet. The E-TU-C zone district allows up to two units on a minimum zone lot area of 5,500 square feet. Allowed building forms are the urban house, detached accessory dwelling unit, duplex and tandem house building forms. The rezoning request at the subject sites is consistent with this purpose statement and intent statements.



Parks and Recreation Committee

March 16, 2016

To Whom It May Concern:

RE: Rezoning of the Six "Lost" Parcels: 1100 & 1001 Meade Street; 1000 & 1048 Newton Street; 1049 Stuart Street; and 1101 Perry Street

We are writing on behalf of the INC Park and Recreation Committee (PARC) in support of the rezoning of the above six parcels from OS-A (Park Open Space) to residential zoning. The INC Park and Recreation Committee agreed to support the rezoning on March 15, 2016, after having previously heard a presentation by City officials regarding this issue at our meeting held on January 19, 2016.

The above six parcels are either close to or immediately adjacent to Lakewood / Dry Gulch Park, which in late 2015 was "designated" a Denver Park by City Council pursuant to Section 2.4.5 of Denver's City Charter.

While the above six parcels are owned by the City and close to the park, they have never been previously considered as being part of the park by either the Parks and Recreation Department or the community. Moreover, given the fact that four of these parcels are separated from the park by a paved street, and that the other two are imbedded in an existing subdivision, it would be illogical to now include them in the park.

Unfortunately, the 2015 City-wide rezoning effort inadvertently zoned these six parcels as part of the park (OS-A). Hence the need for this rezoning.

It appears that, had it not been for the City's park "designation" process, which involved a careful review of the boundaries of Lakewood / Dry Gulch Park, these six forgotten properties would have remained lost in obscurity for an indefinite time.

Following rezoning, presumably the City will sell these six lost parcels to the highest bidders, thereby bringing in significant revenue to the City's coffers. If so, the "designation" process should be thanked for this windfall!

Alas, similar to Lakewood / Dry Gulch Park, considerable portions of Weir Gulch Park and Sanderson Gulch Park remain "undesignated." While time consuming and difficult, it is hoped that the example of the discovery of these six lost parcels will spur the City to complete the designation of those two parks. Perhaps other "lost" parcels owned by the City will be discovered?

Finally, it should also be noted that the process of designating Lakewood / Dry Gulch Park identified a City-owned parcel located on Lakewood Gulch just to the west of Tennyson Street, which puts it immediately adjacent to the park. Unfortunately, this parcel is NOT currently managed as part of the park nor zoned OS-A, but City Council should nevertheless include it in the park in a future "designation" proceeding.

Yours truly,

Cindy Johnstone

Maggie Price  
Co Chairs, INC PARC

**From:** [niles emerick](#)  
**To:** [Winterberg-Lipp, Ryan J - CPD Planning Services](#)  
**Subject:** Villa Park - City-owned rezoning  
**Date:** Wednesday, March 23, 2016 8:24:04 PM

---

Hi Ryan -

I saw recently the presentation regarding the properties submitted for proposed re-zoning in Villa Park on Meade, Newton, and Stuart.

I have inquired about several of these properties in the past as many of them are a significant eyesore for the neighborhood, collecting trash, and vagrants.

In an effort to clean up my neighborhood I have contacted the city regarding these lots.

I fully support the rezoning of these properties and hope they would add to the character and nature of my neighborhood.

I imagine they would at some point be sold, or developed by the city?

I would be interested in purchasing one or more of these properties as I live nearby.

Please keep me informed and let me know what else I can do to support.

Best,  
Niles Emerick  
303.949.6383



March 31, 2016

Re: Public Comment on 15I00124\_Application\_03022016  
Planning Meeting to be held April 6th 2016

To Whom It May Concern:

I would like to make a public comment **against** rezoning properties 1100 Meade St, 1100 Meade St (vacant unit) 1001 Meade St., 1000 Newton St., 1048 Newton St., 1049 Stuart St, and 1101 Perry St. to residential zoning. I am unable to attend your hearing on April 6th, so I am submitting my public comment in writing. I am asking that you either leave these parcels, as open space or give them to a sustainable neighborhood group such as WeCan or Villa Park or a neighborhood non-profit organization.

Several community members I have spoken with agree that turning open space into residential rezone is fundamentally wrong. Community planning and Development (CPD) presented that zoning changed the parcels of land to open space erroneously in 2010. Well if this indeed was a mistake rather than a vision I think that this happening was beneficial to the dwindling ecosystem in our area that is caused from residential development and is resulting in a loss of area for organisms that co-exist, and vegetation that clean air.

Gordon Robertson, Director of Parks had his office state at the Sloans Lake Citizen Group a Registered Neighborhood Organization (RNO) that he was never given notice that the lots belonged to the city, yet he states in the rezoning application that these lands have been owned by the city since 1992. Given this information it is perplexing that the city never investigates who is actually the owner of the lots and require weed mowing and clean up from the owners. Since the city was the owner of these lots for 24 years they should have had a plan in place to maintain these lots for the past quarter of a century in which they were these lots' custodian.

Additionally in Mr. Robertson's statement in the application he states not just these lots, but all of Lakewood Gulch was zoned residential. From what I understand the city's intent at one time was to sell the entire 100 plus acres, but then gave Lakewood Gulch the park designation, so it is plausible that a better way to develop these parcels would be to develop them as open space parkland.

Open Space more often than not means low maintenance trees, shrubs, fine fescues and that these fescues are un-mowed and lie down, and go unwatered other water that from rain, snow or in deep rooted vegetation case surface water. These lots would serve the public better if they were kept in an ecosystem state then as homes developed on small lots that will have to be built up thus casting shadows and leaving little room for trees.

**Precedence:**

When Gordon Robertson's states in this application "historic use", he is not going very far back in time as what has happens with Denver's Parks. Denver has precedence since Mayor Robert Speer the early 1900's to model Denver into "city beautiful". Mayor Speer believed that Denver should have parks, plays and open space to stop it from being ugly. Mayor Speer adds flair to Denver with parks and open space being a huge part of his model. We see this when he builds civic center park, puts gold on the capital's dome, makes a speedway from the heart of downtown to the Denver Country Club, builds the wall and yes the bike lane that runs by the Platte River, and gives away thousands of trees to the citizens. Many of us are concerned about the quality of the residential development and the preservation of our parks and open space. I personally grew up in a the Denver Metro area, and it has always been a place with quality air, water and wildlife. Now I

have notice things like fewer birds, less trees, and the absence of insects. Moreover I get my neighbors to agree with me. Here are some likeminded testimonials that echo the sentiments of many in our community

**Testimonial:**

One:

.... I think it would be a shame if these were developed for residential use. Big trees, a small path, somewhere for kids to explore. Maybe the city just wants to skirt its responsibilities of managing the space (weeds/litter). IF ANYTHING, it should be rezoned for community use, such as a garden. Open space just like this, albeit small, serves the neighborhood with ecosystem services, different from the blue grass mono-culture parks-habitat for bees and other insects, birds, rabbits and foxes, trees that cool and clean the air and water. It gives the neighborhood charm- not everything has to be built up to the lines and slathered with concrete (just look what happened to Jefferson Park, turned that place in to a sterile, concrete jungle). I understand the city probably wants property taxes from these lots, and our schools could use the money. I understand that the city probably doesn't want to have to take care of these lots. But I think that if it managed to survive this long without being cemented over, the open space deserves to stay and the residents of Villa Park deserve to keep and benefit from it.

Two:

I am surprised how few people see the importance of ecosystems....

**Concluding Remark:**

Paul Lopez is submitting this application on behalf of the Denver City Council. Councilman Lopez said he approached the Parks Division and asked Gordon Robertson if he wanted the land to develop. When I spoke with the deputy director of parks he told me that the rezone was being driven by CPD and Councilman Lopez. At that point parks employees must be loyal to their employer and go along with CPD and Councilman Lopez. They really have no room for a push back in favor of Denver's residents. Additionally I am told by the auditor's office that prior to 2002 the city would just give these orphan lots away to adjacent homeowners to make sure they were maintained. It seems that if the city does not want to take care of the open space then they could just give parcels to the community to manage. There are two RNOs in the area, Villa Park neighborhood association and the WeCan neighborhood association. Both of which I believe vie to hold themselves out as sustainability neighborhoods, and would volunteer to take ownership of these parcels, as would some of the nonprofits in the area.

Thank you for your time and consideration in this matter.

Sincerely yours,

Jennifer Qualteri  
3253 W. Conejos Pl.  
Denver, CO 80204

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**From:** [Orrantia, Jesus - City Council](#)  
**To:** [Winterberg-Lipp, Ryan J - CPD Planning Services](#)  
**Subject:** FW: Push back on your application of turning Open Space to Residential zoning  
**Date:** Wednesday, April 06, 2016 9:46:46 AM

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Jesús Orrantia  
Council Aide  
Office of Councilman Paul D. López, District 3  
(720) 337-3333

**Note: As of July 14th our office will be moving to the City and County Building at 1437 Bannock Street.**

This email is considered an "open record" under the Colorado Open Records Act and must be made available to any person requesting it unless it clearly requests confidentiality. Please indicate whether or not you want your communication to be confidential.

**From:** Jennifer Qualteri [mailto:jennifer.qualteri@gmail.com]  
**Sent:** Tuesday, February 16, 2016 7:46 AM  
**To:** Lopez, Paul D. - City Council Dist #3  
**Subject:** Push back on your application of turning Open Space to Residential zoning

Dear Councilman Lopez,  
I am writing to ask you not to put a rezoning application in to change open space to residential zoning at 13<sup>th</sup> and Stuart, Meade, and Newton. Here are my thoughts.

First I hope this message finds you well! I attended the Sloans Lake Citizens Group (SLCG) Monthly meeting this past Wednesday and much to my dismay I find the City and County of Denver presenting to CHANGE OPEN SPACE zoning to residential with the subsequent plan to sell to developers:(...here is a google link to the space that they want to rezone, application. <https://drive.google.com/file/d/0Bxljgxa...>

I think that many will agree that turning open space into residential rezone is fundamentally WRONG. The city is claiming that they changed the land to openspace erroneously in 2010. Well if this indeed was a mistake rather than a vision I think that this happening was a good thing, no an awesome thing.

The Parks manager said that he was never given notice that the lots belonged to the city, and I believe his story, but the fact that the city never tried to give themselves a ticket for weeds and dumping make the story seem a little far fetched. Another problem I have with the parks story is that the parks manager tells SLCG that he reluctantly sent crew over to these 5 lost parcels...seemingly 5 years later to mow and pick up the dumping. Seriously....at most the weeds should have been discovered in the spring of 2011.

I believe it is more of manipulation on the part of developers and that both Paul Lopez and parks manager are going along with group think (aka group stink) and making a case that the area needs grass, watering, mowing and city clean up....when in fact OPEN SPACE means low maintenance trees, shrubs, fine fescues and trees that these fescues are unmowed and lie down, and in the background maybe a mowed or stone path. This would be better for the ecosystem then homes crammed on lots that are too small for two story homes or duplexes. That is what I

believe was Denver County's vision when the four lots were coined for open space, and that now Denver County employees and residents afraid of repercussions are under duress to change what was a better vision with the property being zoned for open space.

Moreover if a developer comes in I see the alley in the middle of the four lots going away. That means more traffic being dumped onto side streets that were designed for a neighborhood with children and bicycles rather than 13th St. where the design more readily handles traffic.

In any event I am going to push back on this endeavor. I hope that I do not put you or the parks team on the defense, but that you understand the importance of open space and what it means for the environment and animals, humans included.

Thank you for your time and consideration in this matter and I am looking forward to any input you may have.

--

Jennifer Qualteri  
3253 W. Conejos Pl  
Denver, CO 80204  
303.888.7239

**From:** [Lopez, Paul D. - City Council Dist #3](#)  
**To:** [kathy.sandoval](#)  
**Cc:** [JoAnnPhillips](#); [Winterberg-Lipp, Ryan J - CPD Planning Services](#); [Orrantia, Jesus - City Council](#)  
**Subject:** RE: Villa Park Remnant City-Owned Parcels  
**Date:** Wednesday, April 06, 2016 11:06:55 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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Kathy,

Although our previously scheduled phone call tomorrow is not directly related to this, I'll be happy to answer additional questions if you have them.

In speaking with Jesus, he explained that he was going to present the changes at the Villa Park Neighborhood Association's March meeting, which was canceled due to last month's snow storm. This has been a parcel that has been discussed multiple times in the past with our office, your suggestion is not feasible. This parcel has never been maintained as parkland, nor has Park and Recreation ever considered it parkland. Like the other parcels in this rezoning application, this was misclassified as "open space" during the 2010 rezoning. Similarly, there is an alley between the parcel and the newly designated Lakewood/Dry Gulch parkland. If Parks and Recreation or I would have ever considered this parcel parkland, we would have included it in the recent 54 acre designation that happened last year.

In considering your recommendation, we also reached out to traffic engineering. Their policy is to NOT to close an alley that would create a dead end, which is what would happen if the alley was vacated and turned into parkland. This would mean that either an exit for that alley would need to be created through the area in question or a cul du sac would have to be constructed at the back of the alley between Perry and Quitman. Both of these would require private property acquisition and the removal of existing parkland that has just been designated.

Sorry to hear that you are not supportive of this application at this time, but as the applicant, I have decided that the process will continue on the current timeline.

In Solidarity,  
Hon. Paul D. López, Councilman  
City & County of Denver District 3

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**From:** kathy.sandoval [mailto:vpna\_2000@yahoo.com]  
**Sent:** Monday, April 04, 2016 8:34 AM  
**To:** Winterberg-Lipp, Ryan J - CPD Planning Services  
**Cc:** JoAnnPhillips; Lopez, Paul D. - City Council Dist #3  
**Subject:** Re: Villa Park Remnant City-Owned Parcels

Hi Ryan,

Sorry to hear that. I was always proposing the site by Set Free Church which wasn't part of the park since it had a city owned alley running through it. I recommended that the alley be vacated and incorporated into the park. Totally backwards. This is an affront to the neighborhood association and frustrating that you didn't include Villa Park in this conversation. Can this application be tabled to discussed this further otherwise you leave us no choice but to oppose this rezoning application?

Kathy Sandoval

---

**From:** "Winterberg-Lipp, Ryan J - CPD Planning Services" <[Ryan.Winterberg-Lipp@denvergov.org](mailto:Ryan.Winterberg-Lipp@denvergov.org)>  
**To:** "[Kathyesandoval@yahoo.com](mailto:Kathyesandoval@yahoo.com)" <[Kathyesandoval@yahoo.com](mailto:Kathyesandoval@yahoo.com)>  
**Sent:** Friday, April 1, 2016 12:28 PM  
**Subject:** Villa Park Remnant City-Owned Parcels

Good afternoon, Ms. Sandoval—

I wanted to give you an update on our research into additional remnant City-owned parcels in the Villa Park neighborhood. Specifically, Ms. Amina Rank brought up two small, City-owned parcels on the 1000 block of N Perry Street—one is adjacent to her home, and the other is adjacent to the Set Free Church (shown below). We've heard that these parcels are not maintained well, but that adjacent property owners may be interested in acquiring them.



After vetting these sites with Parks and Recreation and Real Estate, Councilman Lopez has decided to include the parcel adjacent to the Set Free Church in the rezoning application. It's currently zoned OS-A, and the request is to rezone it to the adjacent E-TU-C. The parcel adjacent to Ms. Rank's home is already zoned E-TU-C, so it is not included in the rezoning application.

If the rezoning is approved, the City's Real Estate Division is going to undertake a comprehensive review of City-owned properties along Lakewood Gulch to determine if and

how they can be sold. There's an internal City process that must be undertaken first to ensure that any site under consideration does not serve a City purpose. We expect this research to be undertaken over the spring and summer of 2016. We're not able to determine which parcels will be sold and what the process will look like right now, but I wanted to let you know that we're looking closely at this area.

The rezoning is scheduled before Planning Board next Wednesday, and the staff report can be found [here](#). Please let me know if you have any questions—thanks!

Best,  
Ryan



**Ms. Ryan Winterberg-Lipp, AICP | Senior City Planner**  
Community Planning and Development | City and County of Denver  
720.865.2973 Phone | [ryan.winterberg-lipp@denvergov.org](mailto:ryan.winterberg-lipp@denvergov.org)  
[DenverGov.org/CPD](http://DenverGov.org/CPD) | [@DenverCPD](#) | [Take our Survey](#)

**From:** [anthony](#)  
**To:** [Lopez, Paul D. - City Council Dist #3](#)  
**Subject:** Vacant Lot Rezoning  
**Date:** Sunday, February 14, 2016 7:38:45 PM

---

Hello Councilman,

I would like to express my concern about the possible rezoning of the 5 lots located along 12th Avenue in Villa Park (Dry Gulch). I walk along the lots on a daily basis and will be very disappointed if they become developed. **Instead of selling the property to developers you should lobby for it to be leased to urban farmers or a community garden - this would be much more beneficial to this community.**

Please let us know how we can keep these lots as open space.

Thanks,

Tony



**From:** [Anthony Terrafranca](#)  
**To:** [Lopez, Paul D. - City Council Dist #3](#)  
**Subject:** Open Space Dry Gulch Park  
**Date:** Sunday, February 14, 2016 7:35:01 PM

---

Hello Councilman,

I would like to express my concern about the possible rezoning of the 5 lots located along 12th Avenue in Villa Park. My wife and I walk along the lots on a daily basis and will be very disappointed if they become developed. **Instead of selling the property to developers you should lobby for it to be leased to urban farmers or a community garden -this would be much more beneficial to this community.**

It is an oasis from the manicured homogeneity of most city parks and we believe it is valuable to the community in its current zoning status. Just a couple years ago the city installed sidewalks along these parcels and they are now easily trod and attractive.

Please let us know how we can keep these lots as open space.

Thanks for your time.

Anthony

**From:** [Mary Grace Legg](#)  
**To:** [Lopez, Paul D. - City Council Dist #3](#)  
**Subject:** Open Space Zoning of Vacant Lots  
**Date:** Sunday, February 14, 2016 7:39:39 PM

---

Hello Councilman,

I would like to express my concern about the possible rezoning of the 5 lots located along 12th Avenue in Villa Park (Dry Gulch). My husband and I walk along the lots on a daily basis and will be very disappointed if they become developed. **Instead of selling the property to developers you should lobby for it to be leased to urban farmers or a community garden - this would be much more beneficial to this community.**

It is an oasis from the manicured homogeneity of most city parks and we believe it is valuable to the community in its current zoning status. Just a couple years ago the city installed sidewalks along these parcels and they are now easily trod and attractive.

Please let us know how we can keep these lots as open space.

Thanks for your time.

Mary Grace Legg

[LockerPartners Love Cinematography](#)  
[Clatter! Snap. Vintage](#)  
[Do Champ Blog](#)

**From:** [Rezoning - CPD](#)  
**To:** [Winterberg-Lipp, Ryan J - CPD Planning Services](#)  
**Subject:** FW: comm  
**Date:** Monday, June 27, 2016 10:47:41 AM

---

Ryan,

I think this is a comment for Meade, Meade, Newton, Stewart and Perry rezoning application. Let me know if it isn't.

Heidi

**From:** Gregory Moore [mailto:warrior777777@yahoo.com]  
**Sent:** Monday, June 27, 2016 9:18 AM  
**To:** Rezoning - CPD <Rezoning@denvergov.org>  
**Subject:** comm

This is about three lots in Villa Park area between Lowell and Osceola on the service road considered W. 12th on the south side of the light rail. Someone is attempting to zone the lots residential, I am a fifth generation denverite and our family has lived in the area since the 1800's my father built the last house on the 1000 block of Meade and a petition was brought and signed by my 84 year old mother wanting it to stay an open space. She informed us that the city councilmen or city representative had informed her that the city just realized it had these three lots and in fact it squared the property in 1992 and denied knowledge of it yet in fact the parks services would mow the park area and the same people would mow the lots. Also the lot next to the last house on the west side 50ft back from the street they posted a no parking sign about 9 to 12 years ago. I use to fish and trap at the creek down the hill closer to the light rail and over the years of building and the wildlife being encroached on has turned the area into a habitat for fox rakoon rabbit squirl quail skunk geese also a number of birds that have been seen foraging for food and water just before dawn also during the day which is now their sanctuary which they are surviving native species. Once again someone seeing potential for the almighty dollar over wildlife and a serien place among a place the city already maintains as a park, bike walking jogging and Frisbee course. Not that anything can be done there are pedestrian bridges that span the light rail at Hooker and Tenyson roughly where the only sense would be to get to Colfax? and when they built them they were thinking of semetrics and not functionality, when it was a railroad line there was a bridge to span the creek at Meade and all the students in the area would use it to go to Lake Junior High School also to catch a bus to down down or West High school School or North as my great grandmother did, but anyway keep a little of Denver for Denver that is disapearing rapidly also the animals only have us to act and save their last surviving domain. Thank you and have an outstanding day!

[Sent from Yahoo Mail on Android](#)

**From:** [Jennifer O'Connell](#)  
**To:** [Winterberg-Lipp, Ryan J - CPD Planning Services](#); [To: Kathyesandoval@yahoo.com](#); [Orrantia, Jesus - City Council](#)  
**Subject:** Re: FW: Villa Park Remnant City-Owned Parcels  
**Date:** Thursday, April 14, 2016 8:32:42 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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Hi all -

I live at 9th and Perry and use this park 5/7 days of the week. I agree with Ms. Sandoval - the park should be expanded rather than the properties being sold. While I \make use of these two small parcels on a regular basis, what troubles me more is "the City's Real Estate Division is going to undertake a comprehensive review of City-owned properties along Lakewood Gulch to determine if and how they can be sold." I love this neighborhood for it's modest parcels, sense of community and the shared space along Lakewood Gulch that fosters that sense of community. I can't imagine any benefit to diminishing that space.

The City of Denver, and Councilman Lopez have done an excellent job of revitalizing this corridor in the last few years. Let's preserve and build upon that progress

I'd like to be included in any zoning committee hearings regarding these parcels.

Ms. Sandoval, could you please also add me to your mailing list of concerned citizens?

Thank you,  
Jennifer C. O'Connell  
855 Perry St  
Denver, CO 80204

On Tue, Apr 5, 2016 at 9:00 AM, O'Connell, Jennifer <[Jennifer.O'Connell@dhha.org](mailto:Jennifer.O'Connell@dhha.org)> wrote:

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**From:** Kilpatrick, Heather  
**Sent:** Tuesday, April 05, 2016 6:58 AM  
**To:** O'Connell, Jennifer  
**Subject:** FW: Villa Park Remnant City-Owned Parcels

This is about land on Perry and 10<sup>th</sup> I think.

---

**From:** [kilpatrichbacon@gmail.com](mailto:kilpatrichbacon@gmail.com) [<mailto:kilpatrichbacon@gmail.com>]  
**Sent:** Monday, April 04, 2016 10:42 PM  
**To:** Kilpatrick, Heather  
**Subject:** Fwd: Villa Park Remnant City-Owned Parcels

Hi Ryan,

Sorry to hear that. I was always proposing the site by Set Free Church

which wasn't part of the park since it had a city owned alley running through it. I recommended that the alley be vacated and incorporated into the park. Totally backwards. This is an affront to the neighborhood association and frustrating that you didn't include Villa Park in this conversation. Can this application be tabled to discussed this further otherwise you leave us no choice but to oppose this rezoning application?

Kathy Sandoval

---

**From:** "Winterberg-Lipp, Ryan J - CPD Planning Services" <[Ryan.Winterberg-Lipp@denvergov.org](mailto:Ryan.Winterberg-Lipp@denvergov.org)>  
**To:** "[Kathyesandoval@yahoo.com](mailto:Kathyesandoval@yahoo.com)" <[Kathyesandoval@yahoo.com](mailto:Kathyesandoval@yahoo.com)>  
**Sent:** Friday, April 1, 2016 12:28 PM  
**Subject:** Villa Park Remnant City-Owned Parcels

Good afternoon, Ms. Sandoval—

I wanted to give you an update on our research into additional remnant City-owned parcels in the Villa Park neighborhood. Specifically, Ms. Amina Rank brought up two small, City-owned parcels on the 1000 block of N Perry Street—one is adjacent to her home, and the other is adjacent to the Set Free Church (shown below). We've heard that these parcels are not maintained well, but that adjacent property owners may be interested in acquiring them.





After vetting these sites with Parks and Recreation and Real Estate, Councilman Lopez has decided to include the parcel adjacent to the Set Free Church in the rezoning application. It's currently zoned OS-A, and the request is to rezone it to the adjacent E-TU-C. The parcel adjacent to Ms. Rank's home is already zoned E-TU-C, so it is not included in the rezoning application.

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The rezoning is scheduled before Planning Board next Wednesday, and the staff report can be found [here](#). Please let me know if you have any questions—thanks!

Best,

Ryan



Ms. Ryan Winterberg-Lipp, AICP | Senior City Planner  
Community Planning and Development | City and County of Denver  
720.865.2973 Phone | [ryan.winterberg-lipp@denvergov.org](mailto:ryan.winterberg-lipp@denvergov.org)



The Denver Health email system has made the following annotations

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**From:** [Jacob Actkinson](#)  
**To:** [Winterberg-Lipp, Ryan J - CPD Planning Services; Rezoning - CPD](#)  
**Subject:** Rezoning Case 2015I-00124  
**Date:** Sunday, July 10, 2016 9:57:14 PM

---

Good evening,

I am inquiring about rezoning case 2015I-00124.

It is my understanding that the property directly behind my home (1042 N Tennyson St) is up for rezoning and I would like to know what exactly is at stake here.

I bought my property Nov 2015 due to the great location and incredible view of downtown. It would be incredibly disheartening to hear of homes being built that would obstruct the view of Denver, the biggest reason that I purchased my home.

Any info that you can provide, or any recommendation to help fight potential homes being built on this property would be greatly appreciated.

Thanks,

Jacob Actkinson  
1042 N Tennyson St  
817-658-0603



**From:** [John Gaspari II](#)  
**To:** [Rezoning - CPD; Winterberg-I.opp. Ryan J - CPD Planning Services](#)  
**Subject:** rezoning case 20151-00124  
**Date:** Monday, July 11, 2016 11:22:23 AM  
**Attachments:** [image001.png](#)

---

I would like to discuss the rezoning case 20151-00124. I am highly against this. I moved to the area to be surrounded by parks and wild life. There are many animals and plants in the area offering a wonderful experience for disk golf, hikers, bikers etc, We do not need more housing in the area. I am planning on attending the city council meetings to oppose this. I was told that the tonight city council meeting will be pushed out to August and not decisions will be made. Please tell me what else I need to do to oppose this from rezoning / being sold off? The area needs to stay natural, possibly to add more wild grass plantings for the wild life habitat.

Thank you,

John E Gaspari II  
Supplier Quality Manager  
SMA America Production, LLC  
3801 Havana Street  
Denver, CO 80239-3252  
U.S.A.  
Tel: +1 720 347 6682  
Cell Phone +1 720 537 0338  
Fax: +1 720 347 6100  
Email: [John.gaspari@SMA-America.com](mailto:John.gaspari@SMA-America.com)  
[www.SMA-America.com](http://www.SMA-America.com)



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Re: Case 2015I-00124

There is a creek just below the parcels listed in this rezone. In early planning Denver wanted to preserve a greenway for the creek to stop it from being another urban sewer storm drain to fertilizer, pesticides, gasoline and other waste that flow down from the Villa Park neighborhood. The city has strategically placed large boulders on the Perry street parcel. (figure 1) Also there are black boulders placed on safe openspace/greenway by Stuart street parcel (figure 2) The same type of black boulders are outlying the Lowell, Meade, Newton parcels. (Figure 3). There is nothing in city charter that states that greenways must be parkland

Figure 1: Perry St parcel purposely lined with huge boulders



Figure 2 Black boulders are placed on protected openspace/greenbelt near the Stuart St. parcel



Figure 3-Lowell, Meade and Newton parcels are purposely lined with the same boulders as the greenway near the Stuart St parcel and these parcels have pathways. This pictures just two boulders , but there are more.



**From:** [Jennifer Qualteri](#)  
**To:** [Winterberg-Lipp, Ryan J - CPD Planning Services](#)  
**Subject:** Re: 2015I-00124 Protest Petition\_comment  
**Date:** Thursday, July 28, 2016 7:43:40 AM

---

Dear Ms. Winterberg-Lipp,

Please include this email in the public comment of the 2014I-00124 case.

1. Of the land area that was looked at for the protest petition 63% of the area belonged to the City of Denver, RTD or were public right aways. There was no way to get a signature.
2. Only 37% of the remaining land area had an owner who could physically sign a protest petition.
3. Of the 37% who could physically sign; 87% of physical residences who I could contact wanted the greenway to remain as open space and have the city council step up to the plate and finish these greenways with some fescue grass so they are beautiful, low maintenance greenway/openspace
4. Of the remaining 13%: 3% felt they would be retaliated against from the Denver area developers, 2% wanted to sign, but their spouse was afraid that they would build rowhomes (their area is zoned for rowhomes), 2% I never talked to the person face to face they did not have time to meet, and 5% felt that the city council was going to do what they wanted, and it did not matter what anyone said, so they opted not to get involved.

It was incredibly important that I did the protest petition. In talking with interested parties who live by these greenways and have a vested interest in what happens to these parcels 87% land owners signed the protest petition, and wanted city council to have to huddle and come up with a yes vote of 10 council members before the rezone takes place

If I would have been able to count the elders' signatures from the Set Free Church of Denver Inc the petition would have been a success with 21.4% land area signatures signing. Set Free Church was under the impression that by their being listed at the secretary of state that city planning would count their signature, and then time ran out to search for further documentation. All of the elders at the Set Free Church who I talked with were against the rezone.

There are more interested parties who are interested in signing the protest petition. They are not local to the Villa Park neighborhood, and if given another two weeks I could easily make up the 1.34% deficiency on the protest petition.

Cordially,  
Jennifer Qualteri  
Petitioner

On Tue, Jul 26, 2016 at 9:39 PM, Winterberg-Lipp, Ryan J - CPD Planning Services  
<[Ryan.Winterberg-Lipp@denvergov.org](mailto:Ryan.Winterberg-Lipp@denvergov.org)> wrote:

Good evening, Ms. Qualteri—

Thank you for submitting your protest petition materials yesterday. Along with the City Attorney's Office, CPD has conducted our review of the petition and materials, and we have found that the petition did not meet the 20% owner signature requirement.

We were unable to accept the signature from DeWayne Stephenson on behalf of the Set Free Church of Denver. While Mr. Stephenson is the Registered Agent with the Colorado Secretary of State, documentation was not submitted demonstrating that Mr. Stephenson has the authority to act on behalf of the church in rezoning matters.

The remaining signatures were accepted, and the petition resulted in signatures for 18.66%. A map of the results is attached. Please let me know if you need any additional information.

Thanks,

Ryan



Ms. Ryan Winterberg-Lipp, AICP | Senior City Planner  
Community Planning and Development | City and County of Denver  
[720.865.2973](tel:720.865.2973) Phone | [ryan.winterberg-lipp@denvergov.org](mailto:ryan.winterberg-lipp@denvergov.org)

[DenverGov.org/CPD](http://DenverGov.org/CPD) | [@DenverCPD](https://twitter.com/DenverCPD) | [Take our Survey](#)

--  
Jennifer

July 18, 2016

Regarding rezoning Case 2015I-00124

Dear Ms. Winterberg-Lipp:

Attached you will find some comments and signatures submitted from patrons of the Set Free Church. By signing and or commenting on these pieces of paper these Set Free Church members are intending to communicate to the Community Planning and Development Department, and the Denver City Council that they are against rezoning the open-space lot behind the Set Free Church. They would like for the Perry St. Lot to remain a greenway.

The Set Free Church also operates a flourishing food bank to the Villia Park Residents in need.

CITY AND COUNTY OF DENVER  
2016 JUL 25 AM 11:48  
COMMUNITY PLANNING  
AND DEVELOPMENT

I do not want this property to  
be developed, but it be left  
as it is,

*[Handwritten signature]*  
7/10/16

Luella Galbraith

Because we have a church  
and we don't need it

message, please identify the rezoning Case 2015I-00124

Case 2015I-00124 Ryan

Submit Comments for a Public Hearing

Email comments to the case manager: [Ryan.Winterberg-Lipp@denvergov.org](mailto:Ryan.Winterberg-Lipp@denvergov.org) Comments on rezonings may also be sent to [rezoning@denvergov.org](mailto:rezoning@denvergov.org).

Send comments by mail to:  
ATTN: Case manager  
Planning Services  
Community Planning and Development  
201 W. Colfax Avenue, Dept 205  
Denver, CO 80202

*[Handwritten signature: Don M. Nielsen]*



In your message, please identify the rezoning Case 2015I-00124

**Rezoning Case 2015I-00124**

**How to Submit Comments for a Public Hearing**

- **Email comments to the case manager:** [Ryan.Winterberg-Lipp@denvergov.org](mailto:Ryan.Winterberg-Lipp@denvergov.org) Comments on rezonings may also be sent to [rezoning@denvergov.org](mailto:rezoning@denvergov.org).
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ATTN: Case manager  
Planning Services  
Community Planning and Development  
201 W. Colfax Avenue, Dept 205  
Denver, CO 80202

*Lois Turisseau*