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January 25, 2016

Mr. Tim Watkins  
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Ms. Kelly Velez  
Council Secretary  
[kelly.velez@denvergov.org](mailto:kelly.velez@denvergov.org)

Re: Petition of Protest of Council Bill # CB15-0625  
Map Amendment #2014I-00033 – 3268 W 32nd Ave (as modified Nov 2nd 2015)

Dear Mr. Watkins and Ms. Velez,

Thank you for your e-mail of January 21, 2016, transmitting the Results of Calculation to Zone Map Amendment 14i-33 Protest submitted by Mr. Randy Mast, Mr. Connor Farley, and Ms. Cindy Eby under cover of correspondence dated January 15, 2016 (the "Petition").

On behalf of, the applicant in Council Bill # CB15-0625, we object to the review process, standards applied, calculations, and certification of the Petition.

As noted in correspondence dated January 20, 2016, which we incorporate herein and restate in its entirety, we carefully reviewed the Petition. The petition failed to meet the requirements of Denver Zoning Code (DZC) Section 12.4.10.5, including but not limited to the instructions for Protest Petition for Zone Map Amendment from the Department of Community Planning and Development rev. 11/2014, and standards.

Standards that the Manager applied to determine the adequacy of all protest petition signatures have been arbitrarily inconsistent with standards previously applied by the Department of Community Planning.

Prior petition reviews have disqualified name variations of different or missing middle initials. Prior petition reviews have disqualified and lack of proof of capacity to bind a corporate entity or trust. Failure to do so here is arbitrary and capricious.

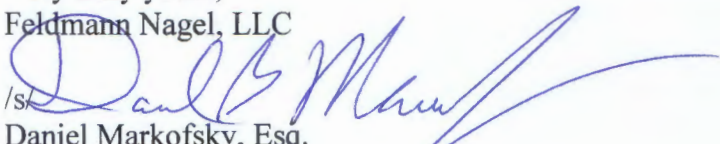
In the current case the Department invalidated the petition alleged submitted by Ms. Gloria Enger "on behalf of" Enger Properties LLLP, but certified Robert L. Grisenti signing "on behalf of" R.L.D. Grisenti, LLC. The Department accepted "Victoria Isherwood" for "Victoria L. Isherwood." Neither of these should have been certified.

Without the Grisenti and Isherwood petitions the 20% threshold is not met. And there are more.

The 20% threshold is not met. We respectfully request you rescind the certification issued January 21, 2016 prior to this evenings City Council hearing on this matter.

Thank you.

Very truly yours,  
Feldmann Nagel, LLC

  
/s/ Daniel Markofsky, Esq.

cc: Emmaus Lutheran Church