



**TO:** Denver City Council  
Neighborhoods and Planning Committee  
Mary Beth Susman, Chair

**FROM:** Tim Watkins, Senior City Planner

**DATE:** September 10, 2015

**RE:** Official Zoning Map Amendment Application #2014I-00033  
3268 W 32<sup>nd</sup> Ave  
Rezoning from U-SU-A to U-MS-2x

### Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2014I-00033 for a rezoning from U-SU-A to U-MS-2x.

### Request for Rezoning

Application:	#2014I-00033
Address:	3268 W 32 <sup>nd</sup> Ave
Neighborhood/Council District:	West Highland / Council District 1
RNOs:	West Highland Neighborhood Association, Federal Boulevard Corridor Improvement Partnership, Denver Neighborhood Association, Inc., Inter-Neighborhood Cooperation (INC)
Area of Property:	31,164 square feet or 0.715 acres
Current Zoning:	U-SU-A
Proposed Zoning:	U-MS-2x
Property Owner(s):	Emmaus Lutheran Church
Owner Representative:	Neil Neudorff

### Summary of Rezoning Request

Located in Northwest Denver in Council District 1, this West Highland neighborhood site is a non-residential, church-owned property that fronts 32<sup>nd</sup> Avenue between Irving (west) and Speer Boulevard (east). The property currently contains a vacant school building attached to the church, a small commercial building (used for storage) fronting 32<sup>nd</sup> Ave., and a surface parking lot that lies between 32<sup>nd</sup> Ave. and the school/church building. The site is immediately surrounded by existing commercial and mixed uses along 32<sup>nd</sup> Ave. that are embedded within a predominantly single family residential area.

Northwest Denver Location



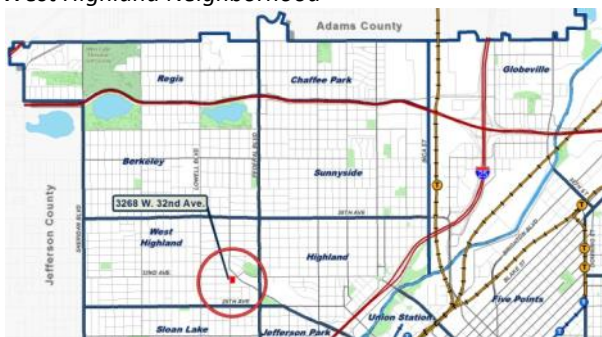
The property owner seeks to rezone the property for potential redevelopment with the intent of supporting continued operation of the adjacent Emmaus Lutheran Church to the south. The requested zone district is U-MS-2x, defined as Urbane Neighborhood –Main Street –2 Story Maximum x (lower-intensity uses).

The Main Street 2x district applies to small sites served primarily by local streets and embedded within an existing Urban neighborhood. An Urban neighborhood is characterized by single-unit and two-unit residential uses, with embedded small-scale multi-unit residential and commercial uses. Further details of this zone district can be found in Article 5.1 and 5.2.5.2 of the Denver Zoning Code (DZC)."

Council District 1 Location



West Highland Neighborhood



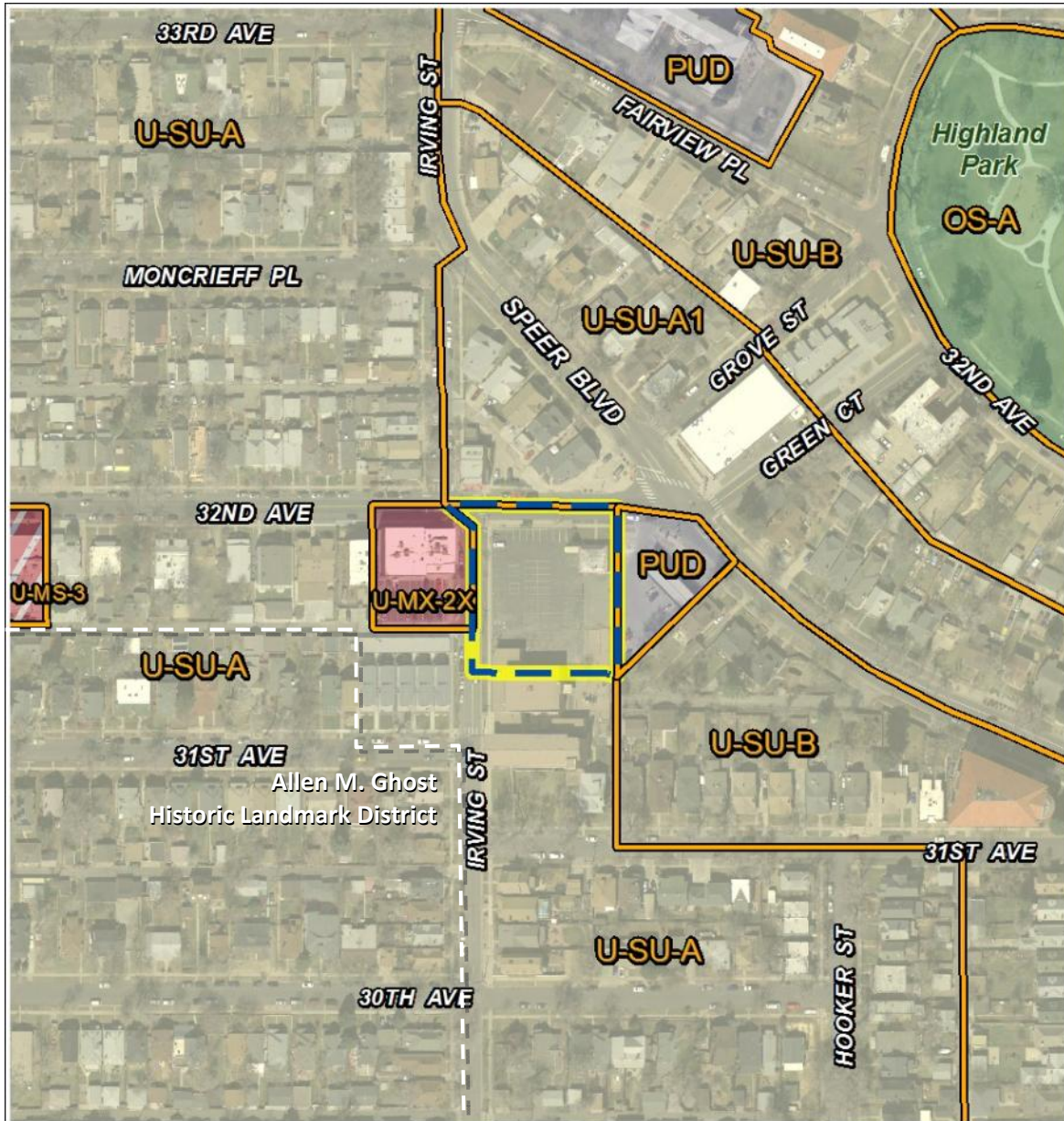
## Existing Context

Located in the southeast corner of West Highland, the property lies within a predominantly lower-scale residential area and fronts 32<sup>nd</sup> Avenue, an east/west main street collector that is fronted by mix of retail, office and residential uses. 32<sup>nd</sup> Avenue is a main street corridor that provides services and amenities to the neighborhood and surrounding area. The site is at the east terminus of 32<sup>nd</sup> Avenue, where it intersects with Speer Boulevard, a Mixed Use Arterial that provides convenient north/southeast access to Federal Boulevard, I-25 and Downtown. Speer Boulevard converges with Irving Street at Moncrieff Place, providing a continuous north/south connection to/from 46<sup>th</sup> Avenue in the Berkeley neighborhood. The subject site is within a 1/4 mile of Highland Park and Federal Boulevard, which is an enhanced transit corridor providing one of the highest levels of bus service in the region. RTD Route 32 provides a direct transit connection from the site to Downtown Denver.

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	U-SU-A	Church / school / surface parking	1-2 Story Institutional / commercial	Generally a regular orthogonal grid of streets with block sizes and shapes that are consistent and rectangular; 32 <sup>nd</sup> Avenue connects across Speer east to Green Ct., where a modified curvilinear grid pattern is oriented around Highland Park. In both street and block patterns, vehicle parking to the side or rear of buildings (alley access).
North	U-SU-A1	Retail and mixed use	1-2 Story commercial block and traditional residential	
South	U-SU-A	Church / on-site residence	1-2 Story Institutional / residential	
East	PUD	Commercial / car wash	1 story / surface parking	
West	U-MX-2x	-Mixed commercial (restaurant & medical office), -Single Family Residential	1 ½ to 2 story	

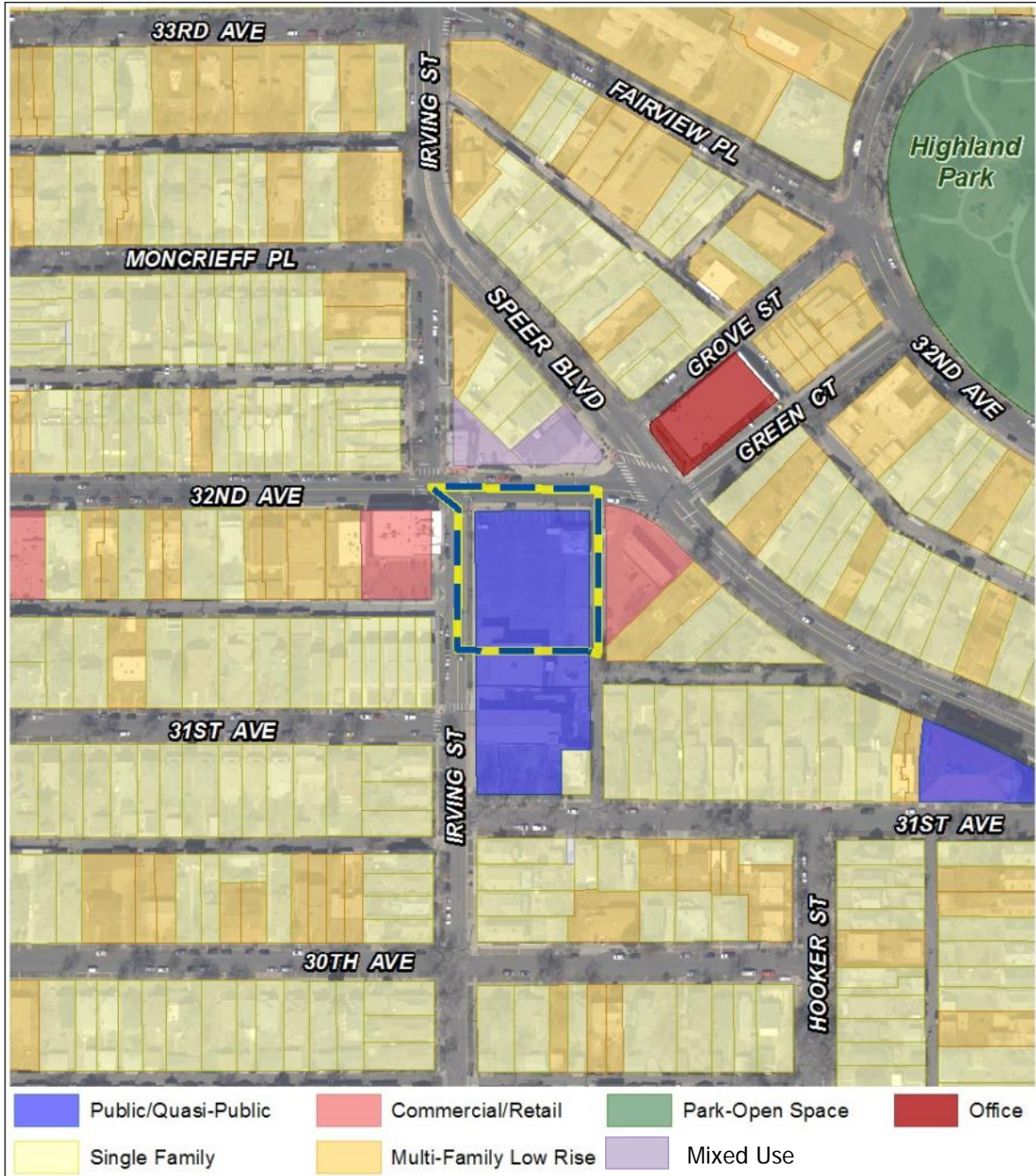
The following zoning map shows the boundary of the Allen M. Ghost Historic Landmark District, which is bounded by Irving Street to the east, and the alley between 31<sup>st</sup> and 32<sup>nd</sup> Avenues to the north. The district excludes five recently constructed single family homes at the corner of 31<sup>st</sup> Avenue and Irving Street.



### 1. Existing Zoning

The U-SU-A zone district is defined as Urban Neighborhood– Single Unit, A – 3,000 s.f. zone lot minimum. This district allows for the urban house building form on traditional blocks with a pattern of 25 foot wide lots. Compared to the other SU districts, U-SU-A allows for the shallowest setbacks and the highest lot coverage in the Urban Neighborhood context. Other possible uses in this district include elementary or secondary schools, Public and Religious Assembly, Community Center and Day Care Center. For additional details of the zone district, see DZC Section 5.2.2.

## 2. Existing Land Use Map



### 3. Existing Building Form and Scale



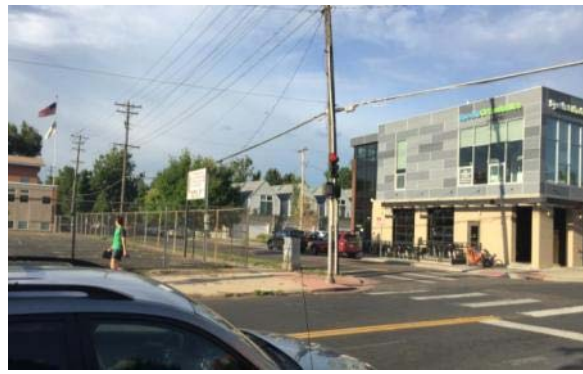
*View of site fronting 32nd Ave looking southeast from 32<sup>nd</sup> & Irving.*



*West – Single Family residential (foreground) and mixed use commercial (background) on the right, viewed from 31<sup>st</sup> and Irving looking north.*



*North – Commercial mixed use front the north side of 32<sup>nd</sup> Ave (right side), viewed from 32<sup>nd</sup> & Speer Blvd looking west.*



*West – Mixed use commercial and single family residential, viewed from 32<sup>nd</sup> Ave looking southwest along Irving Street.*



*South - Emmaus church viewed from 31<sup>st</sup> and Irving Looking North.*



*East – View from Speer Boulevard of commercial carwash facility in the foreground with the subject property (school and church) visible in the background.*

## 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:** No Comments

**Development Services – Wastewater:** Approved – See Comments Below

There is no objection to the rezoning request, however applicant should be under notice that the Public Works will not approve any development of this property without assurance that there is sufficient sanitary and storm sewer capacity. A sanitary study and drainage study may be necessary. These studies may result in a requirement for the developer to install major infrastructure improvements or a limit to development if current infrastructure is insufficient.

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

**Parks & Recreation Department:** Approved - No Comments

**Denver Environmental Health:** The Denver Department of Environmental Health (DEH) has no information regarding environmental conditions that should be considered for this rezoning request. 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.

**Denver Fire Department:** No Comments

## Public Review Process

- CPD staff provided Informational notice of receipt of the rezoning application to affected members of City Council and registered neighborhood organizations on March 3, 2015.
- CPD staff provided Information notice of receipt of a revised rezoning application to the affected members of City Council and registered neighborhood organizations on July 6, 2015.
- The property was legally posted for a period of 15 days announcing the August 19, 2015 Denver Planning Board public hearing, and written notification of the hearing has been sent to all affected registered neighborhood organizations and City Council members.
- A Council Planning and Neighborhood Committee review on September 16<sup>th</sup> was noticed on July 22<sup>nd</sup>. The committee will vote to refer the rezoning application to the full City Council for final action at a public hearing.
- Following City Council Committee review, the rezoning application will be referred to the full City Council for final action at a public hearing. A City Council public hearing is tentatively scheduled for **October 26<sup>th</sup>**, 2015, and will be published with a 21 day notice.
  
- **Registered Neighborhood Organizations (RNOs)**
  - The applicant has reached out to the applicable neighborhood organizations listed on the cover page of this report, and has regularly attended West Highland Neighborhood Association (WHNA )meetings since October of 2014
  - In March 2015, the West Highland Neighborhood Association (WHNA) submitted a letter to Council District 1 and copied CPD staff, requesting that the District Office encourage the applicant to fulfill WHNA's request for a traffic and parking impact study prior to their forming a position on the proposed rezoning (and medical office development concept). The applicant presented a completed traffic and parking impact study to WHNA on May 5<sup>th</sup>.
  - On August 16<sup>th</sup>, WHNA submitted a follow-up letter off opposition, stating that single family redevelopment of this site is unlikely, and that a planned unit development (PUD) rezoning is the best way to move forward (see attached correspondence for the full text of the WHNA position letter).
  - The applicant sponsored two site concept design workshops in April and June, 2015. The workshops involved neighborhood residents living within 200 ft of the site, and other participants selected with WHNA input. At these workshops, the applicant presented the requested traffic and parking impact study related to the proposed medical office project, and explored building form and materials with reference to the U-MS-2x zone district. As a result of community input during the design workshops, the architects prepared a vision document that is intended to guide the building's design.
  - Prior to regular attendance at WHNA meetings and the design workshops referenced above, the applicant hosted two meetings specifically for those living within 200 feet of the project (April and May 2014), two additional meetings with community members (August 2013 & December 2014), and provided information to the community via a booth at the Highlands Street Fair (June 2014).



- **Other Public Comment**
  - **As of the date of this staff report**, CPD has received 41 letters expressing support for rezoning the property to U-MS-2x, and 15 letters expressing opposition.
    - **Letters of support** encourage rezoning on the site to allow for mixed use development, including the potential for health care to serve the surrounding population and to reduce required travel to access such services. Other comments indicate support for the context of proposed rezoning and potential medical office use, stating that the site is surrounded on 3 sides by commercial buildings, and a non-residential religious assembly use to the south.
    - **Letters of opposition** primarily focus on concerns related to traffic impacts resulting from potential commercial development to surrounding residential properties and the existing local street network. Other comments suggest that Blue print Denver does not support a change from single family residential use to mixed use. One letter suggests that that any new development should reflect neighborhood input and character through a PUD rezoning process. One letter of opposition contains a packet with several position statements and analysis of an online petition by a West Highland Resident.
  - See the attached correspondence within the application, and following the application for the full text of all of these public comments.
  - **Planning Board Public Testimony**
    - A number of neighborhood residents and church affiliates provided comments at the public hearing.
    - Most of the residents expressed opposition to the proposed U-MS-2x rezoning and to the proposed medical office project. Concerns were based on assumed negative parking and traffic impacts, the unknown scale and character of the building & project, and some who disagreed with Staff's interpretation of main street land use being consistent with Blueprint Denver. Some residents expressed opposition to any other zone district than the current U-SU-A, while others encouraged a PUD to address neighborhood concerns outlined above.
    - Supporters highlighted the opportunity to put an underutilized site and parking lot to more productive and vibrant use, such as a medical office building that would provide services to the neighborhood.

In response to neighborhood concerns outlined above, it is important to note that the proposed zoning contains design standards and use limitations that promote development that is consistent in scale and character of the surrounding area. Having reviewed these comments, staff finds of the application is consistent with the rezoning review criteria, as described below.

## Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.13 and 12.4.10.14, as follows:

### **DZC Section 12.4.10.13**

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

### **DZC Section 12.4.10.14**

1. Justifying Circumstances
2. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

### **1. Consistency with Adopted Plans**

The following adopted plans apply to this property:

- Denver Comprehensive Plan 2000
- Blueprint Denver (2002)

### **Comprehensive Plan 2000**

- **Environmental Sustainability Strategy 2-F** – Encourages conservation of land by promoting infill development within Denver at sites where services and infrastructure are already in place; designing mixed use communities and reducing sprawl so that residents can live, work and play within their own neighborhoods.
- **Land Use Strategy 3-B** – Encourages 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.
- **Economic Activity Objective 5** - Supports the creation and growth of neighborhood businesses that enhance the vitality and quality of life in their communities.
- **Mobility Strategy 4-E** - Promotes mixed-use development which enables people to live near work, retail and services.
- **Human Environment / Neighborhoods, Strategy 1-C**
  - Encourages strengthening the sense of place in each neighborhood with adequate and well-designed, public-realm facilities such as branch libraries, recreation centers, fire stations, neighborhood businesses and retail areas.
  - Encourages continued help to activate neighborhood-based facilities such as places of worship and schools.

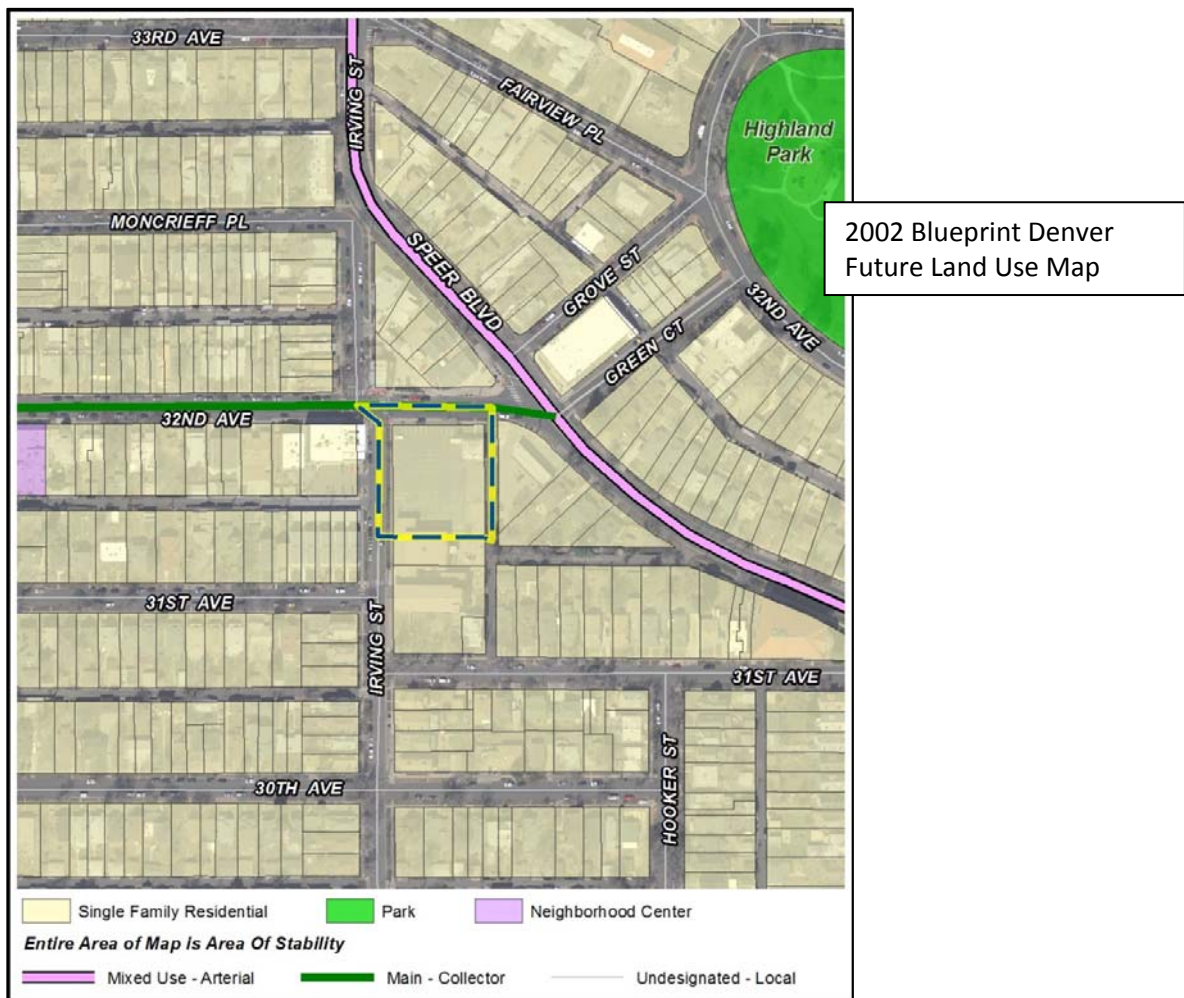
The proposed U-MS-2x zone district will ensure quality infill development that is consistent with city goals and strategies outlined above. The U-MS-2x zone district supports a variety of mixed uses, including commercial uses that would be accessible to surrounding residents and enable people to live near work, shops, and services. The proposed zoning will advance goals related to neighborhood quality. U-MS-2x requires use of the Shopfront building form, with design standards that are intended to orient buildings in a manner that gives prominence to the pedestrian realm as a defining element of

neighborhood character, promotes pedestrian activity, and establishes a sense of security and community (See DZC 5.3 – Design Standards). These design standards include a maximum building height of 2 stories/35 feet, a build-to requirement to encourage building placement close to the sidewalk, and a required pedestrian entrance on the street to give prominence to the pedestrian realm.

### Blueprint Denver

According to the 2002 Plan Map adopted in Blueprint Denver, this site has a concept land use of Single Family Residential and is located in an Area of Stability. It also classifies 32<sup>nd</sup> Avenue as a Main Street Collector, Speer Boulevard as a Mixed Use Arterial and Irving Street as an Undesignated – Local Street.

### Future Land Use



The Blueprint Denver Future Land Use for the property is 'Single Family Residential' in an 'Area of Stability.' Single family homes are the predominant residential type in this Land Use Area, and there may also be an employment base, although it is significantly smaller than the housing base (pgs 42-43). Single family neighborhoods are defined under a broader category of Residential

Areas and Neighborhoods, which Blueprint Denver states: “A neighborhood is an area that consists primarily of residential land uses. A city should contain neighborhoods that offer a variety of housing types, as well as complementary land-use types such as stores, parks and schools that provide the basic needs of nearby residents . . . Neighborhoods are primarily residential but vary in density, size and adjacency of non-residential uses “(Page 41). The proposed U-MS-2x zone district is compatible with the single family residential land use designation. The zone district, which is intended to apply to small sites “embedded in existing and proposed neighborhoods” (DZC, Section 5.2.5.2) would allow for single family homes, while also providing the opportunity for small-scale, neighborhood-serving commercial and retail that complement the surrounding single family uses. The “x” in the U-MS-2x zone district indicates additional limitations and review processes that are specifically intended to limit the impact of commercial uses in a primarily single-family area.

### **Area of Stability**

- According to Blueprint Denver, **Areas of Stability** are intended to maintain the character of an area while accommodating some new development and redevelopment. Areas of stability are defined on page 122 as belonging to one of two categories:
  1. “**Committed Areas**” where a stable neighborhood may benefit from minor infill development rather than large-scale, major redevelopment, and
  2. “**Reinvestment Areas**” where a neighborhood’s character is desirable to maintain, but would benefit from reinvestment through modest infill or major projects in a small area. Reinvestment areas are intended to encourage investment but in a more limited and targeted way than Areas of Change. Reinvestment challenges such as lack of services, and improvement opportunities such as redeveloping underutilized land to provide needed neighborhood services, can be addressed through infill development. The proposed area for U-MS-2x zoning is currently an underutilized surface parking lot with a small commercial building used as storage. Limited and targeted infill development as a reinvestment area could maintain the neighborhood’s character and further stabilize the neighborhood with a more active and beneficial use.

Blueprint Denver also identifies strategies to meet the plan goals for Areas of Stability (Page 25). The proposed U-MS-2x zoning addresses three of these strategies:

- ***Address incompatible zoning and land use issues (Page 25)***

The proposed U-MS-2x zoning provides a zone district that is more compatible with the site’s location on a main street collector (32<sup>nd</sup> Avenue) and its central location within a small neighborhood node of existing commercial and mixed uses at the intersection of Speer and 32<sup>nd</sup> Avenue. Uses that could negatively impact surrounding residential uses, such as lodging accommodations and vehicle service & repair, are not allowed in the U-MS-2x zone district. The zone district also contains limitations, such as restricting overnight stays for medical office, that aim to improve the compatibility of embedded commercial uses in a predominantly residential area.

- ***Compatibility between existing and new development, design and development standards (Page 25)***

The U-MS-2x zoning has siting and design standards to establish compatibility between existing and new development. Design standards include:

- A 2-story maximum / 35 ft high maximum building height,
  - A 5 ft maximum build-to (for commercial or mixed buildings) along 75% of the primary street frontage (32<sup>nd</sup> Ave. would be the primary street for this site)
  - Parking not allowed between the building and the primary and side street
  - 60% transparency along the primary street, and 25% transparency along a side street
  - Surface parking screening with landscaping / garden wall
  - A 10 ft rear setback adjacent to a protected residential district
- ***Diversity of housing type, size, and cost (Page 25)***  
The U-MS-2x zoning will allow a greater variety of housing options than the current zoning, which would only allow for single-family homes

In summary, for the reasons outlined above, the proposed U-MS-2x zoning is consistent with the Blueprint Denver Area of Stability – Reinvestment Area concept.

## **Blueprint Denver Street Classification**

### **32<sup>nd</sup> Avenue**

The site fronts 32<sup>nd</sup> Avenue. The Blueprint Denver Land Use and Transportation Map classifies 32<sup>nd</sup> Avenue as a “Main Street Collector,” which reflects the historic pattern of mixed use commercial and residential buildings oriented to a street with sidewalks, tree lawns and on-street parking. This main street corridor grew along the Denver Tramway streetcar system which operated in Denver until 1950. According to Blueprint Denver:

- Main streets are designed to promote walking, bicycling, and transit within an attractive landscaped corridor. Typical Main Street design elements include buildings close to the street with access to on-street parking, tree lawns / amenity zones, wide sidewalks with transit access and pedestrian plazas, visible crosswalks and signals, bicycle facilities and street furniture (pg 56).

Blueprint Denver describes Collector Streets as providing a greater balance between mobility and land access within residential, commercial and industrial areas. Posted speed limits on collector streets generally range from 25 to 35 miles per hour, with traffic volume and capacity of 5,000 vehicles per day for a two lane street, or more depending on the width, or number of travel / turning lanes of the facility (pg 51).

### **Speer Boulevard**

- The intersection of Speer Boulevard and 32<sup>nd</sup> Avenue is just 90 ft to the east of the subject property. According to Blueprint Denver, arterial streets provide a high degree of mobility and generally serve longer vehicle trips to, from, and within urban areas. Denver’s arterial system

interconnects residential neighborhoods to employment centers, commercial centers and other major urban elements. The volume and capacity of arterials can be 10,000 vehicles for a two lane facility, or more depending on the width, or number of travel / turning lanes of the facility (pg 51).

- Mixed use streets typically emphasize a variety of travel choices for pedestrian, bicycle and transit use, and can serve mixed-use commercial, retail and residential areas with substantial pedestrian activity. Landscaped medians, tree lawns, on-street parking and sidewalks are higher priorities than the number of travel lanes on this type of street (pg 57).

### **Irving Street**

Blueprint Denver categorizes Irving Street (south of 32<sup>nd</sup> Avenue) as a local – undesignated street providing local access to residential and non-residential uses in the neighborhood. Local street mobility is typically incidental and involves relatively short trips at lower speeds to and from other streets, with traffic volumes that should not exceed 2,000 vehicles a day (pg 51).

The proposed U-MS-2x zoning is consistent with Blueprint Denver’s street classifications. The U-MS-2x zone district is an appropriate zone district for commercial, residential or mixed uses that would benefit from convenient access to a main street collector and a mixed use arterial. In particular, the proposed zoning is consistent with 32<sup>nd</sup> Avenue’s designation as a Main Street Collector since its design standards (described above) align with Blueprint’s vision for pedestrian-friendly main streets.

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

The proposed rezoning to U-MS-2x will result in the uniform application of zone district building form, use and design regulations.

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

The proposed official map amendment furthers the public health, safety, and general welfare of the City primarily through implementation of the city’s adopted land use plans.

## **4. Justifying Circumstance**

The application identifies several changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.14.A.4, “The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area.” Changing conditions are listed as follows:

- Recent infill / redevelopment of a two-story commercial building across the street on the west side of Irving, fronting 32<sup>nd</sup> Avenue occurred in 2012. This building contains a ground-level restaurant and dental services on the second floor, and further establishes the main street character of the corridor. Other buildings near the property along 32<sup>nd</sup> Ave and at the Speer

intersection contain active commercial uses that have operated in the neighborhood for many years.

- The small building (on-site) and adjacent school building (adjacent and south of the site) are owned by the church and are not occupied. The school was once operational, but in recent years has discontinued. This changed condition contributes to the underutilized condition of the parking area.
- The Emmaus Lutheran Church, owner of the site and adjacent parcel, has reconfigured the church property into two parcels in order to facilitate infill development on the site.
- The church recently obtained a certificate of non-historic status for the small building fronting 32<sup>nd</sup> Avenue (and the school annex) from the Landmark Commission.

These are appropriate justifying circumstances for the proposed rezoning to U-MS-2x.

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

The requested **U-MS-2x** zone district is within the **Urban** Neighborhood Context, which is primarily characterized by single-unit and two-unit residential uses, with embedded small-scale multi-unit residential and commercial areas. Commercial buildings are typically shopfront and general forms that may contain a mixture of uses within the same building. Multi-unit and commercial uses are primarily located along mixed-use arterial or main streets but may be located at or between intersections of local streets. Urban neighborhoods are typically characterized by a pattern of block shapes surrounded by an orthogonal street grid and a consistent presence of alleys. Blocks are typically served by detached sidewalks, tree lawns, street parking and landscaping in the front setback. Residential buildings typically have consistent, moderate front setbacks, while commercial buildings typically have consistent orientation and shallow front setbacks with parking at the rear and/or side of the building.

The proposed rezoning to U-MS-2x is consistent with the neighborhood context description.

Main Street zone districts are intended to ensure new development contributes positively to established residential neighborhoods and character, and to improve the transition between commercial development and adjacent residential neighborhoods. U-MS-2x applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms (1 to 2 stories) and low intensity uses. As stated in the neighborhood context description above, multi-unit and commercial uses may also be located along main streets, such as 32<sup>nd</sup> Avenue. The street classifications and appropriate building heights and limited commercial uses in this area are consistent with the zone district purpose and intent statements.

### Staff Recommendation

Based on the analysis set forth above, CPD staff finds that the application for rezoning the property located at 3268 W 32<sup>nd</sup> Avenue to a U-MS-2x zone district meets the requisite review criteria. Accordingly, staff recommends approval.

### Planning Board Recommendation

Following the public hearing, the Planning Board voted 5 in favor and 3 opposed to recommend approval to the Denver City Council. Supporting votes were based upon the finding that all of the applicable review criteria had been met. Two opposing votes were based on concerns that the proposed rezoning area was not consistent with the existing conditions surrounding the site. One opposing vote expressed reservations over Staff's interpretation of the Blueprint Denver Single Family Residential land use recommendation.

### Attachments

1. Application
2. Public and RNO comment letters
  - a. Letters of Support
  - b. Letters of Opposition
  - c. Letter of opposition containing personal position statements, the WHNA position statement, and a summary and analysis of an online petition.



## Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Emmanuel Lutheran Church	Representative Name	Neil Neudorff, Church President
Address	3120 Irving Street	Address	3120 Irving Street
City, State, Zip	Denver, CO 80211-3632	City, State, Zip	Denver, CO 80211-3632
Telephone	303-433-3303	Telephone	303-433-3303
Email		Email	
<p>*If More Than One Property Owner:            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>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</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):	3268 W. 32nd Avenue, Denver, CO		
Assessor's Parcel Numbers:	02293-02-027-000 ( The Subject Property is a portion of this parcel)		
Area in Acres or Square Feet:	approximately 31,164 square feet (old Lots 6, 7, 8, and 9)		
Current Zone District(s):	U-SU-A		
PROPOSAL			
Proposed Zone District:	U-MS-2x		
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:	<input checked="" 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. 12.4.10.13<sup>1</sup></p>	<p><input checked="" 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</p> <p>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.</p> <p><input checked="" 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.</p> <p><input checked="" 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>
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.14</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><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.</p> <p><input checked="" type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that rezoning that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area</p> <p><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.</p> <p>Please provide an attachment describing the justifying circumstance.</p> <p><input checked="" 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.</p> <p>Please provide an attachment describing how the above criterion is met.</p>
REQUIRED ATTACHMENTS	
Please ensure the following required attachments are submitted with this application:	
<p><input checked="" type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)</p> <p><input checked="" type="checkbox"/> Proof of Ownership Document(s)</p> <p><input checked="" type="checkbox"/> Review Criteria</p>	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application:	
<input checked="" type="checkbox"/> Written Authorization to Represent Property Owner(s)	
Please list any additional attachments:	
<p>This application is a revised form of the application submitted on February 4, 2015. The revision incorporates a altered Subject Property land area and size. In addition, the attached list of review criteria and justifying circumstances has been revised as well. An additional contact for the re-zoning application is David Haqan. His e-mail is dhaqan@dghinv.com and his cell phone is</p>	

**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
Emmaus Lutheran Church (aka Emmaus Evangelical Lutheran Congregation of North Denver)	3120 Irving Street Denver, CO 80211-3632	100%	<i>note newly</i>	7.1.15	(A)	Yes

Last updated: June 20, 2014

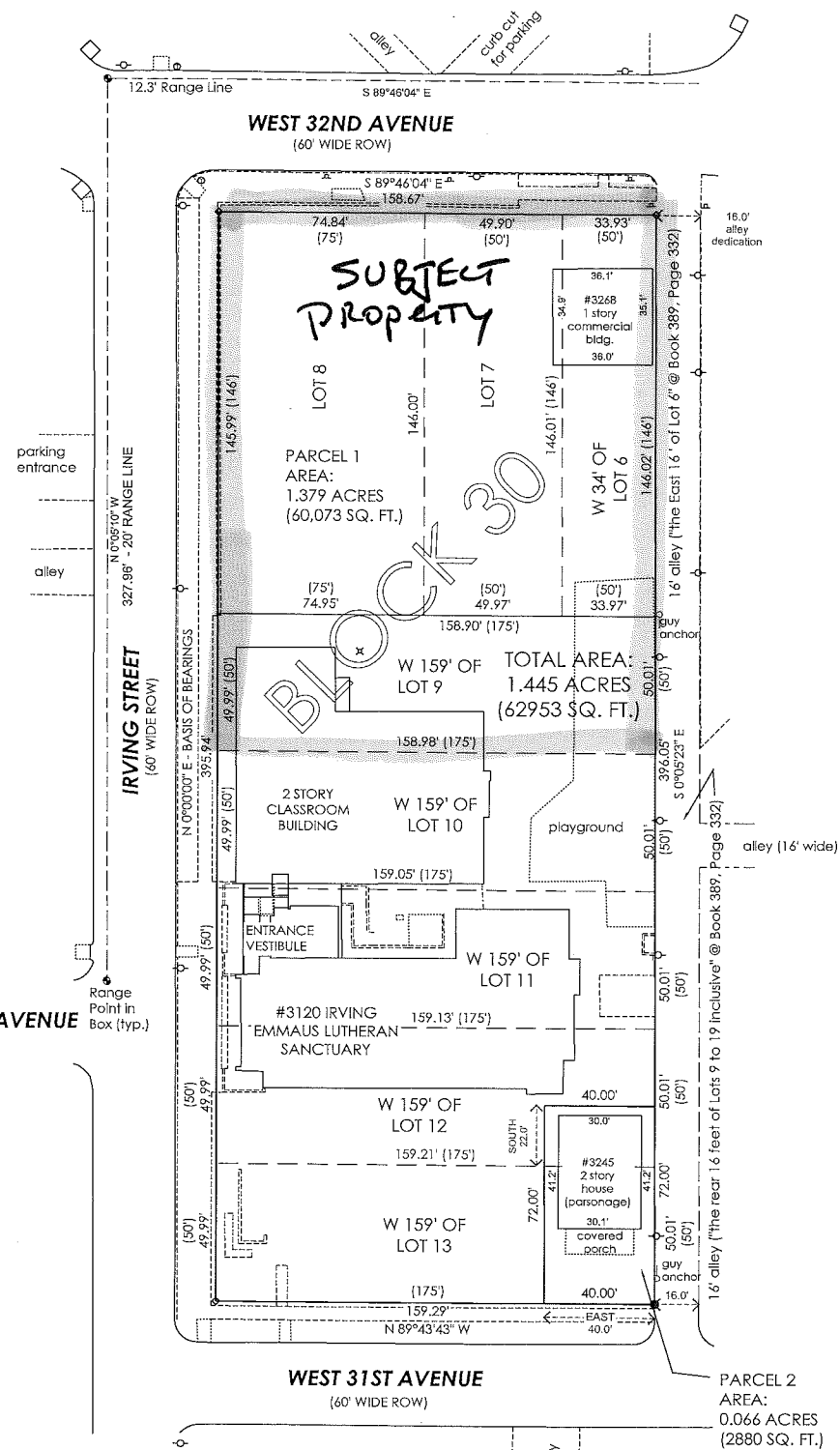
Return completed form to [rezoning@denvergov.org](mailto:rezoning@denvergov.org)

**Revised Legal Description**  
**Emmaus Re-Zoning**  
**32<sup>nd</sup> Avenue and Irving Street**

Lots 7 and 8, Lot 6 except the east 16' thereof and Lot 9, except the east 16' thereof; said exceptions conveyed to the City and County of Denver for alley purposes, Block 30, HIGHLAND PARK, City and County of Denver, State of Colorado.

# ALTA-ACSM - IMPROVEMENT SURVEY PLAT

Lots in Block 30, HIGHLAND PARK, TOWN OF HIGHLAND  
CITY AND COUNTY OF DENVER  
in the NW 1/4 of Section 19, Township 3 South,  
Range 69 West of the 6th P.M., State of Colorado



### LEGAL DESCRIPTION:

Parcel 1:

Lots 6 through 13, Block 30, Except the Easterly 16 feet of Lot 6, conveyed to the City and County of Denver for alley purposes at Book 389, Page 332, and Except the East 16 feet and except the East 40 feet of the West 159 feet of Lot 13, and Except the East 40 feet of the West 159 feet of the South 22 feet of Lot 12, HIGHLAND PARK, City and County of Denver, State of Colorado.

and Parcel 2:

The East 40 feet of the West 159 feet of Lot 13, and the East 40 feet of the West 159 feet of the South 22 feet of Lot 12, HIGHLAND PARK.

### SURVEYOR'S CERTIFICATION:

I, Lawrence G. Chambers, a registered Professional Land Surveyor in the State of Colorado hereby certify to \_\_\_\_\_ that this ALTA - Improvement Survey Plat was prepared on October 31, 2014. I further certify that the improvements on the above described parcel on October 17, 2014, except utility connections, are entirely within the boundary of the parcel, except as indicated, and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted.

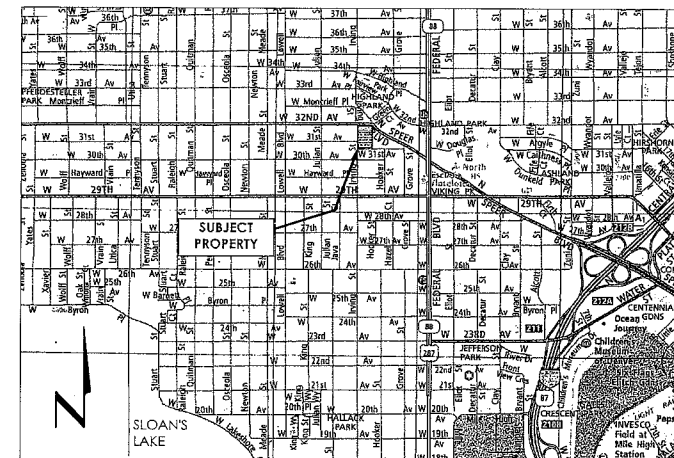
This plat accurately represents the results of that survey. I do further certify that this Survey Plat is in compliance with CRS Title 38, Article 51 and all other applicable statutes.

Lawrence G. Chambers, PLS  
Colorado Registration No. 16099

### NOTES:

- 1) BASIS OF BEARINGS: Bearings are based upon the west line of Block 30 which is assumed to bear N 0°00'00" E between two found #4 rebars (no caps), as shown hereon.
- 2) This survey does not constitute a title search by Chambers Consulting, Inc. to determine ownership or easements of record. For all information regarding easements, rights of way and title of record, Chambers Consulting Inc. relied upon a title policy provided by the clients by First American Title Insurance Company, Policy No. 553159-LP, dated November 2, 2012.
- 3) The ALTA/ACSM "Minimum Standard Detail Requirements" - Table A numbered specifications covered in this survey are: 1, 2, 3, 4, 7(a), 8 and 11(a) as numbered in the Table A.
- 4) According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification above.
- 5) This site is designated Zone X - defined as outside the 0.2% annual chance flood plain as determined by the Flood Insurance Rate Map (FIRM) No.0800460069H dated November 20, 2013.
- 6) Distances on this ALTA-ACSM Plat are expressed in US survey feet and decimals thereof. A US Survey Foot is defined as exactly 1200/3937 meters.
- 7) Any person who knowingly removes, alters or defaces any public land survey monument or land boundary monument or accessory commits a Class Two (2) Misdemeanor pursuant to a Colorado State Statute CRS 18-4-508.

### VICINITY MAP



SCALE: 1 INCH = APPROX 1/2 MILE

### KEY:

- power pole
- FOUND: Blue plastic cap on #5 rebar marked: (RUBINO) PLS#14142
- ◇ FOUND: #4 rebar, no cap
- (\*) Bearing or distance shown in parentheses from recorded deeds or plats; measurements shown without parentheses are as measured.

### 3120 IRVING STREET ALTA SURVEY - EMMAUS LUTHERAN CHURCH PARCELS

CHAMBERS CONSULTING INC. STREET ADDRESS: 805 BEAR CREEK AVENUE MAIL: P.O. BOX 339, MORRISON, CO 80465-0339 303-697-0650 chaconline@chamberscon.com		
SCALE: 1 INCH = 20 FEET	DATE: 11-2-2014 FINAL: 11-28-2014	DRAWN BY: LGC & JARC
file: LUTHERAN.TRV	COUNTY: DENVER	DRAWING NO.: <b>1176</b>

*Emmaus Lutheran Church*

*3120 Irving St.  
DENVER, CO 80211  
(303) 477-0080*

February 25, 2015

To Whom it May Concern:

Neil Neudorff is currently President of Emmaus Lutheran Church and as such may sign official and legal documents on behalf of the congregation per Section 7.2 of the Amended and Restated Bylaws of Emmaus Lutheran Church.

Respectfully,



Daniel Griebenaw

Secretary, Emmaus Lutheran Church Congregation

**AMENDED AND RESTATED BYLAWS  
OF  
EMMAUS LUTHERAN CHURCH**

**ARTICLE 1  
OFFICES**

The principal office and place of business and the registered office of the corporation (hereafter referred to in these bylaws as “congregation”) shall be at 3120 Irving Street, Denver, Colorado 80211.

**ARTICLE 2  
MEMBERSHIP**

**Section 2.1 – Classes of Members**

- (A) Baptized Members
- (B) Communicant Members
- (C) Voting Members

**Section 2.2 – Criteria for Membership and Obligations of Membership**

- (A) Baptized members are members who have been baptized in the Name of the Father, Son and Holy Spirit, including children on the membership rolls who have not yet confirmed their baptismal vows.
- (B) Communicant members are baptized members who have been confirmed in the Lutheran faith and who accept the canonical books of the Old and New Testament and the Confessions referred to in Section 4.2 of the articles of incorporation.
  - (1) Admission into Communicant Membership:
    - (a) By Confirmation – Confirmation being a reception into church membership, all who are thus received by this sacred act become communicant members.
    - (b) By Transfer – A person who comes with a letter of transfer from a congregation in church fellowship and who conforms in all respects to the requirements for membership in this congregation shall be received by the Pastor, which action is to be submitted to the Church Council for approval as a part of the next membership report of the Board of Elders.
    - (c) By Profession of Faith – A person who submits an application to the Pastor and gives satisfactory evidence of qualifications for communicant membership to the Pastor shall be recommended to the Board of Elders as a communicant member, and the action of the Board of Elders shall be submitted to the Church Council for approval as a part of the next membership report of the Board of Elders.
  - (2) Communicant members are expected to:
    - (a) Attend worship services faithfully.
    - (b) Lead Christian lives and not live in manifest works of the flesh (Gal. 5:19-21).
    - (c) Partake of Holy Communion frequently.
    - (d) Contribute regularly and faithfully as God has prospered them toward the building of Christ’s Kingdom in the congregation and throughout the world.
    - (e) Devote their time and talents to the extension of Christ’s Kingdom.
    - (f) Practice Christian love and charity, especially to those of the household of faith.

- (g) Accept fraternal admonishment and correction when they have erred.
  - (h) Have no membership in or association with secret societies or other organizations which have a system of beliefs which conflict with the Word of God.
- (C) Voting Members – A communicant member who has attained the age of 18 years may apply for voting membership by signing a request at any annual or regular meeting of the voting membership. Upon such request, the applicant shall be given a copy of the articles of incorporation and these bylaws and asked to read the articles and at least Articles 1 to 8 and 14 to 17 of these bylaws. At the next meeting of the membership at which the applicant is present (but not more than (7) months after the date of application), the applicant shall sign a statement that he or she has read the articles of incorporation and at least Articles 1 to 8 and 14 to 17 of these bylaws and agrees to membership on those terms. After such action by the applicant, the applicant shall be accepted as a voting member upon approval by a majority of the members present at the meeting.

### **Section 2.3 – Termination of Membership**

- (A) Termination of Communicant Membership.
- (1) Transfer to Another Congregation – A communicant member who desires to join a congregation in church fellowship shall present a request for transfer to the Pastor; and the Pastor is authorized to issue the transfer. The Board of Elders shall report such transfer of membership to the Church Council at its next regular meeting, and the member shall be removed from the membership list.
  - (2) By Joining a Church Not in Fellowship – If a communicant member has joined a congregation outside our fellowship, the member shall be considered as having terminated membership at Emmaus. The Board of Elders shall report this action by the member at the next regular meeting of the Church Council, and the member shall be removed from the membership list by resolution of the Church Council.
  - (3) Moving From the Denver Area With no Request for Transfer – If a communicant member moves from the Denver area and has not requested a transfer within a reasonable time, the Pastor shall write a letter to that member encouraging the member to transfer to a congregation in the area to which he or she has moved. The Pastor shall also write a letter to a Pastor in that area suggesting a contact with the member. If no request for transfer is forthcoming, the Pastor shall write up two more follow-up letters to the member. If there is no request for transfer within a reasonable time, the Board of Elders shall recommend to the Church Council that the membership be terminated, and the member shall be removed from the membership list by resolution of the Church Council. The Pastor shall then notify the former member that his or her membership has been terminated.
  - (4) Excommunication and Self-Exclusion – Any member who conducts himself or herself in an un-Christian manner, i.e., one who openly adheres to false doctrine, gives evidence of an immoral and offensive life, or willfully despises the preaching of the Gospel and Holy Communion shall be admonished according to Matthew 18:15-20. The Board of Elders shall administer church discipline on behalf of the congregation. If the member refuses to amend his or her sinful life after proper admonition, the member shall be requested to be present at a meeting of the voting membership and, if still impenitent, the member shall be excommunicated. If the member refuses to attend the meeting of the voting membership to discuss his or her case without valid excuse, the member may be deemed to have excluded himself or herself. The adoption of a resolution for excommunication or self-exclusion requires unanimous vote of those present and which is held pursuant to notice that the excommunication of the member is to be discussed and acted upon. Excommunication or self-exclusion terminates membership.



- (5) Termination by Request – If a member, who does not wish to transfer to a congregation in church fellowship and who has not joined any other church, states that he or she no longer wishes to be a member of Emmaus, that member may sign a written statement addressed to the congregation and terminate his or her membership. If the member does not sign a written statement, the member may communicate that request orally to the Pastor or to a member of the Board of Elders. The Pastor or the members of the Board of Elders shall make a written report of such request and place it in the individual's file. The termination of the membership shall be reported to the Church Council.
  - (6) Termination by Forfeiture – If a member who lives in the Denver area has not attended worship services or communed for one year without valid excuse, he or she shall be contacted by the Pastor and/or a member of the Board of Elders and encouraged to attend worship services and to commune. (Depending upon the circumstances, contact may be in person, by telephone or mail). If the member does not attend worship services or commune within a reasonable time, he or she shall be contacted again by the Pastor and/or a member of the Board of Elders and admonished evangelically. If the member does not respond affirmatively, the Board of Elders shall present the name of the member to a meeting of the voting membership and ask whether any member knows of any reason the membership of the delinquent member should not be terminated. If no request for delay is presented, the membership may be terminated by the vote of a majority of those present and voting.
  - (7) Whereabouts Unknown – If the whereabouts of any communicant member is unknown and cannot be determined by inquiry within a reasonable time, the name of the member shall be published in the Emmaus Appeal for two consecutive months with the request for assistance in locating the member. If the publication does not result in the location of the member, the Board of Elders shall so report to a regular meeting of the Church Council, and the member shall be removed from the membership list by resolution of the Church Council.
- (B) Termination of Voting Membership – Failure to attend at least one meeting of the voting membership in a calendar year automatically and without notice terminates voting membership.

#### **Section 2.4 – Reinstatement of Membership**

- (A) Reinstatement of Communicant Membership.
  - (1) A person whose membership has been terminated by excommunication or self-exclusion shall be readmitted to membership if the person repents and asks forgiveness through the Pastor and the Board of Elders and states that he or she intends to attend worship services and to partake of Holy Communion regularly.
  - (2) A person whose membership has been terminated for any other reason shall be readmitted to membership upon request, provided that the person assures the Pastor that he or she intends to attend worship services and to partake of Holy Communion regularly.
  - (3) The name of any person who has been readmitted to membership as stated above shall be reported by the Board of Elders to the Church Council.
- (B) Reinstatement of Voting Membership. A former voting member may be reinstated by making application at an annual or regular meeting of the voting membership. The applicant will be reinstated at the next meeting of the voting membership upon approval by a majority of the voting members present at the meeting if the applicant is present at the meeting.

## ARTICLE 3 MEMBERSHIP MEETINGS

**Section 3.1 – Annual Meeting.** The annual meeting of the voting membership shall be held on the fourth Sunday of April following the morning worship service for the purpose of electing officers and members of the administrative boards referred to in these bylaws and for the transaction of such other business as may come before the meeting.

**Section 3.2 – Regular Meetings.** Regular meetings of the voting membership shall be held on the fourth Sunday of July, October and January following the morning worship service.

**Section 3.3 – Place of Meetings.** Meetings of the voting membership shall be held at 3120 Irving Street, Denver, Colorado.

**Section 3.4 – Change of Date, Time or Place of Meeting.** The date, time or place of annual or regular meetings of the voting membership may be changed by resolution of the Church Council.

**Section 3.5 – Special Meetings.** Special meetings of the voting membership may be called by the President, Pastor, at the request of any of the administrative boards, or by written demand of ten (10) communicant members of the congregation stating the purpose or purposes for calling the meeting.

**Section 3.6 – Notice and Methods of Notice.**

- (A) Notice of an annual or regular meeting of the voting membership to be held on the date and at the time and place specified in these bylaws shall be given by announcement at the worship service and publication in the worship folder on the Sunday before the meeting and the Sunday of the meeting.
- (B) Notice of an annual or regular meeting of the voting membership to be held on a date or at a time or place other than that specified in these bylaws shall be given by announcement in the worship service on two Sundays before the date of the meeting and the Sunday of the meeting if the meeting is to be held before the specified date. If the meeting is to be held after the specified date, notice shall be announced and published in the worship folder on the Sunday specified for the meeting and on the Sunday before the meeting.
- (C) Notice of special meetings of the voting membership shall include a description of the purpose or purposes of the meeting and the date, time and place of the meeting. The notice shall be given by announcement at the worship service and in the worship folder on the two Sundays before the meeting and on the Sunday of the meeting.
- (D) Notice of each annual, regular and special (if time permits) meeting of the voting membership shall be published in the Emmaus Appeal mailed not less than thirty (30) nor more than sixty (60) days before the date of the meeting. Failure to make this publication shall not affect the legality of the meeting.
- (E) If an annual, regular or special meeting of the voting membership is to act upon any transaction specified in paragraphs (a) through (i) of Section 7.2 of Article 7 of the Articles of Incorporation, notice shall be given to each voting member not less than ten (10) nor more than sixty (60) days before the date of the meeting. Notice shall be given personally or by mail, private carrier, telegraph, electronically transmitted facsimile or other form of wire or wireless communication by or at the direction of the president, the secretary, or the officer or persons calling the meeting. If mailed and if in a comprehensible form, such notice shall be deemed to be given and effective at the earliest of: (1) the date received; or (2) five (5) days after deposit in the United States mail properly addressed to the voting member at the member's address as it appears in the

congregation's current record of voting members, with first class postage prepaid. If notice is mailed by other than first class mail, no less than thirty (30) day's notice must be provided.

### **Section 3.7 – Order of Business**

- (A) **Regular Meetings.** The Order of Business for each regular meeting of the voting membership shall be published in the worship folder at the Sunday worship service immediately preceding the time of the meeting. Regular meetings of the voting membership shall proceed as follows:
  - (1) Opening devotion and prayer.
  - (2) Roll call or signed attendance by voting members.
  - (3) Reception of new voting members.
  - (4) Minutes of previous meeting and special meetings.
  - (5) Treasurer's report.
  - (6) Reports of administrative boards.
  - (7) Committee reports.
  - (8) Unfinished business.
  - (9) New business.
  - (10) State of the Parish report by the Pastor. (11) Adjournment.
- (B) **Annual Meeting.** The order of business for the annual meeting shall be the same as for a regular meeting, except that following (9) "New Business" shall be inserted: Report of Nominating Committee and Nominations Elections
- (C) The President, with the consent of the voting membership, may vary the above order if circumstances shall make it desirable.

**Section 3.8 – Meetings by Telecommunication.** Voting members may not participate in a meeting of the voting membership by means of telecommunication.

## **ARTICLE 4 MEMBERSHIP VOTING**

**Section 4.1 – Voting List.** The Secretary shall maintain a list of voting members. The list shall be arranged in alphabetical order and shall show the name and address of each voting member. The list shall be updated after each meeting of the voting membership. The voting members on that list, less any who may die or resign, plus any new voting members received at the beginning of the next meeting, shall be those entitled to vote at that meeting.

### **Section 4.2 – Quorum and Manner of Voting.**

- (A) Except as provided in (B) of this Section, twenty-five percent (25%) of the voting membership shall constitute a quorum for the transaction of business at a meeting of the voting membership, and the affirmative vote of a majority of the voting members present shall be the act of the voting membership.
- (B) Transactions specified in the Articles of Incorporation, paragraphs (a) through (i) of Article 7, Section 7.2, require a quorum of forty percent of the voting membership, and the affirmative vote of two-thirds (2/3) of the voting members present, except that the two-thirds (2/3) voting requirement, shall not apply in calling a Pastor or other called personnel. (As amended December 5, 2005)

**Section 4.3 – Voting Entitlement.** Only voting members are entitled to vote, and each voting member shall be entitled to one (1) vote on each matter submitted. Cumulative voting shall not be permitted in the election of the members of the administrative boards.

**Section 4.4 – Proxies.** Proxy voting shall not be permitted in meetings of the voting membership.

**Section 4.5 – Action by Written Ballot.** Any action that may be taken at any annual, regular or special meeting of the voting membership may be taken without a meeting if the congregation delivers a written ballot to every voting member.

- (A) The written ballot shall (1) set forth each proposed action and (2) provide an opportunity to vote for or against the proposed action.
- (B) Approval by written ballot shall only be valid when the number of votes cast by ballot equals or exceeds the quorum required to be present at a meeting authorizing the action and the number of approvals equals or exceeds the number of votes that would be required to approve the matter at a meeting of the voting membership at which the total number of votes cast was the same as the number of votes cast by ballot.
- (C) All solicitations for votes by written ballot shall
  - (1) indicate the number of responses necessary to meeting the quorum requirements;
  - (2) state the percentage of approvals necessary to approve each matter other than election of administrative boards;
  - (3) specify the time by which the ballot must be received by the congregation in order to be counted; and
  - (4) be accompanied by written information sufficient to permit each person voting to reach an informed decision.
- (D) Written ballots may not be revoked.

## **ARTICLE 5 CHURCH COUNCIL**

**Section 5.1 – Membership.** Members of the Church Council (herein sometimes referred to as "directors" shall be communicant members (see Section 2.2B) at least eighteen (18) years of age. The Church Council shall consist of: the Pastor; President; Vice-President; Secretary; and Treasurer; the chairperson of each of the six (6) administrative boards; the chairperson of the Emmaus Ladies' Guild; and the chairperson of any youth organization. Their term of office on the Church Council is concurrent with the office they hold in the respective positions. The School Principal, the Director of the Early Learning Center and the Financial Secretary shall be ex officio members without vote.

**Section 5.2 – Powers and Duties.** The Church Council is the board of the directors of the congregation. However, it is subject to the direction and control of the voting membership and limited by provisions of Article 7 of the Articles of Incorporation. The Church Council shall:

- (A) Coordinate and oversee the programs and activities of the various administrative boards and departments of the congregation.
- (B) Act in behalf of the congregation between meetings of the voting membership.
- (C) Appoint a person to fill a vacancy in any elective position in the event of a death, resignation or removal from office. The appointment shall be for the unexpired temp.
- (D) Approve the appointment of additional members to administrative boards pursuant to Section 9.3(B) of these bylaws.
- (E) Review and coordinate items of business to be presented to the voting membership.
- (F) Consider and act on approval of expenditures not provided for in the budget, but any expenditure of three thousand five hundred dollars (\$3,500.00) or more shall require approval by the voting membership with a quorum of fifty percent (50%) and the affirmative vote of two-thirds (2/3) of the voting members present.
- (G) Be responsible for an annual review of insurance coverages to protect the congregation against losses, damage and claims by third parties.
- (H) Promote and manage the Emmaus Lutheran Church Endowment Fund as provided in Article 12 of these bylaws.

- (I) Take care of any other matters assigned to the Church Council in these bylaws.
- (J) Take such other actions as may be in the best interests of the congregation and not reserved to the voting membership or prohibited by the Articles of Incorporation or these bylaws.

**Section 5.3 -- Meetings.**

- (A) The Church Council shall have a regular meeting on the second Tuesday of each month. Special meetings may be called by a Pastor, the President of the congregation or the chairpersons of two administrative boards.
- (B) The time of meetings shall be set by resolution of the Church Council. All meetings shall be held at 3120 Irving Street, Denver, Colorado, unless changed by resolution of the Church Council.
- (C) No notice of regular meetings of the Church Council need to be given directors other than publication in the worship folder the Sunday before the meeting unless there is a change in date, time or place. In the event of such change, the director shall be notified by written notice delivered personally or by notice by telephone, electronically transmitted facsimile or other form of wire or wireless communication at least two (2) days before the date of the meeting.
- (D) Notice stating the date, place and time of every special meeting shall be given to each director not less than two (2) days before the meeting in the manner stated in (C) above.
- (E) A quorum at all meetings of the Church Council shall be 6.
- (F) For purposes of determining a quorum with respect to a particular proposal, and for purposes of casting a vote for or against a particular proposal, a member of the Church Council may be deemed present at a meeting and to vote if the member has granted a signed written proxy to another member of the Church Council who is present at the meeting, authorizing the other member to cast the vote that is directed to be cast by the written proxy with respect to the particular proposal that is described with reasonable specificity in the proxy.
- (G) A director who is present at a meeting of the Church Council is deemed to have assented to all action taken unless: (1) the director objects at the beginning of the meeting, or promptly upon arrival, to holding the meeting or transacting business at the meeting and does not thereafter vote for or assent to any action taken; (2) the director contemporaneously requests that the director's dissent-or abstention as to any specific action taken be entered in the minutes; or (3) the director causes written notice of the director's dissent or abstention as to any specific action to be received by the presiding officer of the meeting before adjournment or by the congregation promptly after adjournment. The right of dissent or abstention is not available to a director who votes in favor of the action taken.

**Section 5.4 -- Action Without a Meeting.** Any action required by law to be taken at a meeting of the Church Council, or any other action which may be taken at a meeting of the directors, may be taken without a meeting if every director in writing: (A) votes for such action; (B) votes against such action and waives the right to demand that a meeting be held; or (C) abstains from voting and waives the right to demand that a meeting may be held. Action is taken only if the affirmative votes for such action equal or exceed the minimum number of votes that would be necessary to take such action at a meeting at which all of the directors then in office were present and voted. The action shall only be effective if there are writings which describe the action, signed by all directors, received by the congregation and filed with the minutes. Any such writings may be received by electronically transmitted facsimile or other form or wire or wireless communication providing the congregation with a complete copy of the document, including a copy of the signature. Actions taken shall be effective when the last writing necessary to effect the action is received by the congregation unless the writing set forth a different date. Any director who has signed a writing may revoke it by a writing signed, dated and stating the prior vote is revoked. However, such writing must be received by the congregation before the last writing necessary to effect the action is received. All such actions shall have the same effect as action taken at a meeting.

**Section 5.5 – Telephonic Meetings.** The Church Council may permit any director to participate in a regular or special meeting of the Church Council through the use of any means of communication by which all directors participating in the meeting can hear each other during the meeting. A director participating in a meeting in this manner is deemed to be present in person at the meeting.

## **ARTICLE 6 NOMINATIONS, ELECTIONS AND REMOVAL**

**Section 6.1 – Nomination Procedure.**

- (A) At the January meeting of the voting membership, the President shall announce the selection of not less than three (3) qualified voting members who, together with the Pastor and the School Principal, shall serve as the Nominating Committee. At this meeting the voting membership shall be invited to submit to the Nominating Committee the names of possible candidates for office. As soon as possible after the January meeting, the Nominating Committee shall prepare a list of candidates drawn from among the communicant members of the congregation (see Section 2.2B) who have reached the age of eighteen (18) years or older. Included with this list shall be the names submitted at the January meeting of the voting membership. This list shall then be made available to the members of the congregation at least three (3) weeks prior to the annual meeting of, the voting, membership. Only male members shall be eligible for election to the Board of Elders or to the office of President or Vice-President. (As amended May 18, 2003)
- (B) Following the publication of the Nominating committee's list, any communicant member of the congregation may submit to the Committee additional names for inclusion on the list, and such names shall be placed in nomination by the Committee along with the candidates already chosen, provided: (1) that such names shall be submitted at least fourteen (14) days before the date of the annual meeting of the voting membership, and (2) that the Nominating Committee's consultation, by personal contact, with the Pastor and the Board of Elders shall have determined the status of such proposed candidates and found them spiritually eligible for office and willing to serve.
- (C) At least one week before the date of the annual meeting of the voting membership, the Nominating Committee shall publish in the worship folder the list of candidates nominated for the following offices: President, Vice President, Secretary, Treasurer, Financial Secretary and the administrative boards.

**Section 6.2 – Elections.** The elections shall be held in the annual meeting of the voting membership. The elections shall be by ballot, and the candidates receiving a plurality of the votes cast for each office shall be declared elected.

**Section 6.3 – Beginning of Term of Office.** All terms of office shall begin on the first Sunday of May, unless the annual meeting is delayed. In that event, the term shall begin on the Sunday following the meeting.

**Section 6.4 – Removal from Office.** Any person holding an elective position may be removed from office by the voting membership by a two-thirds (2/3) vote of the voting members present at the meeting for any of the following causes: persistent adherence to false doctrine, scandalous life, willful neglect, or inability to perform the duties of the office.

**Section 6.5 – Vacancies.** If a vacancy occurs in any elective position by death, resignation or removal, the Church Council shall appoint a person to fill the vacancy for the remainder of the term.

## **ARTICLE 7 OFFICERS AND TERMS**

**Section 7.1 – Officers and Terms.** The officers of this congregation shall be: President, Vice President, Secretary, Treasurer and Financial Secretary. Their term of office shall be one (1) year or until their successors have been installed. Only male members shall be eligible for the office of President or Vice-President. (As-amended May 18, 2003) All officers may also serve on (but shall not chair) other administrative boards.

**Section 7.2 – President.** The President shall preside at all meetings of the voting membership and of the Church Council and shall be responsible for carrying out the resolutions of the voting membership. The President shall sign official and legal documents on behalf of the congregation. The President is an ex officio member of all administrative boards and committees without vote.

**Section 7.3 – Vice President.** In the absence of the President, the Vice President shall perform the duties of the President. The Vice President shall also have such other duties as may be assigned by the Church Council. In the event of a vacancy in the office of the President, the Vice President shall succeed to the office of President for the remainder of the term.

**Section 7.4 – Secretary.** The Secretary shall keep accurate minutes and attendance records of the meetings of the voting membership and the Church Council as permanent records of the congregation. The Secretary shall sign official and legal documents on behalf of the congregation and shall perform other duties in keeping with the office.

**Section 7.5 - Treasurer.** The Treasurer shall pay all bills which are properly authorized. The Treasurer shall keep accurate records of the receipts and disbursements of the congregation in books which shall be and remain the property of the congregation. The Treasurer shall submit a report at the annual and each regular meeting of the voting membership and the Church Council. Such reports shall show actual receipts and disbursements. The Treasurer shall be bonded. The Treasurer shall be an advisory member of the Board of Christian Stewardship without vote.

**Section 7.6 – Financial Secretary.** The Financial Secretary shall be responsible for the accurate counting, recording and depositing of all receipts in a financial institution. The Financial Secretary shall be assisted by a team which does the counting and the recording of the receipts. Those serving on the team and the procedures shall be approved by the Church Council. The Financial Secretary shall report to the Treasurer. If the office of Financial Secretary is vacant, the duties of that office shall be administered by the Treasurer. The Financial Secretary shall be bonded. The Financial Secretary shall be an ex officio member of the Church Council without vote.

## **ARTICLE 8 PASTORS AND OTHER PERSONNEL**

**Section 8.1 – Calling a Pastor.** In calling a Pastor, a Candidate Selection committee shall be established consisting of the Board of Elders augmented by three (3) voting members appointed by the President of the congregation. The Committee shall investigate candidates for the office, including those suggested by any communicant member of the congregation and shall present the names of qualified candidates to the Church Council. At a meeting of the Church Council, nominations for the office of Pastor shall be made. Thereafter the names and qualifications of those nominated shall be published at least once in the Emmaus Appeal. If no protest is made and sustained, one (1) of the candidates shall be elected by ballot at a meeting of the voting membership. The candidate obtaining a majority of all of the votes cast shall be elected by the voting membership and shall be called after a resolution to make the vote unanimous has been adopted.

**Section 8.2 – Calling or Contracting With Other Staff Personnel.**

- (A) In calling a Director of Christian Education, a Director of Christian Outreach, or a Director of Music, a Candidate Selection Committee shall be established consisting of at least one member

of the Board for Christian Education, one member of the Board of Elders, and three (3) voting members appointed by the President of the Congregation. The committee shall investigate candidates for the position, including those suggested by any communicant member of the congregation, and shall present the names of qualified candidates to the Church Council. Nominations for the position shall be made at a meeting of the Church Council. In addition to notice of the meeting of the voting membership to act upon the call given under Section 3.6 (E) of these Bylaws, the names and qualifications shall be published in the worship folder on the two Sundays before the meeting and on the Sunday of the meeting. The candidate obtaining a majority of all of the votes cast shall be elected by the voting membership. The voting membership shall then issue the appropriate call documents signed by the President and Secretary of the congregation. (As amended December 5, 2005)

- (B) In calling a School Principal or any tenured teacher, the Board for Christian Education shall investigate candidates for the office, including those suggested by any communicant member of the congregation. The Board for Christian Education shall interview those candidates who appear to be qualified and shall choose not to exceed three whom it deems best qualified. In addition to notice of the meeting of the voting membership to act upon the call which is given under Section 3.6 (E) of these Bylaws, the names and qualifications shall be published in the worship folder on the two Sundays before the meeting and on the Sunday of the meeting, The candidate obtaining a majority of all of the votes cast shall be elected by the voting membership. The voting membership shall then issue the appropriate call documents signed by the President and Secretary of the congregation. (As amended December 5, 2005)
- (C) The Board for Christian Education shall be responsible for contracting with such non-tenure and contract teachers, including the position of School Principal, as may be needed on the School and Early Learning Center faculty, provided that no contract may be issued unless funds for salaries, housing allowances, if any, auto allowances, if any, and moving expenses, if any can be paid within the budgeted allowances of the Board for Christian Education or approved by special action of the voting membership.
- (D) The officers of the respective calling or contracting bodies shall be responsible for developing the call or contract details for clear presentation to the person being called or contracted. Copies of the call or contract details shall be kept on file in the congregation's records in the Church office.

**Section 8.3 – If a Pastor Receives a Call.** If a Pastor receives a call to another congregation or office, the Board of Elders shall confer with the Pastor concerning the call, and the recommendation of the Board of Elders shall be presented to the voting membership in order that careful, prayerful consideration may be given to the needs of both offices. No decision of the Board of Elders or the voting membership shall be binding on the Pastor.

**Section 8.4 – If a Called School Principal or Teacher Receives a Call.** If a called School Principal or teacher receives a call to another congregation or office, the chairperson of the Board for Christian Education shall appoint a committee from that Board supplemented by a like committee from the Board of Elders to confer with the School Principal or teacher called. The recommendation of this joint committee shall be presented to the Board for Christian Education and the Board of Elders. The call shall then be presented to the voting membership in order that careful and prayerful consideration may be given to the needs of both offices. No decision of the Boards or of the voting membership shall be binding on the School Principal or the teacher.

**Section 8.5 – Removal from Office.** A Pastor or other called personnel may be removed from office by the voting membership by a two-thirds (2/3) vote of the voting members present at the meeting for any of the following causes: persistent adherence to false doctrine, scandalous life, willful neglect, or inability to perform the duties of the office.

## ARTICLE 9



## ADMINISTRATIVE BOARDS

### Section 9.1 – Administrative Boards.

The administrative boards are:

- (A) Board of Elders (Section 9.7)
- (B) Board for Christian Education (Section 9.8)
- (C) Board for Christian Stewardship and Social Ministry (Section 9.9)
- (D) Board for Property Management (Section 9.10)
- (E) Board for Evangelism and Parish Fellowship (Section 9.11)
- (F) Board for Youth Ministry (Section 9.12)

### Section 9.2 – Membership.

- (A) Each administrative board shall have from three (3) to six (6) members of the congregation, as determined by the Church Council each year. In making the determination, the Church Council shall consider the work load of the board and the number of persons likely to be willing to serve on boards. This determination shall be made by the Church Council at its last meeting before the meeting of the voting membership at which the selection of the members of the Nominating Committee is announced. If the Nominating Committee is not able to find enough nominees for a board which is to have more than three (3) members, the Nominating Committee shall notify the Church Council which shall reduce the number of members for that board to three (3). If the Nominating Committee is unable to find three (3) nominees for a board, the Church Council may approve a lesser number.
- (B) If at any time a board shall have less than the number of members approved by the Church Council, that fact shall not invalidate any action taken by the board, but the Church Council shall act promptly to fill the vacancy as provided in Section 5.2(C) of these bylaws.
- (C) The term of office shall be one (1) year or until their successors have been installed. A board member may be re-elected annually without limitation as to number of terms.
- (D) Only male members may serve on the Board of Elders.
- (E) The Pastor shall be an ex officio member of all administrative boards and committees without vote.

### Section 9.3 – Committees.

- (A) A board may appoint a committee or committees to assist in carrying out the duties of the board, provided that the board may not delegate authority to make decisions on behalf of the board.
- (B) A board may appoint such additional members as it finds necessary for the efficient discharge of its responsibilities. Both the number and identity of such appointees shall be subject to the approval of the Church Council. Such appointees shall be confirmed members in good standing at least eighteen (18) years of age. One (1) person of high school age may be selected for service with each board except the Board of Elders. Such person shall have no vote on board decisions.

**Section 9.4 – Meetings.** Each board shall meet once a month on a day and at a time and place approved by the Church Council. Special meetings of a board may be called by the Pastor, the chairperson of the board or any two (2) members of the board, The School Principal may call a special meeting of the Board of Christian Education.

### Section 9.5 – Approval and Budget.

- (A) If a board desires to take any action which would require approval by the voting membership, the board shall first submit the proposed resolution With a written explanation to the Church Council. The Church Council may approve, amend or disapprove. In any emergency, the Pastor or the President may waive submission to Church Council.

- (B) Each board shall submit to the Board of Christian Stewardship and Social Ministry, in appropriate form and at the time requested, a budget for its work for the next calendar year.

**Section 9.6 – Election and Notices.**

- (A) At the first meeting of each board after its election, each board shall:
  - (1) Elect from its elected membership a chairperson, a vice-chairperson and a secretary.
  - (2) Review the activities of the board during the preceding year, review the duties of the board as stated in these bylaws and begin planning for its term of office.
- (B) Any organization of women, men or youth in the congregation shall in the month following their respective elections furnish Church Council with a written notice of the names of the chairperson and vice-chairperson of the organization. These names shall be announced at the next meeting of the voting membership and recorded in the minutes.

**Section 9.7 – Board of Elders.** The mission of this board is to assist the Pastor in caring for the spiritual welfare of members of the congregation, individually and corporately.

- (A) This board shall:
  - (1) Have as its special concern the spiritual welfare of the members of the congregation, individually and corporately.
  - (2) Prayerfully, conscientiously and diligently carry out church discipline in accord with the Word of God and a full understanding of the purpose and importance of church discipline.
  - (3) Be concerned with attendance at the public worship of God and use of the Sacraments by members of the congregation and shall establish a personal calling program on those who become lax or delinquent in worship, participation in Holy Communion or baptism of newborn children.
  - (4) See that all services are conducted in such manner as to avoid needless disturbances and to foster an attitude conducive to worship among those present.
  - (5) Coordinate any arrangements for pulpit assistance, guest speakers and special services with the Pastoral office.
  - (6) Be an example of Christian conduct and conversation.
  - (7) Keep the wedding manual up to date and see that the rules and schedules set forth therein are observed by all participants, including Emmaus personnel.
  - (8) Submit its recommendations to the Church Council.
- (B) The chairperson of this board shall be responsible for assistance at worship services, setting up the schedule for persons to assist in preparation for services of Holy Communion and setting up the schedule for ushers and acolytes. The chairperson shall also appoint a member who shall schedule members to serve as greeters.
- (C) This board may appoint one (1) or more committees to assist in its work. One (1) elder shall serve on each committee.

**Section 9.8 – Board for Christian Education.** This mission of this board is to plan, administer and supervise all educational programs of the congregation.

- (A) This board shall:
  - (1) Administer and supervise all personnel and programs associated with the education groups within the congregation.
  - (2) Provide on-going Christian education for all children (Sunday School and Vacation Bible School), youth and adults in the congregation, Early Learning Center and Day School students, with an emphasis on Christian love and concern.
  - (3) Ensure that the records are properly maintained for all Christian education programs as required by governing agencies.

- (4) Exercise leadership in gathering lists of candidates for vacancies in the teaching staff in accordance with Section 8.2 of these bylaws and:
    - (a) Serve on any candidate selection committee for calling a School Principal, Director of Christian Education, Director of Music and tenured teachers.
    - (b) Be responsible for calling or contracting non-tenured and contract teachers as may be needed.
  - (5) Provide the funding and/or time for educational advancement and growth for professional and volunteer staff under the supervision of the board.
  - (6) Conduct a yearly evaluation of the salary and benefits provided all staff, and help provide for their spiritual, emotional and physical well-being.
  - (7) Approve the Christian education curriculum for all educational groups.
    - (a) Determine that the Christian education curriculum is comprehensive and appropriate.
    - (b) The Pastor(s) shall review all new religious materials for their doctrinal soundness before their implementation.
  - (8) Submit to the Church Council recommendations requiring action at a meeting of the voting membership and present an education report at all regularly scheduled meetings of the Council and voting membership.
- (B) The administration and teaching staff shall act as advisers to the board.

**Section 9.9** – Board for Christian Stewardship and Social Ministry. The mission of this board is to develop good stewardship attitudes and practices in all members of the congregation, promote active participation in the congregation and ensure the financial stability of the congregation. It shall also assist members of our congregation, our neighbors and persons in our community in times of special needs.

- (A) This board shall:
  - (1) Study and share the scriptural principle of Christian stewardship with the congregation.
  - (2) Contact and encourage new members for service to the congregation.
  - (3) Organize and update a congregational talents and skills directory for Christian service and provide opportunities for skill development as demonstrated by need.
  - (4) Work closely with the Board for Youth Ministry and encourage personal and professional service in Church work as a vocation.
  - (5) Oversee and participate in raising funds for the operations of the congregation, for Synod and its Rocky Mountain District, and for all other religious, educational and charitable purposes, and shall:
    - (a) Conduct an annual program which emphasizes the responsibility of every member for the financial well being of the congregation.
    - (b) Review requests for special offerings for their effect on the needs of the congregation.
    - (c) Develop a program for the acceptance of endowments, bequests and gifts to the congregation.
    - (d) Order and distribute offering envelopes. (e) Issue annual statements to members showing their offerings prior to January 31<sup>st</sup> of the following year.
    - (f) Prepare a proposed budget for the following year, submit it to Church Council for approval and present the proposed budget as approved- by Council at the October meeting of the voting membership for consideration and action.
    - (g) Review the budgeting procedures with Church Council annually and make any revisions which may be necessary or desirable.
  - (6) Establish joint efforts with neighboring Christian congregations to serve more people in need.

- (7) Study and adopt or adapt suggestions from the social ministry boards of the Synod, District and Circuit to serve people in need.
  - (8) Provide assistance to those in need including, but not limited to: monthly food collections, grocery certificates for Thanksgiving and Christmas dinners, and financial aid for food, clothing and rent as necessary.
  - (9) Meet and discuss all appeals for funds and services with the Pastor.
  - (10) Submit an annual report of its activities and services to the Church Council and the voting membership.
- (B) The Treasurer shall be an ex officio member of this board without vote.

**Section 9.10** – Board for Property Management. The mission of this board is the proper maintenance and management of the land, buildings, furniture, equipment and other tangible personal property of the congregation.

- A) This board shall:
- (1) Maintain a video inventory of items of equipment and furnishings and a written inventory of equipment bearing serial numbers.
  - (2) Provide for the security of land, buildings and contents.
  - (3) Carry out all resolutions of the Church Council and voting membership with respect to property of the congregation.
  - (4) Employ a custodian and supervise the work.
  - (5) Plan with the custodian and establish a detailed schedule of housekeeping and maintenance to be performed periodically (daily, weekly, monthly or at some other period).
  - (6) Make periodic housekeeping, and maintenance inspections of all facilities to see whether the custodian is performing the assigned work, record all matters needing correction or repair, record any fire safety or security hazards, and act to correct any problem.
  - (7) Contract for housekeeping, maintenance and repairs which are not to be performed by the custodian or for services when the custodian is on vacation. The chairperson of the board is authorized to sign such contracts for routine upkeep and maintenance.
  - (8) Manage any real property which is rented and collect rents.
  - (9) Organize special "clean-up" projects using volunteers from the congregation.

**Section 9.11** – Board for Evangelism and Parish Fellowship. The mission of this board is to hasten the communication of the Gospel by word and action to those who have not received it, primarily to those in our own community. It shall also seek to strengthen the fellowship between members of the congregation, both spiritually and socially.

- (A) This board shall:
- (1) Be concerned with evangelism, both by individual members of the congregation and as a corporate endeavor of the congregation.
  - (2) Encourage members of the congregation to live the Gospel in their families and with one another.
  - (3) Seek to inspire members of the congregation to be zealous witnesses to the saving love of Christ Jesus and worthy examples of Christian love in character and conduct.
  - (4) Promote and direct periodic canvasses and other evangelism activities by the congregation, and record and analyze the information obtained.
  - (5) Seek to recruit lay visitors to make calls.
  - (6) Furnish materials and training to support the various efforts referred to above.
  - (7) Encourage friendliness and hospitality to visitors.
  - (8) Use news media and publications in the neighborhood and community to inform the community of Emmaus and its activities, when that can be arranged.
  - (9) Maintain and update a prospect file, and see that follow-up calls are made.

- (10) Encourage prayer, both individual and corporate, for the efforts of members of the congregation in carrying out the mission of this board.
- (11) Facilitate and encourage the assimilation of new members into the life of the congregation.
- (12) Plan, implement and supervise various fellowship gatherings (such as breakfasts, pot luck suppers, picnics, etc.) throughout the year in cooperation with the Board for Evangelism, Church Council and other boards.
- (13) Maintain an adequate roster of volunteers who will assist in the work necessary for successful fellowship gatherings.
- (14) Invite members to special events which may be of interest to them.

**Section 9.12** – Board for Youth Ministry. The mission of this board is to provide for a youth ministry and to foster interactive relationships between the youth and the congregation.

- (A) This board shall:
  - (1) Organize youth groups by age and interest levels and select advisers as needed.
  - (2) Organize activities and fund-raisers to involve youth groups in community outreach programs in order to demonstrate Christian living in the world today.
  - (3) Appoint a young person to serve with the board and to attend meetings of the Church Council in connection with issues pertaining to youth.
  - (4) Participate in the youth ministry of The Lutheran Church - Missouri Synod and appropriate agencies.
  - (5) Encourage youth to consider preparing themselves for personal and professional service in the Lutheran Church.

## ARTICLE 10 STANDING COMMITTEES

**Section 10.1** – Financial Review Committee. The mission of this committee is to review the accuracy of financial statements and ledgers of the congregation including the School, Early Learning Center and Food Service.

- (A) This committee shall consist of three (3) members appointed by the Church Council.
- (B) This committee shall conduct an annual review of the financial statements and ledgers referred to above for accuracy and report the results to the Church Council no later than ninety (90) days after the end of the fiscal year.

**Section 10.2** – Memorial and Special Gifts Committee. The mission of this committee is to encourage members, families and friends of loved ones to make memorial gifts and contributions for projects which will improve and beautify Emmaus Lutheran Church and School.

- (A) The committee shall consist of not less than six (6) members of the congregation including the Pastor or designee. The other members shall be appointed by the President of the congregation.
- (B) The Treasurer and Church office shall:
  - (1) Remit funds to the committee once each month.
  - (2) Record the memorial contributions as a credit to the contribution account of a member donor.
  - (3) Forward all envelopes, letters, cards, donor names and addresses to the committee for its records and for acknowledgment.
  - (4) Provide the committee with a weekly financial statement of memorial receipts, disbursements and memorial designations.

- (C) Definitions:
  - (1) Memorials are donations by family and friends in remembrance of loved ones.
  - (2) Special gifts are a one-time donation by family and friends in remembrance of loved ones.
  - (3) Honorary gifts are made by family or friends who wish to honor a living person with a special gift to the Church.
- (D) The committee shall:
  - (1) Select projects after reviewing suggestions from members of the family of the deceased, honorees, members of the congregation, Church Council, boards and committees.
  - (2) Present selected projects to the voting membership for approval.
  - (3) Meet as determined by need.
  - (4) Deposit all funds in a separate account in a federally insured bank.
  - (5) Record all receipts and disbursement of funds in its financial ledger.
  - (6) Send a list of names of donors to the bereaved family and send cards of acknowledgment to all donors.
  - (7) Submit names of donors for publication in the Emmaus Appeal.
  - (8) Report to Church Council after each meeting of the committee.

**ARTICLE 11  
OTHER APPOINTIVE COMMITTEES AND OFFICES**

**Section 11.1** – Lutheran High School Delegate. The congregation is a member of the Colorado Lutheran High School Association and is to send delegates to meetings of the association. The delegates are to be appointed by the Church Council.

**ARTICLE 12  
EMMAUS LUTHERAN CHURCH ENDOWMENT FUND**

**Section 12.1** – Name. This congregation shall have an endowment fund. The fund shall be called Emmaus Lutheran Church Endowment Fund. It shall be one of the funds of this congregation.

**Section 12.2** – General Purpose.

- (A) This fund's purpose shall be to receive gifts and bequests and to use them for the mission and ministry of Emmaus Lutheran Church and The Lutheran Church - Missouri Synod, its districts, seminaries, colleges, institutions or agencies.
- (B) Both the principal and income from unrestricted gifts and bequests to the fund are to be used for the purposes, projects and programs recommended by the Church Council and approved by a simple majority of the voting membership, provided that the purposes, projects and programs shall be consistent with the general reason for which this fund has been established. The list of approved purposes, project and programs shall be appended to these bylaws and shall be distributed to the members of the congregation.
- (C) No distributions of income or principal shall be made from the fund until the balance in the fund exceeds fifty thousand dollars (\$50,000.00). Thereafter, at least annually, the Church Council shall make recommendations to the voting membership regarding distribution of the income and/or principal of the fund. Five percent (5%) or less of the unrestricted balance in the fund at the beginning of the fiscal year may be distributed during that year to the congregation's operating budget. The distribution of the income and/or principal from unrestricted gifts shall be determined by a simple majority of the voting membership.
- (D) Gifts and bequests may be made upon special terms or conditions or containing limitations or directions as to the investment or use of the substance of the gift, or the use of accumulation of the income, provided that such are acceptable to Emmaus Lutheran Church. The Church Council

shall submit at the next meeting of the voting membership (or request an emergency meeting) its recommendation on the acceptability of such a gift or bequest. The acceptance of such gift shall be by a simple majority of the voting members present and voting at a duly called and constituted meeting of the voting membership.

**Section 12.3 – Duration.** The Emmaus Lutheran Church Endowment Fund shall continue in existence and be used as hereinabove provided, unless earlier revoked, so long as Emmaus Lutheran Church shall continue to exist. If Emmaus Lutheran Church should cease to exist, then the assets constituting the fund when Emmaus Lutheran Church ceases to exist shall be transferred to The Rocky Mountain District of The Lutheran Church - Missouri Synod, except that any and all assets held by the fund upon special conditions, restrictions or limitations shall continue to be subject to the conditions, restrictions or limitations upon which such assets are held. Emmaus Lutheran Church shall execute the necessary documents to effect such transfer.

**Section 12.4 – Governing Body and Officers.**

- (A) The Church Council shall promote and manage the fund. The Treasurer of the congregation shall be responsible for receipts by and disbursements from the fund, shall maintain complete and accurate books of account and shall provide, at least annually, a written financial report of the fund to the voting membership.
- (B) The Church Council, if it deems it to be in the best interest of the congregation, may recommend that the assets of the fund be delivered to The Lutheran Church - Missouri Synod Foundation for investment management. Any agreement entered into for the management of the fund shall be valid only if approved by a two-thirds (2/3) majority of the voting members present at a duly called and constituted meeting of the voting membership.
- (C) The Church Council shall adopt standards and goals to guide in the expenditure of the income from the fund, which it may amend, all within the stated purposes of the fund.
- (D) The Church Council shall maintain accounts with such financial institutions as it, by resolution, may determine and authorize. All checks and other documents transferring or expending any funds or assets in the fund shall be executed by the Treasurer and the President of the congregation.
- (E) Any members of the Church Council with check signing authority, at the expense of the fund, shall be covered by a corporate fidelity bond in a principal amount to be determined from time to time by the Church Council.
- (F) The Church Council may ask other members of the congregation to serve as advisory members and may employ, at the expense of the fund, such professional counseling on investments and legal matters as it deems to be in the best interest of the fund.
- (G) The Church Council shall maintain complete and accurate books of account and may employ such professional help as it deems necessary in this connection.
- (H) The Secretary shall maintain complete and accurate minutes of all meetings of the Church Council and supply a copy thereof to each member after the meeting.
- (I) No member of the Church Council shall engage in any self-dealing or transactions with the fund in which the members of the Church Council have direct or indirect financial interest and shall, at all times, refrain from any conduct in which his/her personal interest would conflict with the interest of the fund.

**Section 12.5 – Fiscal Year.**

- (A) For tax, accounting, distribution or other purposes, the fiscal year (whether terminating December 31 or otherwise) of Emmaus Lutheran Church shall be the fiscal year of the fund.
- (B) Within two (2) months after the close of each of the fund's fiscal, years, and at such other time(s) as is deemed convenient, an itemized written statement should be prepared. It must accurately reflect the position of the fund's income and corpus accounts as of a date reasonably close to the date the statement should be submitted and should indicate , the receipts, disbursements and

changes therein since the fund's inception or the previous accounting, as the case may be. The statement should then be submitted to the voting membership.

#### **Section 12.6 – Duties.**

- (A) The Church Council shall, at least annually, render a full and complete account of the administration of the fund during the preceding year.
- (B) Gifts and contributions from any individual, firm or corporation, in money, in securities or in any other form of property including, by way of explanation and not in limitation, direct gifts for the purpose of the fund, gifts in memory of any deceased person or in appreciation or recognition of any living person, gifts in the form of a devise or bequest under will or trust instrument, and gifts or proceeds or portions of proceeds of insurance, annuity or endowment policies or contracts, may be received by the fund at any time provided, however, that acceptance of gifts of real estate or tangible personal property are subject to approval by the voting membership. If such a gift is offered, the Church Council shall submit, at the next meeting of the voting membership (or request an emergency meeting), its recommendation on the acceptability of such a gift or bequest. The acceptance of such gift shall be by a simple majority of the voting members present and voting at a duly called and constituted meeting of the voting membership.
- (C) Means for acknowledging the receipt of each gift and contribution shall be established and maintained including, whenever feasible, a designation of the value ascribed to each gift.
- (D) Gifts and contributions may be made upon special terms or conditions or containing limitations or directions as to the investment or use of the substance of the gift, or the use or accumulation of the income, provided that such are acceptable to Emmaus Lutheran Church. Separate identification and recording shall be made of all transactions with respect to any such special or restricted gift or gifts.
- (E) All funds and property shall be kept and maintained separate, distinct and independent from the funds and property otherwise belonging to the Church. However, the Church Council shall in no event be required to make physical segregation of the assets of the fund in order to conform to the directions of any individual donors, but may establish separate accounts in its accounting records.
- (F) The Church Council is to inform the members of the congregation of the purpose of the fund and may periodically arrange for members of the congregation to meet with professional counselors in the area of charitable giving, wills, bequests, insurance, etc.
- (G) All new members of the Church Council are to receive a copy of the bylaws of the congregation in order to become acquainted with the function and purposes of the fund.

#### **Section 12.7 - Powers.**

The manager of the fund, whether the fund is managed and administered by the Church Council, or whether the fund is delivered to The Lutheran Church - Missouri Synod Foundation for management and administration, shall have the following powers and authority:

- (A) The property constituting the corpus of the fund shall be invested and reinvested in any kind of property (whether real or personal, tangible or intangible, and/or domestic or foreign) including, but not limited to, securities, real estate, oil, gas and other natural resources, and/or accounts or certificates of banks or other lending institutions, and each investment shall be managed and protected in accordance with the principles herein established. In exercising the authority granted in this Section, the decisions with respect to investment shall be guided by the concept of a prudent investor whose investment purpose include both income and capital appreciation and shall not otherwise be restricted by any law, rule or custom requiring safety of the corpus as a primary consideration, regarding investment in income producing property, or requiring diversification of investments. It is further understood that any part or all of the fund may be invested in obligations of the Lutheran Church Extension Fund - Missouri Synod, St. Louis, Missouri. In amplification, but not limitation, of the foregoing, authority is granted:



- (1) To acquire interest in property by purchase, lease, rental or other method; to sell, option, exchange, redeem or convert any property interest; and to rent or lease property of the fund.
  - (2) To exercise all rights and privileges accruing to a holder of securities, including all voting, conversion, subscription and preemptive rights; to deposit any securities with, delegate discretionary power to and participate, cooperate and contract with, as a member or otherwise, any protective committee of security holders; and to effectuate any merger, consolidation, dissolution, reorganization or financial adjustment of the issuer of any securities and/or any transfer, demise or encumbrance of any of its properties.
  - (3) To manage and/or develop any real property owned, leased or otherwise held by the fund; to erect, repair, remodel, reconstruct, demolish or remove buildings or other improvements on it; to partition or subdivide it; to dedicate all or any part of it to public or semipublic use; and to grant easements or other charges with respect to it.
  - (4) To abandon any property interest deemed worthless or of insignificant value.
  - (5) To borrow money from any source; to encumber property of the fund; and to repay any loan due by the fund.
  - (6) To foreclose any mortgage, lien or other encumbrance; and to purchase the encumbered property, whether through foreclosure or private arrangement.
  - (7) To establish and maintain out of income, depreciation, depletion and/or amortization reserves.
  - (8) To maintain a portion of all of the property constituting the fund in liquid or nearly liquid form, even though little or no income is earned thereon.
  - (9) To use income or corpus funds (irrespective of the derivation) for any purpose of the fund and with respect to any property of the fund (irrespective of the income, if any, it produces), even if such funds are derived from the sale of income from other property of the fund or from a loan (from income or an outside source) using such other property as security.
- (B) Without limiting the authority otherwise conferred, the following additional authority is hereby granted to be exercised as is believed to be in the best interest of the fund:
- (1) To accept and receipt for any inter vivos, testamentary or other transfer of property to the fund.
  - (2) To hold property, to negotiate and execute documents on behalf of the fund, in the name of the fund or in the name of a nominee(s) without disclosing any fiduciary relationship to anyone.
  - (3) To allocate between income and corpus (in cases where reasonable doubt of the applicable law exists), in equitable proportions, any money or other property received and any loss or expenditure incurred.
  - (4) To vote, or refrain from voting, securities having voting privileges; and to give any type of proxy (with or without voting directions) to vote the same.
  - (5) To make division and distribution of property held in the fund (whenever directed to do so) either in kind or in cash, or partly in kind and partly in cash, and for such purpose to set values upon any property of the fund.
  - (6) To protect the fund and its property by insurance against damage, loss or liability.
  - (7) To establish checking account(s) in which may be deposited income and/or corpus cash.
  - (8) To employ, at the expense of the fund, attorneys, investment counsel, brokers, custodians of assets, and other agents and employees.

**ARTICLE 13**  
**ENDOWMENT FUND FOR TUITION GRANTS**

Emmaus Lutheran Church establishes the Emmaus Lutheran School Endowment Fund. Its purposes, governance and operational procedures shall be defined by special resolution adopted by the voting members.

## **ARTICLE 14 STANDARDS OF CONDUCT FOR DIRECTORS AND OFFICERS**

**Section 14.1.** Each director and officer (these words shall be deemed to include members of administrative boards) shall perform their duties as a director or officer including, without limitation, their duties as a member of any administrative board, in good faith, in a manner the director or officer reasonably believes to be in the best interest of the congregation and with the care an ordinarily prudent person in a like position would exercise under similar circumstances. In the performance of their duties, a director or officer shall be entitled to rely on information, opinions, reports or statements, including financial statements and other financial data, in each case prepared or presented by the persons designed below. However, a director or officer shall not be considered to be acting in good faith if the director or officer has knowledge concerning the matter in question that would cause such reliance to be unwarranted. A director or officer shall not be liable to the congregation or its members for any action the director or officer takes or omits to take as a director or officer if, in connection with such action or omission, the director or officer performs their duties in compliance with this Article. A director or officer, regardless of title, shall not be deemed to be a trustee with respect to the congregation or with respect to any property held or administered by the congregation including, without limitation, property that may be subject to restrictions imposed by the donor or transferor of such property.

**Section 14.2.** The designated persons on whom a director or officer are entitled to rely are: (a) one or more officers or employees of the congregation who the director or officer reasonably believes to be reliable and competent in the matters presented; (b) legal counsel, a public accountant or other person as to matters which the director or officer reasonably believes to be within such person's professional or expert competence; (c) religious authorities or ministers or other persons whose position or duties in the congregation or in a religious organization with which the congregation is affiliated who the director or officer believes justify reliance and confidence and who the director or officer believes to be reliable and competent in the matters presented; or (d) an administrative board on which the director or officer does not serve if the director or officer reasonably believes the administrative board merits confidence.

## **ARTICLE 15 INDEMNIFICATION**

**Section 15.1.** The Church Council may exercise the congregation's power to purchase and maintain insurance (including, without limitation, insurance for legal expenses and costs incurred in connection with defending any claim, proceeding or lawsuit) on behalf of anyone who is or was a director, officer, member of administrative board, employee or volunteer of the congregation against any liability asserted against the person or incurred by the person in any such capacity or arising out of the person's status as such. **Section 15.2.** The congregation shall indemnify each director, officer, member of administrative board, employee and volunteer to the extent of any insurance coverage.

## **ARTICLE 16 RECORDS AND INFORMATION**

**Section 16.1 – Records and Documents of the Congregation.**

The congregation shall:

- (A) Keep as permanent records minutes of all meetings of its members and Church Council, a record of all actions taken by the Church Council without a meeting and a record of all waiver of notices of meetings of members and of the Church Council.
- (B) Maintain appropriate accounting records.

- (C) Maintain a record of its members in a form that permits preparation of a list of the names and addresses of all members in alphabetical order, by class, showing the number of votes each member is entitled to vote.
- (D) Maintain its records in written form or in another form capable of conversion into written form within a reasonable time.
- (E) Keep a copy of each of the following records at its principal office:
  - (1) Articles of Incorporation.
  - (2) Bylaws.
  - (3) Resolutions adopted by the Church Council relating to the characteristics, qualifications, rights, limitations and obligations of members or any class or category of members.
  - (4) Minutes of all voting members' meetings for the past three (3) years.
  - (5) All written communications within the past three (3) years to members generally as members.
  - (6) A list of the names and business or home addresses of its current directors and officers.
  - (7) A copy of the most recent corporate report delivered to the Secretary of State under Colorado Revised Statutes Section 7-136-107.
  - (8) All financial statements prepared for periods ending during the last three (3) years that a member could have requested under Colorado Revised Statutes Section 7136-106.

**Section 16.2** – Financial Statements and Inspection and Copying of Records. Members have rights to request financial statements and inspect and copy the corporate records of the congregation referred to in Section 16.1. These rights are set forth in Colorado Revised Statutes 7-136-101, et seq., and may not be abolished or limited by the articles of incorporation or bylaws.

## ARTICLE 17 MISCELLANEOUS

**Section 17.1** – Fiscal Year. The fiscal year of the corporation shall be determined by the voting membership with a quorum of fifty percent (50%) and the affirmative vote of two-thirds (2/3) of the voting members present.

**Section 17.2** – Rules of Procedure. Unless otherwise required by law, the articles of incorporation or these bylaws, meetings of the voting membership and the Church Council shall generally be conducted under the commonly accepted practices as described in Roberts Rules of Order, Revised Edition, 1990. Rules may be suspended by majority vote of the quorum present.

**Section 17.3** – References to Internal Revenue Code. All references in these bylaws to provisions of the Internal Revenue Code are to the provisions of the Internal Revenue Code of 1986, as amended, and to the corresponding provisions of any subsequent federal tax laws.

**Section 17.4** – Principles of Construction. Words in any gender shall be deemed to include the other gender; the singular shall be deemed to include the plural and vice versa; and the table of contents and headings are for guidance only and shall have no significance in the interpretation of these bylaws.

**Section 17.5** – Severability. The invalidity of any provision of these bylaws shall not affect the other provisions hereof and in such event these bylaws shall be construed in all respects as if such invalid provision were omitted.

Adopted effective the date upon which the Amended and Restated Articles of Incorporation are filed with the Secretary of State, provided that, if there is any bylaw provision which could be questioned by the District Committee on Congregation Constitutions as not in harmony with Holy Scripture, the Confessions and the teachings and practices of the Synod, such change shall not be effective until approved by the Committee or otherwise resolved with the Synod.



Secretary Signature

DANIEL L. GRIEBENAW

Secretary Name (Printed)

5.1.11

Date

# 3120 Irving Street Rezoning Application Attachment

## 1. Consistency with Adopted Plans

Denver Comprehensive Plan 2000 (“Plan 2000”) and Blueprint Denver provide the following policies that support a re-zoning request from U-SU-A to U-MS-2X.

### Comprehensive Plan 2000

- Congruency of land use and zoning-specifically the need for a “more diverse mix of uses within geographically proximate areas”.
- Compact development-specifically “reduce urban sprawl and residents more directly connected to services and amenities within their immediate living environment”.

### Blueprint Denver

- The Blueprint Denver Future Land Use for the property is ‘Single Family Residential’ in an ‘Area of Stability.’ Single family homes are the predominant residential type in this Land Use Area, and there may also be an employment base, although it is significantly smaller than the housing base (pgs 42-43).
- **Areas of Stability** are intended to maintain the character of an area while accommodating some new development and redevelopment. Areas of stability are defined as belonging to one of two categories (pg 122):
  1. “**Committed Areas**” where a stable neighborhood may benefit from minor infill development rather than large-scale, major redevelopment, and
  2. “**Reinvestment Areas**” where a neighborhood’s character is desirable to maintain, but would benefit from reinvestment through modest infill or major projects in a small area. Reinvestment areas are intended to encourage investment but in a more limited and targeted way than Areas of Change. Reinvestment challenges such as lack of services, and improvement opportunities such as redeveloping underutilized land to provide needed neighborhood services can be addressed through infill development in such areas. Re-zoning the this property could help to revitalize the property, which is currently an underutilized parking lot and private school building annex, and also support revitalization of 32<sup>nd</sup> Avenue.
- The Blueprint Denver Land Use and Transportation Map shows this segment of 32<sup>nd</sup> Avenue to be a “Main Street Collector,” a street classification that appears to be based on historic land uses and commercial / mixed use buildings fronting sidewalks, pavement for vehicles, and former Denver Tramway streetcar service.
- Blueprint Denver defines Main Streets as serving retail and mixed uses in areas such as neighborhood centers. Main streets are designed to promote walking, bicycling, and transit within an attractive landscaped corridor. Typical Main Street design elements include buildings close to the street with access to on-street parking, tree lawns / amenity zones, wide sidewalks with transit access and pedestrian plazas, visible crosswalks and signals, bicycle facilities and street furniture. The U-MS-2x zoning designation accomplishes these goals (pg 56).

- Blueprint Denver describes Collector Streets as providing a greater balance between mobility and land access within residential, commercial and industrial areas.

## 2. Justifying Circumstances

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

- Recent infill / redevelopment of a two story mixed use occurred in 2012 across the street on the west side of Irving, fronting 32<sup>nd</sup> Avenue. The form of the other commercial, residential and mixed use buildings adjacent to and across 32<sup>nd</sup> Ave. is one to two-story buildings with shallow setbacks (or no setbacks).
- The existing SU zone district on the subject property includes the parking lot of an adjacent Lutheran School building (associated with the existing Emmaus Lutheran Church), and a small medical office building. While these were viable uses in the past, they are underutilized today with a mostly empty parking area fronting 32<sup>nd</sup> Ave (a Main Street Collector), and there is a need for revitalization.
  - The small building (on-site) and adjacent school building are owned by the church, and are not occupied, which contributes to the underutilized condition of the parking area.
  - The church can no longer afford to maintain the buildings.
- The congregation cannot afford to demolish the buildings, but anticipates demolition to support redevelopment, including a building fronting 32<sup>nd</sup> Avenue and possible church parking area between a new building and the church (where the school building exists today).
- The church has reconfigured their parcel into two parcels: a north parcel which includes the school site and its parking field and the small building, adjacent to 32<sup>nd</sup> Ave. PARCEL 02293-02-027-000; and a south parcel which includes the Emmaus Church building, adjacent to 31st Ave. PARCEL 02293-02-026.
- The church intends to place the north parcel into a newly formed joint venture, named "West Highlands Gateway". The new joint venture will be a taxable venture, returning that parcel to the tax rolls of the City and County of Denver.
- In keeping with the mission of Emmaus Lutheran Church, the congregation intends to be good neighbors, and to be of service to its surrounding neighbors. The Emmaus congregation interest in developing a new medical office building on their northern parcel will meet these criteria in order to make demolition and reprogramming of the north and south parcels cost feasible.
- Medical Office is an allowed use under the U-MS-2x zone district.

## 3. Consistency with the Applicable Neighborhood Context, and Purpose and Intent of the Proposed Zone District Neighborhood Context

The Urban Neighborhood (U) Context is primarily characterized by single-unit and two-unit residential uses, with small-scale multi-unit residential uses and commercial areas typically embedded in residential areas. Commercial buildings are typically shop front and general forms that may contain a mixture of uses within the same building. Commercial uses are primarily located along mixed-use arterial or main streets but may be located at or between intersections of local streets. Commercial buildings are typically low-scale buildings, with consistent orientation and shallow front setbacks, and with parking at the rear and/or side of the building. There is a balance of pedestrian, bicycle and vehicle reliance with greater access to the multi-modal transportation system (DZC, 5.1-1).

**Proposed U-MS-2X Zone District**

Main Street Zone Districts are intended to promote safe, active, and pedestrian-scaled commercial streets through the use of building forms that clearly define and activate the public street edge. This is intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering along commercial streets. Main Street districts are also intended to ensure that new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and residential neighborhoods. The U-MS-2x applies to small sites served primarily by local streets embedded within a neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses.

## Letters of Support Attached to the Application



**RE: Emmaus Lutheran Church at 3120 Irving Street, Denver, CO 80211**

Dear Sir or Madam,

I own property within 200 feet of the proposed development on the Emmaus Lutheran Church property at 3120 Irving Street.

I understand that the Church is looking to develop the site to create a recurring income for the Church to continue its mission while providing a community benefit. I understand that the Church's Lutheran School was forced to close two years ago for financial reasons and the need to adapt to changing times.

I also understand that the Church is looking to rezone a portion of their property to either U-MS-2x or U-MX-2x for a two story medical office building, and keep the church sanctuary and the parish house. I understand that the goal is to keep the church operating on the site for another hundred years, as it has for the past hundred.

I liked what I heard and I am in favor of what the church is proposing to do. The Church is a good neighbor.

Please keep me advised as the proposal progresses.

Sincerely,



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Signature

---

Ryan Diggins  
Print Name

---

7-21-14  
Date

---

3300 W 32<sup>nd</sup> Avenue, Denver, CO 80211  
Address

**RE: Emmaus Lutheran Church at 3120 Irving Street, Denver, CO 80211**

Dear Sir or Madam,

On March 24, 2014 and April 29, 2014, Neil Neudorff, President of the Emmaus Lutheran Church at 3120 Irving Street, and David Hagan their partner in the desired redevelopment, knocked on my door to talk about the Church property.

I live within 200 feet of the proposed development on the Church property.

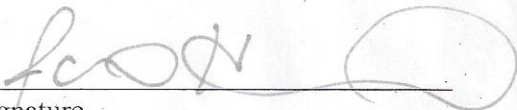
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I liked what I heard and I am in favor of what the church is proposing to do. The Church is a good neighbor.

Please keep me advised as the proposal progresses.

Sincerely,

  
Signature

Jon Handran  
Print Name

8/15/14  
Date

3165 W Speer Blvd  
Address

Denver, CO 80211  
Address

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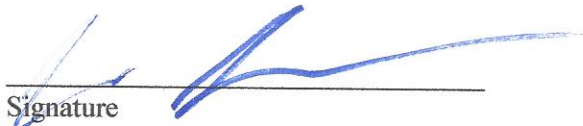
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Sincerely,

  
Signature

Jason Stewers  
Print Name

4/29/2014  
Date

3159 N Speer  
Address

\_\_\_\_\_  
Address

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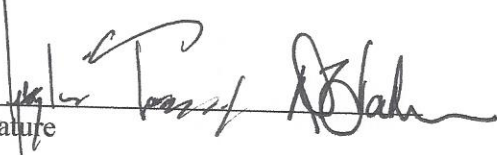
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Please keep me advised as the proposal progresses.

Sincerely,

  
Signature

Leslie Torvik / Dave Hagan  
Print Name

~~4/29/14~~ April 29, 2014  
Date

3037 Irving St  
Address

Denver, CO 80211  
Address

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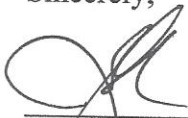
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Sincerely,



Signature

Print Name

Date

3317 W 31st Ave

Address

Denver CO 80211

Address

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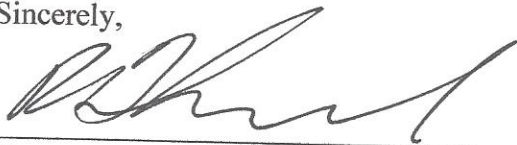
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Sincerely,



Signature

R.P. ISTERWOOD

Print Name

04/30/13

Date

3301 W. 31ST AVE

Address

DENVER CO 80211

Address

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Sincerely,

Robert L. Grisanti

Signature

ROBERT L. GRISANTI

Print Name

5-7-14

Date

3221 N. SPEER BLVD

Address

3221 N. Speer Blvd

Address

3200 N. Speer Blvd

:  
:  
:

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Sincerely,



Signature

Steven Holubird

Print Name

5/7/15

Date

3173 Speer Blvd

Address

Address



**RE: Emmaus Lutheran Church at 3120 Irving Street, Denver, CO 80211**

Dear Sir or Madam,

On March 24, 2014 and April 29, 2014, Neil Neudorff, President of the Emmaus Lutheran Church at 3120 Irving Street, and David Hagan their partner in the desired redevelopment, knocked on my door to talk about the Church property.

I live within 200 feet of the proposed development on the Church property.

Neil and David explained that the Church is looking to develop the site to create a recurring income for the Church to continue its mission while providing a community benefit. They explained how the Church's Lutheran School was forced to close two years ago for financial reasons and the need to adapt to changing times.

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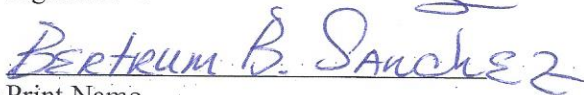
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Please keep me advised as the proposal progresses.

Sincerely,



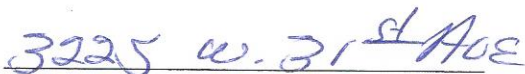
Signature



Print Name



Date



Address



Address

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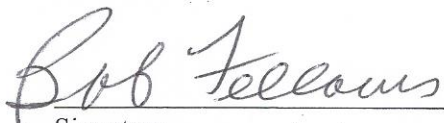
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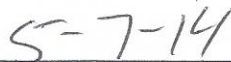
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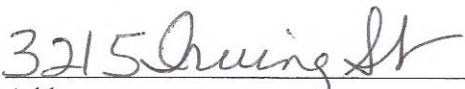
Signature



Print Name



Date



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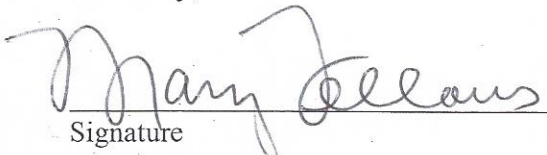
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Please keep me advised as the proposal progresses.

Sincerely,

  
Signature

MARY FELLOWS  
Print Name

5-7-14  
Date

3215 Irving St  
Address

\_\_\_\_\_  
Address

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Please keep me advised as the proposal progresses.

Sincerely,



Signature

PAUL S. HACK

Print Name

5/2/2014

Date

3198 SPEER BLVD.

Address

DENVER, CO 80211

Address

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Please keep me advised as the proposal progresses.

Sincerely,

  
\_\_\_\_\_  
Signature

Eric Wilks  
\_\_\_\_\_  
Print Name

5/7/2014  
\_\_\_\_\_  
Date

3230 W 31<sup>ST</sup> Av  
\_\_\_\_\_  
Address

Denver, CO 80211  
\_\_\_\_\_  
Address

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Sincerely,

  
\_\_\_\_\_  
Signature

Susan Miller  
\_\_\_\_\_  
Print Name

5/7/14  
\_\_\_\_\_  
Date

3020 Irving St.  
\_\_\_\_\_  
Address

80211  
\_\_\_\_\_  
Address

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Please keep me advised as the proposal progresses.

Sincerely,

  
Signature

Donald Gallegos, Jr.  
Print Name

5-8-14  
Date

303 Irving St  
Address

Address

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Please keep me advised as the proposal progresses.

Sincerely,

Jarrett Loar

Signature

Jarrett Loar

Print Name

15 May 2014

Date

3310 W. 31st Ave

Address

Denver, CO 80211

Address



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Sincerely,

X Cruz Archuleta

Signature

6-23-14 9:30 p.m.

X CRUZ ARCHULETA

Print Name

3180 Speer, Denver CO

Date

3180 Speer Denver CO

Address

80211

\_\_\_\_\_  
Address

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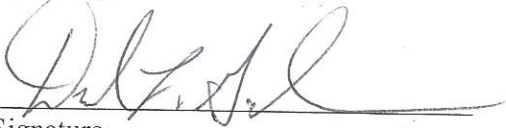
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Sincerely,



Signature

Daniel H. GRIEDENAW

Print Name

5.21.14

Date

3245 W. 31<sup>ST</sup> AVE.

Address

DENVER, CO 80211

Address

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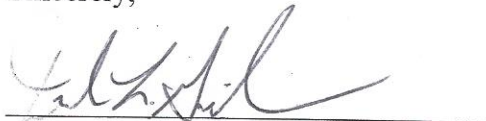
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Signature

Daniel K. GRIESMAN

Print Name

5.21.14

Date

3120 IRVING ST.

Address

DENVER, CO 80211

Address

•  
•  
•

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Signature

Daniel L. GRIEDENAW

Print Name

5.21.14

Date

3120 IRVING ST.

Address

DENVER, CO 80211

Address

Attachement 2. Public and RNO Comment Letters  
A. Letters of Support

**From:** [Brad Wright](#)  
**To:** [Espinoza, Rafael G. - City Council](#); [rg@gmail.com](mailto:rg@gmail.com); [Rezoning - CPD](#)  
**Subject:** Brad: Support for Medical Office Building project on Emmaus Church land  
**Date:** Monday, July 27, 2015 7:57:51 PM

---

Dear Councilman Espinoza and Members of Planning Board,

I am a 63 year old resident of West Highlands and I am writing to you in support of the rezoning application to build a Medical Office Building on the Emmaus Lutheran Church land at the southeast corner of 32nd & Irving.

Northwest Denver is my home since 2000 and will always be my home. A medical office building in that location would be incredibly beneficial to me.

I believe that the project is appropriate for the location, particularly since it would be surrounded by commercial buildings to the west, north, and east, and buffered by the church building to the south. I also think that the proposed 2-story building is a reasonable size and won't be disruptive to the neighborhood fabric. I have spoken with the landowner and understand that the development team has been working with community members to create a vision for the building's design and how best to incorporate it into my wonderful existing neighborhood.

I have worked with several efforts, both as a professional and as a volunteer, to make communities more walkable and sustainable. I encourage appropriate projects like this that provide necessary services within a neighborhood context. I urge you to support this rezoning application. Thank you for your time.

Brad Wright,  
3631 W. 30th Ave.

New mail is [tirebiter8@gmail.com](mailto:tirebiter8@gmail.com)

**From:** [Ron Werner](#)  
**To:** [Rezoning - CPD; Espinoza, Rafael G. - City Council; nmcwesthighland@gmail.com](#)  
**Subject:** project on Emmaus Church land  
**Date:** Monday, July 27, 2015 10:22:11 PM  
**Attachments:** [332F8E45-D46C-4DD9-93F1-FDD7426A4AF11191.png](#)

---

Dear Councilman Espinoza and Members of Planning Board,

I am a resident of Denver, and I am writing to you in support of the rezoning application to build a Medical Office Building on the Emmaus Lutheran Church land at the southeast corner of 32nd & Irving (<http://bit.ly/neighborhoodmedicalcare>).

The community in northwest Denver is home to a growing number of families, as well as many seniors in need of medical care. A medical office building (with an adjacent parking lot) in that location would be incredibly beneficial for the neighborhood.

I believe that the project is appropriate for the location, particularly since it would be surrounded by commercial buildings to the west, north, and east, and buffered by the church building to the south. I also think that the proposed 2-story building is a reasonable size and won't be disruptive to the neighborhood fabric. I understand that the development team has been working with community members to create a vision for the building's design and how best to incorporate it into our wonderful existing neighborhood.

If we are really sincere about wanting to make our community more walkable and sustainable, we need to encourage appropriate projects like this that provide necessary services within a neighborhood context. I urge you to support this rezoning application. Thank you for your time.

Ronald E. Werner  
President & Co Founder  
HW Home, Inc.



[www.hwhome.com](http://www.hwhome.com)

A Colorado Company since 1999

***National Home Furnishings Retailer of the Year***

**From:** [Lyric Turner](#)  
**To:** [Rezoning - CPD; Espinoza, Rafael G. - City Council; nmcwesthighland@gmail.com](#)  
**Subject:** Support for Medical Office Building project on Emmaus Church land  
**Date:** Monday, July 27, 2015 2:15:29 PM

---

Dear Councilman Espinoza and Members of Planning Board,

I am a resident of Highlands (W. 37th and Eliot), and I am writing to you in support of the rezoning application to build a Medical Office Building on the Emmaus Lutheran Church land at the southeast corner of 32nd & Irving (<http://bit.ly/neighborhoodmedicalcare>).

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Lyric Turner  
President  
Red House Staging & Interiors  
[www.redhousestaging.com](http://www.redhousestaging.com)  
[lyric@redhousestaging.com](mailto:lyric@redhousestaging.com)  
office: 202-257-2072  
mobile: 720-648-4799





**From:** [Stephanie Owens](#)  
**To:** [Rezoning - CPD; Espinoza, Rafael G. - City Council; nmcwesthighland@gmail.com](#)  
**Subject:** Medical office West Highlands  
**Date:** Wednesday, August 05, 2015 6:30:47 PM

---

Dear Councilman Espinoza and Members of Planning Board,

I am a resident of West Highlands, and I am writing to you in support of the rezoning application to build a Medical Office Building on the Emmaus Lutheran Church land at the southeast corner of 32nd & Irving (<http://bit.ly/neighborhoodmedicalcare>).

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--

Stephanie Owens  
3315 Meade St.  
Denver, 80211

**From:** [hunter.neudorff](mailto:hunter.neudorff)  
**To:** [Rezoning - CPD; Espinoza, Rafael G. - City Council; nmcwesthighland@gmail.com](#)  
**Subject:** Support for Medical Office Building project on Emmaus Church land  
**Date:** Wednesday, August 05, 2015 9:15:40 PM

---

Dear Councilman Espinoza and Members of Planning Board,

I am a resident of North Denver, and I am writing to you in support of the rezoning application to build a Medical Office Building on the Emmaus Lutheran Church land at the southeast corner of 32nd & Irving (<http://bit.ly/neighborhoodmedicalcare>).

The community in northwest Denver is home to a growing number of families, as well as many seniors in need of medical care. A medical office building (with an adjacent parking lot) in that location would be incredibly beneficial for the neighborhood.

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Hunter Neudorff

**From:** [Paige Merriman](#)  
**To:** [Rezoning - CPD; Espinoza, Rafael G. - City Council; nmcwesthighland@gmail.com](#)  
**Subject:** Support for Medical Office Building project on Emmaus Church land  
**Date:** Tuesday, July 28, 2015 7:46:16 AM

---

To Whom It May concern:

I live in Potter Highlands in northwest denver. I support Emmaus church being rezoned and converted to a medical office (urgent care) for residents in the neighborhood. This is something that is missing and is welcomed so that we don't have to drive to downtown or elsewhere to get medical attention.

I encourage you to allow this business to come into our neighborhood rather than the endless, over-abundant number of eateries and high-priced, frivolous boutiques that have innundated my neighborhood.

It is especially nice that there is off-street parking for this establishment considering that all the other restaurants force patrons to park on the street and congest our streets and neighborhood streets.

If you have questions please contact me.

Thank you

Paige Merriman  
2824 w. 35th ave  
303-458-8847

**From:** [Courtney McRickard](#)  
**To:** [Espinoza, Rafael G. - City Council](#); [Rezoning - CPD](#); [nmcwesthighland@gmail.com](mailto:nmcwesthighland@gmail.com)  
**Subject:** Support for Medical Office Building project on Emmaus Church land  
**Date:** Tuesday, August 11, 2015 10:06:15 AM

---

Dear Councilman Espinoza and Members of Planning Board,  
i am writing to express my support for the rezoning and development of a medical office bldg in the highlands neighborhood.

i am the mother of two young boys and think local services is a wonderful asset to the area. the proposed bldg scale feels appropriate within the context and current bldg mass within the area. the added benefit of shared parking will be a relief for the restaurants and retail after hours.

the value of our urban neighborhoods can only increase with local services, increased walkability, contextual design and density.

i urge you to support the rezoning of the project.

thank you.

**courtney mcrickard**

## Watkins, Tim - Community Planning and Development

---

**From:** Kate [katemc231@hotmail.com]  
**Sent:** Thursday, June 25, 2015 8:37 PM  
**To:** info@rafaelforcouncil.com  
**Cc:** Watkins, Tim - Community Planning and Development; nmcwesthighland@gmail.com  
**Subject:** Medical Center in West Highland

Dear Mr. Espinoza,

My husband, daughter and I are residents of the west Highland area. I recently found out through the Highlands Mommy Blog that there is a proposal before the city and the zoning authorities to allow for a medical center in our area near Irving St. and 32nd Ave. I understand there is some opposition to allow zoning for such a development.

Once I read this I was ecstatic at the idea of having such a facility so close to home as we have constant issues getting into to our family practitioner for appointments and often get referred to the clinic at Walgreens, which is really not ideal.

I realize there is apprehension to allow for such a facility. I understand trying to keep the integrity of the neighborhood but I think there comes a time when we need to be future thinkers and provide the services that are so much needed by families living here.

Please contact me if you would like to discuss this topic further.

Thank you for your time,

Kathleen McLaughlin

## Watkins, Tim - Community Planning and Development

---

**From:** Rezoning - CPD  
**Sent:** Thursday, September 10, 2015 9:54 AM  
**To:** Watkins, Tim - Community Planning and Development  
**Subject:** FW: Support for Rezoning Request on Emmaus Church Land

---

**From:** Andrea Madrid [<mailto:amadrid@primusaero.com>]

**Sent:** Thursday, September 10, 2015 9:13 AM

**To:** Espinoza, Rafael G. - City Council; Flynn, Kevin J. - City Council; Lopez, Paul D. - City Council Dist #3; Black, Kendra A. - City Council; Susman, Mary Beth - City Council; Kashmann, Paul J. - City Council; Clark, Jolon M. - City Council; Herndon, Christopher J. - City Council District 8; Brooks, Albus - City Council District 9; New, Wayne C. - City Council; Gilmore, Stacie M. - City Council; Ortega, Deborah L. - City Council; kniechatlarge; Rezoning - CPD;  
[nmcwesthighland@gmail.com](mailto:nmcwesthighland@gmail.com)

**Subject:** Support for Rezoning Request on Emmaus Church Land

Dear Members of City Council,

I am a resident of North Denver, and I am writing to you in support of the rezoning application (<http://bit.ly/neighborhoodmedicalcare>) for the property owned by the Emmaus Lutheran Church at W. 32nd Ave & Irving St. I agree with the proposed zoning change from U-SU-A to U-MS-2x.

I understand that the church would like to build a two-story medical office building fronting 32nd Ave, with an adjoining surface parking lot. The surrounding context of that site is clearly commercial, with commercial uses to the west, north, and east. The church (and its large lawn) directly borders the site to the south, and provides a buffer between the main street site and the residential neighborhood.

I value efforts to create mixed-use neighborhoods and support neighborhood vitality. If we are serious about wanting walkable and sustainable communities, we need to put necessary services (like medical care) where people live -- yet at appropriate sites that support non-residential uses.

The site is in a vibrant, main street-oriented part of our neighborhood, and it is currently underutilized and doesn't fit with the surrounding context. It is clearly a site that would benefit from reinvestment.

I am comfortable in the knowledge that U-MS-2x is the most restrictive commercial zoning designation in the code. The medical office building will only be 6% larger than the nearby Mondo Vino building (the parking requirements create a limit on the size of the building) and I think that the proposed scale and proximity to main street frontage is completely appropriate for the site.

I know that the development team has participated in numerous meetings with community members, including hosting design workshops to allow neighbors to create the vision statement for the building's design. I look forward to seeing how this building will be incorporated into our wonderful existing neighborhood.

*Andrea Madrid*  
Document Control Specialist

**primusaerospace**

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## Watkins, Tim - Community Planning and Development

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**From:** Grant MacInnis [grantmacinnis@hotmail.com]  
**Sent:** Friday, June 26, 2015 7:30 PM  
**To:** Watkins, Tim - Community Planning and Development  
**Subject:** FW: Medical Center in West Highland

Mr Watkins, I believe that you might be interested in my feedback to Mr. Espinoza below regarding the planned medical complex in the west highlands. Please feel free to contact me if you have any questions.

Thanks,  
Grant MacInnis  
2913 Quitman St.

---

From: [grantmacinnis@hotmail.com](mailto:grantmacinnis@hotmail.com)  
To: [info@rafaelforcouncil.com](mailto:info@rafaelforcouncil.com)  
Subject: Medical Center in West Highland  
Date: Thu, 25 Jun 2015 12:39:10 -0400

Dear Mr. Espinoza,

I am a resident of the west Highland area - specifically, 2913 Quitman Street. I understand that there is a proposal before the city and the various zoning boards to allow for a medical center in our area toward the Irving St. end of 32nd Ave. I further understand that there may be some "neighborhood groups" opposed to such a development.

As a resident of the west highlands who has never felt that these groups represent the interests of the majority of residents (and certainly not mine), I am writing to let you know that I would welcome such a development. There are far too few primary care physicians available and I would welcome having one that is so close by. This has never been more true to us than it is now as we recently welcomed our first daughter.

Please be suspicious of neighborhood groups claiming to represent the interests of the residents of our neighborhood, particularly ones that are non-inclusive and might better be described as neighborhood-improvement-obstruction-groups.

Yours truly,  
Grant MacInnis  
2913 Quitman St.

**From:** [Rebecca Knapp](#)  
**To:** [Rezoning - CPD; Espinoza, Rafael G. - City Council; nmcwesthighland@gmail.com](#)  
**Subject:** Highlands Medical Office Building project- yes please  
**Date:** Tuesday, July 28, 2015 6:53:05 PM

---

Dear Councilman Espinoza and Members of Planning Board,

We have owned our house (here in Highlands) for 11 years, we live here. My family has been here since 1933.

My Grandmother was raised here in Highlands, her family moved here in 1933 from elsewhere in Denver. She loved it here and raised her boys here. Her home was a hub for our family. She moved about 13 years ago because she was going blind and needed a more walkable community. She is still alive and regrets having had to sell her house and move away. We need more accessible medical care. Our elderly get "squeezed out" by the lack of it!

I support the rezoning application to build a Medical Office Building on the Emmaus Lutheran Church land at the southeast corner of 32nd & Irving (<http://bit.ly/neighborhoodmedicalcare>).

A medical office building (with an adjacent parking lot) in that location would be a huge asset for the neighborhood.

I wish my grandma could of stuck it out to see how her neighborhood is changing for the better.

Thanks,

Becky



LANDSCAPE  
ARCHITECT

**Rebecca R. Knapp**  
**1934 West 37Th Ave. Denver, CO 80211 • [rebecca\\_knapp@hotmail.com](mailto:rebecca_knapp@hotmail.com) •**  
**[www.KnappLandscapeArchitecture.com](http://www.KnappLandscapeArchitecture.com)**  
**303-868-0256**



**From:** [Larry Dyslin](#)  
**To:** [Rezoning - CPD; Espinoza, Rafael G. - City Council](#)  
**Cc:** [Neighborhood Medical Care In West Highland](#)  
**Subject:** Support for medical building project on Emmaus Lutheran Church land  
**Date:** Tuesday, July 28, 2015 5:30:45 PM

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Dear Councilman Espinoza and members of Denver Planning Board,

We are writing to you in support of the rezoning application to build a medical office building on the property of Emmaus Lutheran Church on the corner of 31st and Irving. While we do not live in the neighborhood, we have been members of this church for nearly 50 years. Emmaus Lutheran Church has been at this location in North Denver since 1907.

Church members spent many hours discussing the best use of this property. We sincerely believe that a medical office building will be an excellent addition to the neighborhood and will greatly benefit the health and welfare of our neighbors.

We urge you to support this rezoning application. Thank you.

Larry and Elaine Dyslin

**From:** [Bill Cisney](#)  
**To:** [Rezoning - CPD; Espinoza, Rafael G. - City Council; nmcwesthighland@gmail.com](#)  
**Subject:** Medical Building on Emmanus Church Land  
**Date:** Monday, July 27, 2015 1:16:26 PM

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I believe that a medical clinic represents a good and appropriate use of this land on 32nd Avenue. Although there are some private residences on the street, this particular location is well suited to commercial use and is not at all suitable for a single family home.

A great deal of planning has been done to ensure that this clinic will fit in to the neighborhood. It is hard to believe that it would present serious problems with either traffic or parking.

Bill Cisney  
3265 Utica Street

## Watkins, Tim - Community Planning and Development

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**From:** Jason Buechler [jasonabuechler@aol.com]  
**Sent:** Monday, June 29, 2015 2:01 PM  
**To:** info@rafaelforcouncil.com  
**Cc:** Watkins, Tim - Community Planning and Development; nmcwesthighland@gmail.com  
**Subject:** Nearby neighbor in support of Emmaus project

Dear Councilman-Elect Espinoza and CPD,

I live at 3009 Irving Street, just a block or so south of the Emmaus Lutheran Church. I am writing to you in support of their rezoning application and the proposed medical office building project.

Although we love our neighborhood, my wife and I have been dismayed at the lack of nearby medical care. We would very much like to have additional medical options close to us, particularly the extended-hours family practice. Our community has an ever-increasing number of families and seniors needing medical care, and a medical office building in that location would be incredibly beneficial for the neighborhood.

I believe that the proposed project is appropriate for the location (particularly since it would be surrounded by other commercial buildings like Pinche Tacos, Denver Bread Company, and the car wash). I also think that the proposed 2-story building is a reasonable size and won't be disruptive to the neighborhood fabric.

If we are really sincere about wanting to make our community more walkable and sustainable, we need to encourage appropriate projects like this that provide necessary services within a neighborhood context. I urge you to support this rezoning application. Thank you for your time.

Jason Buechler  
3009 Irving Street

**From:** [gpbexplore@aol.com](mailto:gpbexplore@aol.com)  
**To:** [Rezoning - CPD; Espinoza, Rafael G. - City Council; nmcwesthighland@gmail.com](#)  
**Subject:** Support for Medical Office Building project on Emmaus Church land  
**Date:** Thursday, July 30, 2015 9:17:58 AM

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**TO:**  
[rezoning@denvergov.org](mailto:rezoning@denvergov.org); [rafael.espinoza@denvergov.org](mailto:rafael.espinoza@denvergov.org); [nmcwesthighland@gmail.com](mailto:nmcwesthighland@gmail.com)

**SUBJECT:**  
Support for Medical Office Building project on Emmaus Church land

Dear Councilman Espinoza and Members of Planning Board,

Although I am a resident of Lakewood, I do work for Emmaus Lutheran Church. I believe and support in its mission and beneficial presence in the Highlands neighborhood. I am writing to you in support of the rezoning application to build a Medical Office Building on the Emmaus Lutheran Church land at the southeast corner of 32nd & Irving (<http://bit.ly/neighborhoodmedicalcare>).

The community in northwest Denver is home to a growing number of families, as well as many seniors in need of medical care. A medical office building (with an adjacent parking lot) in that location would be incredibly beneficial for the neighborhood.

I believe that the project is appropriate for the location, particularly since it would be surrounded by commercial buildings to the west, north, and east, and buffered by the church building to the south. I also think that the proposed 2-story building is a reasonable size and won't be disruptive to the neighborhood fabric. I understand that the development team has been working with community members to create a vision for the building's design and how best to incorporate it into our wonderful existing neighborhood.

If we are really sincere about wanting to make our community more walkable and sustainable, we need to encourage appropriate projects like this that provide necessary services within a neighborhood context. I urge you to support this rezoning application. Thank you for your time.

Pamela Bechtold

## Watkins, Tim - Community Planning and Development

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**From:** Rezoning - CPD  
**Sent:** Thursday, September 03, 2015 11:59 AM  
**To:** Watkins, Tim - Community Planning and Development  
**Subject:** FW: Support for Rezoning Request on Emmaus Church Land

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**From:** Mark Wiley [<mailto:mwiley@primusaero.com>]

**Sent:** Thursday, September 03, 2015 10:29 AM

**To:** Espinoza, Rafael G. - City Council; Flynn, Kevin J. - City Council; Lopez, Paul D. - City Council Dist #3; Black, Kendra A. - City Council; Susman, Mary Beth - City Council; Kashmann, Paul J. - City Council; Clark, Jolon M. - City Council; Herndon, Christopher J. - City Council District 8; Brooks, Albus - City Council District 9; New, Wayne C. - City Council; Gilmore, Stacie M. - City Council; Ortega, Deborah L. - City Council; kniechatlarge; Rezoning - CPD;  
[nmcwesthighland@gmail.com](mailto:nmcwesthighland@gmail.com)

**Subject:** Support for Rezoning Request on Emmaus Church Land

Dear Members of City Council,

I am a resident of Denver, and I am writing to you in support of the rezoning application (<http://bit.ly/neighborhoodmedicalcare>) for the property owned by the Emmaus Lutheran Church at W. 32nd Ave & Irving St. I agree with the proposed zoning change from U-SU-A to U-MS-2x.

I understand that the church would like to build a two-story medical office building fronting 32nd Ave, with an adjoining surface parking lot. The surrounding context of that site is clearly commercial, with commercial uses to the west, north, and east. The church (and its large lawn) directly borders the site to the south, and provides a buffer between the main street site and the residential neighborhood.

I value efforts to create mixed-use neighborhoods and support neighborhood vitality. If we are serious about wanting walkable and sustainable communities, we need to put necessary services (like medical care) where people live -- yet at appropriate sites that support non-residential uses.

The site is in a vibrant, main street-oriented part of our neighborhood, and it is currently underutilized and doesn't fit with the surrounding context. It is clearly a site that would benefit from reinvestment.

I am comfortable in the knowledge that U-MS-2x is the most restrictive commercial zoning designation in the code. The medical office building will only be 6% larger than the nearby Mondo Vino building (the parking requirements create a limit on the size of the building) and I think that the proposed scale and proximity to main street frontage is completely appropriate for the site.

I know that the development team has participated in numerous meetings with community members, including hosting design workshops to allow neighbors to create the vision statement for the building's design. I look forward to seeing how this building will be incorporated into our wonderful existing neighborhood.

Please support this rezoning application. Thank you for your time.

**Mark Wiley**  
**Lead Quality Inspector**



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Lakewood, CO 80215  
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Fax: 303.235.8947

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## Watkins, Tim - Community Planning and Development

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**From:** Rezoning - CPD  
**Sent:** Wednesday, September 09, 2015 3:15 PM  
**To:** Watkins, Tim - Community Planning and Development  
**Subject:** FW: Support for Rezoning Request on Emmaus Church Land

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**From:** Courtney McRickard [<mailto:courtney@sitedrivendesign.com>]

**Sent:** Wednesday, September 09, 2015 3:12 PM

**To:** Black, Kendra A. - City Council; Espinoza, Rafael G. - City Council; Flynn, Kevin J. - City Council; Lopez, Paul D. - City Council Dist #3; Susman, Mary Beth - City Council; Kashmann, Paul J. - City Council; Clark, Jolon M. - City Council; Herndon, Christopher J. - City Council District 8; Gilmore, Stacie M. - City Council; New, Wayne C. - City Council; Brooks, Albus - City Council District 9; Ortega, Deborah L. - City Council; kniechatlarge; Rezoning - CPD;  
[nmcwesthighland@gmail.com](mailto:nmcwesthighland@gmail.com)

**Subject:** Support for Rezoning Request on Emmaus Church Land

Dear Members of City Council,

I am a resident of LOHI and I am writing to you in support of the rezoning application (<http://bit.ly/neighborhoodmedicalcare>) for the property owned by the Emmaus Lutheran Church at W. 32nd Ave & Irving St. I agree with the proposed zoning change from U-SU-A to U-MS-2x.

I understand that the church would like to build a two-story medical office building fronting 32nd Ave, with an adjoining surface parking lot. The surrounding context of that site is clearly commercial, with commercial uses to the west, north, and east. The church (and its large lawn) directly borders the site to the south, and provides a buffer between the main street site and the residential neighborhood.

I value efforts to create mixed-use neighborhoods and support neighborhood vitality. If we are serious about wanting walkable and sustainable communities, we need to put necessary services (like medical care) where people live -- yet at appropriate sites that support non-residential uses.

The site is in a vibrant, main street-oriented part of our neighborhood, and it is currently underutilized and doesn't fit with the surrounding context. It is clearly a site that would benefit from reinvestment.

I am comfortable in the knowledge that U-MS-2x is the most restrictive commercial zoning designation in the code. The medical office building will only be 6% larger than the nearby Mondo Vino building (the parking requirements create a limit on the size of the building) and I think that the proposed scale and proximity to main street frontage is completely appropriate for the site.

I know that the development team has participated in numerous meetings with community members, including hosting design workshops to allow neighbors to create the vision statement for the building's design. I look forward to seeing how this building will be incorporated into our wonderful existing neighborhood.

Please support this rezoning application. Thank you for your time.

**Courtney McRickard, RLA, ASLA**  
three sixty design

1553 platte street, 303  
denver, co 80202

720.360.0080 x101 O

720.217.3580 C

[courtney@sitedrivendesign.com](mailto:courtney@sitedrivendesign.com)

[www.sitedrivendesign.com](http://www.sitedrivendesign.com)

**PLEASE NOTE our main office number has changed.**

## Watkins, Tim - Community Planning and Development

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**From:** Rezoning - CPD  
**Sent:** Thursday, September 03, 2015 2:09 PM  
**To:** Watkins, Tim - Community Planning and Development  
**Subject:** FW: Support for Rezoning of Emmaus Church Land

---

**From:** elizabeth faulhaber [<mailto:espagnemf@yahoo.com>]

**Sent:** Thursday, September 03, 2015 1:21 PM

**To:** Espinoza, Rafael G. - City Council; Flynn, Kevin J. - City Council; Lopez, Paul D. - City Council Dist #3; Black, Kendra A. - City Council; Susman, Mary Beth - City Council; Kashmann, Paul J. - City Council; Clark, Jolon M. - City Council; Herndon, Christopher J. - City Council District 8; Brooks, Albus - City Council District 9; New, Wayne C. - City Council; Gilmore, Stacie M. - City Council; Ortega, Deborah L. - City Council; kniechatlarge; Rezoning - CPD;  
[nmcwesthighland@gmail.com](mailto:nmcwesthighland@gmail.com)

**Subject:** Support for Rezoning of Emmaus Church Land

Dear Members of City Council,

I am a resident of Berkley neighborhood in NW Denver and I am writing to you in support of the rezoning application (<http://bit.ly/neighborhoodmedicalcare>) for the property owned by the Emmaus Lutheran Church at W. 32nd Ave & Irving St. I agree with the proposed zoning change from U-SU-A to U-MS-2x.

I understand that the church would like to build a two-story medical office building fronting 32nd Ave, with an adjoining surface parking lot. The surrounding context of that site is clearly commercial, with commercial uses to the west, north, and east. The church (and its large lawn) directly borders the site to the south, and provides a buffer between the main street site and the residential neighborhood.

I value efforts to create mixed-use neighborhoods and support neighborhood vitality. If we are serious about wanting walkable and sustainable communities, we need to put necessary services (like medical care) where people live -- yet at appropriate sites that support non-residential uses.

The site is in a vibrant, main street-oriented part of our neighborhood, and it is currently underutilized and doesn't fit with the surrounding context. It is clearly a site that would benefit from reinvestment.

I am comfortable in the knowledge that U-MS-2x is the most restrictive commercial zoning designation in the code. The medical office building will only be 6% larger than the nearby Mondo Vino building (the parking requirements create a limit on the size of the building) and I think that the proposed scale and proximity to main street frontage is completely appropriate for the site.

I know that the development team has participated in numerous meetings with community members, including hosting design workshops to allow neighbors to create the vision statement for the building's design. I look forward to seeing how this building will be incorporated into our wonderful existing neighborhood.

Please support this rezoning application. Thank you for your time.

Sincerely  
Elizabeth Faulhaber



**From:** [Barbara Costa](#)  
**To:** [Rezoning - CPD; Espinoza, Rafael G. - City Council; nmcwesthighland@gmail.com](#)  
**Subject:** Support for Medical Office Building project on Emmaus Church land  
**Date:** Wednesday, August 19, 2015 3:21:20 PM

---

Dear Councilman Espinoza and Members of Planning Board,

I am a resident of the Berkeley Park neighborhood. Though I don't live directly in the West Highland neighborhood, I am nearby. I am writing to you in support of the rezoning application to build a Medical Office Building on the Emmaus Lutheran Church land at the southeast corner of 32nd & Irving (<http://bit.ly/neighborhoodmedicalcare>). Frankly, I couldn't be more pleased with this historic neighborhood church's vision for serving our neighborhood.

The community in northwest Denver is home to a growing number of families, as well as many seniors in need of medical care. Mine included. I am parent to a five-year old son and daughter to a 62-year old mother who also lives in our neighborhood. A medical office building (with an adjacent parking lot) in that location would be incredibly beneficial for the neighborhood and for my family, specifically. I think it would be an extremely positive addition for our community who will now have convenient access to comprehensive medical care so close-by.

I believe that the project is appropriate for the location, particularly since it would be surrounded by commercial buildings to the west, north, and east, and buffered by the church building to the south. I also think that the proposed 2-story building is a reasonable size and won't be disruptive to the neighborhood fabric. I understand that the development team has been working with community members to create a vision for the building's design and how best to incorporate it into our wonderful existing neighborhood. I've seen some of the renderings of the proposed building and the design appears unassuming and cohesive with the other buildings in Highlands Square.

If we are really sincere about wanting to make our community more walkable and sustainable, we need to encourage appropriate projects like this that provide necessary services within a neighborhood context. I urge you to support this rezoning application. Thank you for your time.

With warm regards,

Barbara L. Costa

4463 Raleigh Street

Denver, CO 80212

## Watkins, Tim - Community Planning and Development

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**From:** Rezoning - CPD  
**Sent:** Thursday, September 10, 2015 8:27 AM  
**To:** Watkins, Tim - Community Planning and Development  
**Subject:** FW: Support for Rezoning Request on Emmaus Church Land

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**From:** Lola Hancock [<mailto:Lola@seanet.com>]  
**Sent:** Wednesday, September 09, 2015 10:13 PM  
**To:** Rezoning - CPD  
**Subject:** Support for Rezoning Request on Emmaus Church Land

Dear Members of City Council,

I am a resident of the Highlands, and I am writing to you in support of the rezoning application (<http://bit.ly/neighborhoodmedicalcare>) for the property owned by the Emmaus Lutheran Church at W. 32nd Ave & Irving St. I agree with the proposed zoning change from U-SU-A to U-MS-2x.

I understand that the church would like to build a two-story medical office building fronting 32nd Ave, with an adjoining surface parking lot. The surrounding context of that site is clearly commercial, with commercial uses to the west, north, and east. The church (and its large lawn) directly borders the site to the south, and provides a buffer between the main street site and the residential neighborhood.

I value efforts to create mixed-use neighborhoods and support neighborhood vitality. If we are serious about wanting walkable and sustainable communities, we need to put necessary services (like medical care) where people live -- yet at appropriate sites that support non-residential uses.

The site is in a vibrant, main street-oriented part of our neighborhood, and it is currently underutilized and doesn't fit with the surrounding context. It is clearly a site that would benefit from reinvestment.

I am comfortable in the knowledge that U-MS-2x is the most restrictive commercial zoning designation in the code. The medical office building will only be 6% larger than the nearby Mondo Vino building (the parking requirements create a limit on the size of the building) and I think that the proposed scale and proximity to main street frontage is completely appropriate for the site.

I know that the development team has participated in numerous meetings with community members, including hosting design workshops to allow neighbors to create the vision statement for the building's design. I look forward to seeing how this building will be incorporated into our wonderful existing neighborhood.

Please support this rezoning application. Thank you for your time.

Lola Hancock  
30th and Lowell

## Watkins, Tim - Community Planning and Development

---

**From:** Rezoning - CPD  
**Sent:** Wednesday, September 09, 2015 8:13 AM  
**To:** Watkins, Tim - Community Planning and Development  
**Subject:** FW: Support Re-Zoning For Medical Office Building Emmaus Church Land

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**From:** Erin Flanagan [<mailto:erin.rose.flanagan@gmail.com>]  
**Sent:** Tuesday, September 08, 2015 10:09 PM  
**To:** Espinoza, Rafael G. - City Council; Flynn, Kevin J. - City Council; Lopez, Paul D. - City Council Dist #3; Black, Kendra A. - City Council; Susman, Mary Beth - City Council; Kashmann, Paul J. - City Council; Clark, Jolon M. - City Council; Herndon, Christopher J. - City Council District 8; Brooks, Albus - City Council District 9; New, Wayne C. - City Council; Gilmore, Stacie M. - City Council; Ortega, Deborah L. - City Council; kniechatlarge; Rezoning - CPD;  
[nmcwesthighland@gmail.com](mailto:nmcwesthighland@gmail.com)  
**Subject:** Support Re-Zoning For Medical Office Building Emmaus Church Land

Dear Members of City Council,

I am a resident of NW Denver, and I am writing to you in support of the rezoning application (<http://bit.ly/neighborhoodmedicalcare>) for the property owned by the Emmaus Lutheran Church at W. 32nd Ave & Irving St. I agree with the proposed zoning change from U-SU-A to U-MS-2x.

I understand that the church would like to build a two-story medical office building fronting 32nd Ave, with an adjoining surface parking lot. The surrounding context of that site is clearly commercial, with commercial uses to the west, north, and east. The church (and its large lawn) directly borders the site to the south, and provides a buffer between the main street site and the residential neighborhood.

I value efforts to create mixed-use neighborhoods and support neighborhood vitality. If we are serious about wanting walkable and sustainable communities, we need to put necessary services (like medical care) where people live — yet at appropriate sites that support non-residential uses.

The site is in a vibrant, main street-oriented part of our neighborhood, and it is currently underutilized and doesn't fit with the surrounding context. It is clearly a site that would benefit from reinvestment.

I am comfortable in the knowledge that U-MS-2x is the most restrictive commercial zoning designation in the code. The medical office building will only be 6% larger than the nearby Mondo Vino building (the parking requirements create a limit on the size of the building) and I think that the proposed scale and proximity to main street frontage is completely appropriate for the site.

I know that the development team has participated in numerous meetings with community members, including hosting design workshops to allow neighbors to create the vision statement for the building's design. I look forward to seeing how this building will be incorporated into our wonderful existing neighborhood.

Please support this rezoning application. Thank you for your time.

Sincerely,

Erin Flanagan

Attachement 2. Public and RNO Comment Letters  
B. WHNA Letters / Letters of Opposition





March 22, 2015

**Transmitted via email**

Susan K. Shepherd  
Councilwoman, Denver District 1  
City and County Building  
1437 Bannock St., Room 459  
Denver, CO 80202

RE: Application #2014I-00033, 3268 W. 32nd Ave.

Ms. Shepherd,

As you are aware, Emmaus Lutheran Church has recently split their existing lot at the southeast corner of 32<sup>nd</sup> Ave and Irvine St and submitted a rezoning application to the City and County of Denver in February to rezone from U-SU-A to U-MS-2x. Representatives of the developer and Emmaus Lutheran Church have regularly attended the West Highland Neighborhood Association (WHNA) meetings over the last 6 months discussing their intentions of rezoning and redeveloping this area of their property. Since their first visit to WHNA over a year ago, numerous WHNA members have expressed concern over the possible traffic and parking related impacts the proposed development will have on the existing established neighborhood. The Emmaus development team has not been responsive in providing this information. WHNA therefore asks of you to formally ask from the City and County of Denver (CCD) that the Emmaus Lutheran Church/developer team submit a complete Traffic and Parking Impact Study to CCD, with copy to WHNA, which covers both scenarios of the possible full build out of the proposed rezoned parcel and the currently proposed project. They have a site plan developed by an architect that they have made public through their project website of nmcwh.com. We understand a public hearing before the Planning Board is likely in late April or early May, therefore we request the Traffic and Parking Impact Study is completed and made public as soon as possible. We understand from City Planning a stance on this application is desired as soon as possible, yet WHNA feels this information is imperative for its members to have to make an informed assessment of their opinion on the proposed rezoning and development.

We appreciate your assistance with this matter,

A handwritten signature in black ink, appearing to read "Trevor Greco". The signature is stylized and cursive.

Trevor Greco  
WHNA, Vice President  
WHNA Board Member

cc: Tim Watkins, CCD, Senior City Planner  
Kevin Neimond, WHNA, President  
Steve Kite, WHNA, Zoning Chair





# WEST HIGHLAND NEIGHBORHOOD ASSOCIATION

August 13, 2015

Tim Watkins  
Community Planning and Development  
City & County of Denver  
201 West Colfax Avenue – Dept 205  
Denver, CO 80202

Re: Official Zoning Map Amendment Application #2014I-00033  
3268 W 32nd Ave  
Rezoning from U-SU-A to U-MS-2x

Mr. Watkins:

This letter is to inform you that the West Highland Neighborhood Association (WHNA) held a full membership meeting on August 4, 2015, where several motions were voted on concerning the above referenced zoning map amendment. The result of these votes are detailed below but outline that the ***WHNA membership does not support the proposed rezoning for the parcel in question, but would entertain redevelopment if pursued under a PUD.***

At the WHNA meeting several individuals made presentations including Sundari Kraft (representative of applicant), WHNA Zoning Chair (relaying the findings and recommendations of the WHNA Zoning Committee), and several neighbors and/or members directly affected by this project. An organized group discussion took place and several motions were voted on and are listed below.

Motion 1) I move that the members of WHNA, having listened to the arguments and discussion over the past many months on this issue, decline to take a position on the application of the new zoning and that we leave that in the hands of the property owners involved.

Votes:

11 For  
28 Opposed  
2 Abstaining

Motion 2) I move that the members of WHNA, having listened to the arguments and discussion over the past many months on this issue, and having participated in the 2009-2010 rezoning, are of the opinion that the existing zoning (U-SU-A, single family residential) should remain in place, and application of the new zoning not be approved by the city.

Votes:

25 For  
15 Opposed  
3 Abstaining

Motion 3) I move that the members of WHNA, having listened to the arguments and discussion over the past many months on this issue, have decided that the proposal for a new zoning presented by Emmaus development team, is a worthy proposal, and that we as the members of WHNA although we have no legal standing, do in fact support that zoning application for new zoning.

Votes:

11 For

29 Opposed

3 Abstaining

Motion 4) I move that the members of WHNA, having listened to the arguments and discussion over the past many months on this issue, are under the conclusion that the redevelopment of this site, other than single family which is unlikely, and what we believe is the best way to move forward, is to get something that we will all be able to live with, which is a planned unit development rezoning.

Votes:

34 For

1 Opposed

5 Abstaining

\*\*\* Eligible voters were verified; voting cards were handed out and eligible voters raised their hands with voting cards in their hands, then votes were counted.

Sincerely,



Trevor Greco

Vice-President, West Highland Neighborhood Association

cc: Jackie Youngblood, President, West Highland Neighborhood Association

**From:** [Jerry Moline](#)  
**To:** [Watkins, Tim - Community Planning and Development](#)  
**Subject:** Fw: Regarding Emmaus Lutheran zoning change at 32nd and Irving St.  
**Date:** Tuesday, August 18, 2015 7:49:17 AM

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Note that my email to Councilman Espinoza was not forwarded for inclusion into the packet. Please find attached my email regarding the Emmaus project.

Thank you.

Jerry Moline  
2975 Irving St.  
Denver, CO 80211  
720-273-5926

----- Original Message -----

**From:** [Jerry Moline](#)  
**To:** [Rafael.espinoza@denvergov.org](mailto:Rafael.espinoza@denvergov.org)  
**Cc:** [Jackie Youngblood](#)  
**Sent:** Sunday, July 26, 2015 11:34 PM  
**Subject:** Regarding Emmaus Lutheran zoning change at 32nd and Irving St.

Regarding Emmaus Lutheran zoning change at 32<sup>nd</sup> and Irving St.

Dear Councilman Espinoza,  
Representatives of Emmaus Lutheran Church and the developer that is working on the property at 32<sup>nd</sup> and Irving have had several meetings with neighbors on a proposed medical center to be built on the site. In the attempt to receive approval for the project from neighbors, a plan showing a two story building has been shown at several meetings. If Emmaus receives the up zoning requested, I fear the building actually built will be more than the two story design used to garner support for the project.

I propose a PUD for the project, allowing the height and footprint to be defined to prevent any "bait and switch" between zoning approval and construction. I believe a PUD should be used for most commercial building in residential areas in the future to help new development provide a better fit in neighborhoods.

Jerry Moline  
2975 Irving St.  
Denver, CO 80211  
720-273-5926

\_\_\_\_\_ Information from ESET NOD32 Antivirus, version of virus signature database  
12000 (20150727) \_\_\_\_\_

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

\_\_\_\_\_ Information from ESET NOD32 Antivirus, version of virus signature database  
12112 (20150818) \_\_\_\_\_

## Watkins, Tim - Community Planning and Development

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**From:** Rezoning - CPD  
**Sent:** Thursday, September 03, 2015 11:59 AM  
**To:** Watkins, Tim - Community Planning and Development  
**Subject:** FW: Opposed to Rezoning Request on Emmaus Church Land

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**From:** Ben Quinn [<mailto:benbquinn@gmail.com>]

**Sent:** Thursday, September 03, 2015 11:20 AM

**To:** Espinoza, Rafael G. - City Council; Flynn, Kevin J. - City Council; Lopez, Paul D. - City Council Dist #3; Black, Kendra A. - City Council; Susman, Mary Beth - City Council; Kashmann, Paul J. - City Council; Clark, Jolon M. - City Council; Herndon, Christopher J. - City Council District 8; Brooks, Albus - City Council District 9; New, Wayne C. - City Council; Gilmore, Stacie M. - City Council; Ortega, Deborah L. - City Council; kniechatlarge; Rezoning - CPD

**Subject:** Opposed to Rezoning Request on Emmaus Church Land

Dear Members of City Council,

I am a resident of West 30th Avenue 300 feet from the rezoning application, and I am writing to you in apposition of the rezoning application (<http://bit.ly/neighborhoodmedicalcare>) for the property owned by the Emmaus Lutheran Church at W. 32nd Ave & Irving St. I disagree with the proposed zoning change from U-SU-A to U-MS-2x.

I understand that the church would like to build a two-story medical office building fronting 32nd Ave, with an adjoining surface parking lot. The surrounding context of that site is clearly commercial, with commercial uses to the west, north, and east.

I value efforts to create mixed-use neighborhoods and support neighborhood vitality, but this project does very little for our community. The current care facilities in our neighborhood fully support my family and are all considered walk-able from our house. The introduction of a medical building without regulated hours adds safety concerns for an already densely packed neighborhood.

The Church recently completed a traffic study to assess the impact on the neighborhood. Unfortunately, this assumed 5 days a week in comparison to a school. But, the Church had to close the school due to funding issues. Since the school is closed and the rezoning allows for 7 days a week operation, this traffic study should be re-evaluated as a parking lot and 7 days a week operation. This is the first example of the Church bending the facts to support the rezoning and my greatest hesitation for supporting this rezoning.

The Church claims that the site is under utilized, but this is due to lack of research by the project team. During meetings with the neighbors, several options were proposed that would provide new life to the current property (parking/valet contracts with non-monetary compensation) but no action has followed up. The team has already made up their minds and are now just selling the project to the neighborhood.

I am comfortable in the knowledge that U-MS-2x and this knowledge has lead to my concern for business hours. The neighborhood is very quiet after 10 pm and this building would represent a minority of facilities that could stay open past 2 am. This type of zoning should be considered for main thoroughfares like Federal or Speer, but not the residential streets of Irving.

Again the Church claims to have "hosting design workshops to allow neighbors to create the vision statement for the building's design", but the design and vision statement were all generated by the architecture firm hired for the project. As an attendee, I can tell you we were only allowed to share our opinion. This is a great example of how the team twists the truth to appear to be supporting/involving the community, but only has their own goals and objectives.

Please **do not** support this rezoning application. Thank you for your time and feel free to contact me for further information regarding my opposition..

Ben Quinn  
3333 W 30th Ave  
Denver, CO 80211

**From:** Marie Benedix [mailto:[marie.benedix@gmail.com](mailto:marie.benedix@gmail.com)]

**Sent:** Tuesday, August 18, 2015 5:03 PM

**To:** Rezoning - CPD; Espinoza, Rafael G. - City Council; Contreras, Rita B. - City Council

**Subject:** Oppose proposed zoning change for Emmaus church - not suitable for residential neighborhood

Dear Councilman Espinoza, dear Zoning Board Members,

I'm writing to express my opposition to the zoning change, as currently proposed, for the property owned by the Emmaus church on 32nd and Irving.

The area around 32nd and Lowell is mostly residential in nature, and the 2010 rezoning already saw considerable increases in the intensity of usage in the 32nd and Lowell area, some of which is now being realized. In short, this area can barely cope with the added density already being built, and further adding to this by creating a choke point at 32nd, Speer and Irving could seriously harm the functioning of this area. I'm also concerned about the viability of the embedded business district, whose patrons are already having difficulty getting here and finding parking. Therefore, I oppose creating additional commercial property for intense uses in this area.

Currently, the property in question is zoned for residential use, and in my opinion that is the right choice for this property, which is not easily reached by any major road, forcing any traffic to the site to use residential streets or already struggling intersections, like Speer & 32nd Ave and 32nd & Irving. Already today, at rush hour, these intersections are performing poorly, with traffic often backing up all the way between 32nd and Federal.

In addition, with proposed access to the development from Irving, neighbors on residential streets like 30th, 31st and Irving would suddenly see their streets transformed into feeder lanes for over 85 cars per hour at peak times. This is not appropriate and not fair on them, especially since the current zoning was put in place as recently as in 2010. These property owners have a right to be able to trust in this zoning.

Finally, while the applicant makes a nice case for themselves of being a church and wanting to build a medical center, the FACT is that this zoning is not specific to a medical center. This is another reason why I don't support the proposed zoning change. Neighbors have no guarantee that this property would not simply be sold to the highest bidder and a commercial building of any kind be built, which is what happened at Irving and 32nd (land previously owned by the same church).

If the church would like to reach agreement with neighbors for a medical center that would be supported by the community, then I would suggest that they reach out in good faith and be willing to memorialize such agreement in a PUD (Planned Unit Development). The zoning board and City planners should embrace and recommend a PUD for all the reasons I've outlined above. It is a way to ensure neighborhood viability is preserved and to document an agreement in a way that it can later be enforced.

I would also draw your attention to the petition on [Change.org](http://Change.org) in opposition of this rezoning, signed by 215 people. It can be found here: <https://www.change.org/p/denver-city-council-zone-it-right-west-highlands>. The many thoughtful comments as to why a very large number of neighbors oppose the requested rezoning are worth reading.

Thank you for your service,

Marie Benedix  
3284 Osceola St  
Denver, CO 80212

**From:** [dlvid@live.com](mailto:dlvid@live.com) on behalf of [Doug Vaughan](#)  
**To:** [Rezoning - CPD; Espinoza, Rafael G. - City Council](#)  
**Cc:** [webmaster@westhighlandneighborhood.org](mailto:webmaster@westhighlandneighborhood.org)  
**Subject:** re: oppose campaign to influence Planning Board to support Medical Office Building project!  
**Date:** Tuesday, July 28, 2015 12:28:27 PM

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Re: Rezoning of Emmaus church property

As a homeowner and taxpayer on Highland Park, the neighborhood most immediately affected by this proposed rezoning, I want to alert you to the email and social-media campaign below, organized by the developers through their hired publicist.

This is what's known in the political campaign trade as "astro-turfing" -- an attempt by a small group, a private party or special interest, to create the illusion of mass "grassroots" public support to influence public policy for the benefit of that small, private group. I hope you will have the good sense to see this self-serving propaganda for what it is: manipulative, deceptive and false, both in its claim that the proposed rezoning would redound to the public good and its claim that neighbors support this development in the public interest.

I urge you to oppose this rezoning application.

**Douglas L. Vaughan, Jr.**  
**3140 W. 32nd Ave.**  
**Denver CO 80211**  
**303-455-9429**

---

Subject: Action Alert: Quick email to Planning Board to support Medical Office Building project!  
From: [nmcwesthighland@gmail.com](mailto:nmcwesthighland@gmail.com)  
To: [highlandcourtapartments@gmail.com](mailto:highlandcourtapartments@gmail.com)  
Date: Mon, 27 Jul 2015 18:25:35 +0000

It's time to share your thoughts with the City. We need your help!

[View this email in your browser](#)



Hi \*[FNAME]\*,

(If you're short on time, you can jump to the **ACTION ALERT** below.)

Thank you for letting us know that you're interested in supporting the proposed Medical Office Building project at 32nd & Irving. The time has come to share your thoughts about this project with the City. We need your help!

As we prepare for the Planning Board hearing, it is crucial that we demonstrate the strong community support that exists for this project. You can make an impact by taking just a few seconds to send an email (see below).

If you find it helpful, please feel free to copy and paste the sample email below. You can copy the email in its entirety, make any edits you would like, or scrap the whole thing and write something yourself. If you do copy and paste, please be sure to indicate where you live (neighborhood, or NW Denver, or Denver) in the first sentence.

This email will go to the members of Planning Board as well as our newly elected Councilmember for District 1. It also cc's me, so that I can track the correspondences that are being sent to the City.

If you have any questions please don't hesitate to contact me. Thank you so much for taking the time to share your voice and be a part of the process. Our team looks forward to providing comprehensive medical care services in our community!

Thanks,  
Sundari

**ACTION ALERT**

*(Please copy and paste the "To" section. Feel free to edit the Subject and the Email Text however you'd like, or just cut and paste.)*

TO:

rezoning@denvergov.org; rafael.espinoza@denvergov.org; nmcwesthighland@gmail.com

SUBJECT:

Support for Medical Office Building project on Emmaus Church land

EMAIL TEXT:

Dear Councilman Espinoza and Members of Planning Board,

I am a resident of \_\_\_\_\_, and I am writing to you in support of the rezoning application to build a Medical Office Building on the Emmaus Lutheran Church land at the southeast corner of 32nd & Irving (<http://bit.ly/neighborhoodmedicalcare>).

The community in northwest Denver is home to a growing number of families, as well as many seniors in need of medical care. A medical office building (with an adjacent parking lot) in that location would be incredibly beneficial for the neighborhood.

I believe that the project is appropriate for the location, particularly since it would be surrounded by commercial buildings to the west, north, and east, and buffered by the church building to the south. I also think that the proposed 2-story building is a reasonable size and won't be disruptive to the neighborhood fabric. I understand that the development team has been working with community members to create a vision for the building's design and how best to incorporate it into our wonderful existing neighborhood.

If we are really sincere about wanting to make our community more walkable and sustainable, we need to encourage appropriate projects like this that provide necessary services within a neighborhood context. I urge you to support this rezoning application. Thank you for your time.

<Your name>

<Your address, if you'd like>

*Copyright © 2015 Neighborhood Medical Care in West Highland, All rights reserved.*

Thank you for signing up to receive information and updates about the proposed Medical Office Building project!

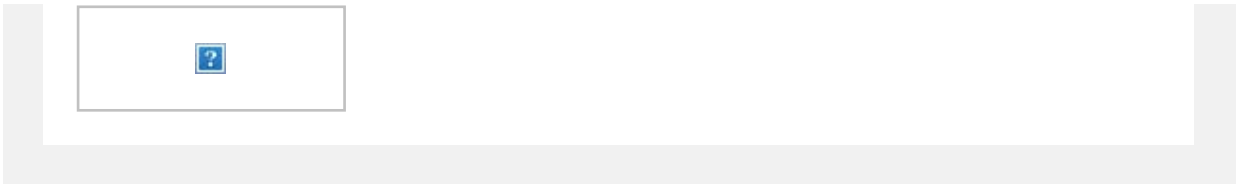
**Our mailing address is:**

Neighborhood Medical Care in West Highland  
3120 Irving Street  
(project of West Highlands Gateway LLC, administered by Kraft Public Affairs LLC)  
Denver, CO 80211

[Add us to your address book](#)

[unsubscribe from this list](#) [update subscription preferences](#)





**From:** [Lynn Scanlon](#)  
**To:** [Espinoza, Rafael G. - City Council](#); [Rezoning - CPD](#)  
**Subject:** Medical building on w. 32nd ave and irving  
**Date:** Monday, July 27, 2015 5:11:11 PM

---

Dear city council member Espinoza and rezoning board,

I do NOT support the proposed medical building at w. 32nd and Irving. I've lived in the neighborhood for 15 years at 36th and Irving and the amount of traffic and limited parking has substantially increased without this proposed building. Regardless of what the developer has indicated the neighborhood residents DO NOT support this structure. An accurate traffic study has not been conducted. The developer is significantly under reporting the amount of parking spots they will need, their argument is that people will use public transit to access the medical facility, which is a ludicrous proposal for people visiting the doctor when they are sick or have small children.

The developer plans to use a traffic light at Irving to get people into the facility, and then use the alley to get people out of the facility, another ludicrous proposal by the developer. This structure will significantly increase the amount of traffic on Irving/spear, and create a bottleneck on one of the few direct routes from downtown to I-70. It will also significantly increase the amount of traffic on w 32nd both east and west.

This proposed building sits in a residential neighborhood with narrower streets that is not able to accommodate the amount of traffic or noise associated with this building. Please do NOT rezone this area unless you have spoken with a significant portion of the residents who live in direct proximity to this site.

Thank you for your time,  
Lynn Scanlon

Sent from my iPhone

## Watkins, Tim - Community Planning and Development

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**From:** Randy Mast [randall.g.mast@gmail.com]  
**Sent:** Monday, April 27, 2015 1:01 PM  
**To:** Shepherd, Susan K. - City Council District 1; City Council - District One; Watkins, Tim - Community Planning and Development  
**Cc:** Paterson, John A - City Council Operations; Aldretti, Susan K - City Council Operations; kniechatlarge; Faatz, Jeanne R. - City Council Dist #2; Lopez, Paul D. - City Council Dist #3; Lehmann, Peggy A. - City Council Dist #4; Susman, Mary Beth - City Council; Brown, Charlie - City Council District #6; Nevitt, Chris - City Council Dist #7; Brooks, Albus - City Council District 8; Montero, Judy H. - City Council District #9; Robb, Jeanne - City Council Dist. #10; Herndon, Christopher J. - City Council District 11  
**Subject:** Rezoning Application # 20141-00033, Emmaus Church

April 27, 2015

Susan Shepherd, Councilwoman District 1

[720-337-7701](tel:720-337-7701)

[susan.shepherd@denvergov.org](mailto:susan.shepherd@denvergov.org)

[districtone@denvergov.org](mailto:districtone@denvergov.org)

Tim Watkins, Senior City Planner, City and County of Denver, Community Planning and Development Department

[Tim.watkins@denvergov.org](mailto:Tim.watkins@denvergov.org)

Dear Councilwoman Shepherd and Senior City Planner Tim Watkins,

I am writing in response to rezoning Application # 20141-00033, concerning parcel number 02293-02-027-000 and the proposed upzoning of the Emmaus Lutheran Church property at West 32nd Avenue and Irving Street in Council District 1. This property is currently zoned U-SU-A for single family residential use and the proposed rezoning would allow for significantly higher intensity use of the parcel.

While I am not opposed to redevelopment of this parcel, I am against the proposed rezoning at this time for the following reasons:

1. Blueprint Denver, the existing zoning plan to guide development within the city, created guidelines for land use and transportation connections. **The area in which the proposed site sits was designated by Blueprint Denver as an area of stability, with limited traffic access due to intentionally slow and narrow streets.**
2. Prior to the creation of Blueprint Denver, Irving Street was cut off from Speer preventing it from being a through street. Irving Street ends one block north of the property in question prohibiting through traffic to and from this site. Neither Irving Street nor 32<sup>nd</sup> Avenue have turn lanes, only two way streets narrow enough to slow traffic. **The intensity of commercial use in this proposed upzoning is not consistent with a residential area of stability where local streets have been changed to avoid through traffic.**
3. The City and County of Denver has gone on record saying they will not widen streets to accommodate growth in outlying areas. Instead growth will be will be channeled to areas of change where streets can accommodate large commercial volume. **This is not an area of change and streets would need to be reconfigured and widened to accommodate a use that is not residential.**

4. Zoning in all directions surrounding this site is U-SU-A with the exception of one spot zone change to the west of the property in question. U-SU-A is the strictest residential zoning category and does not allow owners to add additional units or accessory units (e.g., carriage houses/granny flats). Residents do not have the ability to change their home to increase revenue, but they do have consistency that zoning offers to understand intended growth. The site in question is served by the same streets as the surrounding residential parcels and dramatically increasing the allowed square footage and intensity of use on this site is inconsistent with the existing surrounding zoning and area stability. **If the intent behind the U-SU-A and the stability has changed, than more than a single property should be upzoned, otherwise rezoning this U-SU-A parcel is inconsistent spot zoning for the benefit of a single owner.**
5. Blueprint Denver signifies a Neighborhood Center that ends two blocks west of this site at Julian Street and 32<sup>nd</sup> Ave. In Blueprint Denver the parcel in question is in an area of stability, not and area of change and is not included in the Neighborhood Center. **The proposed site is not surrounded by high intensity uses or duplexes; it is surrounded by U-SU-A sites, the City's most restrictive residential zone.**
6. The numbers of units currently being built in the West Highlands Neighborhood are notable including developments on Lowell and 38<sup>th</sup>, Julian and 38<sup>th</sup>, and the change of the senior living 13 story unit on Julian Street and 32<sup>nd</sup> Avenue to residential units. This magnitude of change should not justify more change; it should signify that more direction in planning is needed. **West Highlands Neighborhood needs a neighborhood or small area plan before unguided growth with used to constitute more growth.**
7. There is no existing neighborhood plan to guide growth for the area. The representing Residential Neighborhood Organization (RNO), West Highlands Neighborhood Association (WHNA) is in the process of developing a neighborhood plan. Funds to support the hiring of a qualified facilitator are being secured from The Denver Foundation and WHNA will lead the development of a neighborhood plan. **Additional upzoning prior to completion of a neighborhood plan constitutes further uncharted growth and spot zoning and is inconsistent with the representing RNOs intent.**
8. The growth that has happened in West Highlands Neighborhood in recent years, even prior to the upcoming increases, has put more pedestrians on the street, increased the number of children and youth walking to schools (Edison Elementary, Brown International Elementary, Skinner Middle School and North High School) and has created heavy traffic and parking difficulties. These challenges need more than piecemeal attention from the City and County of Denver. **The City and County of Denver, the Planning Board and the City Council need to prioritize neighborhoods where growth is targeted and provide more detailed plans in coordination with Registered Neighborhood Organizations and residents living with the future impacts of uncharted growth.**

As an neighbor to this property, property owner, and citizen and voter in the City of County of Denver, I urge you to decline a zoning change for this property until a Neighborhood Plan is created for West Highlands Neighborhood and until a participatory and binding process has occurred to determine the use of this parcel.

Thank you for your time and consideration.

Sincerely,

Randall Mast  
[randall.g.mast@gmail.com](mailto:randall.g.mast@gmail.com)  
3233 W. 31<sup>st</sup> Ave

Denver, CO 80211

CC:

Debbie Ortega

Robin Kniech

Jeanne Faatz

Paul D. López

Peggy Lehmann

Mary Beth Susman

Charlie Brown

Chris Nevitt

Albus Brooks

Judy H. Montero

Jeanne Robb

Christopher Herndon

**From:** [Finkelstein, Gabriel](#)  
**To:** [Rezoning - CPD; Espinoza, Rafael G. - City Council; Contreras, Rita B. - City Council](#)  
**Subject:** I live on 29th and Irving  
**Date:** Friday, July 31, 2015 8:09:05 AM

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**District 1 Denver City Council Representative Rafael Espinoza**  
**District 1 Denver City Council Rita Contreras**

Concerning the Rezoning Application for Emmaus Lutheran Church property, 3120 Irving Street, Denver, Colorado, Parcel Number 02293-02-027-000/3268 W. 32nd Avenue, Denver, CO, Parcel Number 02293-02-027-000

We are concerned for about the residential character of West Highlands and proposed up-zoning of residential parcels to commercial development in our neighborhood that will negatively impact our quality of life.

The proposed rezoning of a viable and desirable single residential family parcel (U-SU-A) to zero-setback commercial zoning (U-MS-2X) on 3120 Irving Street, Denver, CO 80211/3268 W. 32nd Avenue, Denver, CO at 32nd Ave and Irving St (southeast corner) would allow the construction of a large 28,000-30,000 square foot, two story, character altering building that will adversely impact the quality of life of the neighborhood.

The only appropriate zoning tool to creatively accommodate the development of this parcel while safeguarding community interests is a neighborhood negotiated PUD, preferably a D-PUD (Detailed Planned Unit Development). PUD Zoning, created with community input, is the appropriate rezoning tool because it is the only way that agreed specifications in building placement, setbacks, massing, parking, design, materiality and use that complement the surrounding community can be both documented and be made binding.

I ask that the current Councilperson at the time this rezoning comes to a final vote, reject any proposed rezoning that is not the result of a negotiated PUD which includes project specific comprises negotiated in good faith with the community, with emphasis on residential property owners within 400 feet of the zone lot boundary.

**P.S. I have a small child, and I don't want ambulance traffic running along Irving endangering my kid.**

Sincerely,

Gabriel Finkelstein, Ph.D.

Associate Professor

University of Colorado Denver

Department of History, CB 182

Denver, Colorado 80217

Office (303) 315-1787 Fax (303) 315-1780

## Watkins, Tim - Community Planning and Development

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**From:** Cindy Eby [cynthiaeby@gmail.com]  
**Sent:** Thursday, July 30, 2015 8:28 PM  
**To:** Espinoza, Rafael G. - City Council; Contreras, Rita B. - City Council; Watkins, Tim - Community Planning and Development; districtone@denvergov.org  
**Subject:** Rezoning Application # 20141-00033, Emmaus Church

**July 30, 2015**

**Rafael Espinoza**, Councilwoman District 1

[Rafael.espinoza@denvergov.org](mailto:Rafael.espinoza@denvergov.org)

[ritab.contreras@denvergov.org](mailto:ritab.contreras@denvergov.org)

[districtone@denvergov.org](mailto:districtone@denvergov.org)

**Tim Watkins**, Senior City Planner, City and County of Denver, Community Planning and Development Department

[Tim.watkins@denvergov.org](mailto:Tim.watkins@denvergov.org)

Dear Councilwoman Espinoza and Senior City Planner Tim Watkins,

I am writing in response to rezoning Application # 20141-00033, concerning parcel number 02293-02-027-000 and the proposed upzoning of the Emmaus Lutheran Church property at West 32nd Avenue and Irving Street in Council District 1. This property is currently zoned U-SU-A for single family residential use and the proposed rezoning would allow for significantly higher intensity use of the parcel.

While I am not opposed to redevelopment of this parcel, I am against the proposed rezoning at this time for the following reasons:

1. Blueprint Denver, the existing zoning plan to guide development within the city, created guidelines for land use and transportation connections. **The area in which the proposed site sits was designated by Blueprint Denver as an area of stability, with limited traffic access due to intentionally slow and narrow streets.**
2. Prior to the creation of Blueprint Denver, Irving Street was cut off from Speer preventing it from being a through street. Irving Street ends one block north of the property in question prohibiting through traffic to and from this site. Neither Irving Street nor 32<sup>nd</sup> Avenue have turn lanes, only two way streets narrow enough to slow traffic. **The intensity of commercial use in this proposed upzoning is not consistent with a residential area of stability where local streets have been changed to avoid through traffic.**
3. The City and County of Denver has gone on record saying they will not widen streets to accommodate growth in outlying areas. Instead growth will be will be channeled to areas of change where streets can accommodate large commercial volume. **This is not an area of change and streets would need to be reconfigured and widened to accommodate a use that is not residential.**



4. Zoning in all directions surrounding this site is U-SU-A with the exception of one spot zone change to the west of the property in question. U-SU-A is the strictest residential zoning category and does not allow owners to add additional units or accessory units (e.g., carriage houses/granny flats). Residents do not have the ability to change their home to increase revenue, but they do have consistency that zoning offers to understand intended growth. The site in question is served by the same streets as the surrounding residential parcels and dramatically increasing the allowed square footage and intensity of use on this site is inconsistent with the existing surrounding zoning and area stability. **If the intent behind the U-SU-A and the stability has changed, than more than a single property should be upzoned, otherwise rezoning this U-SU-A parcel is inconsistent spot zoning for the benefit of a single owner.**

5. Blueprint Denver signifies a Neighborhood Center that ends two blocks west of this site at Julian Street and 32<sup>nd</sup> Ave. In Blueprint Denver the parcel in question is in an area of stability, not and area of change and is not included in the Neighborhood Center. **The proposed site is not surrounded by high intensity uses or duplexes; it is surrounded by U-SU-A sites, the City's most restrictive residential zone.**

6. The numbers of units currently being built in the West Highlands Neighborhood are notable including developments on Lowell and 38<sup>th</sup>, Julian and 38<sup>th</sup>, and the change of the senior living 13 story unit on Julian Street and 32<sup>nd</sup> Avenue to residential units. This magnitude of change should not justify more change; it should signify that more direction in planning is needed. **West Highlands Neighborhood needs a neighborhood or small area plan before unguided growth with used to constitute more growth.**

7. There is no existing neighborhood plan to guide growth for the area. The representing Residential Neighborhood Organization (RNO), West Highlands Neighborhood Association (WHNA) is in the process of developing a neighborhood plan. Funds to support the hiring of a qualified facilitator are being secured from The Denver Foundation and WHNA will lead the development of a neighborhood plan. **Additional upzoning prior to completion of a neighborhood plan constitutes further uncharted growth and spot zoning and is inconsistent with the representing RNOs intent.**

8. The growth that has happened in West Highlands Neighborhood in recent years, even prior to the upcoming increases, has put more pedestrians on the street, increased the number of children and youth walking to schools (Edison Elementary, Brown International Elementary, Skinner Middle School and North High School) and has created heavy traffic and parking difficulties. These challenges need more than piecemeal attention from the City and County of Denver. **The City and County of Denver, the Planning Board and the City Council need to prioritize neighborhoods where growth is targeted and provide more detailed plans in coordination with Registered Neighborhood Organizations and residents living with the future impacts of uncharted growth.**

As an neighbor to this property, property owner, and citizen and voter in the City of County of Denver, I urge you to decline a zoning change for this property until a Neighborhood Plan is created for West Highlands Neighborhood and until a participatory and binding process has occurred to determine the use of this parcel.

Thank you for your time and consideration.

Sincerely,

Cindy Eby

3233 West 31st Ave

**From:** [Jenny Davies-Schley](#)  
**To:** [Rezoning - CPD; Espinoza, Rafael G. - City Council; Contreras, Rita B. - City Council](#)  
**Subject:** Opposition to Emmaus/32nd & Irving Upzoning  
**Date:** Friday, July 31, 2015 8:26:31 AM

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I'm writing to express my opposition to the proposed upzoning of the Emmaus Lutheran Church property at West 32nd Avenue and Irving Street in Council District 1. This on 32nd Ave. two houses west of Irving and I can tell you the traffic at our intersection is already difficult to navigate without adding many more visitors.

As the parent of a North High student who walks to and from school, I am very concerned about the increased traffic problems that this prospective project presents. Irving Street is not a through street at Speer, ending one block north of the proposed redevelopment site, complicating vehicle access. Neither Irving Street nor 32nd Avenue have turn lanes, only two way streets narrow enough to slow traffic. With all the new units being built in the area (32nd and Lowell, 38th and Lowell, 38th and Julian and more), it's clear to me that we are reaching a point at which additional cars/residents are outstripping the ability of our infrastructure to support it – already it can take more than 5 minutes to travel through the light at 32nd and Lowell at busy times if there are multiple cars trying to make left turns.

Furthermore, the intensity of commercial use in this proposed upzoning is not consistent with a residential area of stability where local streets have been changed to avoid through traffic. The City and County of Denver has gone on record saying they will not widen streets to accommodate growth in outlying areas. Instead growth will be will be channeled to areas of change where streets can accommodate large commercial volume. The site is in an "area of stability" with limited traffic access due to intentionally slow and narrow streets. Not an "area of change" and streets would need to be reconfigured and widened to accommodate a use that is not residential.

As an neighbor to this property, property owner and voter, I urge you to decline a zoning change for this property until a Neighborhood Plan is created for West Highlands Neighborhood and until binding process with authentic and substantive public engagement has occurred to determine the use of this parcel.

Thank you,

Jenny Davies  
3315 W. 32nd Ave.  
Denver, CO 80211

## Watkins, Tim - Community Planning and Development

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**From:** Baldschun, Brett [BBaldschun@medline.com]  
**Sent:** Friday, July 31, 2015 3:55 PM  
**To:** Espinoza, Rafael G. - City Council; Contreras, Rita B. - City Council; Watkins, Tim - Community Planning and Development; districtone@denvergov.org  
**Subject:** Rezoning Application # 20141-00033, Emmaus Church

Dear Councilman Espinoza and Senior City Planner Tim Watkins,

I am writing in response to rezoning Application # 20141-00033, concerning parcel number 02293-02-027-000 and the proposed upzoning of the Emmaus Lutheran Church property at West 32nd Avenue and Irving Street in Council District 1. This property is currently zoned U-SU-A for single family residential use and the proposed rezoning would allow for significantly higher intensity use of the parcel.

While I am not opposed to redevelopment of this parcel, I am against the proposed rezoning at this time for the following reasons:

1. Blueprint Denver, the existing zoning plan to guide development within the city, created guidelines for land use and transportation connections. **The area in which the proposed site sits was designated by Blueprint Denver as an area of stability, with limited traffic access due to intentionally slow and narrow streets.**
2. Prior to the creation of Blueprint Denver, Irving Street was cut off from Speer preventing it from being a through street. Irving Street ends one block north of the property in question prohibiting through traffic to and from this site. Neither Irving Street nor 32<sup>nd</sup> Avenue have turn lanes, only two way streets narrow enough to slow traffic. **The intensity of commercial use in this proposed upzoning is not consistent with a residential area of stability where local streets have been changed to avoid through traffic.**
3. The City and County of Denver has gone on record saying they will not widen streets to accommodate growth in outlying areas. Instead growth will be will be channeled to areas of change where streets can accommodate large commercial volume. **This is not an area of change and streets would need to be reconfigured and widened to accommodate a use that is not residential.**
4. Zoning in all directions surrounding this site is U-SU-A with the exception of one spot zone change to the west of the property in question. U-SU-A is the strictest residential zoning category and does not allow owners to add additional units or accessory units (e.g., carriages houses/granny flats). Residents do not have the ability to change their home to increase revenue, but they do have consistency that zoning offers to understand intended growth. The site in question is served by the same streets as the surrounding residential parcels and dramatically increasing the allowed square footage and intensity of use on this site is inconsistent with the existing surrounding zoning and area stability. **If the intent behind the U-SU-A and the stability has changed, than more than a single property should be upzoned, otherwise rezoning this U-SU-A parcel is inconsistent spot zoning for the benefit of a single owner.**
5. Blueprint Denver signifies a Neighborhood Center that ends two blocks west of this site at Julian Street and 32<sup>nd</sup> Ave. In Blueprint Denver the parcel in question is in an area of stability, not and area of change and is not included in the Neighborhood Center. **The proposed site is not surrounded by high**

**intensity uses or duplexes; it is surrounded by U-SU-A sites, the City's most restrictive residential zone.**

6. The numbers of units currently being built in the West Highlands Neighborhood are notable including developments on Lowell and 38<sup>th</sup>, Julian and 38<sup>th</sup>, and the change of the senior living 13 story unit on Julian Street and 32<sup>nd</sup> Avenue to residential units. This magnitude of change should not justify more change; it should signify that more direction in planning is needed. **West Highlands Neighborhood needs a neighborhood or small area plan before unguided growth with used to constitute more growth.**

7. There is no existing neighborhood plan to guide growth for the area. The representing Residential Neighborhood Organization (RNO), West Highlands Neighborhood Association (WHNA) is in the process of developing a neighborhood plan. Funds to support the hiring of a qualified facilitator are being secured from The Denver Foundation and WHNA will lead the development of a neighborhood plan. **Additional upzoning prior to completion of a neighborhood plan constitutes further uncharted growth and spot zoning and is inconsistent with the representing RNOs intent.**

8. The growth that has happened in West Highlands Neighborhood in recent years, even prior to the upcoming increases, has put more pedestrians on the street, increased the number of children and youth walking to schools (Edison Elementary, Brown International Elementary, Skinner Middle School and North High School) and has created heavy traffic and parking difficulties. These challenges need more than piecemeal attention from the City and County of Denver. **The City and County of Denver, the Planning Board and the City Council need to prioritize neighborhoods where growth is targeted and provide more detailed plans in coordination with Registered Neighborhood Organizations and residents living with the future impacts of uncharted growth.**

As an neighbor to this property, property owner, and citizen and voter in the City of County of Denver, I urge you to decline a zoning change for this property until a Neighborhood Plan is created for West Highlands Neighborhood and until a participatory and binding process has occurred to determine the use of this parcel.

Thank you for your time and consideration.

Sincerely,

Brett Baldschun

3239 West 31st Ave



## Attachment 2 - Public and RNO Comment Letters

C. Letter of opposition containing personal position statements, the WHNA position statement, and a summary and analysis of an online petition.

# Zone it Right West Highland

Zone It Right West Highland



## Criteria Review page 1-5

### WHNA Vote(s) on the Emmaus rezoning application August 5, 2015

Motion 1 ...Leave the zoning in the hands of the property owner...

Votes: 11 For **28 Opposed** 2 Abstaining

Motion 2 ...Existing zoning U-SU-A single family residential remain in place...

Votes: **25 For** 15 Opposed 3 Abstaining

Motion 3 ...do in fact support that zoning application for new zoning...

Votes: 1 For **29 Opposed** 3 Abstaining

Motion 4 ...we believe is the best way to move forward, is to get something that we all be able to live with, which is a planned unit development rezoning...

Votes: **34 For** 1 Opposed 5 Abstaining

**179 Letters of Opposition sent to Councilwoman Susan Shepherd from petition 03 23 2015-05 28 2015**

**32 Letters of Opposition sent to Councilman Rafael Espinosa from petition 07 31 2015-08 16 2015**

**211+ Total Letters of Opposition from petition**

**Emmaus Lutheran Church Letters of Support (11) within 200 feet of proposed development.**

24 letters submitted minus -13 VOID = **11 Letters of support within 200 feet**

-7 Letters of REVOKED

**-6 Letter DO NOT LIVE WITHIN 200 feet**

**11 Letters of support**



**Consistency with adopted plans.** Blueprint Denver, the existing zoning plan to guide development within the city, created guidelines for land use and transportation connections. The area in which the proposed site sits was designated by Blueprint Denver as an **Area of Stability**, with limited traffic access due to intentionally slow and narrow streets.

Prior to the creation of Blueprint Denver, Irving Street was cut off from Speer preventing it from being a through street. Irving Street ends one block north of the property in question prohibiting through traffic to and from this site.

Also because of Irving St width, a narrow street there is parking on one side only. Compounded by lack of parking on 31<sup>st</sup> Ave with residential restricted parking.

Neither Irving Street nor 32nd Avenue have turn lanes, only two way streets narrow enough to slow traffic. The intensity of commercial use in this proposed up zoning is not consistent with a residential area of stability where local streets have been changed to avoid through traffic.

The City and County of Denver has gone on record saying they will not widen streets to accommodate growth in outlying areas. Instead growth will be channeled to Areas of Change where Streets can accommodate large commercial volume. **This is not an area of change and streets would need to be reconfigured and widened to accommodate a use that is not residential.**

**Uniformity of District Regulations and Restrictions.** Zoning surrounding this site is U-SU-A to the South and West beyond the west alley Irving St, U-MX-2x, U-SU-A1 to the North and a PUD. U-SU-A is the strictest residential zoning category and does not allow owners to add additional units or accessory units (e.g., carriages houses/granny flats). Residents do not have the ability to change their home to increase revenue, but they do have consistency that zoning offers to understand intended growth. The site in question is served by the same streets as the surrounding residential parcels and dramatically increasing the allowed square footage and intensity of use on this site is inconsistent with the existing surrounding zoning and area stability. If the intent behind the U-SU-A and the stability has changed, then more than a single property should be upzoned, otherwise rezoning this U-SU-A parcel is inconsistent spot zoning for the benefit of a single owner.

**Public Health, Safety, and General Welfare.** The growth that has happened in West Highlands in recent years, even prior to the upcoming increases, has put more pedestrians on the street, increased the number of children and youth walking to schools (Edison Elementary, Brown International Elementary, Skinner Middle School and North High School) and has created heavy traffic and parking difficulties. These challenges need more than piecemeal attention from the City and County of Denver. The City and County of Denver, the Planning Board and the City Council need to prioritize neighborhoods where growth is targeted and provide more detailed plans in coordination with Registered Neighborhood Organizations and residents living with the future impacts of uncharted growth.

As a neighbor to this property, property owner, and citizen and voter in the City of County of Denver, I urge you to decline a zoning change for this property until a Neighborhood Plan is created for West Highland or until a participatory and binding process has occurred to determine the use of this parcel, which would be a PUD.

**Justifying Circumstances. (a)** Blueprint Denver signifies a Neighborhood Center that ends two blocks west of this site at Julian Street and 32nd Ave. In Blueprint Denver the parcel in question is in an area of stability, not an area of change and is not included in the Neighborhood Center. The proposed site is not surrounded by high intensity uses or duplexes; it is surrounded by U-SU-A1, U-MX-2x, a PUD and U-SU-A, the City's most restrictive residential zone.

## **Justifying Circumstances (b)**

The numbers of units currently being built in the West Highlands Neighborhood are notable including developments on Lowell and 38th, Julian and 38th, and the change of the senior living 13-story unit on Julian Street and 32nd Avenue to residential units. This magnitude of change should not justify more change; it should signify that more direction in planning is needed.

As a neighbor to this property, property owner, and citizen and voter in the City of County of Denver, I urge you to decline a zoning change for this property until a Neighborhood Plan is created for West Highland or until a participatory and binding process has occurred to determine the use of this parcel, which would be a PUD.



## WEST HIGHLAND NEIGHBORHOOD ASSOCIATION

August 13, 2015

Tim Watkins  
Community Planning and Development  
City & County of Denver  
201 West Colfax Avenue – Dept 205  
Denver, CO 80202

Re: Official Zoning Map Amendment Application #2014I-00033  
3268 W 32nd Ave  
Rezoning from U-SU-A to U-MS-2x

Mr. Watkins:

This letter is to inform you that the West Highland Neighborhood Association (WHNA) held a full membership meeting on August 4, 2015, where several motions were voted on concerning the above referenced zoning map amendment. The result of these votes are detailed below but outline that the *WHNA membership does not support the proposed rezoning for the parcel in question, but would entertain redevelopment if pursued under a PUD.*

At the WHNA meeting several individuals made presentations including Sundari Kraft (representative of applicant), WHNA Zoning Chair (relaying the findings and recommendations of the WHNA Zoning Committee), and several neighbors and/or members directly affected by this project. An organized group discussion took place and several motions were voted on and are listed below.

Motion 1) I move that the members of WHNA, having listened to the arguments and discussion over the past many months on this issue, decline to take a position on the application of the new zoning and that we leave that in the hands of the property owners involved.

Votes:

11 For  
28 Opposed  
2 Abstaining

Motion 2) I move that the members of WHNA, having listened to the arguments and discussion over the past many months on this issue, and having participated in the 2009-2010 rezoning, are of the opinion that the existing zoning (U-SU-A, single family residential) should remain in place, and application of the new zoning not be approved by the city.

Votes:

25 For  
15 Opposed  
3 Abstaining

Motion 3) I move that the members of WHNA, having listened to the arguments and discussion over the past many months on this issue, have decided that the proposal for a new zoning presented by Emmaus development team, is a worthy proposal, and that we as the members of WHNA although we have no legal standing, do in fact support that zoning application for new zoning.

Votes:  
11 For  
29 Opposed  
3 Abstaining

Motion 4) I move that the members of WHNA, having listened to the arguments and discussion over the past many months on this issue, are under the conclusion that the redevelopment of this site, other than single family which is unlikely, and what we believe is the best way to move forward, is to get something that we will all be able to live with, which is a planned unit development rezoning.

Votes:  
34 For  
1 Opposed  
5 Abstaining

\*\*\* Eligible voters were verified; voting cards were handed out and eligible voters raised their hands with voting cards in their hands, then votes were counted.

Sincerely,



Trevor Greco  
Vice-President, West Highland Neighborhood Association

cc: Jackie Youngblood, President, West Highland Neighborhood Association





**LETTERS OF OPPOSITION TO  
District 1 Denver City Council Representative Susan Shepherd**

## Zone it Right West Highland

Zone It Right West Highland



Say no to more inappropriate zoning in West Highlands.

Zoning changes and development are occurring at a rapid pace in West Highlands, frequently out of character in ways that negatively impact the residential character and quality of life in our neighborhood.

Yet another example of this is underway at the gateway to our neighborhood at 32nd Avenue and Irving Street. This empty lot is zoned for residential, single family homes - an ideal opportunity for residential development in this part of our neighborhood. Developers of this lot want to dramatically up-zone this parcel to allow for construction of a large 28,000-30,000 square foot, two story, character altering medical building. This would be the largest building in the immediate neighborhood. Developers and the property owners, Emmaus Lutheran Church, are refusing to engage in meaningful dialogue with neighbors despite repeated requests.

While neighbors are not opposed to development on this lot, we are dismayed by the lack of dialogue and want to ensure neighborhood input is received in this potential rezoning effort. We are asking City Council Members to decline any zoning change on this lot that is not the direct result of a meaningful neighborhood engagement effort.

Please sign the petition below in support of a neighborhood engagement process and in opposition to a zoning change without neighborhood input.

## LETTER TO

### **District 1 Denver City Council Representative Susan Shepherd**

Concerning the Rezoning Application for Emmaus Lutheran Church property, 3120 Irving Street, Denver, Colorado, Parcel Number 02293-02-027-000/3268 W. 32nd Avenue, Denver, CO, Parcel Number 02293-02-027-000

We are concerned for about the residential character of West Highlands and proposed up-zoning of residential parcels to commercial development in our neighborhood that will negatively impact our quality of life.

The proposed rezoning of a viable and desirable single residential family parcel (U-SU-A) to zero-setback commercial zoning (U-MS-2X) on 3120 Irving Street, Denver, CO 80211/3268 W. 32nd Avenue, Denver, CO at 32nd Ave and Irving St (southeast corner) would allow the construction of a large 28,000-30,000 square foot, two story, character altering building that will adversely impact the quality of life of the neighborhood.

The only appropriate zoning tool to creatively accommodate the development of this parcel while safeguarding community interests is a neighborhood negotiated PUD, preferably a D-PUD (Detailed Planned Unit Development). PUD Zoning, created with community input, is the appropriate rezoning tool because it is the only way that agreed specifications in building placement, setbacks, massing, parking, design, materiality and use that complement the surrounding community can be both documented and be made binding.

We, the undersigned stakeholders of this neighborhood, ask that the current Councilperson at the time this rezoning comes to a final vote, reject any proposed rezoning that is not the result of a negotiated PUD which includes project specific comprises negotiated in good faith with the community, with emphasis on residential property owners within 400 feet of the zone lot boundary.

### **Letters of opposition sent to City Councilwoman Susan Shepherd by date, by zip code: 80211, 80212,80204 Council District 1.**

**179-14\*=total 165**

<b>Name</b>	<b>City</b>	<b>State</b>	<b>Postal Code</b>	<b>Country</b>	<b>Signed On</b>
Mast	Denver	Colorado	80211	United States	3/23/2015
Eby	Denver	Colorado	80211	United States	3/23/2015
Hardin	Denver	Colorado	80211	United States	3/23/2015
Defa	Denver	Colorado	80212	United States	3/23/2015

<b>Name</b>	<b>City</b>	<b>State</b>	<b>Postal Code</b>	<b>Country</b>	<b>Signed On</b>
Sampish	Denver	Colorado	80211	United States	3/23/2015
timme	denver	Colorado	80211	United States	3/23/2015
Gregory	Denver	Colorado	80211	United States	3/23/2015
Marzullo	Denver	Colorado	80211	United States	3/23/2015
Solomon	Denver	Colorado	80211	United States	3/23/2015
McCormick	Denver	Colorado	80211	United States	3/23/2015
Cook	Denver	Colorado	80211	United States	3/23/2015
Brackett	Denver	Colorado	80211	United States	3/23/2015
Gregory	Denver	Colorado	80212	United States	3/23/2015
motzer	Denver	Colorado	80212	United States	3/23/2015
Webb	Denver	Colorado	80212	United States	3/23/2015
OBrian	Denver	Colorado	80211	United States	3/23/2015
Molello	Denver	Colorado	80212	United States	3/23/2015
Dino	Denver	Colorado	80212	United States	3/23/2015
Zoccardi	Denver	Colorado	80211	United States	3/23/2015
Bolduc	Denver	Colorado	80212	United States	3/23/2015
Ludwig	Denver	Colorado	80212	United States	3/23/2015
Sauer	Denver	Colorado	80211	United States	3/23/2015
Carlson	Denver	Colorado	80211	United States	3/23/2015
Ziccardi	Denver	Colorado	80211	United States	3/23/2015
Jensen	Denver	Colorado	80212	United States	3/23/2015
Huston	Denver	Colorado	80212	United States	3/23/2015
Simmons	Denver	Colorado	80211	United States	3/23/2015
Walker	Denver	Colorado	80211	United States	3/23/2015

<b>Name</b>	<b>City</b>	<b>State</b>	<b>Postal Code</b>	<b>Country</b>	<b>Signed On</b>
Hendrick	Denver	Colorado	80212	United States	3/23/2015
hasselbach	Denver	Colorado	80212	United States	3/23/2015
Stabrawa	Denver	Colorado	80211	United States	3/23/2015
Quinn	Denver	Colorado	80211	United States	3/23/2015
decker	Denver	Colorado	80212	United States	3/23/2015
Moore	Denver	Colorado	80211	United States	3/23/2015
Miller	Denver	Colorado	80211	United States	3/24/2015
Vandavelde	Denver	Colorado	80212	United States	3/24/2015
Jordan	Denver	Colorado	80220	United States	3/24/2015
Scanlan	Denver	Colorado	80211	United States	3/24/2015
Scanlon	Denver	Colorado	80211	United States	3/24/2015
youngblood	Denver	Colorado	80211	United States	3/24/2015
Pope	Denver	Colorado	80212	United States	3/24/2015
Singleton	Denver	Colorado	80211	United States	3/24/2015
Picard	Denver	Colorado	80212	United States	3/25/2015
Seidensticker	Denver	Colorado	80211	United States	3/25/2015
Duncombe	Denver	Colorado	80211	United States	3/26/2015
Hughes	Denver	Colorado	80211	United States	3/26/2015
Demarch	Denver	Colorado	80212	United States	3/29/2015
Quinn	Denver	Colorado	80211	United States	3/29/2015
Montoya1	Denver	Colorado	80211	United States	3/29/2015
Montoya2	Denver	Colorado	80211	United States	3/29/2015
Deines	Denver	Colorado	80212	United States	3/29/2015
Olds	Denver	Colorado	80212	United States	3/29/2015

<b>Name</b>	<b>City</b>	<b>State</b>	<b>Postal Code</b>	<b>Country</b>	<b>Signed On</b>
Luerssen	Denver	Colorado	80212	United States	3/29/2015
York	Denver	Colorado	80211	United States	3/29/2015
Horn	Denver	Colorado	80212	United States	3/29/2015
Lisa	Denver	Colorado	80212	United States	3/29/2015
Barnhouse	Denver	Colorado	80211	United States	3/29/2015
Balluff	Denver	Colorado	80212	United States	3/29/2015
Olson	Denver	Colorado	80211	United States	3/29/2015
Chastulik	Denver	Colorado	80211	United States	3/29/2015
Trampler	Denver	Colorado	80211	United States	3/29/2015
e Loweree	Denver	Colorado	80211	United States	3/29/2015
Argoudelis	Denver	Colorado	80212	United States	3/29/2015
Fleming	Denver	Colorado	80212	United States	3/29/2015
Granica	Lafayette	Colorado	80026	United States	3/29/2015
Rozmiarek	Denver	Colorado	80212	United States	3/30/2015
Edgar	Denver	Colorado	80211	United States	3/30/2015
Feinholz	Denver	Colorado	80212	United States	3/30/2015
Aguirre	Denver	Colorado	80211	United States	3/30/2015
TURNER	Denver	Colorado	80211	United States	3/30/2015
Cooper	Denver	Colorado	80212	United States	3/30/2015
Defa2	Denver	Colorado	80212	United States	3/30/2015
Davies	Denver	Colorado	80211	United States	3/30/2015
Silverman	Denver	Colorado	80211	United States	3/30/2015
Goldammer	Denver	Colorado	80212	United States	3/30/2015
Ida	Denver	Colorado	80212	United States	3/30/2015

<b>Name</b>	<b>City</b>	<b>State</b>	<b>Postal Code</b>	<b>Country</b>	<b>Signed On</b>
Bollman	Denver	Colorado	80246	United States	3/30/2015
Lund	Denver	Colorado	80211	United States	3/30/2015
Palmeri	Denver	Colorado	80212	United States	3/30/2015
Bateman	Denver	Colorado	80211	United States	3/30/2015
Donovan	Denver	Colorado	80212	United States	3/30/2015
Hickey	Denver	Colorado	80211	United States	3/31/2015
Hickey	Denver	Colorado	80212	United States	3/31/2015
Khribeche	Denver	Colorado	80212	United States	3/31/2015
Zamora1	Denver	Colorado	80211	United States	4/1/2015
Zamora2	Denver	Colorado	80211	United States	4/1/2015
Oram	Denver	Colorado	80211	United States	4/1/2015
Martin	Frederic	Wisconsin	54837	United States	4/2/2015
casado	Bronx	New York	10458	United States	4/2/2015
Lanman	Denver	Colorado	80212	United States	4/2/2015
Davis	Denver	Colorado	80211	United States	4/2/2015
Jensen	Denver	Colorado	80212	United States	4/2/2015
Holland	Denver	Colorado	80212	United States	4/2/2015
Powell	Denver	Colorado	80212	United States	4/2/2015
Hoy	Denver	Colorado	80212	United States	4/2/2015
Holland	Denver	Colorado	80211	United States	4/2/2015
White	Plains	New York	10601	United States	4/2/2015
Chesser1	Denver	Colorado	80212	United States	4/3/2015
Sharon	Pennsylvania		16146	United States	4/3/2015
Tidd	Denver	Colorado	80211	United States	4/5/2015

<b>Name</b>	<b>City</b>	<b>State</b>	<b>Postal Code</b>	<b>Country</b>	<b>Signed On</b>
Baldschun1	Denver	Colorado	80211	United States	4/5/2015
Wolinsky	Denver	Colorado	80212	United States	4/5/2015
Bradley	Denver	Colorado	80211	United States	4/6/2015
Geiger	Denver	Colorado	80211	United States	4/6/2015
Chesser2	Denver	Colorado	80212	United States	4/6/2015
Geiger	Denver	Colorado	80211	United States	4/6/2015
Gubser	Denver	Colorado	80211	United States	4/6/2015
Menezes	Denver	Colorado	80211	United States	4/6/2015
Yeates	Denver	Colorado	80211	United States	4/6/2015
Lindley	Denver	Colorado	80211	United States	4/6/2015
Kreber	Denver	Colorado	80212	United States	4/6/2015
Green	Denver	Colorado	80211	United States	4/7/2015
Miller	Denver	Colorado	80211	United States	4/7/2015
Ring	Denver	Colorado	80211	United States	4/7/2015
Duffley1	Denver	Colorado	80211	United States	4/7/2015
Reed	Denver	Colorado	80204	United States	4/7/2015
Johnson	Denver	Colorado	80211	United States	4/7/2015
Duffley2	Denver	Colorado	80211	United States	4/7/2015
Castaneda	Denver	Colorado	80212	United States	4/7/2015
kaess	Denver	Colorado	80212	United States	4/7/2015
B	Denver	Colorado	80211	United States	4/7/2015
Rosen	Denver	Colorado	80211	United States	4/7/2015
Hanselmann	Denver	Colorado	80211	United States	4/7/2015
Mulligan	Denver	Colorado	80211	United States	4/7/2015



<b>Name</b>	<b>City</b>	<b>State</b>	<b>Postal Code</b>	<b>Country</b>	<b>Signed On</b>
La Vigne	Denver	Colorado	80212	United States	4/7/2015
DiMaria	Denver	Colorado	80211	United States	4/7/2015
Hale	Denver	Colorado	80211	United States	4/7/2015
Kleier	Denver	Colorado	80221	United States	4/7/2015
DeVos	Denver	Colorado	80211	United States	4/7/2015
Vaughan	Denver	Colorado	80211	United States	4/9/2015
Dalena	Denver	Colorado	80211	United States	4/10/2015
Roeder	Denver	Colorado	80212	United States	4/10/2015
Thompson	Denver	Colorado	80211	United States	4/10/2015
Lopez	Denver	Colorado	80212	United States	4/10/2015
Vigil	Denver	Colorado	80211	United States	4/10/2015
Watts	Denver	Colorado	80212	United States	4/10/2015
Roc	Denver	Colorado	80211	United States	4/10/2015
Ulibarri	Denver	Colorado	80211	United States	4/10/2015
Lavorini	Denver	Colorado	80212	United States	4/10/2015
Flannigan	Denver	Colorado	80211	United States	4/10/2015
mund	Denver	Colorado	80212	United States	4/10/2015
Finkelstein	Denver	Colorado	80211	United States	4/10/2015
Siegel	Denver	Colorado	80211	United States	4/10/2015
Willard	Denver	Colorado	80211	United States	4/10/2015
Revelle	Denver	Colorado	80212	United States	4/10/2015
heldenbrand	Denver	Colorado	80211	United States	4/10/2015
Fisher	Denver	Colorado	80211	United States	4/10/2015
Fleenor	Denver	Colorado	80211	United States	4/10/2015

<b>Name</b>	<b>City</b>	<b>State</b>	<b>Postal Code</b>	<b>Country</b>	<b>Signed On</b>
Greenwood	Denver	Colorado	80204	United States	4/10/2015
knaggs	Denver	Colorado	80212	United States	4/10/2015
Obrien	Denver	Colorado	80212	United States	4/10/2015
tsungd	denver	Colorado	80211	United States	4/10/2015
De Rose	Denver	Colorado	80211	United States	4/10/2015
Lucero	Denver	Colorado	80212	United States	4/10/2015
Noia	Denver	Connecticut	80211	United States	4/10/2015
Napoli	Denver	Colorado	80214	United States	4/10/2015
Lentz	Denver	Colorado	80211	United States	4/11/2015
bailie	Blanca	Colorado	81123	United States	4/11/2015
Johnson	Denver	Colorado	80211	United States	4/11/2015
Baldschun2	Denver	Colorado	80211	United States	4/11/2015
Broncucia	Denver	Colorado	80211	United States	4/11/2015
gentry	Denver	Colorado	80218	United States	4/11/2015
aukema	Denver	Colorado	80212	United States	4/11/2015
Knapp	Denver	Colorado	80211	United States	4/11/2015
Guyer	Denver	Colorado	80212	United States	4/11/2015
Tschauner	Denver	Colorado	80211	United States	4/11/2015
Harkey	Denver	Colorado	80211	United States	4/12/2015
Ross	Denver	Colorado	80211	United States	4/12/2015
Axelson	Denver	Colorado	80211	United States	4/12/2015
Kuhn	Denver	Colorado	80211	United States	4/13/2015
Hernandez	Denver	Colorado	80211	United States	4/14/2015
a Hartman	Canton	Georgia	30115	United States	4/15/2015

Name	City	State	Postal Code	Country	Signed On
Nash	Denver	Colorado	80211	United States	4/21/2015
Peterson	Denver	Colorado	80211	United States	4/21/2015
Taylor	Boulder	Colorado	80302	United States	4/22/2015
Finkelstein	Denver	Colorado	80211	United States	4/28/2015
Emmens	Denver	Colorado	80212	United States	5/7/2015
Schley	Denver	Colorado	80212	United States	5/16/2015
Stacey	Denver	Colorado	80212	United States	5/17/2015
Green	Denver	Colorado	80211	United States	5/18/2015
carrasco	Denver	Colorado	80211	United States	5/28/2015
Carrasco	Denver	Colorado	80212	United States	5/28/2015

### **Total per zip code by date**

21 Denver CO 80211 signed 3/23/2015  
13 Denver CO 80212 signed 3/23/2015  
5 Denver CO 80211 signed 3/24/2015  
2 Denver CO 80212 signed 3/24/2015  
1 Denver CO 80220\*signed 3/24/2015  
1 Denver CO 80211 signed 3/25/2015  
1 Denver CO 80212 signed 3/25/2015  
2 Denver CO 80211 signed 3/26/2015  
8 Denver CO 80211 signed 3/29/2015  
9 Denver CO 80212 signed 3/29/2015  
1 LafayetteCO80026\*signed3/29/2015  
7 Denver CO 80211 signed3/30/2015  
8 Denver CO 80212 signed3/30/2015  
1 Glendale CO80246\*signed3/30/2015

## **Total per zip code by date**

1 Denver CO 80211 signed 3/31/2015  
2 Denver CO 80212 signed 3/31/2015  
2 Denver CO 80211 signed 4/01/2015  
2 Denver CO 80211 signed 4/02/2015  
5 Denver CO 80212 signed 4/02/2015  
1 Wisconsin 54837\*signed 4/02/2015  
1 New York 10458\*signed 4/02/2015  
1 New York 10601\* signed 4/02/2015  
1 Denver CO 80212 signed 4/03/2015  
1 Pennsylvania16146\*signed 4/03/2015  
2 Denver CO 80211 signed 4/05/2015  
1 Denver CO 80212 signed 4/05/2015  
7 Denver CO 80211 signed 4/06/2015  
2 Denver CO 80212 signed 4/06/2015  
13 Denver CO 80211 signed 4/07/2015  
3 Denver CO 80212 signed 4/07/2015  
1 Denver CO 80204\*signed 4/07/2015  
1 Denver CO 80211 signed 4/09/2015  
15 Denver CO 80211 signed 4/10/2015  
9 Denver CO 80212 signed 4/10/2015  
1 Denver CO 80204\*signed 4/10/2015  
1 Denver CO 80214\*signed 4/10/2015  
6 Denver CO 80211 signed 4/11/2015  
2 Denver CO 80212 signed 4/11/2015  
1 Blanca CO 81123\*signed 4/11/2015  
1 Denver CO 80218\*signed 4/11/2015  
3 Denver CO 80211 signed 4/12/2015  
1 Denver CO 80211 signed 4/13/2015

**Total per zip code by date**

- 1 Denver CO 80211 signed 4/14/2015
- 1 Georgia 30115\* signed 4/15/2015
- 2 Denver CO 80211 signed 4/21/2015
- 1 BoulderCO 80302\*signed 4/22/2015
- 1 Denver CO 80211 signed 4/28/2015
- 1 Denver CO 80212 signed 5/07/2015
- 1 Denver CO 80212 signed 5/16/2015
- 1 Denver CO 80212 signed 5/17/2015
- 1 Denver CO 80211 signed 5/18/2015
- 1 Denver CO 80211 signed 5/28/2015
- 1 Denver CO 80212 signed 5/28/2015

**Total 179**

**- 14\* out of 80211-80212-80204 Council District 1.**

**Total 165**

## COMMENTS FROM THE ABOVE LETTERS

### City State Zip Country Signed On...Comment

DenverCO 80211 United States3/23/2015

"I am a long term resident of this neighborhood, and I oppose this kind of development of a very large office building in a space zoned for single family homes. I am so saddened by the lack of

consideration of the community, and plead that City Council can assist and support some community engagement before this development goes forward. Thank you. "

Denver CO 80211 United States3/23/2015

"I have lived in the Highlands for over twenty years and am in dismay by the density, zero parking for home owners and loss of character in our neighborhood"

DenverCO 80212 United States3/23/2015

This is a terrible area of congestion already

DenverCO 80211 United States3/23/2015

This type of development does not fit the character of the location. There is room for a very thoughtful infill mixed use project or the demand for architecturally consistent single family is very high as well.

DenverCO 80212 United States3/23/2015

This proposed development is out of scale and character for this stable residential neighborhood.

DenverCO 80211 United States3/23/2015

I agree with the petition.

DenverCO 80212 United States3/23/2015

The proposed development is just too large and out of scale in that location.

## **City State Zip Country Signed On...Comment**

DenverCO 80212 United States3/23/2015

This proposed development is out of scale and character for this stable residential neighborhood.

Denver CO 80211United States 3/23/2015

The character of West Highlands is being destroyed with inappropriate development.

Denver CO 80211 United States3/23/2015

The character and draw of West Highlands will change with the more that land owner attempt to cram into the neighborhood. The neighbors MUST be part of the conversation

DenverCO 80211 United States3/24/2015

I live across the street. The corner of Irving and 32nd is very dangerous as it is. I Think the lack of parking is also going to be a big problem.

DenverCO 80220\*United States 3/24/2015

"I currently live in the highlands and have been a Denver resident for 30 years. These new enormous construction projects that are popping up everywhere in the area don't fit with any of the previous buildings and by and large are not planned out very well. There are so many multi-unit condo's being built with no regard for any buildings near them and with no additional parking it's been changing this whole area and not for the better. I'm all for new construction but they should keep the character of what's around them. Please, let's keep this the charming and beautiful neighborhood that has been for so long!"

DenverCO 80211 United States3/24/2015

I do not believe we have had a coherent discussion. The last meeting at the Methodist church was a farce.

## City State Zip Country Signed On...Comment

DenverCO80211 United States3/25/2015

"This development would have an adverse affect upon me because of the close proximity to where I live. My property value would be affected in a negative way. I am all for redevelopment, but an urgent care facility doesn't equate to compatibility in this neighborhood!!"

DenverCO 80211 United States3/29/2015

Over size for North Denver

DenverCO 80212 United States3/29/2015

This is the latest example of developers' steamrolling the community without allowing appropriate input from the residents of the community.

DenverCO 80212 United States3/29/2015

I sign this to help preserve the integrity of buildings in my neighborhood a.

DenverCO 80211 United States3/29/2015

"Adding this density to the nearby intersection of Speer Blvd., Green Court, and West 32nd Avenue is not prudent. That intersection is overwhelmed constantly adding to that congestion places an undue burden on everyone who uses it. Locating such density on nearby Federal Blvd., a state highway makes far better sense. "

Denver CO 80211 United States3/29/2015

"This is an inappropriate building for the site, and an inappropriate use. Town homes would be fine--not this."

Denver CO 80211 United States3/29/2015

I'm tired of the City of Denver ignoring the citizens who live in Highlands and who allow for IRRESPONSIBLE development in and around Historic Districts.



## City State Zip Country Signed On...Comment

Denver CO 80212 United States 3/29/2015

"I am a resident of this community and the mass-expansion ANGERS me. I am all for healthy growth, especially when it benefits private families, but large corporations are not my idea of who i want for neighbors!"

DenverCO 80211United States 3/30/2015

I'm signing because I live less than a mile from the site of this planned zoning change. I know the site well and single family homes need to be built instead of a large office building. I want City Council to respect neighbors and neighborhoods!

Denver CO 80212 United States 3/30/2015

I think it's inappropriate for the site and will create more traffic.

DenverCO 80211United States 3/30/2015

I absolutely hate this out of control development in my neighborhood. WE who live here should have a say.....

Denver CO 80212 United States 3/30/2015

Traffic along 32nd Ave is bad now and with proposed development around 32nd Ave and Lowell it will only get worse. This facility should be built on either Federal or 38th Ave. The rezoning set this area as an area of stability and it should stay as zoned

Denver CO 80212 United States 3/30/2015

"Traffic engineering needs to seriously look at the intersection of Speer Blvd, 32nd Ave and Green Ct....already a bottleneck, dangerous intersection with the density that is already present....Also the cockeyed intersection of Irving and 32nd as Irving is off set from North.....now a proposed medical clinic adding to confusion there at that corner."

## City State Zip Country Signed On...Comment

DenverCO 80212 United States3/30/2015

I oppose the scale that Emmaus team is requesting.

DenverCO 80246\*United States 3/30/2015

I live in Hilltop and developers are trying to tear down our churches to build apartment buildings. We have to support each other. Development here is out of control.

DenverCO 80211 United States3/30/2015

"Down-zoning proposals by residents are met with dismissive arrogance by Council and planning board, while up-zonings sail through, conflict-free and with very little dissenting opinion? I'm thinking we do a one-for-one deal. For every up-zone granted, there will be a down-zone granted. And equity, please. I want affordable housing evenly distributed across the city. I want the folks pointing out how ""change is hard"" to specifically illustrate the changes they've been forced to concede to, despite their own opposition. I want to know that my council members and planning-board members can truly be empathetic to the concerns of their resident constituents, as well as their developer campaign contributors. "

DenverCO 80212 United States3/31/2015

Development is out of control. City Council needs to represent the voice of the neighborhood and not developers.

DenverCO 80212 United States4/1/2015

"As a City, as a dynamic community, we can do better development to reflect the needs of the community and preserve the architectural characteristics that define where we live."

DenverCO 80211 United States4/1/2015

This proposed medical building or any other large commercial or residential building in this location will cause even more congestion and accidents on 32nd Avenue.

## City State Zip Country Signed On...Comment

DenverCO 80211 United States4/5/2015

I live half a block away on Lowell.....and will be greatly impacted. Just one of many reasons!!

Denver CO 80211 United States4/5/2015

I believe this development is not what is best for this neighborhood.

DenverCO 80211 United States4/6/2015

We do not need the medical facility in the heart of our West Highlands neighborhood. It should be in a more commercial area.

DenverCO 80211 United States4/6/2015

This large medical office does not fit with the character of the neighborhood and is not needed. We have access to internal medicine offices and an urgent care on 38th Ave already and several hospitals with professional offices are within a quick drive. There is no need to add additional primary care and specialty offices in this neighborhood.

DenverCO 80211 United States4/6/2015

I'm signing because the Denver City Council has proven unable to make appropriate zoning decisions in this neighborhood and this project is no exception. Reject this upzoning proposal.

DenverCO 80202\*United States 4/6/2015

"I'm signing in light of parking concerns. A sustainable medical office parks at a ratio 5/1000 vs the proposed of 2.75/1000 which will create the need for an additional 63 parking spaces in the residential neighborhood. The proposed medical services of prenatal care, obstetrics, gynecology, pediatrics, family practice/primary care and internal medicine for the elderly all require an industry standard for parking."

## City State Zip Country Signed On...Comment

DenverCO 80212 United States4/7/2015

I'm concerned that what makes this neighborhood so great is at risk of being lost with commercial development.

DenverCO 80211 United States4/7/2015

The original intent of Blueprint Denver- to preserve areas of stability- has been perverted by this council and elected like Susan Shepherd. We must preserve residential uses and communities or see them forever altered.

Denver CO 80211 United States4/7/2015

A medical office building in that spot is just a bad idea!!

DenverCO 80211 United States4/7/2015

I also fought against the project at 32nd and Lowell!

Denver CO 80211 United States4/7/2015

The lack of engagement with the community worries me. This is where we live and it is important for developers and property owners to work with their neighbors to create new developments that are good for everyone involved.

DenverCO 80212 United States4/7/2015

I'm against such a large development in my neighborhood.

DenverCO 80221\*United States 4/7/2015

"There's no parking, and that is a pedestrian friendly neighborhood now, but it won't be that way if this development passes."

DenverCO 80211 United States4/7/2015

Zoning change at 32nd and Irving is excessive and not appropriate.

## City State Zip Country Signed On...Comment

DenverCO 80211 United States4/9/2015

"This re-zoning is completely inappropriate for the parcel. Placing a medical facility of this size on the north side of this property will create terrible traffic congestion problems at 32nd from Irving to Speer, an intersection that is already a hazard to vehicles, bicycles and especially pedestrians, and will further displace parking onto nearby Highland Park and crowded streets such as Grove. In addition, the intended rezoning violates the planning process that resulted in our current zoning, opening the procedural door to additional pressure from speculators to ""develop"" property to maximum density. The proposed facility would be better suited to any one of several large parcels on Federal. Do not set another bad precedent for our already assaulted neighborhood."

DenverCO 80211 United States4/10/2015

"The neighborhood's quality of life is negatively affected by high-density housing and ruined by profiteering by short-sighted, profit-driven. ""development."""

DenverCO 80211 United States4/10/2015

these violations are out of hand

Denver CO 80211 United States4/10/2015

I worried about my daughter being run over by a speeding ambulance.

DenverCO 80211 United States4/10/2015

It has already been zoned as an area of stability. I have lived across the street for 13 years and have watched the enormous growth since. The last 3 years have been OUT OF CONTROL!!! NO MORE LARGE BUILDS IN AREAS OF STABILITY.

DenverCO 80211 United States4/10/2015

I live 3 blocks from the location where the new zoning is being proposed and believe that we can do better in terms of sustainable growth.

## **City State Zip Country Signed On...Comment**

DenverCO 80211 United States4/10/2015

I do not want a character change in my neighborhood - I move here for what it is!!!

DenverCO 80212 United States4/10/2015

I love the neighborhood in which we live and believe re-zoning will make it less safe to walk and less enjoyable to live in.

DenverCO 80212 United States4/10/2015

"No more big development in this area!"

Denver CO 80211 United States4/10/2015

I have lived in North Denver for 40 years and would like to see it retain some of its charm. Re zoning opens the floodgates for inappropriate development.

DenverCO 80214\*United States 4/10/2015

"I am tired of seeing beautiful homes with character being replaced with ugly giant boxes, while displacing the mid and lower class, just for the greedy"

Denver CO 80211 United States4/11/2015

The Emmaus proposal is oversized for the neighborhood.

Denver CO 80211 United States4/11/2015

"I live directly next door to this property. This is not the right development for this space or the Highlands. "

DenverCO 80211 United States4/12/2015

Let's keep the residential nature at a maximum! Already hard enough to satisfy demand. And commercial architecture just doesn't feel residential!

## City State Zip Country Signed On...Comment

DenverCO 80211 United States4/13/2015

Rezoning this area would leave it congested and brings more unneeded and unwanted large buildings in the name of developer money.

DenverCO 80202\*United States 4/21/2015

This is definitely not the ideal location for such a building. Zoning there is perfect as is.

Boulder CO 80302\*United States 4/22/2015

That's my old neighborhood

Denver CO 80212 United States5/7/2015

Changing zone to suit the whims of the owner is wrong and in opposition to the zoning decided by the community the buyer/owner knew of the zoning at the time it was put in place. That was the time to address a desire to change it. This church doesn't pay property taxes and therefore should not allowed an exception

DenverCO 80211 United States5/28/2015

i'am sick and tired of the gentrification that's happening in north denver. lohi can f-off.

DenverCO 80212 United States5/28/2015

"Our neighborhood has been rapidly undergoing changes that have negatively impacted the quality of life for many of the LONG time residents. The increase in huge structures allowed to be developed without input from us, the CITIZENS who ELECT these councilmen to REPRESENT US, is reprehensible! YOU, Denver city council, have put the IMMEDIATE satisfaction of a few, above the CONCERNS OF ALL. ENOUGH. We, the community of ""West Highlands"", we in North Denver have had ENOUGH of this unchecked, rampant development. This monstrosity of a building WE DO NOT WANT IN OUR RESIDENTIAL NEIGHBORHOOD! This MUST NOT be ALLOWED to happen!"





**LETTERS OF OPPOSITION TO  
District 1 Denver City Council Representative Rafael Espinoza**

## Zone it Right West Highlands

### Zone It Right West Highlands



Say no to more inappropriate zoning in West Highlands.

Zoning changes and development are occurring at a rapid pace in West Highlands, frequently out of character in ways that negatively impact the residential character and quality of life in our neighborhood.

Yet another example of this is underway at the gateway to our neighborhood at 32nd Avenue and Irving Street. This empty lot is zoned for residential, single family homes - an ideal opportunity for residential development in this part of our neighborhood. Developers of this lot want to dramatically up-zone this parcel to allow for construction of a large 28,000-30,000 square foot, two story, character altering medical building. This would be the largest building in the immediate neighborhood. Developers and the property owners, Emmaus Lutheran Church, are refusing to engage in meaningful dialogue with neighbors despite repeated requests.

While neighbors are not opposed to development on this lot, we are dismayed by the lack of dialogue and want to ensure neighborhood input is received in this potential rezoning effort. We are asking City Council Members to decline any zoning change on this lot that is not the direct result of a meaningful neighborhood engagement effort.

Please sign the petition below in support of a neighborhood engagement process and in opposition to a zoning change without neighborhood input.

## LETTERS TO

### District 1 Denver City Council Representative Rafael Espinoza

Concerning the Rezoning Application for Emmaus Lutheran Church property, 3120 Irving Street, Denver, Colorado, Parcel Number 02293-02-027-000/3268 W. 32nd Avenue, Denver, CO, Parcel Number 02293-02-027-000

We are concerned for about the residential character of West Highlands and proposed up-zoning of residential parcels to commercial development in our neighborhood that will negatively impact our quality of life.

The proposed rezoning of a viable and desirable single residential family parcel (U-SU-A) to zero-setback commercial zoning (U-MS-2X) on 3120 Irving Street, Denver, CO 80211/3268 W. 32nd Avenue, Denver, CO at 32nd Ave and Irving St (southeast corner) would allow the construction of a large 28,000-30,000 square foot, two story, character altering building that will adversely impact the quality of life of the neighborhood.

The only appropriate zoning tool to creatively accommodate the development of this parcel while safeguarding community interests is a neighborhood negotiated PUD, preferably a D-PUD (Detailed Planned Unit Development). PUD Zoning, created with community input, is the appropriate rezoning tool because it is the only way that agreed specifications in building placement, setbacks, massing, parking, design, materiality and use that complement the surrounding community can be both documented and be made binding.

We, the undersigned stakeholders of this neighborhood, ask that the current Councilperson at the time this rezoning comes to a final vote, reject any proposed rezoning that is not the result of a negotiated PUD which includes project specific comprises negotiated in good faith with the community, with emphasis on residential property owners within 400 feet of the zone lot boundary.

### Letters of opposition sent to City Councilman Rafael Espinoza by date, by zip code: 80211, 80212 Council District 1.

#### 32 Total

– 6\* out of 80211-80212 Council District 1

#### 27 Total

Name	City	State	Postal Code	Country	Signed On
Cantrell	Denver	Colorado	80203*	United States	7/31/2015
Gray	Denver	Colorado	80220*	United States	7/31/2015
Franco	Denver	Colorado	80212	United States	7/31/2015
Moon	Denver	Colorado	80211	United States	7/31/2015
Cowles	Farmland	Indiana	47340*	United States	7/31/2015
Hoffart	Denver	Colorado	80219*	United States	7/31/2015

Name	City	State	Postal Code	Country	Signed On
	Wheat				
Vos	Ridge	Colorado	80033*	United States	8/1/2015
Olson	Denver	Colorado	80211	United States	8/2/2015
Buckley	Denver	Colorado	80218*	United States	8/2/2015
Goldammer1	Denver	Colorado	80212	United States	8/2/2015
Jelacic	Denver	Colorado	80212	United States	8/2/2015
Schley	Denver	Colorado	80211	United States	8/2/2015
Takagi	Denver	Colorado	80212	United States	8/2/2015
Vaughan	Denver	Colorado	80212	United States	8/2/2015
Goldammer2	Denver	Colorado	80212	United States	8/2/2015
Hansen	Denver	Colorado	80211	United States	8/2/2015
Galmish	Denver	Colorado	80212	United States	8/3/2015
Fisher	Denver	Colorado	80212	United States	8/3/2015
Bolduc	Denver	Colorado	80212	United States	8/3/2015
Cloyd	Denver	Colorado	80212	United States	8/3/2015
Manesis	Denver	Colorado	80211	United States	8/3/2015
Farley	Denver	Colorado	80211	United States	8/4/2015
kiley	Denver	Colorado	80211	United States	8/4/2015
Edwards	Denver	Colorado	80211	United States	8/5/2015
Seidensticker	Denver	Colorado	80211	United States	8/15/2015
Flannigan	Denver	Colorado	80211	United States	8/15/2015
Hagener	Denver	Colorado	80211	United States	8/15/2015
Hendrick	Denver	Colorado	80212	United States	8/15/2015
Miller	Denver	Colorado	80212	United States	8/15/2015
Tyler	Denver	Colorado	80211	United States	8/15/2015
wilkey	Denver	Colorado	80211	United States	8/16/2015
Rodriguez	Denver	Colorado	80211	United States	8/16/2015

## 32 Total

– 6\* out of 80211-80212 Council District 1

## 27 Total

### Total per zip code by date

- 1 Denver CO 80211 signed 7/31/2015
- 1 Denver CO 80212 signed 7/31/2015
- 1 Denver CO 80203 1 signed 7/31/2015
- 1 Denver CO 80220 signed 7/31/2015 1
- 1 Denver CO 80219 signed 7/31/2015

## **Total per zip code by date**

- 1 Farmland IN 47340 signed 7/31/2015
- 1 Wheat Ridge CO 80033 1 signed 8/1/2015
- 3 Denver CO 80211 signed 8/2/2015
- 5 Denver CO 80212 1 signed 8/2/2015
- 1 Denver CO 80218 signed 8/2/2015 1
- 1 Denver CO 80211 signed 8/3/2015 1
- 4 Denver CO 80212 signed 8/3/2015
- 2 Denver CO 80211 signed 8/4/2015
- 1 Denver CO 80211 signed 8/5/2015
- 4 Denver CO 80211 signed 8/15/2015
- 2 Denver CO 80212 signed 8/15/2015
- 2 Denver CO 80211 signed 8/16/2015

City	State	Zip	Country	Signed On...	Comment
Denver	CO	80211	United States	8/2/2015	time for meaningful neighborhood input
Denver	CO	80212	United States	8/2/2015	I want the city to stop destroying our neighborhoods.
Denver	CO	80212	United States	8/2/2015	I oppose rezoning of the Emmaus church & Irving. Proposed rezoning is for "medical office building" but would allow intensive 24-hr access, inappropriate for parcel size and location -- and for benefit if private, for-profit corporations not non-profit, charitable etc.
Denver	CO	80211	United States	8/2/2015	Zoning that respects the scale, historic needs and needs of the neighborhood
Denver	CO	80212	United States	8/3/2015	Rezoning to the proposed allowance does not respect and maintain the integrity and character of the neighborhood. A planned unit development would be more appropriate.
Denver	CO	80211	United States	8/3/2015	The community needs to have a voice in plans for these kinds of developments.
Denver	CO	80211	United States	8/4/2015	It is very important that we keep the character of our neighborhood! This is not an appropriate rezoning in this zone.
Denver	CO	80211	United States	8/5/2015	I have lived in this neighborhood since 1960. Until recently I was very happy. I moved here because I love the this historic neighborhood. Now with all the contemporary houses and apartments going up, it has changed our district into something that barely resembles the lovely neighborhood I once cherished. The traffic and parking is on overload. A new architecture sticks out like a sore thumb. Please help us stop this growth that does not take any consideration of the existing architecture. The thin streets, the limited parking and the overload of traffic that this area can't bear.
Denver	CO	80211	United States	8/16/2015	



# PUBLIC COMMENT SUMMARY

## Regarding Rezoning at 3268 W 32nd Ave

	Letters of Support		Opposition
West Highland Residents	Highland Area Residents	General Support**	West Highland Residents
McLaughlin	Knapp	Bechtold	Schley
MacInnis	Merriman	Dyslin	Finkelstein
Cisney	Turner	Madrid	Vaughan
Owens	Neudorff	Mcrickard	Scanlon
		Wemier	Mast <i>Within 200 ft</i>
		Wiley	Baldschun
			Eby
			Davies

**Within 200 ft**

Wright

DOES NOT LIVE WITHIN 200 feet

Brad Wright lives at 3631 w 30<sup>TH</sup> Ave 80211

Buechler

Diggins

DOES NO LIVE WITHIN 200 feet Ryan Diggins, works across st at Orange Theory.

Handran REVOKED LETTER OF SUPPORT

Stevens

Torvits / Hahn

Sell

Isherwood

Grisenil REVOKED LETTER OF SUPPORT

Holubird REVOKED LETTER OF SUPPORT

Sanchez REVOKED LETTER OF SUPPORT

Fellows REVOKED LETTER OF SUPPORT

Fellows REVOKED LETTER OF SUPPORT

Haack

DOES NOT LIVE WITHIN 200 feet, Paul Haack works at Architect firm hired for the project across the street.

Wilks

Miller REVOKED LETTER OF SUPPORT

Gallegos

Loar

Archuleta

\* D. Griedenaw **DOES NO LIVE WITHIN 200 feet** Dan Griedenaw lives at 2967 Osceola St 80212

**SUBMITTED THREE LETTERS LIVING WITHIN 200 feet.**

24 4 6 8

\* Same signature representing 3 addresses

\*\* Address unkown, may not live near West Highland

### Emmaus Lutheran Church

**Letters of Support (11) within 200 feet of proposed development.**

24 letters submitted minus -13 VOID = **11 Letters of support within 200 feet**

-7 Letters of REVOKED

-6 Letter DO NOT LIVE WITHIN 200 feet

**11 Letters of support**

Re: Emmaus Lutheran Church at 3120 Irving Street, Denver, CO 80211

Dear Sir or Madam,

In March of 2015 I learned of details of a proposed zoning change for the property noted above.

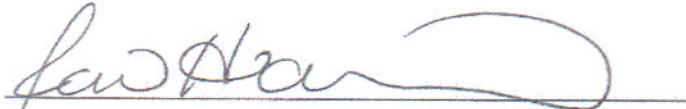
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Please **revoke my support** of the rezoning of Emmaus Lutheran Church property at 3120 Irving Street, Denver, CO 80211. Thank you.

Sincerely,



Signature

Jori Handran

Print Name

4/6/15

Date

3165 N. Spear Blvd

Address

Denver, CO  
80211



Re: Emmaus Lutheran Church at 3120 Irving Street, Denver, CO 80211

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Sincerely,

*Robert L. Gagliardi*

Signature

ROBERT L. GAGLIARDI

Print Name

4-11-15

Date

3215 N. SPEER BLVD.

Address

3200 IRVING  
3220 IRVING 3235 N - SPEER BLVD  
3221 N. SPEER BLVD.

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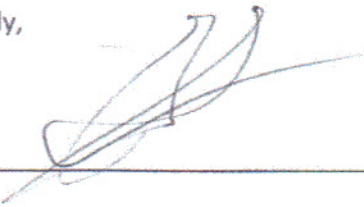
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Sincerely,



Signature

Steven Habib

Print Name

4/11/15

Date

517 3175 Speer Blvd 5/11/15

Address

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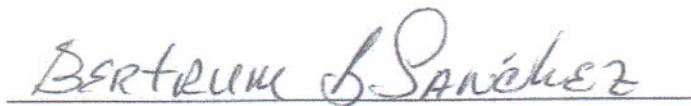
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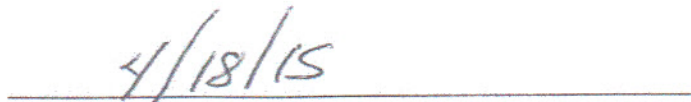
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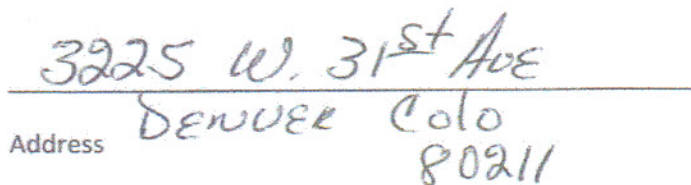
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Print Name



Date



Address

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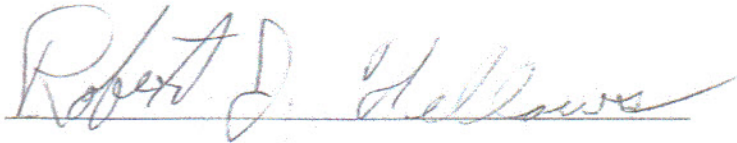
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Sincerely,



Signature

Bob Fellows

Print Name

4-6-2015

Date

3215 Irving St  
Denver Colo 80211

Address

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Sincerely,

Mary Fellows

Signature

Mary Fellows

Print Name

4-6-2015

Date

3215 Juniper St  
Denver Colo 80211

Address

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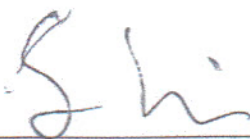
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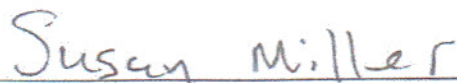
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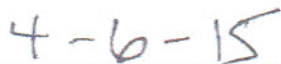
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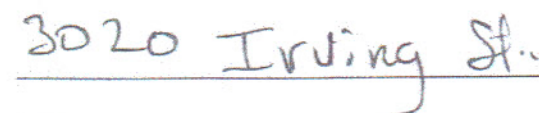
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