



TO: Denver City Council
FROM: Analiese Hock, Associate City Planner
DATE: June 16, 2016
RE: Official Zoning Map Amendment Application #2015I-00174
3914 N. King Street and 3441 W. 39th Ave
Rezoning from PUD 406 to U-SU-B1

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2015I-00174 for a rezoning from PUD 406 to U-SU-B1.

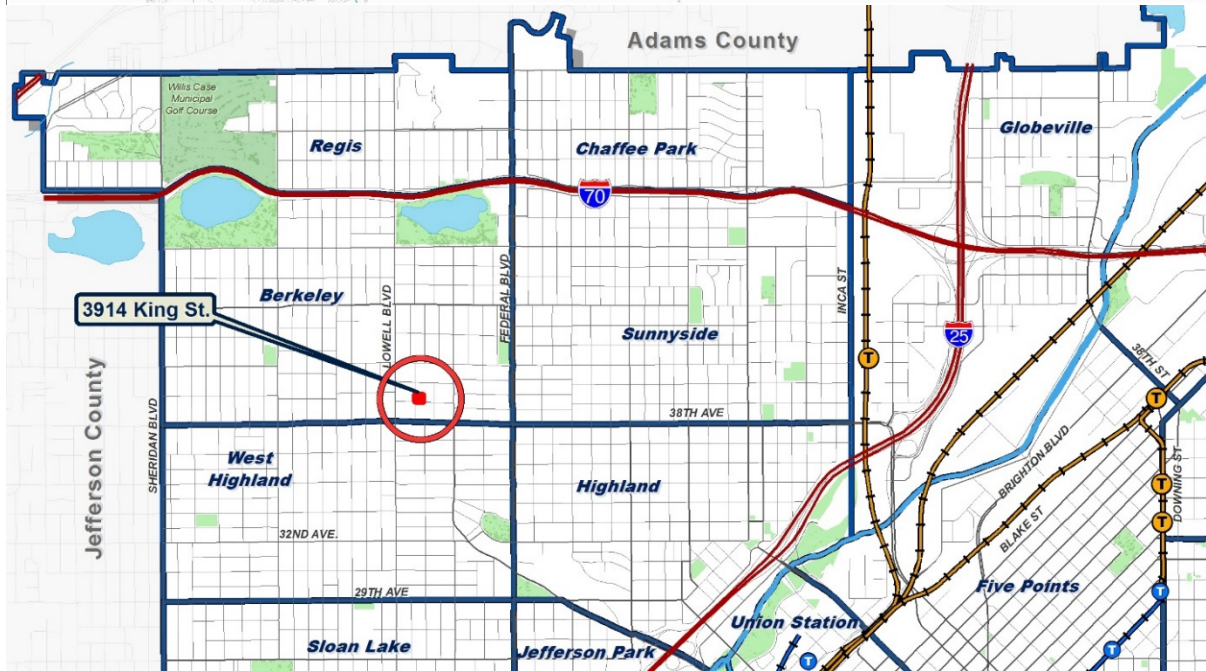
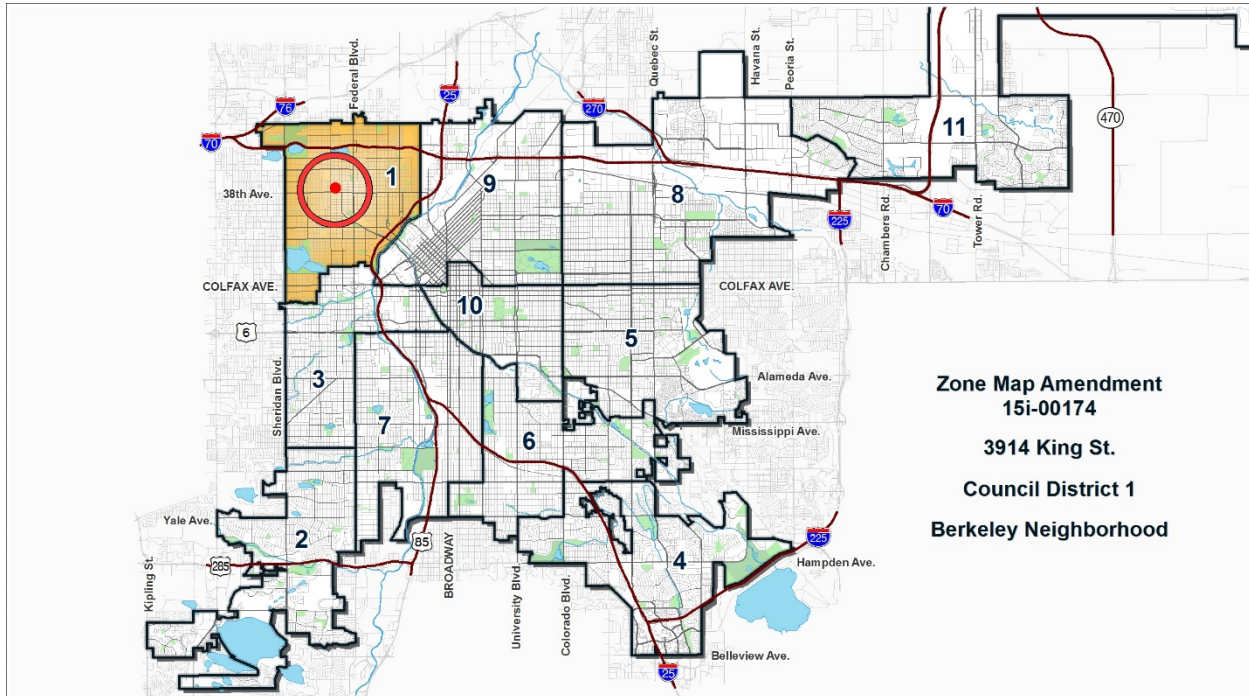
Request for Rezoning

Application:	#2015I-00174
Address:	3914 N. King Street and 3441 W. 39 th Ave
Neighborhood/Council District:	Berkeley / Council District 1
RNOs:	Berkeley Regis United Neighbors, Inc., Denver Neighborhood Association, Inc., Inter-Neighborhood Cooperation
Area of Property:	18,730 SF or 0.43 acres
Current Zoning:	PUD 406
Proposed Zoning:	U-SU-B1
Property Owner(s):	Michael Painter, Colorado Uplift
Owner Representative:	Ben Hughes, Cahen Architecture

Summary of Rezoning Request

- The subject property is located in the Berkeley Neighborhood at the northeast corner of N King Street and W 39th Avenue.
- The subject property is comprised of two assessor's parcels, 3914 King Street and 3441 W. 39th Avenue.
- Fronting King Street is the Robert W. Steele Gymnasium, a 1914 Mission Revival style gymnasium named for progressive Colorado Supreme Court Justice Robert W. Steele. This structure is listed on the State Historic Register. The building has continued to host community uses, with the previous use of a Boys and Girls Club.
- Fronting W. 39th Avenue is a residential structure that has been used as child-care/pre-school for the past twenty-plus years. On March 14, 2016 a Certificate of Non-Historic Status was issued for this residential structure.
- The Former Chapter 59 Planned Unit Development (PUD) 406 is based on R-2 with restrictions on the square footage allowed for the child-care facility, which is the square footage of the existing residential structure, therefore limiting the use to the structure.
- The property owners are requesting a rezoning from PUD 406 to U-SU-B1 to use the gymnasium for a child-care facility.

- The requested zone district, U-SU-B1, is defined as **Urban Neighborhood Context, Single Unit**, which allows for single unit urban houses and detached accessory dwelling units on a minimum zone lot area of 4,500 square feet. Additionally this zone district allows for other uses such as Community Centers, Day Care Centers, Elementary or Secondary Schools, and Public and Religions Assemblies, subject to the use limitations in Article 11 of the Denver Zoning Code. Further details of the zone district can be found in Article 5 of the Denver Zoning Code (DZC).





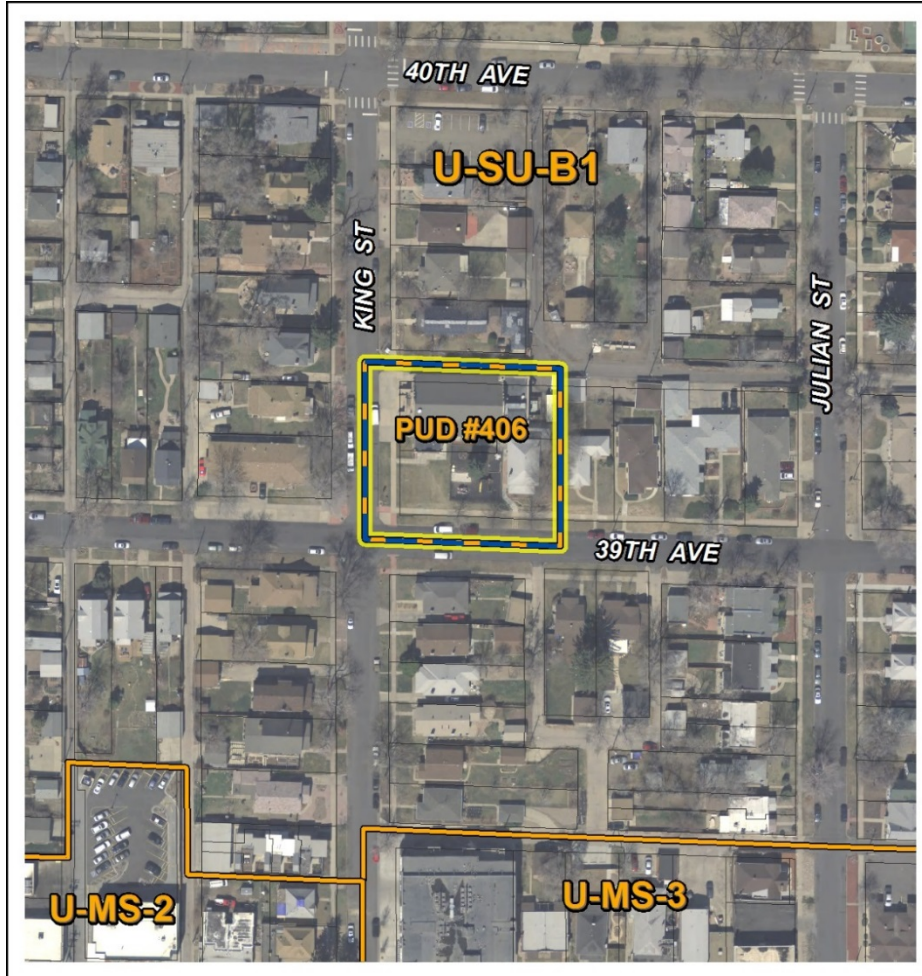
Existing Context

The site is at the northeast intersection of North King Street and West 39th Avenue. One block to the north is Skinner Middle School and one block to the south is 38th Avenue. North King Street and West 39th Avenue are local two-way, residential streets. Building heights range from one to two stories along North King Street and West 39th Avenue, and uses are primarily single unit, two-unit, and multi-unit residential. Detached sidewalks and tree lawns are present throughout the area.

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	PUD 406	Public/Quasi-Public	Existing Steele Gymnasium and 2-story residential house used as a day-care.	Generally regular grid of streets; block sizes and shapes are consistent and square. Vehicle parking is commonly from the alley.
North	U-SU-B1	Single Family	1- and 2-story residential buildings	
South	U-SU-B1	Single Family	1-story residential buildings	
East	U-SU-B1	Multi-Family Low Rise and Single Family	1- and 2-story residential buildings	
West	U-SU-B1	Multi-Family Low Rise and Single Family	1- and 2-story residential buildings	

1. Existing Zoning



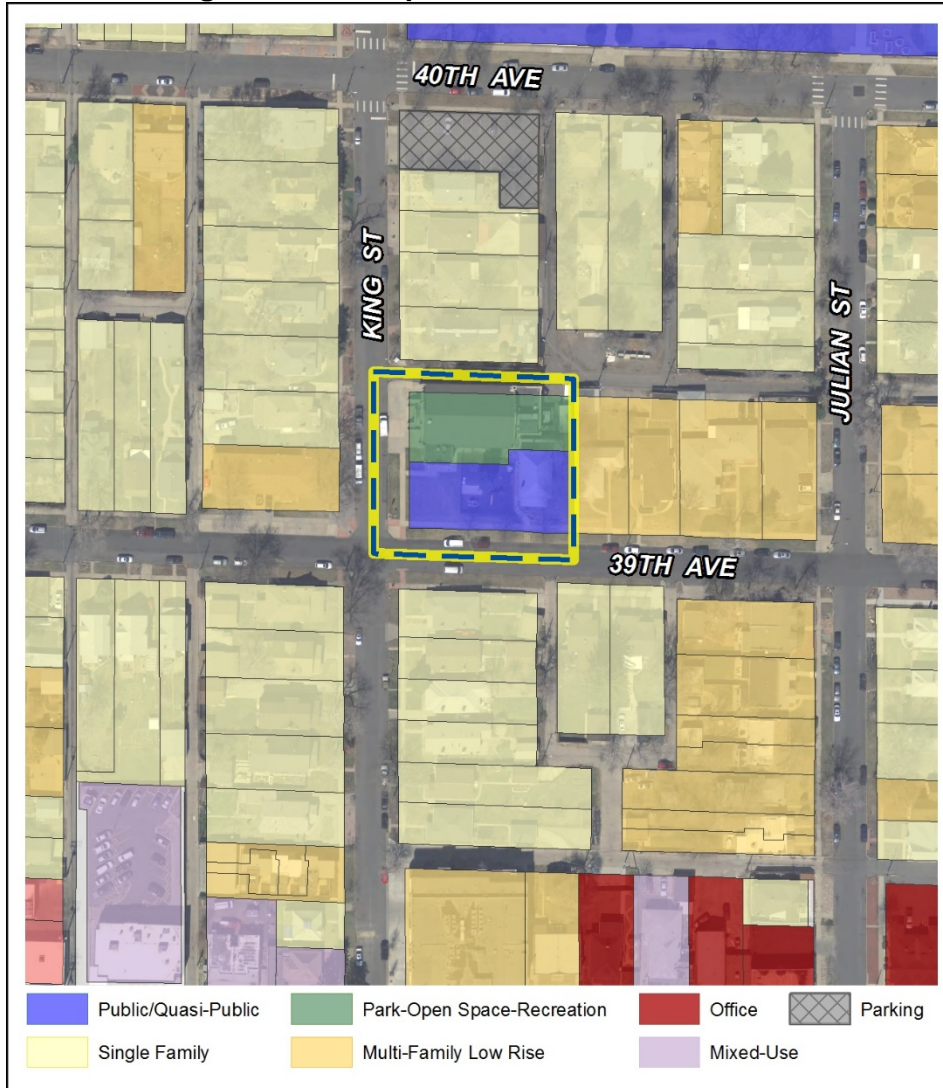
The existing PUD 406 was approved in 1996. The site was previously zoned R-2. The PUD provides relief from minimum parking requirements and setbacks in the zone district from Former Chapter 59, and enables the residential building to be used for child care. Additionally, the PUD establishes maximum Gross Floor Areas (GFA) for each contemplated use. The Community Center is allowed a maximum of 12,500 SF; the Child Care Center is allowed a maximum of 3,000 SF, and other uses consistent with R-2 are allowed a maximum of 15,500 SF. The GFA maximums have limited the Child Care Center to only occur in the residential structure.

As is the case with many Former Chapter 59 PUDs, the regulations and district plan of the PUD are written too specifically to accommodate a change in the location of the proposed day care center without rezoning. The applicant's desire to use the gymnasium for the day-care use instead of the residential structure cannot be accomplished under the existing PUD.

2. Historic Structure

Robert W. Steele Gymnasium is listed on the State Register. It is not a local Denver Landmark structure.

3. Existing Land Use Map



On the Existing Land Use Map, the gymnasium has likely been designated as Park-Open Space Recreation due to its community and recreation use as the former Boys and Girls Club. Common with other land use designations, the Day Care has been designated as Public/Quasi-Public.

4. Existing Building Form and Scale



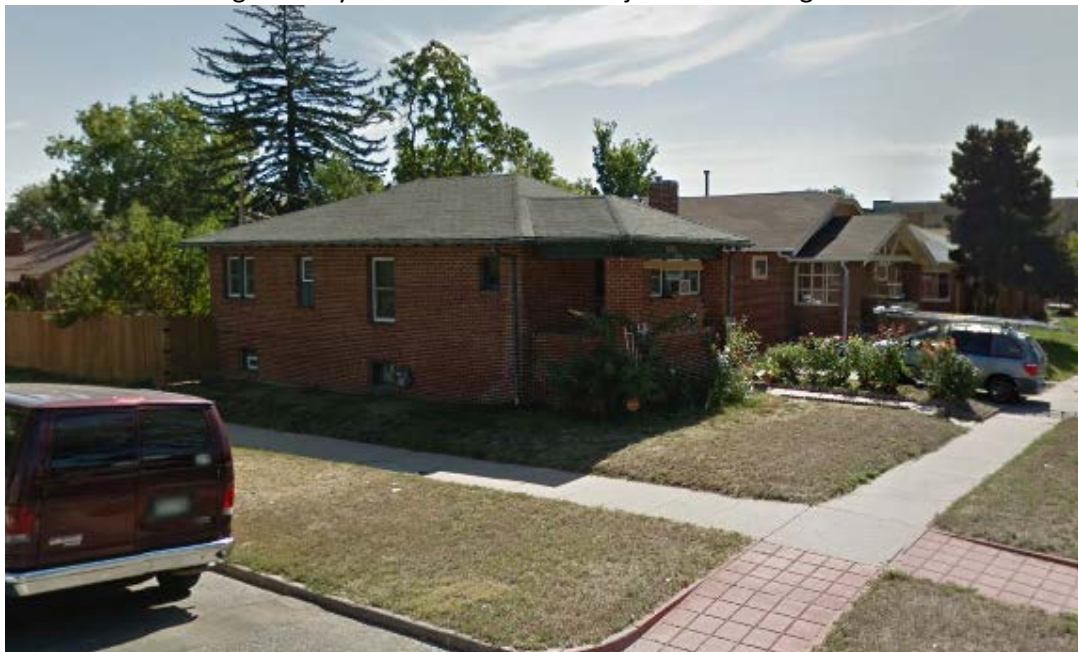
Subject property facing King Street



Subject property facing W 39th Avenue



Single-family home north of the subject site on King Street



Single-family homes south of the subject site



Single-story duplex directly east of the site on W 39th Avenue



Single-family homes across the street and east of the subject site on King Street

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

Denver Fire Department: Approved – No Comments

Development Services – Wastewater: Approved – There is no objection to the rezone, 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: Legal is approved

Environmental Health: Approved – 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.

Landmark Preservation: Approved for re-zoning since the site is not located in within a historic district or designated landmark boundary.

A Certificate of Non-Historic Status was applied for 3441 W. 39th Ave. on January 27, 2016. Landmark preservation found the building to have potential for historic designation based on the history, architecture and geography criteria. Per the Landmark Ordinance (Chapter 30 of the D.R.M.C), notice of the Certificate of Non-Historic Status application was placed on the building for 21 days on February 12, 2016 to allow for public comment and the submittal of an "Application for Historic Designation." When a Certificate of Non-Historic Status notice is posted, if the City receives a "notice of intent to file a landmark designation" by the 14th day of the sign posting, the posting period will be extended to 28 days. On February 26, 2016 "notice of intent to file landmark designation" was received by Landmark preservation, extending the posting period to 28 days, expiring on March 11, 2016 at 4:30 pm. An "Application for Historic Designation" and associated fee was not received during the required posting period and Landmark approval of the Certificate of Non-Historic Status was issued on March 14, 2016 per Landmark Ordinance requirements (Chapter 30 of the D.R.M.C). During the 5 year period that the Certificate of Non-Historic Status is valid, further Landmark review of the structure for historic potential will not be made. Landmark preservation have not assessed 3914 King Street. Further review by Landmark preservation would be required for "landmark designation potential," if the applicant were to file a Denver Demolition

or Certificate of Non-Historic Status application on the gymnasium structure. Landmark preservation has determined that the gymnasium site could potentially be eligible for local landmark designation given that the building is listed on the Colorado State Register of Historic Places (listed in 1994) and in combination with additional research from Historic Denver and the North Denver Tribune article. The gymnasium was constructed by Reverend Walter S. Rodolph and his wife, Hattie in 1914 to provide space for recreation and social activities for the children of northwest Denver. The architectural style of the gymnasium is Mission Revival and was named after Colorado Supreme Court Justice Robert Steele.

Landmark preservation encourages the applicant to meet with Registered Neighborhood Organizations if the project scope changes to involve a Demolition or Certificate of Non-Historic Status application on the gymnasium at 3914 King Street in the rezoning and site development process. This is relevant since the Landmark Ordinance (Chapter 30 of the D.R.M.C.) allows community-initiated Landmark Designations. Early efforts to resolve potential preservation issues with Registered Neighborhood Organizations and surrounding property owners is recommended.

Public Review Process

Informational Notice:

- CPD staff provided Informational notice of receipt of the rezoning application to affected members of City Council and registered neighborhood organizations on March 15, 2016.
- Both written and posted notice was legally posted for a period of 15 days announcing the March 30, 2016, Denver Planning Board public hearing, and written notification of the hearing has been sent to all affected Registered Neighborhood Organizations (RNOs) and City Council members.
 - **Registered Neighborhood Organizations (RNOs)**
 - Berkeley Regis United Neighbors, Inc
 - United North Side Neighbors
 - Denver Neighborhood Association
 - Inter-Neighborhood Cooperation (INC)
- The Planning Board voted unanimously in favor to recommend approval of the map amendment to City Council at a public hearing on March 30, 2016.
 - The Planning Board found that the rezoning application met the applicable rezoning criteria. The Planning Board did express a desire for the applicant to continue discussions with the neighborhood on topics of concern, specifically the potential for Landmark Designation of the Steele Gymnasium located at 3914 N King Street.
- Written notification of the April 13, 2016 Neighborhoods and Planning Committee Meeting (PLAN) was sent to all affected registered neighborhood organizations and City Council on March 29, 2016.
- The property was posted for a period of 21 days announcing the June 20, 2016 Denver City Council public hearing, and a written notification of hearing was sent to all affected registered neighborhood organizations and City Council Members on May 27, 2016.
- A petition of Protest was filed with the City Council office on May 5, 2016 and with signatures of the owners of 22.6% of the property within the designated 200 foot protest boundary around the subject property, the petition constitutes a legal protest and in accordance with requirements defined in DZC section 12.4.10.5, ten affirmative votes of Council will be required for approval.

Other Public Outreach and Input

- As of the date of this staff report, 17 letters have been submitted. Six letters are in opposition and eleven letters are in support.
- The applicant met with the neighbors on March 28, 2016 and has continued outreach and conversations with BRUN, Historic Denver and the neighbors since the Planning Board meeting as encouraged by the Planning Board. As a result of these meetings, the applicant is working to finalize and sign a non-demolition agreement and covenant that protects the Gymnasium for a period of the years and a similar agreement that protects the house for a period of two years. These conversations have resulted in a revised letter of support from Historic Denver.

Letters received prior to Planning Board:

- The letter from the Berkeley Regis United Neighbors (BRUN) RNO requested that a customized zoning approach be examined for the property in order to relax parking requirements and enable for office to be a permitted use. The letter also encouraged for a landmark designation to be pursued for the Steele Gymnasium.
- Two letters from Marie Edgar suggested use of a PUD to address parking and flexibility of uses for the residential structure (“Denver Square”).
- Two letters from Robert Ridgeway identified concerns related to inadequate on-site parking, traffic and trash issues as related to a child care. Additionally he suggested a PUD to only allow for a child care center and prohibit the redevelopment of the site for single family homes. He also seeks landmark the designation of the Steele Gymnasium.
- The letter from Historic Denver highlighted the historic character of this site and proposes the use of the UO-3 use overlay with modifications to enable for the use of the Denver Square as a standalone office use. *Note that a revised letter of support has been submitted at a later date.
- The anonymous letter was received expressing opposition. Concerns raised in the letter were the increase in traffic, and impacts to parking.

Letters received prior to PLAN Committee:

- An additional letter from Robert Ridgeway and another letter from Marie Edgar highlighting the same concerns as the prior letter submitted to Planning Board.

Letters received prior to City Council Public Hearing:

- The nine letters of support highlight the need for quality early childhood education to be provided within the neighborhood to address the needs of Denver families.
- One letter of support from the current pre-school operator highlighting their support for the new operator to add value to the community.
- One letter of support from Historic Denver detail their support as a result of signing a covenant for the property that protects the Gymnasium for a period of ten years with a similar agreement for the Manse for a period of two years which will continue to the long term care and preservation of the Steel Gymnasium Property.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7 and 12.4.10.8, as follows:

DZC Section 12.4.10.7

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

DZC Section 12.4.10.8

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)

Denver Comprehensive Plan 2000

The proposal is consistent with many Denver Comprehensive Plan strategies, including:

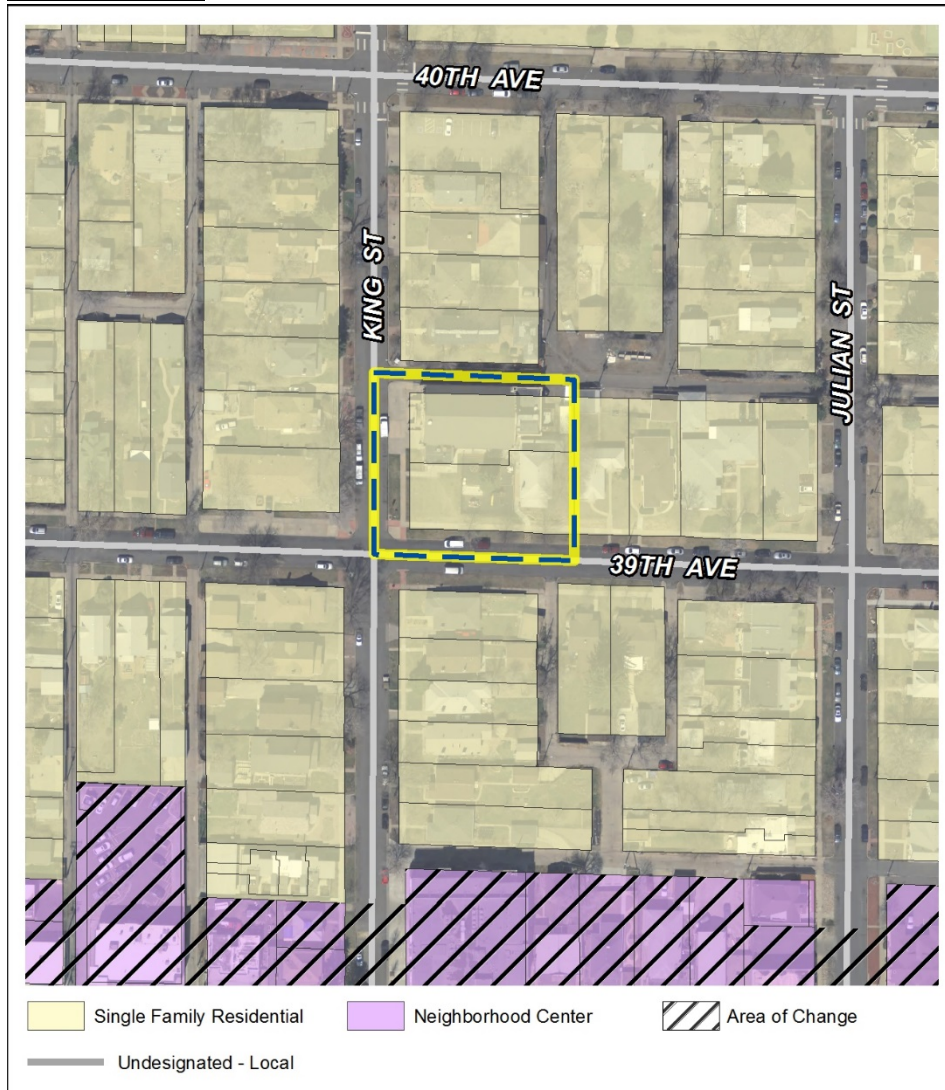
- Environmental Sustainability Strategy 2-F – *Conserve land by: promoting infill development with Denver at sites where services and infrastructure are already in place. (p 39)*
- Land Use Strategy 3-B – *Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses. (p 60)*
- Denver’s Legacies 13-B – *Coordinate with DPS and Community-based organizations to expand recreation opportunities and after-school programs throughout the city. (p 104)*
- Economic Activity Strategy 1-F – *Support a collaborative effort by business, educational institutions and regulatory agencies to enhance the supply, quality of childcare. (p 130)*
- Neighborhoods Strategy 1-F *Invest in neighborhoods to help meet citywide goals and objectives for a range of housing types and prices, community facilities, human services and mobility. Continue to foster integrity and livability of neighborhoods. (p 150)*
- Education Strategy 2-A - *Support high-quality comprehensive preschool education (p 170)*

The proposed map amendments to U-SU-B1 will apply a zone district consistent with the surrounding area and will facilitate the reuse of the buildings that is consistent with the character of the adjacent neighborhood. Additionally, the rezoning will enable for the continued use of a community center and child-care facility while maintaining a residential single-unit zoning that is consistent with the neighborhood. The rezoning is consistent with these plan recommendations.

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.

Future Land Use



The subject site is designated as Single Family Residential. Single Family Residential areas “represent the majority of Denver’s residential areas, particularly those developed after 1900 and especially those built after 1940. Densities are fewer than 10 units per acre, often less than six units per acre neighborhood-wide, and the employment base is significantly smaller than the housing base. Single-family homes are the predominant residential type” (p. 42). Additionally, the U-SU-B1 zone district allows for community uses such as Community Centers, Child Care Centers, and Public and Religious Facilities with limitations. Rezoning the subject site to the surrounding U-SU-B1 zone district is consistent with the Single Family Residential concept land use description by allowing single-unit development.

Area of Change / Area of Stability

The subject site is designated as an Area of Stability. A Blueprint Denver strategy is to "preserve stable neighborhoods" (p 23) with the desire "to maintain the character of an area while accommodating new development and redevelopment in appropriate locations" (p 24). Additionally, Blueprint Denver

provides the strategy to "uphold the legacy of a walk able neighborhood" (p 25). Enabling for community uses to remain embedded within the neighborhood allows for residents to access community services by foot or by bike. The rezoning application is consistent with the Blueprint Denver Area of Stability recommendations. The rezoning application for single-unit zoning consistent with the surrounding neighborhood will further stabilize the neighborhood whole continuing to offer community services at the neighborhood scale.

Street Classifications

Blueprint Denver classifies North King Street and West 39th Avenue as an Undesignated Local. Local Streets are "influenced less by traffic volumes and are tailored more to providing local access. Mobility on local streets is typically incidental and involves relatively short trips at lower speeds to and from other streets. Because of their 'neighborhood' nature, travel speeds are usually lower than collectors and arterials" (p 51). The U-SU-B1 zone district is an appropriate zone district for this Undesignated Local street classification by allowing residential and community uses that are consistent with the existing context and character.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to U-SU-B1 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 including Comprehensive Plan 2000 and Blueprint Denver.

4. Justifying Circumstance

The application identifies several changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.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." As discussed above, many adopted plan recommendations state that stability of the area is desired.

Additional changed or changing conditions at the subject site since PUD 406's approval in 1996 include the adoption of the Comprehensive Plan 2000 and Blueprint Denver, providing further guidance to the stabilization of these neighborhood areas. As the application also states, the adoption of the Denver Zoning Code in 2010 introduced the U-SU-B1 zone district as an appropriate zone districts for Single Family Residential concept land use areas. At the time of PUD 406's adoption, the U-SU-B1 zone district was not available nor was some of the built-in flexibility that the Denver Zoning Code now offers. These are appropriate justifying circumstance for the proposed rezoning.

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

The requested U-SU-B1 zone district is within the Urban Neighborhood Context. The neighborhood context is primarily characterized by single-unit and two-unit residential uses. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas. Single-unit residential structures are typically Urban House forms (DZC 5.1.1) The intent of the residential districts of the Urban Neighborhood Context is to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context (DZC Division 5.2). Additionally, these regulations are intended to reinforce desired development patterns in existing neighborhoods while accommodating reinvestment (DZC Division 5.2). The proposed rezoning to U-SU-B1 is consistent with the neighborhood context description.

Staff Recommendation

Based on the analysis set forth above, CPD staff finds that the application for rezoning the property located at 3914 N. King Street and 3441 W. 39th Ave to a U-SU-B1 zone district meets the requisite review criteria. Accordingly, staff recommends approval of the rezoning.

Attachments

1. Application
2. PUD 406
3. Public comment letters
4. Petition Protest Memo and Analysis

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<p>*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):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

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

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION						
<p>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.</p>						
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)
EXAMPLE 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
			<i>Michael G. Painter</i>		B	
			<i>David McMuntry</i>			

Last updated: February 4, 2015

 Return completed form to rezoning@denvergov.org



Colorado
Secretary of State
Wayne W. Williams



For this Record...

- Filing history and documents
- Trade names
- Get a certificate of good standing
- File a form
- Subscribe to email notification
- Unsubscribe from email notification

- Business Home
- Business Information
- Business Search

- FAQs, Glossary and Information

Summary

Details			
Name	COLORADO UPLIFT		
Status	Good Standing	Formation date	01/04/2000
ID number	20001001635	Form	Nonprofit Corporation
Periodic report month	September	Jurisdiction	Colorado
		Term of duration	Perpetual
Principal office street address	3914 KING ST, DENVER, CO 80211, United States		
Principal office mailing address	3914 King St., Denver, CO 80211, United States		

Registered Agent	
Name	Michael G Painter
Street address	3914 King Street, Denver, CO 80211, United States
Mailing address	3914 King St., Denver, CO 80211, United States

- [Filing history and documents](#)
- [Trade names](#)
- [Get a certificate of good standing](#)
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Cahen Architectural Group, P.C.
Craig Cahen, AIA
7076 S. Alton Way, Bldg A
Centennial, CO 80112

November 24, 2015

Denver Zoning
Community Planning and Development
201 W. Colfax Ave. Dept. 205
Denver, CO 80202

Dear Community Planning and Development,

We, at **Colorado Uplift**, hereby certify and affirm that we are the owners of the property legally described as FIRST ADD TO BOULEVARD HIGH LANDS BLOCK C N 64FT OF L1 TO 3 INC N 50FT OF L4 TO 6 INC & S 14FT OF W 14FT OF N 64FT OF L4, having a mailing address of 3914 N. King St and which is the subject of the application for rezoning, with the City and County of Denver as condition with the sale of the property to **ACDFD, LLC** for the purpose of a proposed daycare facility. By submitting this document to the City and County of Denver, we hereby certify that no other party's consent is required to file and process this application with the City.

We hereby designate **Cahen Architectural Group, P.C.** (Craig Cahen and Ben Hughes) to act as our representatives in any manner and in all respects regarding the land use application identified above, to answer questions from and communicate with City staff regarding the application, and to represent us at any meeting(s) and public hearing(s) which may be held on this application.

We understand that the City will send all correspondence to the Authorized Representative(s) identified above. It will be the Authorized Representative's responsibility to keep the owner(s) adequately informed as to the status of the application.

Representative Contact information:

Craig I. Cahen, AIA (President)
Ben Hughes, LEED AP (Project Manager)
Cahen Architectural Group PC
7076 South Alton Way
Centennial, CO 80112
Ph. 303-743-0002
Craig Cahen Ext-211
Ben Hughes Ext-213

Respectfully,



Colorado Uplift
3914 N. King St.
Denver, CO 80211

303 809 3605

303 285 4102

Filed for record the _____ day of _____, A.D. _____, at _____ o'clock M. _____
Reception No. _____ By _____ RECORDED DEPUTY.

WARRANTY DEED

THIS DEED, Made on this day of 11-19-04
between BOYS AND GIRLS CLUB OF METRO DENVER, INC., A COLORADO NON-PROFIT CORPORATION, FORMERLY KNOWN AS BOYS' CLUBS OF DENVER, INC.

whose legal address is : 2017 W 9TH AVE., DENVER, CO 80204
of the Grantor(s), and
COLORADO UPLIFT, A COLORADO NON-PROFIT CORPORATION

whose legal address is : 1888 SHERMAN ST #570, DENVER, CO 80203
of the Grantee(s):

WITNESS, That the Grantor(s), for and in consideration of the sum of (\$675,000.00

*** Six Hundred Seventy Five Thousand and 00/100 ***

OF \$675.00 DOLLARS

the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee(s), his heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the _____ County of DENVER and State of Colorado, described as follows:
LOTS 1 THROUGH 6, INCLUSIVE, BLOCK C, FIRST ADDITION TO BOULEVARD HIGHLANDS, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

also known as street number 3441 W. 39TH AVENUE/3914 KING STREET

TOGETHER with all and singular and hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all the estate, right, title interest, claim and demand whatsoever of the Grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described with appurtenances, unto the Grantee(s) his heirs and assigns forever. The Grantor(s), for himself, his heirs and personal representatives, does covenant, grant, bargain, and agree to and with the Grantee(s), his heirs and assigns, that at the time of the enrolling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever EXCEPT GENERAL TAXES AND ASSESSMENTS FOR THE YEAR 2004 AND SUBSEQUENT YEARS AND EXCEPTIONS AS LISTED ON EXHIBIT "A" ATTACHED AND MADE A PART HEREOF AS IF FULLY SET FORTH HEREIN

The Grantor(s) shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the Grantee(s), his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, and the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF the Grantor(s) has executed this deed on the date set forth above.

BOYS AND GIRLS CLUB OF METRO DENVER, INC., A COLORADO NON-PROFIT CORPORATION, FORMERLY KNOWN AS

BOYS' CLUBS OF DENVER, INC.

STATE OF COLORADO)
CITY AND COUNTY OF DENVER) ss.

BY: [Signature]

The foregoing instrument was acknowledged before me on this day of NOVEMBER 19, 2004
by ARAGONIAS PRES & CEO OF BOYS AND GIRLS CLUB OF METRO DENVER, INC., A COLORADO NON-PROFIT CORPORATION, FORMERLY KNOWN AS BOYS' CLUBS OF DENVER, INC.

Witness my hand and official seal.
6/13/07

Judith A. Marching
Notary Public

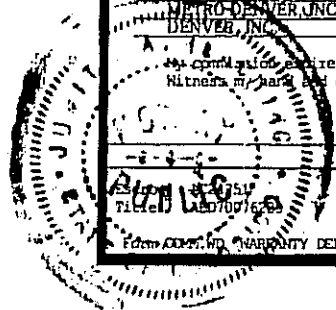
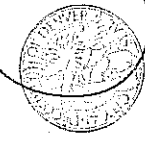
When Recorded Return to: COLORADO UPLIFT, A COLORADO NON-PROFIT CORPORATION
1888 SHERMAN ST #570, DENVER, CO 80203

Form COM-100, WARRANTY DEED (For Photographic Record)

CLERK AND RECORDER FOR THE STATE OF COLORADO
CITY AND COUNTY OF DENVER

document to be a full, true and correct copy of the original document recorded in my office.

by [Signature] Clerk and Recorder
Deputy County Clerk
Date 11/18/09



EXISTING LEASES AND TENANCIES, IF ANY.

TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ZONING ORDINANCE RECORDED May 24, 1996 UNDER RECEPTION NO. 96000721170.

ANY BOUNDARY DISCREPANCY DUE TO THE LOCATION OF FENCE LINES AND THE EFFECT OF ANY RIGHT, TITLE OR INTEREST THAT MAY BE CLAIMED DUE TO ANY SAID DISCREPANCY AS SHOWN ON SURVEY PREPARED BY BELL SURVEYING COMPANY DATED OCTOBER 18, 2004, DRAWING NO. 0410-107.

ANY RIGHTS OR INTERESTS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING FACTS SHOWN ON SURVEY DATED October 18, 2004 PREPARED BY BELL SURVEYING COMPANY, JOB NO. 0410-107:

A) OVERHEAD ELECTRIC WIRES AND UTILITY POLE LOCATED ON SAID LAND BUT NOT WITHIN A RECORDED EASEMENT.

B) (ITEM INTENTIONALLY DELETED)

C) THE ENCROACHMENT OF A CONCRETE WALK AND A CONCRETE PAD ONTO THE LAND ADJACENT TO THE EAST.

TERMS, CONDITIONS AND PROVISIONS OF AN UNRECORDED LEASE DATED JULY 26, 1995 BY AND BETWEEN BOYS' AND GIRLS' CLUB OF METRO DENVER, INC., AS LANDLORD, AND THE STEELE CENTER COOPERATIVE PRESCHOOL, AS TENANT, AS DISCLOSED TO THIS COMPANY.

Exhibit A

Legal Description:

PARCEL DESCRIPTION REC_NO_ 2004240186

LOTS 1 THROUGH 6, INCLUSIVE, BLOCK C, FIRST ADDITION TO BOULEVARD HIGHLANDS, CITY AND COUNTY OF DENVER, STATE OF COLORADO

PARCEL DESCRIPTION 3914 KING STREET - REC. NO_ 1986199396

A PART OF LOTS 1 THROUGH 6, INCLUSIVE, BLOCK C, FIRST ADDITION TO BOULEVARD HIGHLANDS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 64 FEET OF LOTS 1, 2 AND 3; THE NORTH 50 FEET OF LOTS 4, 5 AND 6; AND THE SOUTH 14 FEET OF THE NORTH 64 FEET OF THE WEST 14 FEET OF LOT 4, ALL IN BLOCK C, FIRST ADDITION TO BOULEVARD HIGHLANDS,

PARCEL DESCRIPTION 3441 WEST 39TH AVENUE - REC, NO, 1995090379

A PART OF LOTS 1 THROUGH 6, INCLUSIVE, BLOCK C, FIRST ADDITION TO BOULEVARD HIGHLANDS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1, 2 AND 3, EXCEPT THE NORTH 64 FEET OF LOTS 1, 2 AND 3 AND LOTS 4, 5 AND 6, EXCEPT THE NORTH 50 FEET OF LOTS 4, 5 AND 6; AND EXCEPT THE SOUTH 14 FEET OF THE NORTH 64 FEET OF THE WEST 14 FEET OF LOT 4, ALL IN BLOCK C, FIRST ADDITION TO BOULEVARD HIGHLANDS,

PROPOSED MAP AMENDMENT SUMMARY

The intent of the proposed U-SU-B1 zone map amendment is allow for an interior remodel site revisions at 3914 N. King Street and 3441 W. 39th Ave., formerly Colorado Uplift Boys and Girls Club into a Goddard Schools child daycare facility. The renovation is mainly interior (layout and space improvements), and exterior age-group playground improvements. Currently the facility is zoned under PUD #406 allowing community center and all uses reserved by right under the Former Chapter 59 code R-2. R-2 allowed daycare use; however, PUD #406 restricted use of Daycare to 3,000 SF. Thus, we are seeking to rezone to allow for this necessary and functional improvement to the property to perform as a child daycare facility.

The request to rezoning of the property is made with a careful understanding of the property, neighborhood, and recent planning and zoning efforts conducted by the City. The existing PUD was established in 1996 to provide accessibility for handicapped, enhance life safety, for a Federal mandate to include girls, and to create one PUD from two zone lots. Since this update the City has conducted a number of planning and zoning efforts that are important for this property. Blueprint Denver (2002) identified this site and area as a Urban Residential Area of Stability. Subsequently, the City adopted the new form-based zoning code (2010), which introduced a series of context and form-based zone districts, including U-SU-B1, which is most appropriate to this site to complete the existing zoning on all sides of the site.

Additionally, the City encourages owners of old PUDs to consider rezoning into standard zone districts, when appropriate and supported by adopted plans, in order to help unify district regulations. The request to rezone the property to U-SU-B1 is in line with these policy goals and matches the adjacent zone district.

Thus, in all regards, while the U-SU-B1 zone map amendment accomplishes the owner's goal of completing a minor but important improvement to the property, the map amendment also better implements the City's adopted plans and policies.

EXHIBIT A: GENERAL REVIEW CRITERIA

The proposed map amendment is consistent with the City’s five review criteria and adopted plans.

- 1. **Consistency with adopted plans**
- 2. **Uniformity of District Regulations**
- 3. **Further Public Health, Safety and Welfare**
- 4. **Justifying Circumstances**
- 5. **Consistency with neighborhood Context, Zone District purpose and Intent**

REVIEW CRITERIA 1: Consistency with adopted plans

Denver Comprehensive Plan 2000

The Denver Comprehensive Plan 2000 provides supporting elements to this rezoning application. The excerpts below from the Plan illustrate how the proposed map amendment is consistent with the goals of the Plan.

Distinctive Assets

- *“Plan 2000 seeks to improve the quality of life within neighborhoods by building on their distinctive assets.”* (pg. 143) This aligns with Article 5 Urban Neighborhood Context which allows the reuse of existing non-residential buildings for alternative uses in SU and TU zones. The alignment of these plans allows continued use for the historic 3914 N. King Street building without it falling into disrepair. While one use, “Uplift Boys and Girls Club, moves out; another limited use “daycare” is expanded and improved by amending zoning to Urban Residential District Single Unit B1 (U-SU-B1).

Plan 2000 Calls for “Investment in People” (pg. 16)

- *“Caring for children – In concert with national trends, Denver family life has changed significantly over a generation. Many parents spend much more time in the workplace; consequently, many more children and youth are either unsupervised or spending their time in child care centers, schools and before- and after-school programs.”*

“Meanwhile, research clearly demonstrates that to thrive intellectually and emotionally, children need strong, continuous connections to caring adults from birth through adolescence. While the U.S. economy benefits from the labor of almost every adult who wants or needs to work, parents alone bear the responsibility for their children’s care — financially, emotionally and in trying to balance family needs with employment demands.” (pg. 16)

- *”Early Childhood care and education - Numerous studies have demonstrated that children who receive high-quality early childhood care and education enter school prepared to learn, and experience sustained improvement in a wide range of cognitive, motor and behavioral skills.”* (pg. 164)

- **“Early brain development** - *In the past decade, a significant body of research has been published that supports the need for enriched environments to stimulate growth and development in very young children, enabling them to reach their full physical, mental and emotional potentials.”* (pg. 163)

Goddard Schools, learning through play - The Goddard School’s F.L.EX.® Learning Program provides the optimal environment for your child’s social and academic development. This program is based on academic research that states children experience the deepest, most genuine learning when they are having fun. The program focuses on academic, social, creative and child-centered development to provide a well-rounded experience and ensure children become confident, joyful and fully prepared students.

Blueprint Denver

Blueprint Denver provides supporting elements to this rezoning application. The excerpts below from Blueprint illustrate how the proposed map amendment is consistent with the goals of the Blueprint.

Blueprint Denver Defines the subject property and adjacent land as Single Family Residential (pg. 42) Area of Stability along local streets (pg. 195)

- *“Areas of Stability include the vast majority of Denver, primarily the stable residential neighborhoods and their associated commercial areas, where limited change is expected during the next 20 years. The goal for the Areas of Stability is to identify and maintain the character of an area while accommodating some new development and redevelopment.”* (pg. 120)
- *“Neighborhood – The key attributes of neighborhood issues may include the social fabric of the area (community organizations and informal gathering places, for example), communication, and an inventory of community facilities (schools, recreation centers, religious institutions, senior centers, libraries, other public facilities, and major private facilities).”* (pg. 151)

Blueprint Denver defines Single Family Residential as “Neighborhoods of single family houses represent the majority of Denver’s residential areas, particularly those developed after 1900 and especially those built after 1940. Densities are fewer than 10 units per acre, often less than six units per acre neighborhood-wide, and the employment base is significantly smaller than the housing base. Single-family homes are the predominant residential type. Some of the many areas in Denver with this attribute include Rosedale, University, Park Hill, Washington Park, Sloan Lake, Regis, Montbello, Green Valley Ranch, Hampden and Bear Valley.” (Pg 42) The existing surrounding neighborhood falls verbatim into this category.

Urban neighborhood context designation for the property fulfills Blueprint’s vision of Urban Residential area of stability. Single unit B1 (U-SU-B1) consists of “a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 4,500 square feet. Blocks typically have a pattern of 37.5 foot wide lots. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-B but allowing a detached accessory dwelling unit building form in the rear yard.”

(Article 5 5.2-2) Allowed use categories include Community house, Daycare, Public Safety facility, library, and education. The map amendment, to U-SU-B1, is consistent with Blueprint for Urban single family residential designation.

REVIEW CRITERIA 2: Uniformity of District regulations

Converting the existing PUD zone would bring additional uniformity to the neighborhood. Changing the PUD to U-SU-B1 extends uniformity by updating an outdated PUD classification within the neighborhood.

REVIEW CRITERIA 3: Further Public Health, Safety, and Welfare

The proposed zone map amendment furthers the public health and safety of the city by allowing for Goddard Schools to perform a much-needed amenity to the neighborhood. Providing childcare furthers the general welfare of the City by providing quality daycare services for the neighborhood. Safety of the children is paramount with Goddard. Biometric scanners are tied to computers in the school allowing only registered parents and family members access to the children for pickup. Health is important being a commercial operated childcare facility sets guidelines by local health departments which are required for operation. This creates a healthier environment than non-regulated home facilities. Furthermore, the types of uses allowed within U-SU-B1 help the City grow and invest, starting with the youth of the neighborhood.

“The intent of the Residential districts is to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood.” (Article 5 pg. 5.2-1)

“The regulations provide certainty to property owners, developers, and neighborhoods about the limits of what is allowed in a residentially-zoned area. These regulations are also intended to reinforce desired development patterns in existing neighborhoods while accommodating reinvestment.” (Article 5 pg. 5.2-

2)REVIEW CRITERIA 4: Justifying Circumstances

The City encourages owners of old PUDs to consider rezoning into standard zone districts, when appropriate and supported by adopted plans, in order to help unify district regulations. Converting the PUD to the new form based code offers additional flexibility not previously existing through prior zoning. The request to rezone the property to U-SU-B1 is in line with these policy goals and matches the adjacent zone district.

While there is no specific adopted plan for the neighborhood, this minor project contributes to achieving the Blueprint Denver 2002 vision. A complementary use in the neighborhood, this daycare facility enhances what has existed nearly 100 years and has drawn people to live in, and be loyal to, the neighborhood during that period. Updates to the site will allow for childcare needs of nearby residents and the surrounding community.

While single family homes are the predominant development, the use and scale of this project for the area will continue the vision of the neighborhood. This facility accentuates this neighborhood by maintaining the existing facility at 3914 N King Street. The project will continue to provide identity to the character of the area, while accommodating the changes and facility upgrades required to sustain the presence of the property at this location. The Map amendment is appropriate to change the zoning in this Area of Stability to create a development that respects the valued attributes of this area, diversity of housing types, neighborhood services, and buildings that extend an existing distinctive character and identity.

REVIEW CRITERIA 5: Consistency with Neighborhood Context

The proposed official map amendment is consistent with the applicable neighborhood context. *“The Urban Neighborhood Context is primarily characterized by single-unit and two-unit residential uses. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas. Single-unit residential structures are typically Urban House forms. Multi-unit building forms are typically Row House forms embedded with other residential building forms. Commercial buildings are typically Shop front and General forms that may contain a mixture of uses within the same building. Single- and two-unit residential uses are primarily located along local and residential arterial streets. Multi-unit residential uses are located along local streets, residential and mixed use arterials, and main streets. Commercial uses are primarily located along mixed-use arterial or main streets but may be located at or between intersections of local streets.”* (Article 5 pg. 5.1-1)

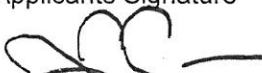
Under former Chapter 59 zoning, the properties PUD allowed zone R-2, but restricted square footage for daycare use. This map amendment would bring 3914 N. King St. and 3441 W. 39th Ave. in line with adjacent U-SU-B1 zoning, which surrounds the property on all 4 sides.

The proposed official map amendment is also consistent with the intent of the proposed Zone District. The general purpose of the Urban Neighborhood Context is as follows:

General Purpose (Article 5)

“The intent of the Residential districts is to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood.”

“The building form standards, design standards, and uses work together to promote desirable residential areas. The standards of the single unit districts accommodate the pattern of one to two and a half story urban house forms where the narrow part of the building orients to the street and access is from alley loaded garages. Lot sizes are consistent within an area and lot coverage is typically medium to high accommodating a consistent front and side yard. There are single unit districts that allow detached accessory dwelling units in the rear yard, maintaining the single unit character at the street. The standards of the two unit and row house districts promote existing and future patterns of lower

Area Map indicating property to be rezoned will be prepared by the Department of Zoning Administration		City and County of Denver DEPARTMENT OF ZONING ADMINISTRATION APPLICATION FOR ZONE MAP AMENDMENT		Application Number 4242 (Revised)	
				Date Submitted 4/2/96	Fee \$600.00
1. Applicant OZ Architecture Contact: Kelly Hattori		2. Address 1580 Lincoln Street, Suite 1200 Denver, CO 80203		3. Phone No. (303) 861-5704	
				4. Interest <input type="checkbox"/> Owner(s) <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Other	
5. Owners of Property of Properties (If not the applicant) Boys & Girl's Clubs of Metro Denver		6. Address 2150 W. 29th Ave. Denver, CO 80211		7. Phone No. (303) 480-7500	
8. Location of Proposed Change 3914 King Street Denver, CO 80211					
9. Legal Description of Property: <i>(If Legal Description is lengthy, please attach additional sheet.)</i> All of Lots: 1-6 Block: C Addition: First addition to Boulevard Highlands					
10. Area of Subject Property, Sq. Ft. or Acres 18,730 sf or 0.43 acres			11. Present Zone R-2		12. Proposed Zone PUD #406
13. Describe briefly the nature and expected effect of the proposed amendment. Be sure to include an explanation of the legal basis for the proposal: either (a) the error in the map as approved by city council, or (b) the changed or changing conditions making the proposed amendment necessary. This request for Zone Map Amendment will permit the Steele Branch of the Boys and Girls Club to meet changing conditions, allowing it to expand its facilities to accommodate girls as it has been Federally mandated to do; to provide accessibility for the handicapped; enhance life safety; and provide adequate and secure parking for its staff. 1. Under current R-2 zoning, 25% of the zone lot must be allocated to parking. A modification to this standard allocating 7% of the PUD will permit adequate parking for the facility staff. Since very few of the Club's members are old enough to drive, reducing the amount of parking required will allow much needed play space to remain available. 2. The original building was built in 1914, and is a non-conforming structure under current zoning standards. This amendment will modify the north and west bulk plane requirements, current setbacks, and allowed encroachments in order to allow two additions to be built and to bring the original structure into conformance. 3. An adjoining property containing a child care center is now owned by the Boys and Girls Club. This amendment would create one PUD out of the two zone lots. In addition, should the need for child care in the neighborhood decline, the PUD should be able to maintain development in accordance with the R-2 Zone District. 4. Signage requirements have been modified in order to meet the needs of the Boys and Girls Club and Child Care Facility and to bring existing signage into compliance. 5. Fencing requirements have been outlined that meet present needs.					
14. Use and development proposed for the property to be rezoned. 1. Community Center limited to serving persons 18 years of age or less, excluding necessary adult staff and volunteers 2. Child Care Center 3. Residential					
15. Exhibits Submitted, Number and Kind A. North & West Bulk Plane Modifications/Elevations			16. Applicants Signature 		

PUD at 3914 King Street
Address

Application Status: Preliminary _____ Complete X Final _____

1. SCHEDULE

- a. Date of pre-application conference 12-29-94
- b. Submittal date of preliminary application 1-26-96
- c. Submittal date of completed application 3-1-96
- d. Planning Board or Planning Office hearing date 3-27-96

Application requests: Planning Office Hearing (X)
Planning Board Hearing ()

The applicant has met with and discussed the proposed PUD with:

Neighborhood Associations? Yes (X) No ()
Affected Adjacent Residents and Property Owners? Yes (X) No ()

2. DESCRIPTION OF PLANNED UNIT DEVELOPMENT (PUD)

- a. MAXIMUM GROSS FLOOR AREA FOR EACH PROPOSED USE: *(The zoning ordinance definition of gross floor area shall apply to all PUD proposals. Define terms like "Retail and Light Industrial". It is required that terms and uses already defined in the Zoning Ordinance be used. Gross floor area shall include interior balconies and mezzanines, but shall not include parking garages or basement areas used for storage or utilities.)*

Attach additional sheets if necessary.

<u>Community Center</u>	<u>12,500</u> sq. ft.
use A.	maximum
<u>Child Care Center</u>	<u>3,000</u> sq. ft.
use B.	maximum
<u>Development in accordance with the R-2 zone district</u>	<u>15,500</u> sq. ft.
use C.	maximum
Total	<u>15,500</u> sq.ft.

TOTAL F.A.R. 0.83
(Floor Area Ratio - gross floor area divided by site area) LAND TO BE DEDICATED FOR PUBLIC STREETS SHOULD NOT BE INCLUDED IN THE SITE AREA.

For residential uses:

Maximum number of dwelling units N/A
Density (ratio of dwelling units per acre) N/A

b. LAND COVERAGE BY BUILDINGS AND IMPERVIOUS SURFACES:

Maximum building coverage:

7750 sq. ft. 41.4 % of site area

Maximum area of drives and parking:

1400 sq. ft. 7.5 % of site area

Approximate area of other impervious surfaces:

1807 sq. ft. 9.6 % of site area

Total impervious surface:

10957 sq. ft. 58.5 % of site area

c. LANDSCAPED AREAS AND/OR PERMEABLE AREAS:

Live or Organic landscaped lot coverage:

minimum 4992 sq. ft. 26.7 % of site area

Non-live lot coverage (gravelled and other permeable surfaces)

approximate: 2,781 sq. ft. 14.8 % of site area
Total minimum area: 7,773 sq. ft. 41.5 % of site area

d. PROJECT AREA TOTALS: (totals of "b" and "c")

Landscaped areas (permeable surfaces: 7773 sq. ft.

Building and impervious surfaces: 10957 sq. ft.

Total site area: 18730 sq. ft.
(this area must equal site area listed on page 1)

e. SETBACKS: (The minimum setbacks must be shown on the District Plan. A building envelope may be used to graphically depict the minimum setbacks required.)

North: <u>0</u> ft.	or	Front: _____ ft.
South: <u>23.8</u> ft.		Rear: _____ ft.
East: <u>10.8</u> ft.		Side: _____ ft.
West: <u>9.9</u> ft.		

Minimum spacing between structures 4.85'

Encroachments into setback space will conform to Section 59-119(2)d of the (R-0, R-1, R-2) zone district, except that existing porch on Child care Center will encroach 8'-0" and stairway on Community Center will encroach 9'-9".

Official Parkway setback requirements for this P.U.D. are: N/A ft. for buildings and _____ ft. for signs.

f. MAXIMUM HEIGHT OF STRUCTURES:

Maximum height: 2 stories 50 ft.

Rooftop features (such as solar collectors, antennas, chimneys, flues, vents, and air conditioning equipment.) may exceed these heights by: 5 ft.

The height of a building shall be determined by the vertical distance from the highest point of a pitched roof or to the highest parapet around a flat roof to the average elevation of the corners of the proposed building at the finished grade.

If bulk plane restrictions are to be utilized, these restrictions will conform to those of the N/A zone district. (solar collectors and mechanical equipment are not excepted from bulk plane restrictions!!!) Except for north and west bulk plane. See Exhibit A, south and west elevations with bulk planes, attached.

g. OFF-STREET PARKING:

This project shall contain 5 off-street parking spaces at the ratios shown below.

Use (a): <u>Community Center</u>	Ratio: <u>1:4167 = 3</u>
Use (b): <u>Child Care Center</u>	Ratio: <u>1:1500 = 2</u>
Use (c): <u>R-2 uses</u>	Ratio: <u>As per Article V</u>
Number of parking spaces for persons with disabilities:	<u>None</u>

Will this PUD conform to the requirements of Article V, Off-Street Parking?

Yes () Yes, except as noted below () or No (X)

If not, or if there are any exceptions, please provide the following information:

- (1) Parking space dimensions:
- | | |
|-------------------|---------------------|
| Universal spaces: | <u>8.5' x 17.5'</u> |
| Van spaces: | <u>13'0 x 20.0'</u> |
- (2) Driving aisle widths: N/A
Angle of stalls: 90°
- (3) Ratio of small car spaces to large car spaces: N/A

h. OFF-STREET LOADING SPACES:

This PUD will contain 0 off-street loading spaces. These spaces will conform with all of the requirements of Article VI, Off-Street Loading. If not, please provide the following information:

Off-street loading space dimensions: N/A

- i. SURFACE DRAINAGE: The rules and regulations of the Wastewater Management Division will require certain design and construction considerations to control surface water runoff. Does the site contain a flood hazard area as identified by the Federal Emergency Management Agency? Yes () No (X)
Does the site contain wetland areas? Yes () No (X)
(For assistance, contact WMD at 964-0500.)

- j. Interior streets, drives, parking areas and pedestrian walkways within the PUD district, if any, are shown on the District Plan.

- k. EASEMENTS: Existing and/or proposed utility and/or access easements are shown on the District Plan or are located as follows: N/A

- l. LANDSCAPING AND BUFFERING: Areas to be landscaped are shown on the District Plan. However, a more detailed landscaping plan may be required by the Planning Office. (A detailed landscape plan is required as a part of the site plan review phase after the rezone is approved.)
 - (1) Minimum number of trees to be planted: 0
 - (2) Minimum size of trees at time of planting: 2" caliper
 - (3) Minimum % of evergreen or coniferous trees: 0
 - (4) Minimum number of shrubs to be planted: 0
 - (5) Minimum size of container for planted shrubs: 0

Will the proposed PUD comply with the parking lot landscaping requirements of Sec. 59-585(10)? Yes () No (X)

All foliage shall be maintained in a healthy, growing and safe condition. Where street trees are proposed or required on the public-right-of-way, such trees shall be installed in accordance with the requirements of the City Forester. (964-2580)

Number of street trees proposed: 3

If street tree plantings are required within the right-of-way of a state highway, contact the Colorado Department of Transportation for approval (757-9930).

Fences and/or Walls:

The maximum height of fences and/or walls that may be built in the PUD district, except for front setback spaces: 6 ft.

The maximum height of fences and/or walls that may be built within the PUD district front setback spaces: 4 ft.

Such fences and/or walls shall be either solid and view-obscuring, or open and view-permitting as required by the District Plan and shall be shown (include the size and types of materials permitted) on the District Plan. Fences and/or walls shall be subject to Sec. 59-38(11) "Overheight Fences and Walls". Playground fencing existing at the date this Zone Map Amendment is approved shall be permitted. Replacement fencing for the child care center shall meet all zoning regulations in effect at that time, shall meet all state laws relating to child care center playgrounds, and shall be consistent with the needs of the facility and the standards of the neighborhood.

Earthen berms or mounds used for screening shall be landscaped and, if utilized, shall be shown on the District Plan. Maximum height: N/A ft.
Minimum height: N/A ft.

- m. BOAT, CAMPER, TRAILER AND RECREATION VEHICLE STORAGE: School bus or van storage (also for future possible residential use)
Permitted (X) Not Permitted ()

If permitted, screening fences will (X) will not () be provided for boat, camper, trailer, or recreation vehicle storage. Such fences shall be not less than 6 ft. nor exceed 6 ft. in height.

Maximum length of trailer and/or recreational vehicles permitted: 22 ft.
All such storage facilities shall be shown on the District Plan.

n. DEDICATIONS AND IMPROVEMENTS:

The owner understands that City ordinances and agency rules and regulations may require the dedication of additional right-of-way and the construction of certain public improvements. If this proposal involves the vacation of certain public rights-of-way for

s. OUTDOOR STORAGE OF PRODUCTS, MATERIALS, OR SOLID WASTE:

Permitted (X) Not Permitted ()
Screened (X) Not Screened ()

Height of solid fence or screening walls: 4'-0" min.- 6'-0" max. or adequate to conceal

t. CURRENT TRAFFIC VOLUMES: Not available.

The current traffic volumes on streets in or adjacent to the project must be shown on the Existing Conditions Map. These volumes are available for major streets from the Transportation Engineering Division, or the Planning Office or may be estimated by the applicant based on a professional traffic study. Streets for which no estimate is available should be noted.

Site generated traffic should be estimated and noted by the applicant based on proposed project type, size, and other relevant factors. Ratios for estimating traffic are available in Institute of Transportation Engineers reference books at the library.

For projects with total daily site generated traffic of more than 200 vehicle trips, or for projects in areas with special problems, more detailed analysis may be required, and the applicant should contact the Transportation Engineering Division at 640-3958 for further guidance.

Public Transportation: The nearest bus stop is located: (Where?) West 38th Street and Lowell Boulevard

u. FUTURE SCHOOL SITES: (Applicable to large residential PUD's; contact Denver Public Schools for more information).

Will be dedicated. () Will not be dedicated (X)

v. HOME OCCUPATIONS: (Residential PUD's only)

Permitted (X) for any residential unit contained in the PUD.
Shall conform to Sec. 59-80(4)(a) of the R-2 district.

w. TEMPORARY USES: Uses by temporary permit will be regulated by Sec. 59-80(5)(a) (R-2 zone)

x. ACCESSORY USES: Will be permitted and regulated by Sec. 59-80(6)(a) (R2 zone)

y. INTERIM USES: Prior to the development of this project, the property may be used on an interim basis for the following uses within existing buildings: N/A

- z. PHASING: Developed in phases? Yes () No (X)
If yes, specify the phasing and the improvements to be constructed in each phase: _____

Anticipated starting date 6/3/96 Completion date 6/3/97

A SEPARATE SITE PLAN REVIEW IS REQUIRED FOR ALL PUD'S PRIOR TO OBTAINING ZONING OR BUILDING PERMITS FOR CONSTRUCTION. CONTACT THE ZONING ADMINISTRATION FOR MORE DETAILS. THIS PROCESS, IF REQUIRED, MAY BE STARTED AFTER THE PLANNING BOARD HEARINGS ARE COMPLETED.

3. On an attached page a written statement is given generally describing:
- a. The proposed PUD and the market it is intended to serve.
 - b. Its relationship to the Comprehensive Plan: Where the applicant's objectives are not in substantial conformance with the changing conditions that justify approval of the proposed PUD District. (*For help with this, contact the Denver Planning Office.*)
 - c. How the proposed PUD District is to relate to the character of the surrounding neighborhood.
4. The "Existing Conditions Map" is attached following the written statement described above.
5. The "District Plan" is attached following the "Existing Conditions Map".


This plan includes the following listed and attached drawings or renderings:

- | | | | |
|-------|---|--------------|-------------------------------------|
| _____ | Architectural concepts | <u> X </u> | Building elevations with Bulk Plane |
| _____ | Facade treatments | _____ | Exterior building materials |
| _____ | Other important features (<i>Please list</i>) _____ | | |
- _____

6. ACKNOWLEDGMENT:

- a. The applicant for this PUD is the owner or owners of all the property contained within the proposed PUD District or is the agent for the owner or owners of all the property contained within the proposed PUD District.
- b. The applicant understands that vested property rights shall be created ninety (90) days after the approval of this district plan by the Denver City Council. These vested property rights shall remain vested for a period of three (3) years in accordance with Sec. 59-29.

John Arigoni
Print or type applicant's name


Applicant's signature

PUD SUMMARY SHEET

Application # 4242
 Address/Location 3914 King Street
 Total Land Area 18,730 sf or 0.43 acres

Permitted Uses

Use A Community Center
 Use B Child Care
 Use C Development in accordance with the R-2 Zone District

	Proposed Uses			Total
	Use A	Use B	Use C	
Maximum Gross Floor Area (sq. ft.)	12,500	3000	(3000) Future	15,500
F.A.R. (non-residential uses)	0.67	0.16		0.83
Maximum number of dwelling units				0 (1) Future
Density (dwelling units/acre)				NA
Land Coverage (sq. ft.)				
Buildings	6118	1482		7600
Drives and Parking				1380
Other (sidewalks)				1807
Parking				
Number of spaces	3	2		5
Ratios (spaces:floor area)	3:12,500	2:3,000		1:15,500
Landscaping				
Area of living landscaping (sq. ft.)				4992
Area of non-live landscaping (sq. ft.)				2781

Building Setbacks:

Front	_____ ft.	North	<u>2.0</u> ft.
Side	_____ ft.	South	<u>23.8</u> ft.
Rear	_____ ft.	East	<u>10.8</u> ft.
		West	<u>9.9</u> ft.

Parkway Setbacks N/A

Buildings _____ ft. Signs _____ ft.

Required Separation Between Buildings 4.85 ft.

Maximum Building Height

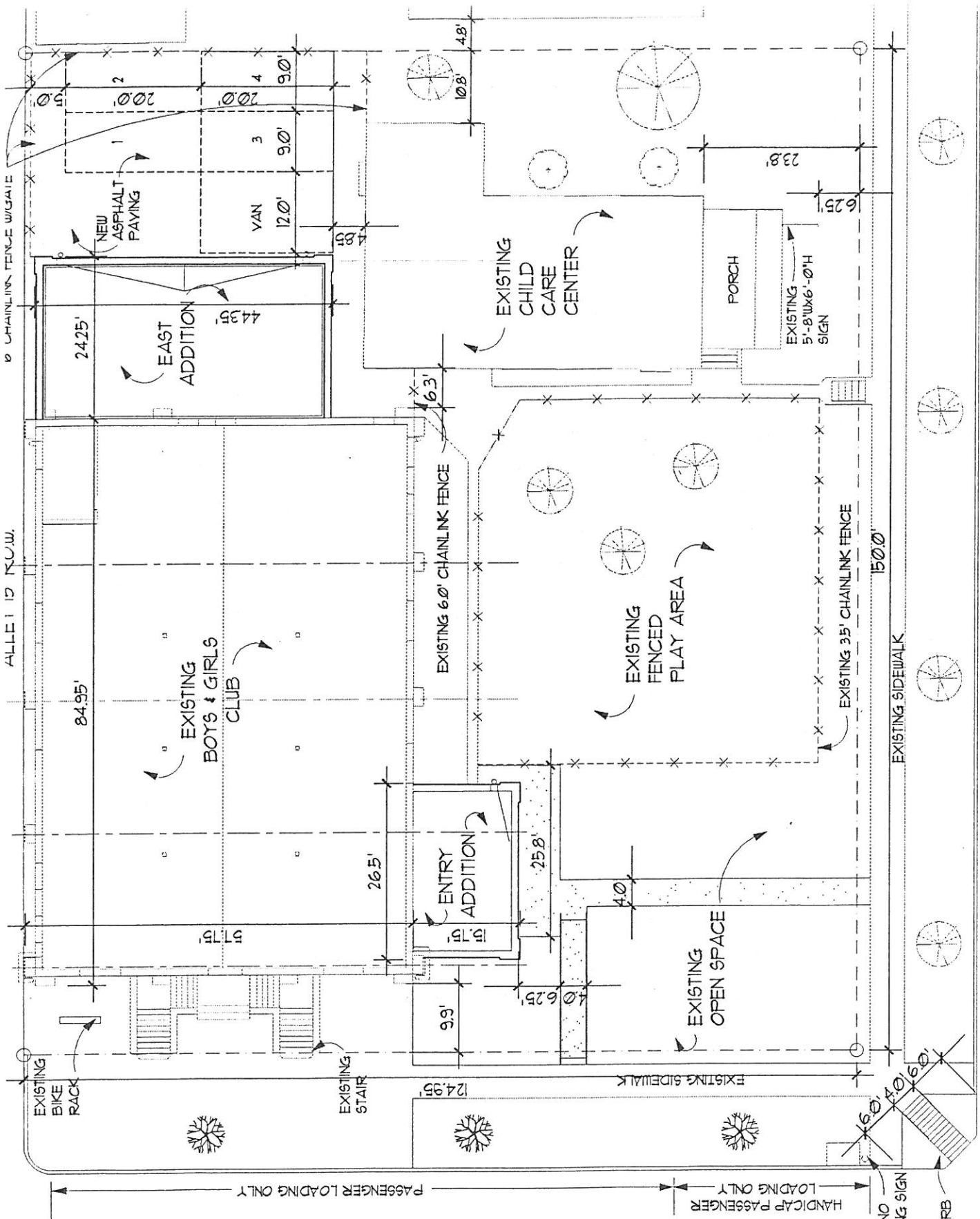
Stories 2 _____ 50 feet

Maximum Fence Height:

6 ft

NOTE: FOR COMPLETE PUD REQUIREMENTS REFER TO APPLICATION # 4242

39th AVENUE 66' ROW.
 (PROJECTED ADT NOT AVAILABLE)



KEY	
	EXISTING TREE
	EXISTING SHRUB
	NEW STREET TREE
	CHAINLINK FENCE
	NEW PEDESTRIAN WALKWAY

KING STREET
 66' ROW
 (ADT SHOULD NOT CHANGE DUE TO PROJECT - EXISTING USE WITH NO PROJECTED CHANGE IN CAPACITY)



SCALE: 1" = 20'-0"

EXIST. NO. PARKING SIGN
 NEW CURB RAMP

PASSENGER LOADING ONLY
 HANDICAP PASSENGER LOADING ONLY

Berkeley Regis United Neighbors, Inc
3905 Zenobia St, Denver CO 80212
BerkeleyRegisNeighbors.org



March 29, 2016

Mr Brad Buchanan
Executive Director
Community Planning and Development
City and County of Denver
201 West Colfax Avenue
Denver CO 80202

Re: 3914 N King Street and 3441 W 39th Ave

Dear Mr Buchanan:

Berkeley Regis United Neighbors ("BRUN") is a registered neighborhood organization with the city of Denver. The RNO's boundaries are Federal Blvd to the east, Sheridan Blvd to the west, 38th Ave to the south, and 52nd Ave to the north. Membership is available to households and businesses within BRUN's boundaries. BRUN currently has 92 active paid members and a list of 741 contacts and 804 followers on Facebook. Information is shared with the neighborhood regularly through email blasts and postings on various forms of social media as well as our website including notices of upcoming meetings and summaries of those past. General meetings with the BRUN Board are held monthly and are open to the public.

BRUN members, including myself as a Board representative and Chair of the BRUN Zoning Committee as well as Michael Beasley, also a Board representative and Chair of the BRUN Public Works Committee, met with neighbors, community leaders and the applicant at the site on March 28th, 2016. The BRUN Board of Directors voted via email with 9 in favor on March 29th, 2016, in support of the following position statement:

The property, known as the Robert W Steele Gymnasium/ Community Center, has held a significant position in the neighborhood for the past century, originally built to house recreational and social activities for children, a purpose for which it is still used today. We understand that David McMurtry intends to convert the property into a Goddard School for children ages 6 weeks through 6 years old and believe that this is a desirable use for the community. We understand that the current PUD does not allow enough square-footage dedicated to childcare for the property to be converted to a preschool as desired by the applicant. As such, there is a need for a modification of the zoning.

We support the desire to modify the zoning designation, however we are concerned that instead of modifying the permitted uses of the existing PUD, re-zoning the property simply to U-SU-B1 does not reflect the unique circumstances of the property. We urge the Planning Board to consider customizing the zoning designation. In particular, we would like to see a relaxation of the on-site parking requirements associated with permitted community/public services, cultural purposes, and public assembly so that future developers are not encouraged to demolish existing structures in order to provide parking. We feel that there are opportunities for off-site and street parking that are more desirable to the neighborhood than the limited possibilities for on-site parking. We

would also suggest that the new zoning allow, subject to review, permitted office uses so that the “Denver Square” property at 3441 W 39th Ave is encouraged to be used in a manner that is comfortable for a property so tightly connected to young children. Lastly, as support of these modifications to the U-SU-B1 zoning designation, we would like to see Landmark designation pursued for the gymnasium building at 3914 King Street.

Thank you for the opportunity to provide input on this application.

Best Regards,

Michelle Frankel
Chair, Zoning and Licensing Committee
Berkeley Regis United Neighbors

CC:

Analiese Hock, Associate City Planner
Michael Painter / Colorado Uplift / Ben Hughes
David McMurtry
Rafael Espinoza, Denver District 1 Councilman
Amanda Sandoval, Council Aide
Paul Vorndran, BRUN President
Berkeley Regis United Neighbors Board of Directors

To Denver Planning Board:

RE:ZONE MAP AMENDMENT REZONING APPLICATION 3914 KING ST/3441 W 39TH AVE-PUD#406 TO U-SU-B1

My name is Marie Edgar and I live one block from the Historic Steele site that you are considering today. I attended a recent meeting with friends and neighbors of the Steele Gymnasium and the Four square historic manse, located on that site. I, and my neighbors have a shared interest in David McMurtry's successful purchase and reuse of these neighborhood assets. His intention to create a school campus on this historic site will affect our lives for years to come, even as he serves the needs of the Denver families with young children who enroll in his planned Goddard School.

We would be in favor of your approval (1) of amendments to the current PUD as a first choice. A second possible solution could be (2) "customized zoning" that would support the stabilizing presence of the Goddard campus in our neighborhood.

We read over the criteria in the Denver Comprehensive Plan that Community Planning and Development has offered to support approval of the rezoning application from a PUD to U- SU-B1. We do not agree that this rezoning would be:

- "promoting or creating infill development"
- "creating density at a transit node"
- creating a reasonable expectation that Mr. McMurtry will "coordinate with DPS and community base organizations to expand recreation opportunities and after school programs" as a private preschool.
- justified by the circumstance noted in the staff's analysis: "to recognize the changed character of the area"

However, in step with Denver's Comprehensive Plan, as part of both a Neighborhood Strategy and an Education Strategy, we do agree that Goddard School would "continue to foster integrity and livability" in the surrounding neighborhood and will "support high quality comprehensive preschool education." These two pertinent criteria can be met appropriately in the current PUD with amendments to waive any unworkable parking requirements and to offer flexibility for use of the Denver Square as a valued part of the school campus with which it has been associated for a century. We feel that with two valued historic buildings on this zone lot, the amended PUD or a comparable "specialized zoning" would be strongly justified.

These two solutions, in line with Blue Print Denver, as well, would enable a "community use to remain embedded within the neighborhood." It will also help preserve two significant historic buildings.

Thank you for your time and dedicated attention to this rezoning question.

Respectfully,

Marie Giedraitis-Edgar

cc:

rafael.espinoza@denvergov.org
amanda.sandoval@denvergov.org
brad.buchanan@denvergov.org

March 30, 2016, delivered by hand

Denver Planning Board
Community Planning Development
City & County of Denver
201 W. Colfax Ave., Dept. 205

RE: Zoning Map Amendment Application 20151-00174
3914 N. King St. and 3441 W. 39th Ave.

TO WHOM IT MAY CONCERN:

I am writing today to express my concerns regarding the above referenced zoning map amendment application and request changes to it that your Board would mandate for its approval. I do so after having studied the application, meeting with an Associate City Planner, attending a community meeting with the property's prospective buyer and reviewing the city's new zoning code and rezoning process. More importantly, my concerns and objections are informed by my almost twenty-five years as home owner residing on the same block as the Steele Gymnasium/Community Center and the child care center in question.

As a long-time resident of this neighborhood I have worked with the different owners and tenants of these properties to address the ongoing trash, parking and traffic issues caused by their respective occupancies. Often we've been able to find mutually-agreeable solutions to these problems, with the two most intractable issues being traffic congestion and parking. Understanding that these latter two issues will be considered later in the zoning permit process, never-the-less I'm concerned that the both the current and prospective owners have not only failed to offer creative solutions to these problems, *but seem to not even be fully aware of their existence or impact on the neighborhood.*

In order to partially meliorate the traffic congestion and parking concerns I offer the follow proposals as special conditions should the Board choose to approve this zoning map amendment application or its resubmittal (or any other subsequent zoning map amendment application). These conditions would require the current and/or future owners to:

- Enter into an agreement with the proper authorities at Denver Public Schools to develop and implement a joint-traffic plan which would expedite the drop off and pick up of both Skinner Middle School students and child care center clients. This plan would delineate desired North/South and East/West flows, establish drop-off and pick-up procedures, educate and train parents as to these procedures, staff high-use periods with 'traffic marshals' and erect proper signage in conjunction with the City and County of Denver.
- Enter into an agreement with any number of nearby property owners (e.g. US Bank or Mt. Saint Vincent Home) to provide off-street, off-site parking for child care center employees.
- Explore other initiatives to encourage both clients and employees to use alternative forms of transportation (e.g. free bus passes, shuttle services, carpooling, covered and secured bicycle storage, etc.).

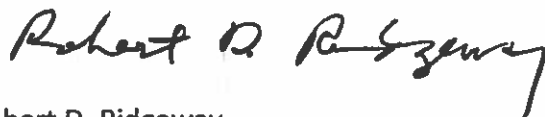
R. D. Ridgeway
Denver Planning Board
March 30, 2016
Page 2

In addition to the above referenced concerns, as a Denver native and long-time neighborhood resident, I'm opposed to the rezoning of the Robert W. Steele Gymnasium from PUD 406 to U-SU-B1. As you may know, the Robert W. Steele Gymnasium is listed on the State Historic Register. I understand it is not the current and prospective owners' intention to redevelop this property as single-family residences, but that may not be the case with any future owners. Once the property is zoned U-SU-B1 all any owner would need to do to redevelop the property as single-family residences would be to secure a demolition permit and/or a certificate of non-historical standing.

Accordingly, I would ask the Board to require the current and/or future owners to apply for landmark designation for the Robert W. Steele Gymnasium as a special condition for approval of this zoning map amendment application. Alternately I would ask the Board to require the current and/or future owners to split the two parcels and resubmit *a separate zoning map amendment application for the 3914 N. King St. property* which would create a new PUD that would clearly allow for the use of the property as a child care center, and prohibit its redevelopment as single-family residences.

Finally, should the Board fail to grant any of the above requested special conditions for approval of this zoning map amendment application or to alternately ask the applicant to split the two parcels and resubmit *a separate zoning map amendment application for the 3914 N. King St. property*, I would ask the Board to continue to a later date consideration of this application. This continuance would allow for further discussions between the current and/or future owners, the property's neighbors, the Registered Neighborhood Organizations and other interested parties and prospective partners, with the goal of finding solutions to the concerns and issues I have briefly identified above.

Sincerely,



Robert D. Ridgeway
3937 Julian St.
Denver, CO 80211

Cc: David McMurtry
Councilman Rafael Espinoza
Mike Beasley, BRUN, Inc.



March 30, 2016

Planning Board
Community Planning and Development
201 W. Colfax Ave., Dept. 205
Denver, CO 80202

Dear Planning Board:

I am writing you to convey important considerations related to the re-zoning of the properties at 3914 King Street and 3441 W. 39th Avenue. We are excited about the potential use of the primary structure, the Steele Gymnasium, as a childcare facility as this is a compatible and viable use that also continues the historic legacy of the structure as a youth-related facility.

However, the current proposed re-zoning from PUD 406 to U-SU-B1, while allowing for a slightly modified use at the Steele Gymnasium (3914 King St. property), appears to unnecessarily restrict the use of the accompanying manse (3441 W. 39th Ave. property), thus threatening its viability.

The Robert W. Steele Gymnasium was constructed in 1914 and was soon followed by the accompanying home, or manse, as a support structure. These buildings have always been interconnected. The gymnasium was a physical representation of the impact of the early twentieth century Progressive Movement in Denver. It was constructed to house recreational and social activities for children as a means of shaping their leisure activities and preventing juvenile delinquency. The manse was constructed to provide support in the form of housing and additional services for the work being done in the gymnasium.

After having discussions with both the intended buyer of the property and the immediate neighbors, it is clear that both desire flexibility within the zoning to allow for the continued use of both buildings on the site. Historic buildings, by virtue of their longevity, require the ability to adapt to new uses in order to remain vital pieces of our urban community. Denver is full of excellent examples where this has occurred and we should not let this property to be limited unnecessarily when options agreeable to all parties are available.

We would propose a waiver to the proposed zoning similar to the UO-3 overlay available for historic properties in residential zone districts. We understand that the square footage of the manse is below the 5,000 square foot minimum normally required for this overlay, however, since both the gymnasium and manse have traditionally been related, we believe the combined square footage could be considered. Also, while the gymnasium is already State Register listed as historic, we believe it has definite potential to be locally landmarked and could be as a condition of a future waiver.

Thank you for your consideration of our concerns for the current re-zoning proposal. The manse has not been in residential use in over 20 years, but by changing the zoning as currently proposed, it would be restricted in a manner that we believe could have a detrimental effect to the building's viability over the long term. We believe, with the City's assistance and coordination with the District 1 Council Office, a simple solution can be achieved that would satisfy the regulations, the owner, and the surrounding community.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. P. Olson". The signature is fluid and cursive, with the first name "John" and last name "Olson" clearly distinguishable.

John P. Olson
Director of Preservation Programs

Dear Madam or Sir,

We are writing to respectfully express our opposition and concerns regarding the proposed rezoning at 3441 W 39th Ave & 3914 N King St: 2015I-00174.

Even though some of us have a background in residential real estate, none of us have a background in zoning, so please excuse if we do not have the expertise or have misinterpreted some of the zoning regulations.

We oppose the rezoning for the following reasons:

- 1) The applicant represents that a childcare facility would benefit the safety and welfare of the public. Even though we agree that child care at that location does benefit the community, we are outraged by that argument as the Steele Cooperative Preschool (a school with a perfect 4-star Qualistar rating) has been located at one of the parcels for decades and had its lease terminated last summer which caused palpable outcry in the community. Luckily, with a lot of help of parents and the community, it was possible to secure a new location. We have to say that it is ironic that one preschool's lease was terminated to be able to sell the property without a tenant and now that new potential owner is proposing a rezoning with the argument that the neighborhood needs child care.
- 2) The current PUD #406 already allows the use as a daycare. One difference between the PUD and U-SU-B1 is the off street parking requirement which we believe is the real reason for the proposed rezoning. The PUD would require 1 parking spot per 600 sq/ft while U-SU-B1 would only require 1 parking spot per 1000 sq/ft. We have a friend who lives very close to a childcare center of similar size to what the daycare in the King Street building would be. She has often talked about how that childcare facility has impacted the traffic and parking situation in that residential neighborhood. Our research has shown that most suburban large daycares have 35-60 parking spots. The urban location our friend lives close to has the same 1/600 requirement as the PUD has and there is still a lot of on street parking overflow into the neighborhood especially when the children are being dropped off or picked up. That would be even 66% worse at this location if the rezoning is granted. We are very concerned about the increased traffic as much of it would occur at similar times to when children arrive or leave Skinner Middle School and we fear that the addition of a large daycare would create traffic chaos in our neighborhood. When doing our research we found that a lot of planning committees around the nation have required large daycares to submit traffic impact studies. We believe that the reduction in required off street parking would create a significant increase in on street parking. Our residential roads could be easily congested by people parallel parking on the street and we believe more off street parking as required by the PUD would be crucial to the traffic flow in our neighborhood if a large daycare is added. We respectfully suggest to require the applicant to submit a traffic and parking impact study for this location prior to making the decision.
- 3) A child care center is a permitted use under U-SU-B1 with certain limitations. One of the limitations is that it is "Within an existing nonresidential structure originally designed for a nonresidential use and not for residential occupancy;" [11.3.4 -1 b]. We believe that the current structure would not be compliant with the requirement of U-SU-B1 in regards to set backs etc., it would not receive a zoning permit if currently build new and can only be grandfathered in. We feel that the rezoning request is trying to get the best out of both worlds. For parking reasons the U-SU-B1 zone is what is desired by the applicant. The structure needs to be grandfathered in as the use would not be permitted if not located in an existing building. That existing structure would not meet U-SU-B1 zoning requirements. We think that is very hypocritical.

We hope you are taking the arguments and opinions above into consideration.

Respectfully

A group of concerned neighbors.

To Denver's Neighborhoods and Planning Committee,
Re: Rezoning PUD 406 to U-SU-B1

The neighbors adjacent to the properties at the addresses of 3914 King St. and 3441 West 39th Ave, along with interested North Denver residents, met with the future owner of the Steele properties, David McMurtry, on March 28th. The purpose of the meeting was to learn about the Goddard School that would open on this site, and to share questions and concerns about Mr. McMurtry's plans.

At the Planning Board's Public Hearing, on March 30th, we shared four letters that brought those questions and concerns to the Board's attention. The main concerns and questions are:

1. Amendments need to be made to the current PUD if it remains in place.
2. Customized zoning would be a way to support the stabilizing presence of the Steele Center campus.
3. The Steele Gymnasium and the Foursquare (Manse) need to be zoned in a way that takes into account their history, since 1914, as a "campus?"
4. Since the Foursquare has not been used as a residence for over 20 years, it should be allowed uses other than residential under the proposed rezoning to U-SU-B1.
5. Neighbors could support proposed zoning that incorporates a UO-3 overlay, available for historic properties in residential zone districts. We would want the two parcels to be combined into one parcel, eliminating the zone lot line, and combining the square footage of the buildings in order to meet the UO-3 requirement for 5K square feet.
6. Conditions related to parking requirements and traffic planning must be included in the approval of the rezoning.

In light of the Steele community's responses to Mr. McMurtry's tentative plans for the site, we ask that:

7. David McMurtry's submit use permit applications for the Foursquare, once the rezoning is complete, as a necessary condition of rezoning approval. His choices for the reuse of this building could include: office space, training space, Child play area for bad weather days, storage and others.
8. David McMurtry commit to Landmark applications for both buildings, as a campus, within the year 2016, as a condition of the rezoning.

9. Mr. McMurtry enter into agreements with neighbors, nearby property owners and the proper authorities to effectively mitigate traffic congestion and parking issues resulting from Goddard's presence on this site.

Thank you for your serious consideration of these zoning, use, parking and traffic questions.

Respectfully,

Marie Edgar edgardm1@msn.com

Tim and Sara Mackie

Laurie Simmons

April 6, 2016

Neighborhoods and Planning Committee
Denver City Council
City & County Building
1437 Bannock St., Rm 451
Denver, CO 80202

RE: Zoning Map Amendment Application 2015I-00174
3914 N. King St. and 3441 W. 39th Ave.

TO WHOM IT MAY CONCERN:

I am writing today to express my concerns regarding the above referenced zoning map amendment application and to request conditions to that application which your Committee would mandate for its approval. I do so after having studied the application, meeting with an Associate City Planner, attending a community meeting with the property's prospective buyer and reviewing the city's new zoning code and rezoning process. In addition, I've submitted written comments regarding this matter to the Denver Planning Board and testified at its recent public hearing held on March 30, 2016. More importantly, my concerns and objections are informed by my almost twenty-five years as home owner residing on the same block as the Steele Gymnasium/Community Center and the child care center in question.

As a long-time resident of this neighborhood I have worked with the different owners and tenants of these properties to address the ongoing trash, parking and traffic issues caused by their respective occupancies. Often we've been able to find mutually-agreeable solutions to these problems, with the two most intractable issues being traffic congestion and parking. Understanding that these latter two issues will be considered later in the zoning permit process, never-the-less I'm concerned that the both the current and prospective owners have not only failed to offer creative solutions to these problems, *but seem to not even be fully aware of their existence or impact on the neighborhood.*

In addition to the above referenced concerns, as a Denver native and long-time neighborhood resident, I'm very concerned about the potential loss of such a valuable community resource as the Robert W. Steele Gymnasium. As you may know, the Steele Gymnasium/Community Center is listed on the State Historic Register. I understand it is not the current and prospective owners' intention to redevelop this property as single-family residences, but that may not be the case with any future owners. Once the property is zoned U-SU-B1 all any owner would need to do to redevelop the property as single-family residences would be to secure a demolition permit and/or a certificate of non-historical standing.

In order to partially meliorate the traffic congestion and parking concerns, as well as to prohibit the demolition and redevelopment of the existing Gymnasium and Denver Square manse, I offer the follow

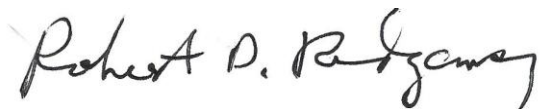
Neighborhoods and Planning Committee, Denver City Council
Robert D. Ridgeway
April 6, 2016
Page 2

proposals as special conditions should the Committee choose to approve this current zoning map amendment application. These conditions would require the current and/or future owners to:

1. Enter into an agreement with the proper authorities at Denver Public Schools to develop and implement a joint-traffic plan which would expedite the drop off and pick up of both Skinner Middle School students and child care center clients. This plan would delineate desired North/South and East/West flows, establish drop-off and pick-up procedures, educate and train parents as to these procedures, staff high-use periods with 'traffic marshals' and erect proper signage in conjunction with the City and County of Denver.
2. Enter into an agreement with one or more of nearby property owners (e.g. US Bank or Mt. Saint Vincent Home) to provide off-street, off-site parking for child care center employees.
3. Offer incentives to the employees of any current or prospective owners to use alternative forms of transportation (e.g. free bus passes, shuttle services, carpooling services, covered and secured bicycle storage).
4. Apply for landmark designation for the Robert W. Steele Gymnasium and the Denver Square manse with the Denver's Landmark Preservation Commission.
5. Add a Historic Structure Use Overlay District (UO-3) to this application in order to encourage the continuing preservation and adaptive reuse of these historic structures.

Should the Committee fail to grant any of the above requested special conditions for approval of this zoning map amendment application, I would ask the Committee to continue to a later date consideration of this application. This continuance would allow for further discussions between the current and/or future owners, the property's neighbors, the Registered Neighborhood Organizations and other interested parties and prospective partners, with the goal of finding solutions to the concerns and issues I have briefly identified above.

Sincerely,



Robert D. Ridgeway
3937 Julian St.
Denver, CO 80211

Cc: Michael Painter, Colorado UpLift
David McMurtry, ACDFF, LLC

Hock, Analiese M - CPD Planning Services

From: Brian Nochlin <bjnochlin@gmail.com>
Sent: Wednesday, June 08, 2016 11:45 AM
To: Hock, Analiese M - CPD Planning Services
Cc: McMurtryCO@gsi-ano.com
Subject: Letter in regards to Goddard School on 39th and King

Follow Up Flag: Follow up
Flag Status: Flagged

Hello -

Thank you for taking the time to read my email in regards to stating my support of the Goddard School that is being proposed at 39th and King in the 80211 zip code of Denver. I live in this zip code, and my wife and I are expecting this summer. We moved into this neighborhood (Sunnyside) several years ago because we love the location, the growing development, and the new, young families who are moving into this neighborhood.

Now that we're expecting, we've been more aware and have been looking into where we will send our child for early developmental education. To our surprise and ignorance, we found there are very few options within our neighborhood, and the options that are available, have unbelievable waiting lists. As I mentioned, one of the reasons we moved into this neighborhood was the growing development in the area and the influx of smart, young, family oriented people. It concerns me that with this area in such a transitional state and growing very rapidly, especially with the attraction of so many young families, there are not more options for early education.

My wife and I moved out to Denver almost 4 years ago for the same reasons so many others have, which has made Denver one of fastest growing cities and most desirable places to live in America. With this population growth comes needed change and growth for the city, from infrastructure of roadways, to commercial and residential buildings for people to live and work, to more places for children to get a good, fair, and accessible education at an early age in their local communities.

This Goddard School would be a pivotal part of this neighborhood that would help, not only this zip code, but all of Denver continue to grow and produce great young people and families who can contribute to the city and neighborhood in positive ways. If schools such as these, especially in neighborhoods such as this, are not supported, the opposite effect will take place and these families and good growth that we see for our city and neighborhood will soon dissipate.

As you are part of the community planning and development, I hope you can see the need for more early education options, just as you can see the need for more residential buildings, restaurant developments, etc. Without better, more local options for education, those residential and restaurant developments will no longer be needed when people leave this area seeking better options for their family.

Thank you for reading this, and thank you for your hard work in making this city one of the best in the country. Your work does not go unappreciated.

Brian Nochlin
4495 Eliot St.
Denver, CO 80211

Hock, Analiese M - CPD Planning Services

From: Cassie Hertert <cassie.hertert@gmail.com>
Sent: Tuesday, June 07, 2016 3:27 PM
To: Hock, Analiese M - CPD Planning Services
Cc: McMurtryCO@gsi-ano.com
Subject: 3914 N King Street and 3441 W 39th Ave

Follow Up Flag: Follow up
Flag Status: Flagged

Analiese Hock
analiese.hock@denvergov.org
cc: McMurtryCO@gsi-ano.com

Attn:
Community Planning and Development
City and County of Denver
201 West Colfax Avenue
Denver, CO 80202

RE: 3914 N King Street and 3441 W 39th Ave
Zoning Map Amendment Application 2015I - 00174

Good afternoon,

I am writing today to vocalize my support of the proposed Goddard School in the former Steele Gymnasium at 3914 N King Street.

When my childcare situation changed abruptly earlier this year, I was distraught to learn that every center providing care to preschool-aged children within a 15 mile radius of my home boasted a waitlist of a year or more. We were fortunate to secure the very last spot at a center opening in a neighboring suburb. But the experience highlighted the glaring and growing gap between the services that were able to support our population 5 years ago, and the services that are required to do so now.

My husband and I both work full time jobs, to which we are both passionately committed. We feel that our children have access to better learning and socialization opportunities among their peers and those who've dedicated themselves to early childhood development. But our strongest desire is to be a partner in the daytime development and care for our son and daughter. To believe they are receiving the support they need to achieve their potential. The lack of options in our neighborhood, and the lack of availability among the few, cultivates an environment where there is no longer a partnership between the parents and their children's care provider. It limits or even eliminates our ability to stand up for what is best for our kids, and what is best for our family - because we have nowhere else to go.

The Goddard Schools are well known as centers that promote learning through play, provide a nurturing environment during a crucial time of development, and work with parents to ensure a collaborative approach to the care for their children. I feel strongly that this is a welcome and necessary addition to our neighborhood.

It can be difficult for those long past the days of daycare and preschool to recall this time in their own lives. To be unable to see beyond the potential inconveniences that may impact their day in a negative way and recognize the positive impact to our area. Looking out my front window to the Alexan West Highlands development, I can certainly relate to the discomfort that is sometimes a part of growth. But our city *is* growing, no matter how vociferously some may protest. And if we do not support these programs coming into our neighborhood, we will soon see the residents that need them begin to leave.

I trust in the council's awareness that a community - even, or perhaps *especially* an urban community - requires more than residences and restaurants. Residents of Northwest Denver seek the opportunity to fulfill our needs locally - and that should include access to quality childcare.

With appreciation for your work to better our city,

Cassie Hertert
3763 Lowell Blvd.
Denver, CO 80211

Hock, Analiese M - CPD Planning Services

From: Lindsay Grote <lindsaygrote@gmail.com>
Sent: Friday, June 10, 2016 10:53 AM
To: Hock, Analiese M - CPD Planning Services; McMurtryCO@gsi-ano.com
Cc: Jeremy Ehly
Subject: Goddard School @ 39th & King

Follow Up Flag: Follow up
Flag Status: Flagged

Re: 3914 N King Street and 3441 W 39th Ave

Zoning Map Amendment Application 2015I - 00174

Dear Analiese,

We have been looking forward to the potential new Goddard school just several blocks up the street from our house. I know I speak for myself and most of my neighbors as we all have little ones. With the shortage of schools in the neighborhood and weight-lists galore for pre-school and pre- pre-school, this will be important to keep the neighborhood thriving, our children safe and educated :)

Thank you very much for your consideration! Please feel free to reach out to me if you would like - I have included my contact info below.

Warm regards,

Lindsay Grote
312-399-1905

Hock, Analiese M - CPD Planning Services

From: Megan Pluskis <pluskis@gmail.com>
Sent: Tuesday, June 14, 2016 8:53 PM
To: Hock, Analiese M - CPD Planning Services
Cc: McMurtryCO@gsi-ano.com
Subject: Support for Goddard School

Good evening,

I am writing to express my support for the development of the proposed Goddard School in the former Steele Gymnasium at 3914 N. King Street.

As a resident of the neighborhood, I strongly believe that the addition of the Goddard School would not only benefit those in the area who have children, but those who do not as well. I am part of the latter category. I believe that providing a space, such as the Goddard School, for children to receive care, education, and nurturing is essential for helping aid their maturation into responsible, engaged, and active citizens of our community. All children in our area are deserving of such an opportunity, and our community would greatly benefit from providing this strong foundation to our youth population.

Opening the Goddard School would be a significant asset to our community of today and that of tomorrow.

Thank you in advance for your consideration of my support.

Sincerely,

Megan Pluskis

Hock, Analiese M - CPD Planning Services

From: Emily Jacobson <emilyannjacobson@gmail.com>
Sent: Wednesday, June 15, 2016 1:12 PM
To: Clark, Jolon M. - City Council
Cc: Hock, Analiese M - CPD Planning Services; McMurtryCO@gsi-ano.com
Subject: letter in support of CB16-0252

Dear Councilperson Clark,

I am writing to urge you to vote yes on the passage of CB16-0252, which will come before the Council on Monday, June 20th. CB16-0252 will rezone the property at 3441 W. 39th Ave. to accommodate the redevelopment of the former Steele Street Gymnasium into a Goddard School for Early Childhood Development. I am in support of the creation of this school because I know first hand how difficult it is to find good quality childcare in Denver, especially childcare that has an educational focus to prepare children for elementary school and beyond. There are simply not enough schools of this kind and wait lists are the rule, not the exception.

My husband and I live in your district with our two young children, ages 3 and 1. When I was pregnant with our first, I got on the wait list at the Goddard School that is located on S. Emerson. I had been warned by other parents that we would absolutely not get in if we didn't get on the wait list immediately. Turns out doing so when pregnant was not soon enough. After I had my daughter and my maternity leave came to a close, we were still on the wait list. So we changed course, hired a nanny, and waited. And waited. And waited some more. When my daughter was 17 months old, our nanny told us the wonderful news that she was pregnant and would be leaving us to prepare for her own family. I thought surely we would be in to Goddard by the time she would have her baby! Again, no. We course corrected again and thankfully got into another school in the area. In the end, we were on the Goddard wait list for 22 months and never reached the top.

This is the case throughout Platt Park, Wash Park, and all around the City. Our wonderful Denver neighborhoods are bursting with vibrant young families, many with two working parents. The Highlands area is especially in need of schools like this. Not just child care -- early childhood education -- which prepares our children to enter K-12 ready to learn.

Opening this school is the dream of owners Allison and David McMurtry. This is not a temporary stop along the way for these folks. The Steele Street Gymnasium is NOT in danger of being turned into single-family homes in 10 years. Rather, the Steele Street Gymnasium is positioned to become a much-needed school to serve the changing needs of the the neighborhood. Please support this bill and urge your fellow Council members to do the same.

Respectfully,

Emily Jacobson
1990 S. Pennsylvania St.

Nanci Kerr
4529 West 37th Place
Denver, CO 80212
nkerr@skytoground.com

June 15, 2016

Analiese Hock
Community Planning and Development
City and County of Denver
201 West Colfax Avenue
Denver, CO 80202

**RE: 3914 N King Street and 3441 W 39th Avenue, Denver, CO 80211
Zoning Map Amendment Application 2015I - 00174**

Dear Ms. Hock:

Please allow this letter to serve as my formal **support** of the rezoning application by Colorado Uplift. This application is extremely straight forward. It allows for the continued use of a gymnasium and single family structured as facilities that support children. Colorado Uplift has outgrown the space and seeks to sell the property to a quality early childhood care and education provider. The uses of the buildings are substantially similar and this application simply aligns the zoning with the use.

This applicant has gone above and beyond in their efforts to address historic preservation concerns. It is highly uncommon for a buyer to voluntarily encumber their property with covenants. This is a clear demonstration of their commitment to maintain the buildings and neighborhood character.

As a member of this community, it's vexing when a registered neighborhood organization and individual neighbors ask a small business to solve for their vague fears and issues about change. This applicant is making significant efforts to reasonably address their concerns, and they still aren't satisfied. I fear my neighborhood is adopting to the culture of NO even to smart land uses.

I urge the Denver City Council to vote in **support** of this application. Thank you for your time and energy in this important matter.

Best,



Nanci Kerr



It starts in the heart

June 15, 2016

Community Planning and Development
City and County of Denver
201 West Colfax Avenue
Denver, CO 80202

RE: 3914 N King Street and 3441 W 39th Ave
Zoning Map Amendment Application 2015I – 00174

Thank you in advance for reading my email concerning the Goddard School in the Berkeley neighborhood. My name is Nancy Rullo, I've been a part of early education and care in Denver for over 25 years. I'm currently the director of Walnut Hills Early Education. As for my back ground, I spent 8 years as a board member with the Colorado Association of Education of Young Children and 20 years and served as the President with the Denver Association for the Education of Young Children.

I am very aware for the need of quality education in our city. At the current time most developmentally appropriate childcare centers in the metro area have long wait lists. The Highlands, Sloans Lake and Berkeley neighborhoods are no different. As these neighborhoods transition, many professionals with young families are moving to the area. This neighborhood has great parks, a lake, and many walk to neighborhood restaurants. All that is needed an excellent childcare center. A Goddard Center would only enhance the community.

I've known David and Allison McMurtry for many years. They are caring neighbors, outstanding community members, and have concerns for the future of Denver's children. They believe children have a right to quality care. Having a Goddard Center in the northern quadrant of Denver would enhance the neighborhood. Let's face it, Denver is the best places to live. Let's build our communities with strong early education and care, continue with high standard in elementary, middle school and high school. A Goddard School in the Berkeley neighborhood is an excellent addition to supporting a need in the community.

As a side note: my husband and I are Denver natives and have lived in the South Bonnie Brae area for 40 years. We have seen many changes in our time, but nothing as exciting as the rebirth of young families in our city. We believe in our city, neighborhood, and education.

Sincerely,
Nancy G. Rullo
Executive Director

RE: 3914 N King Street and 3441 W 39th Ave
Zoning Map Amendment Application 2015I - 00174

June 15, 2016

Dear Analiese,

I am writing today to vocalize my support of the proposed Goddard School in the former Steele Gymnasium at 3914 N King Street.

I am single mom who lives in the Cory Merrill neighborhood and access to childcare was and still is a major challenge in the City of Denver. When my child was under five he was on a waitlist for my preferred pre-school/daycare for more than 6 months before securing a spot which meant hours of extra commuting from home to daycare to work.

I work full time and am passionate about my job with the City of Denver, so when my son was younger, searching for and securing childcare in a limited market was not only expensive but accepted as a necessary evil to continue doing what I love and believe in, but it shouldn't have to be that way for families living in the City.

In my role with the City, I have the pleasure of attending many Registered Neighborhood meetings and I believe that while residents may not always like certain changes in their neighborhoods the vast majority generally understand when something provides a greater good to the City and a neighborhood. That said, I am always surprised at how just a few, vocal and not always representative residents can delay, derail and disrupt good projects.

I do not have personal experience with the Goddard School but I am one of David McMurtry's neighbors. Not only have I seen and heard about his plans for the Goodard School, I know that he and his wife Allison are wonderful neighbors who care for their home and property, and the people who live around them. Given the pride that David shows in our neighborhood, and love for the children on our block, I know that in business he will be equally as caring and as considerate a neighbor in NW Denver.

I truly believe that if, as a City, we want to attract and keep young families in our amazing neighborhoods we very much need to support childcare and early learning centers.

Many thanks!

Charlotte Pitt
1621 S. Columbine Street
Denver CO 80210
303-931-4045



Analiase Hock
analiase.hock@denvergov.org
cc: McMurtryCO@gsi-ano.com

Attn:
Community Planning and Development
City and County of Denver
201 West Colfax Avenue
Denver, CO 80202

RE: 3914 N King Street and 3441 W 39th Ave
Zoning Map Amendment Application 20151 - 00174

To The Residents of the City of Denver,

I am writing this letter on behalf of Colorado UpLift to explain the reasoning for UpLift to sell our building located at 3914 King St., Denver, CO 80211. Colorado UpLift is a non-profit that has served the Denver community for 34 years. Our mission is to build long-term, life-changing relationships with urban youth. We fulfill our mission by teaching character education in 28 schools in the Denver Public Schools and 2 in the Aurora Public Schools. In addition to teaching in school, we also mentor students after school by creating mentoring and bonding opportunities, providing outdoor adventure activities, as well as providing career and college preparation for our students. As we continue to grow over 34 years, it has become clear that we have simply outgrown our facility at 3914 King St in Denver, Colorado. We have cherished our building because we are a part of the Northwest neighborhood and have been since the inception of Colorado UpLift.

We have had many discussions with Denver residents, the business community and school personnel regarding our potential sale. Our priorities were to sell the building to a buyer who will use the building to serve kids, would take great care of the physical property and preserve its rich history. We are pleased to have found a buyer who embraces these values. David has demonstrated a passion for serving the community and we believe his passion will be an added value for the community.

If you have any further questions please feel free to reach me at 303-830-6615 or my email gtrujillo@coloradoup lift.org.

Thank You,

A handwritten signature in black ink, appearing to read "Gabriel Trujillo".

Gabriel Trujillo
President
Colorado UpLift

Colorado UpLift

Our mission is to build long term, life changing relationships with urban youth.



June 16, 2016

Councilman Rafael Espinoza
Denver City Council District 1
1437 Bannock Street
Denver, CO 80203

Dear Councilman Espinoza,

We are writing to offer Historic Denver's support for the proposed re-zoning of the property commonly known as the Steele Gymnasium at 3914 King Street. The Steele Gymnasium was constructed in 1914 in an effort led by Reverend Walter Rudolph, designed by noted architect Robert Willison, and named for a justice of the Colorado Supreme Court. It was inspired by the Progressive Movement of that era, and provided a place for social and recreational activities for area youth. The Gymnasium structure was listed on the Colorado State Register of Historic Places in 1994.

The prospective owner of the property approached Historic Denver several months ago indicating his intention to purchase the property and convert it into a Goddard School. Given the Gym's history as a youth center we believe this is an appropriate use for the building, and one that is well-suited to a historic structure of this nature.

We have also been working with the prospective owner on ways to provide certainty regarding the future of the Steele Gym and an associated Manse, a Denver Square that once served as the residence of the Gym manager and is located on the same property. Today we are finalizing and signing a non-demolition agreement and covenant that protects the Gym for a period of ten years, and a similar agreement that protects the Manse for a period of two years, even though a Certificate of Non-Historic Status was issued earlier this year.

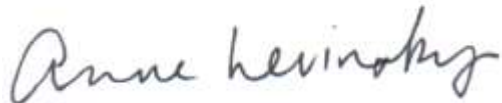
The proposed re-zoning is not more intense than the surrounding residential neighborhood and so does not put these properties at any additional risk. At the Planning Board meeting we did advocate for zoning that could provide the most possible flexibility in use, and although that was not achieved we do understand that the City has provided clarity around how the Manse, even with the currently proposed zoning, can be used in association with the Gym structure. Should it be necessary, Historic Denver will support any future effort to provide additional reuse opportunities.

A willing steward, compatible zoning, and time are all allies of historic preservation, and as a result of these covenants the Steele Gymnasium and Manse now have all three. We understand that the covenants do not satisfy all the neighborhood concerns expressed to

Council and to the prospective owner, but we believe they put the properties on a path toward preservation and that through partnership we can continue the dialogue. We plan to use the time allotted by the covenants to to support the long-term care and preservation of the Steele Gymnasium property.

A representative of Historic Denver will attend the public hearing on Monday night, June 20 and we are happy to answer any questions you may have about the buildings or the covenants.

Sincerely,

A handwritten signature in dark ink that reads "Annie Levinsky". The script is fluid and cursive.

Annie Levinsky
Executive Director

A handwritten signature in blue ink that reads "John Olson". The script is cursive and somewhat stylized.

John Olson
Director of Preservation Programs

Attn:
Community Planning and Development
City and County of Denver
201 West Colfax Avenue
Denver, CO 80202

RE: 3914 N King Street and 3441 W 39th Ave
Zoning Map Amendment Application 2015I – 00174

Good afternoon,

I am writing today to share my support of the proposed Goddard School in the former Steele Gymnasium at 3914 N King Street.

As the mother of an almost 3 year old, Audrey Priscilla, early childhood development is critical to the socialization and overall growth of our little ones, and having excellent options within a neighborhood is something that is highly sought after for families when deciding where they want to live within our great city of Denver. Goddard Schools are well known for their promotion of learning through play in a loving and nurturing environment that makes kids and parents feel great about where so much time is spent. And this is exactly the type of business a developing neighborhood wants. While I'm not a resident of Berkeley, living in City Park South and being an active member of our neighborhood community has highlighted how important quality, diverse businesses (not just restaurants and retail stores) are to all neighborhoods – especially urban, up-and-coming ones. And as a mama, having a respected, established ECC option run by a passionate, dedicated family would be my first choice.

Change is HARD – I think nearly every human can agree to that. But there's a Socrates quote that I think captures the essence on why, particularly in this instance, change can be GREAT.

“The secret of changes is to focus all your energy not on fighting the old but on building the new.”

Let's build the new together,

Holland E. Darcy
1662 Jackson Street
Denver, CO 80206