



TO: Neighborhoods & Planning Committee
FROM: Kyle A. Dalton, AICP, Senior City Planner
DATE: June 3, 2015
RE: Official Zoning Map Amendment Application #2012I-00021
3540 E. 31st Ave.
Rezoning from O-1 to E-MU-2.5 with waivers

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2012I-00021 for a rezoning from O-1 to E-MU-2.5 with waivers.

Request for Rezoning

Application:	#2012I-00021
Address:	3540 E. 31st Ave.
Neighborhood/Council District:	Skyland / Current Council District 8, Becomes Council District 9
RNOs:	The Points Historical Redevelopment Corp; City Park Friends and Neighbors; North City Park Civic Association; Denver Neighborhood Association, Inc.; Inter-Neighborhood Cooperation
Area of Property:	+/- 185,021 square feet or 4.25 acres
Current Zoning:	O-1
Proposed Zoning:	E-MU-2.5 (Urban Edge-Multi Unit-2.5 stories), with waivers. Generally, the waivers adapt building form standards of the S-MU-3 (Suburban-Multi-Unit-3 stories) zone district to the Urban Edge Neighborhood Context, where an E-MU-3 zone district is not available.
Property Owner(s):	Blue Rhino Investments Inc.
Owner Representative:	Steve Hegge, Hegge & Company

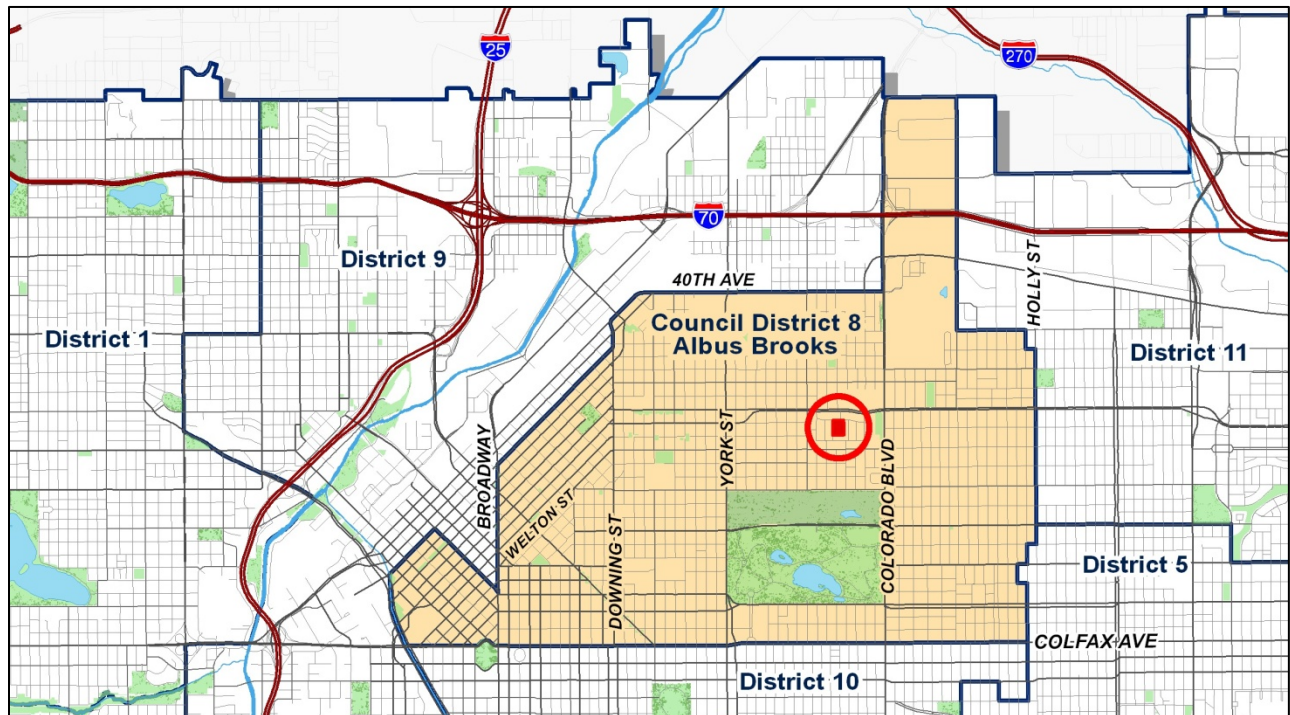
Summary of Rezoning Request

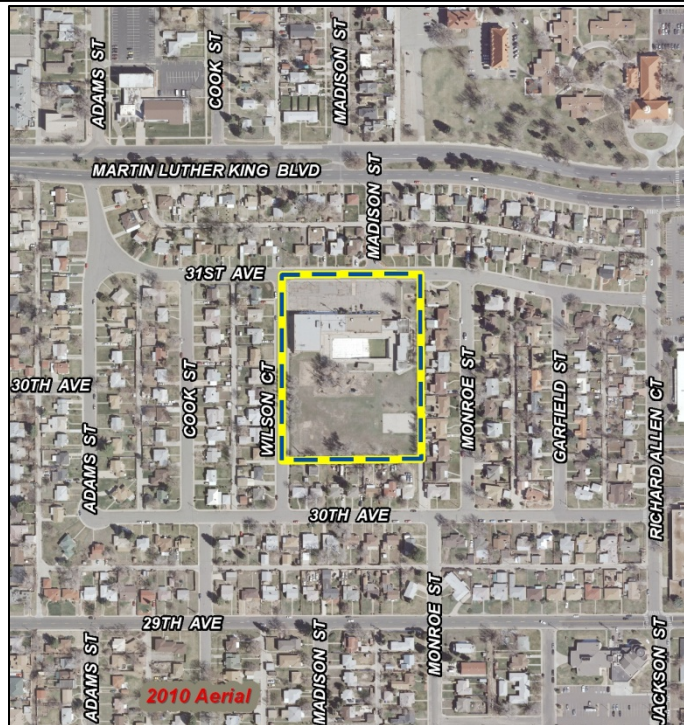
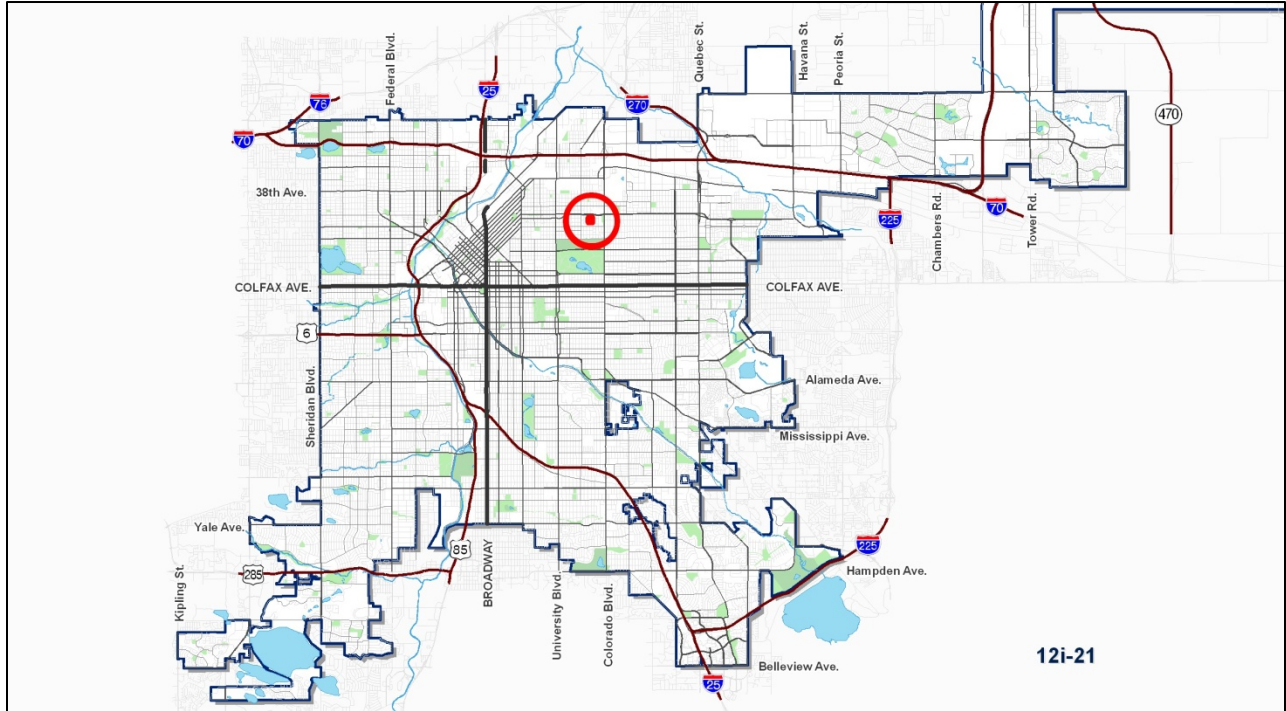
- The site is located in current Council District 8 (remapped to Council District 9 following the current election cycle) within the Skyland Statistical Neighborhood, also commonly known as North City Park.
- The rezoning is comprised of a single parcel which contains the former East Denver YMCA and accessory outdoor recreation facilities. The East Denver YMCA vacated the site in 2005 and the property was eventually acquired by the current owner. Since 2005 the property has been used intermittently for other community center/recreation uses but has not fully utilized as the site has deteriorated.
- The site is bordered by 31st Avenue on the north and Wilson Court on the west. There are alleys on both the south and east sides, which separate the site from single unit dwellings.

- The property owner, through his representative, is requesting rezoning in order to change the mix of uses allowed on the property and facilitate redevelopment of the site.

Application History

- This application was first submitted as a request for S-MU-5, accepted as complete on January 18, 2013.
- Staff provided comments expressing concern about the appropriateness of the zone district, maximum building height, and change in neighborhood context associated with the S-MU-5 zone district.
- The applicant engaged in numerous community involvement and public outreach efforts from 2013 through 2015. The applicant's account of these efforts is documented in the application. Staff also participated as an informative resource in many of the various community meetings regarding the future of this site, including public meetings hosted by the council district office, city-funded community mediation, independent neighborhood-organization community visioning workshops resulting in a visioning document (excerpts of which are included in the application), and registered neighborhood organization meetings.
- The application was resubmitted as a request for S-MU-3 and accepted as complete on February 11, 2015.
- Following additional staff feedback concerned about the appropriateness of the change in neighborhood context and the building form standards of the S-MU-3 zone district, the application was resubmitted as request for E-MU-2.5 with waivers, an approach contemplated by staff, on April 16, 2015.





Waivers to a Denver Zoning Code Zone District

Waivers are enabled by Section 12.4.10.6 of the Denver Zoning Code and allow for an applicant to waive certain rights or obligations under the proposed zone district. This applicant requested such waivers.

The E-MU-2.5 zone district is found in the Urban Edge neighborhood context. It allows residential uses up to and including multi-unit dwellings in a variety of building forms, including suburban and urban houses, duplexes, town houses, and apartments. The maximum height varies by building form, but can be up to 2.5 stories.

As compared to the E-MU-2.5 zone district, the requested waivers would:

- Increase maximum building height in stories from 2.5 (2 stories in the Apartment building form; 2.5 stories in all other building forms) to 3 stories;
- Increase maximum building height in feet from 30-35 feet in the Apartment building form to 40 feet overall;
- Add a minimum build-to requirement of 50% within 0 feet to 80 feet of the primary street zone lot line, where none would otherwise be required;
- Remove limitations that apply to the rear 35% of zone lot depth of primary building forms, such as reduced building height and prohibitions on rooftop and second story decks; and
- Add an upper story setback above 27', adjacent to a protected district, for a minimum of 25' from the side interior zone lot line.

In essence, the waivers adopt some standards from the S-MU-3 zone district while still being appropriate to an Urban Edge neighborhood context by keeping important features of the E-MU-2.5 zone district. The waivers would adopt the following standards from the S-MU-3 zone district:

- Building heights,
- Build-to requirements, and
- Upper story setbacks.

At the same time the zone district would keep the following essential standards of the E-MU-2.5 zone district:

- Block sensitive minimum primary street setback, or 20 feet (instead of 10' in S-MU-3);
- Prohibit surface parking located between the building and the primary street (instead of allowing it in S-MU-3); and
- Require a Primary Street-Facing Entrance (instead of a Pedestrian Connection in S-MU-3).

The variations in building form standards requested in the subject waivers are not achievable under a single standard zone district of the Denver Zoning Code. Currently, to achieve the 3-story heights and multi-unit dwelling uses desired by both the applicant and the surrounding community, the property would need to be rezoned to a neighborhood context different than the existing neighborhood context. Multi Unit 3-story (MU-3) zone districts are found in the Suburban (S-MU-3) and General Urban (G-MU-3) neighborhood contexts, but not in the Urban Edge neighborhood context. Since no E-MU-3 zone district currently exists but such a zone district may be appropriate as a possible future text amendment, staff finds the proposed rezoning with waivers will serve to fill a gap in the current menu of zone districts without requiring a jump in neighborhood contexts.

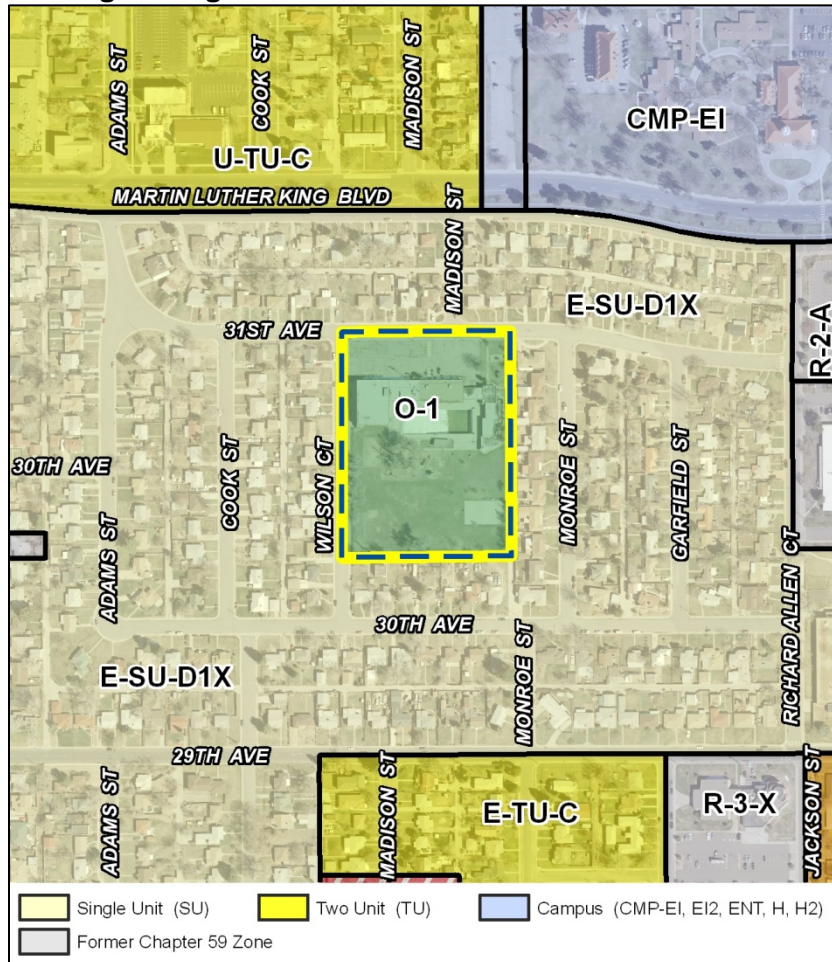
Existing Context

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

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	O-1	Community center, accessory open/recreation space and surface parking	1- to 2- story building	Modified grid of streets; the streets in this subdivision are distinct from surrounding grid but there are several street connections. Alleys are present throughout, but vehicle access often is taken from the street.
North, South, East, and West	E-SU-D1X	Single Unit Dwellings	1-story houses with consistent 20'+ front setbacks	

The site is located at the southeast corner of Wilson Court and 31st Ave. One block north on Madison Street, Martin Luther King Blvd. carries arterial traffic including RTD bus service.

1. Existing Zoning

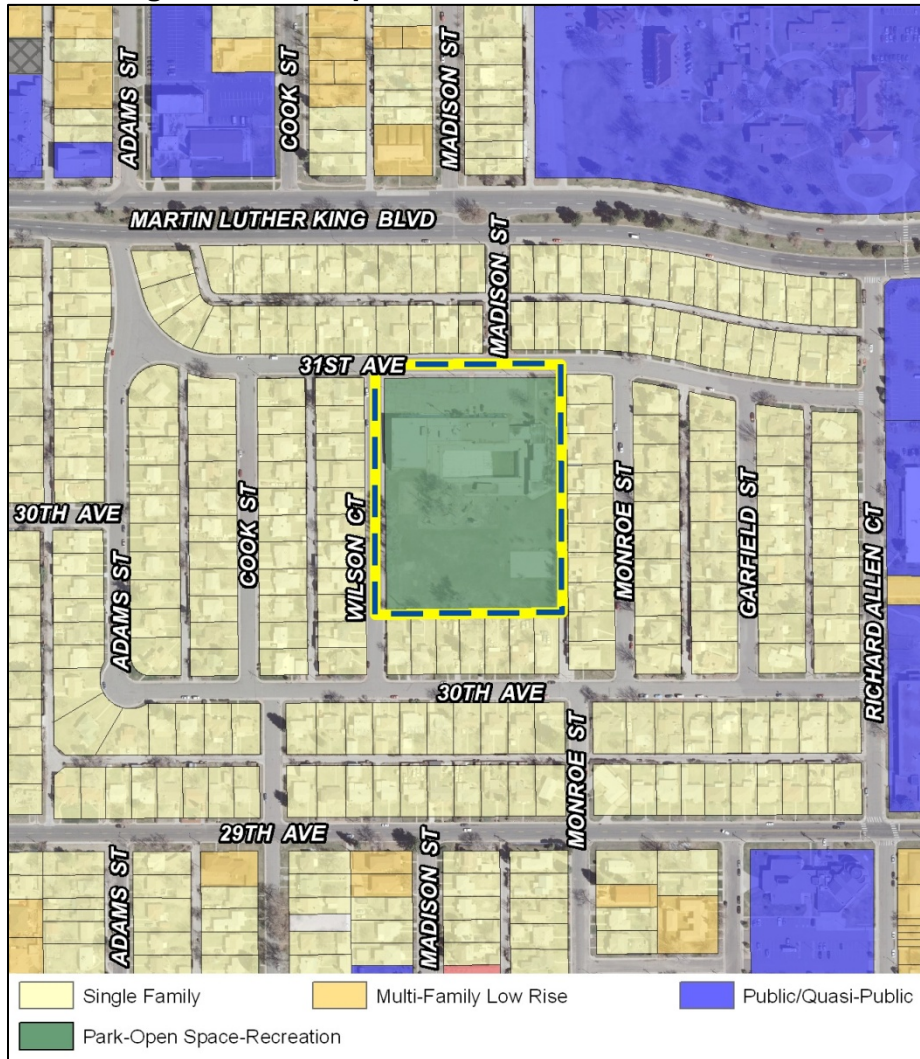


The existing O-1 zone district is in the Denver Zoning Code, but it was generally translated from the same allowances and standards of the O-1 zone district in the Former Chapter 59. Unlike most zone districts, the O-1 does not have an intent statement. Building form standards are

articulated in a few written sections, without graphics or tables. The mix of allowed uses is unintuitive, including utilities, some community/public services uses, schools, open space, parking, telecommunications, oil and gas production/drilling, railway, wholesale trade or storage (light), urban garden, and plant nursery. Importantly, household living is not allowed. It is no longer permissible to rezone land to the O-1 zone district (DZC 12.4.10.2).

The site is surrounded by the E-SU-D1x zone district. This is a Single Unit zone district in the Urban Edge neighborhood context, with a minimum zone lot size of 6,000 square feet. The “1” signifies that accessory dwelling units are allowed. The “x” signifies that both Urban House and Suburban House building forms are allowed. Two Unit “TU” zone districts can be found one block north of the site across Martin Luther King Blvd., and one-and-one-half blocks south across 29th Avenue. The Clayton College campus has campus educational/institutional zoning. Some Former Chapter 59 higher-density residential zoning remains on blocks farther east and southeast where the zoning contains waivers.

2. Existing Land Use Map



The site is located at the center of a completely single-family residential subdivision generally defined by Martin Luther King Blvd. to 30th Ave., Adams St. to Richard Allen Court. Outside this area, single unit dwellings are common but other uses are also found, including duplexes and low-rise multi-family residential, as well as public/quasi-public uses such as the Clayton College campus north of MLK, churches, and schools.

3. Existing Building Form and Scale



Subject site, looking south from 31st Avenue. Surface parking lot is at right.



Subject site, looking east from Wilson Court at outdoor recreation area behind the former YMCA.



Subject site viewed from the corner of 31st and Wilson, looking southeast. A stormwater sewer easement runs through the asphalt area, parallel to and setback from 31st Avenue, between the light poles and the gym at right.



Residential houses to the north, looking north, typical of neighborhood form and scale.

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.

Environmental Health: Approved - DEH reviewed the historical use and environmental condition of the property and has no objection to the requested rezoning.

Development Services – Wastewater: Approve Rezoning Only – Will require additional information at Site Plan Review - DS Wastewater approves the subject zoning change. The

applicant should note that redevelopment of this site may require additional engineering. The extent of the required design and wastewater improvements will be determined once this property begins the redevelopment process.

Development Services – Transportation: DS Transportation approves the subject zoning change. The applicant should note that redevelopment of this site may require additional engineering, ROW dedication to the City, access changes, traffic studies and/or right of way improvements. The extent of the required design and improvements will be determined once this property begins the redevelopment process. The results of any traffic studies may require the construction of off-site mitigation or may limit the proposed density of the project.

Parks and Recreation: Approved – No comments.

Public Works – City Surveyor: Approve Rezoning Only - Will require additional information at Site Plan Review.

1. Rezoning is approved by Survey.
2. The surrounding rights-of-way are not affected by the rezoning.
3. The legal descriptions contained in the submitted title commitment have a typo. On pages 170 and 176 of the submitted 181-page document, the legal descriptions contain the word "lien", which should actually be "line". *CPD comment: Note that the errors are in the Title Commitment, not in the submitted legal description Word document, so no changes are required.*

Public Review Process

- The property was posted for a period of 15 days announcing the May 20, 2015, Denver Planning Board public hearing, and written notification of the hearing was sent to all affected registered neighborhood organizations and City Council members on May 5, 2015.
- Written notification of the Neighborhoods & Planning Committee meeting was sent to all affected registered neighborhood organizations and City Council members on May 27, 2015.
- **Registered Neighborhood Organizations (RNOs)**
 - North City Park Civic Association
 - An email letter was submitted in support of the rezoning application to a maximum height of 3 stories. The letter also contemplates a “2nd story” upper story setback of 25’ along alleys, which the potential property buyer has agreed to do outside of zoning. The proposed zoning would require an upper story setback of 25’ above 27’ along *side interior* zone lot lines where adjacent to protected districts, consistent with other Multi Unit zone districts. This would apply to one of the alleys. Under the rules of measurement with the current zone lot configuration, one alley would be the rear zone lot line and the other would be the side interior zone lot line. This could change if the zone lot configuration were changed (for example, split into multiple zone lots). Thus, a separate agreement between the neighborhood organization and the property owner/buyer will be an effective tool to implement their mutually agreed-upon upper story setback for all alleys outside of zoning.

- The other RNOs identified on page 1 were also notified of this application. At the time of this staff report, no further RNO correspondence had been received.
- **Other Public Comment**
 - No other written communication has been received expressing a position on this rezoning application.

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 or Identification of a Community Need Unanticipated at the Time of Plan Adoption
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 within Denver at sites where services and infrastructure are already in place; designing mixed use communities and reducing sprawl so that residents can live, work and play within their own neighborhoods.*
- Land Use Strategy 1-H: *Encourage development of housing that meets the increasingly diverse needs of Denver’s present and future residents in the Citywide Land Use and Transportation Plan.*
- 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.*
- Denver’s Legacies Strategy 3-A: *“Identify areas in which increased density and new uses are desirable and can be accommodated.”*
- Denver’s Legacies Strategy 4-A: *“Preserve, enhance and extend the pattern and character of the primary street system, including the prevailing grid, interconnected parkways, detached sidewalks and tree lawns.”*
- Neighborhoods Strategy 1-E: *“Modify land-use regulations to ensure flexibility to accommodate changing demographics and lifestyles. Allow, and in some places encourage, a diverse mix of*

housing types and affordable units, essential services, recreation, business and employment, home-based businesses, schools, transportation and open space networks.”

The proposed map amendment will promote infill development and broaden the variety of uses allowed, particularly by introducing a diversity of housing options not allowed today, while maintaining compatibility with the surrounding neighborhood (further detailed below).

The proposed rezoning is consistent with Comprehensive Plan 2000 Land Use objectives and strategies because the multi-unit zoning will improve the variety of compatible land uses and will accommodate the City's growth with a full range of needed land uses such as housing, parks, transportation, and community facilities that are in character with surrounding existing neighborhoods. The proposed zoning will enable new infill development to meet the needs of Denver's present and future residents with the opportunity to provide new housing and neighborhood serving amenities.

The proposed rezoning is consistent with Comprehensive Plan 2000 Legacies objectives and strategies because the zoning will increase the opportunity for a variety of land uses on vacant/underutilized property where new growth can be accommodated.

The proposed waivers are consistent with Comprehensive Plan recommendations because the waivers help new development be compatible with the existing surrounding neighborhood.

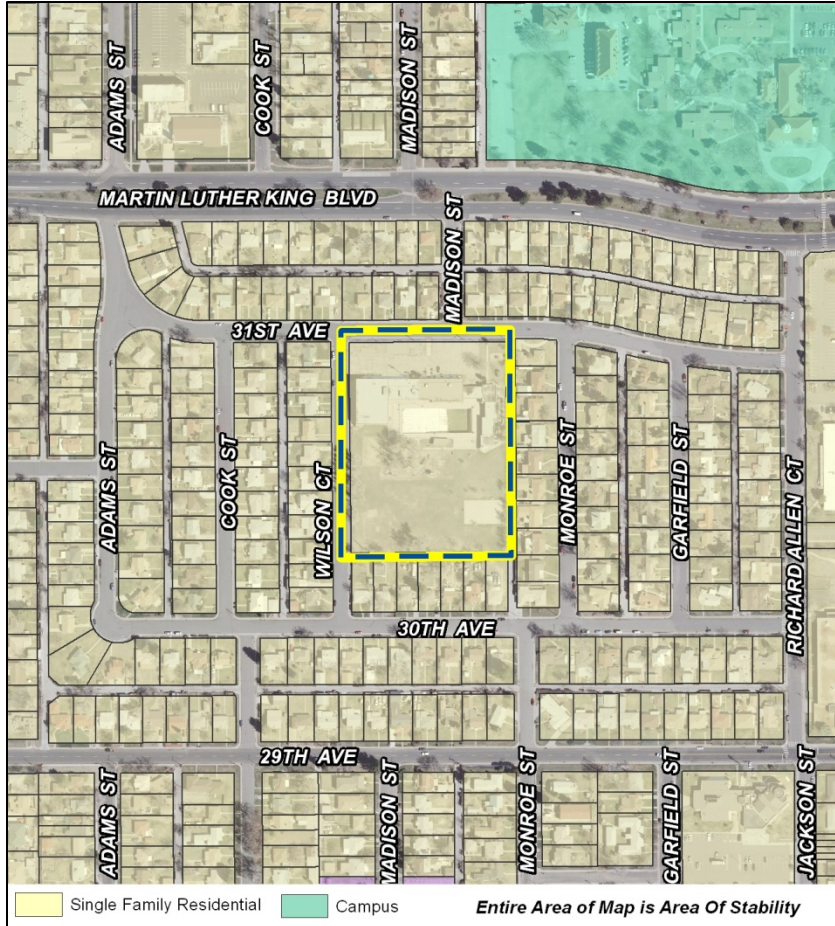
Blueprint Denver

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

According to Blueprint Denver, Single Family Residential areas have residential densities fewer than 10 units per acre, and “the employment base is significant smaller than the housing base. Single-family homes are the prominent residential type” (p. 42). In residential areas and neighborhoods, Blueprint Denver says, “A city should contain neighborhoods that offer a variety of housing types, as well as complementary land-use types such as stores, parks and schools that provide the basic needs of nearby residents” (p. 41).

While a single unit residential zone district would be wholly consistent with this plan goal, both the property owner and the surrounding neighborhood have articulated that redevelopment as a limited number of single unit dwellings would not be desirable and may not attract the level of reinvestment all parties seek in the site. In fact, during the visioning workshops held in 2014, residents articulated that single unit residential development was a less desirable scenario. While the neighborhood vision does not constitute a city-adopted plan, it does communicate a community need on this specific site. Blueprint Denver does not offer site-specific guidance and there is no adopted neighborhood/small area plan to provide more specific guidance. As the E-MU-2.5 with waivers will offer a greater variety of housing types consistent with the needs expressed by nearby residents, staff finds the rezoning would be consistent with these plan goals. The zone district would also allow complementary land use types such as community center, park, or school, consistent with the plan recommendation and community needs.



2002 Blueprint Denver
Plan Map

Area of Change / Area of Stability

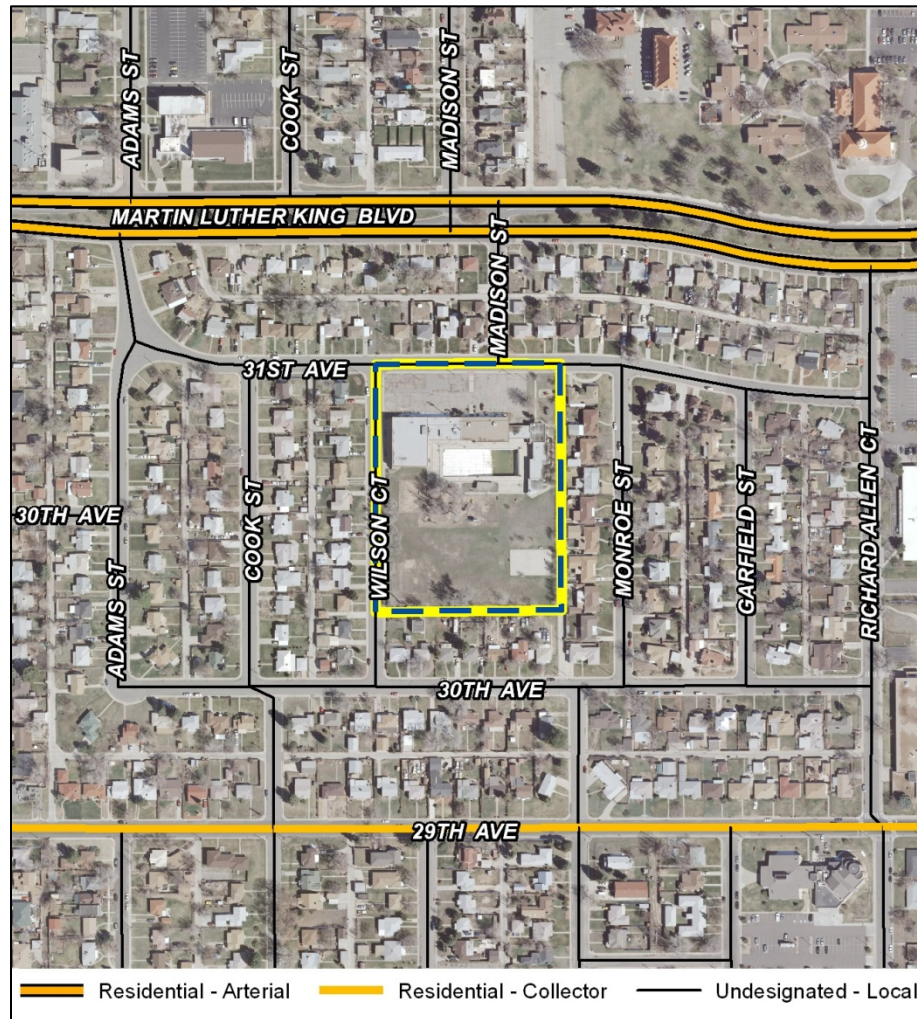
The site is in an Area of Stability. In general, “The goal for Areas of Stability is to identify and maintain the character of an area while accommodating some new development and redevelopment” (p. 120). Blueprint Denver identifies several strategies in Areas of Stability, including compatibility between existing and new development through development and design standards; diversity of housing type, size, and cost; and upholding the legacy of walkable neighborhoods (p. 25).

It is important to note that even “in stable residential areas there are often areas that would benefit from change....These areas, due to their lack of reinvestment, have a negative visual impact on the surrounding area” (p. 121-122). Blueprint breaks down Areas of Stability into two categories: “Committed Areas” and “Reinvestment Areas.” In Committed Areas, the overarching goal is to “maintain present character and to motivate modest redevelopment of selected areas....” Reinvestment Areas are places where it is desirable to maintain their character but it is also beneficial to support reinvestment through “modest infill and redevelopment or major projects in small areas” (p. 122). Many Denver neighborhoods contain a mix of both types of areas.

This rezoning is consistent with Blueprint Denver’s concept of Reinvestment Areas in an Area of Stability. Within the context of the larger neighborhood, it is a small site where a major project is needed to redevelop an outdated facility and thus stabilize the neighborhood. Without the rezoning, the neighborhood may further de-stabilize due to the disinvestment and deterioration of the facility. Redevelopment under the current zoning’s mix of allowed uses would be inconsistent with the present character of the area. Therefore, rezoning is appropriate and would further the above goals and objectives for redevelopment in Areas of Stability.

Street Classifications

Blueprint Denver classifies both Wilson Court and 31st Avenue as undesignated local streets. Specific guidance is not provided in Blueprint Denver for these streets. Blueprint Denver says local streets are “influenced less by traffic volumes and 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.”



The proposed zoning enables higher-intensity multi-unit residential development in an area served by residential local streets, and which is consistent with Blueprint Denver’s recommendation for

land use types adjacent to residential local streets. It is important to note that vehicle traffic generated by the site will use Madison Street for one short block to access Martin Luther King Boulevard, consistent with Martin Luther King Boulevard's designation as a residential arterial.

2. Uniformity of District Regulations and Restrictions

In this case, the E-MU-2.5 zoning with waivers is a unique zone district. The proposed rezoning will result in the uniform application of zone district building form, use and design regulations within the unique zone district.

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 comprehensive plan and land use and transportation plan, as detailed above. In fact, the current O-1 zone district is not appropriate for an infill site in the middle of the single family residential neighborhood due to the allowed uses. Rezoning to a more appropriate zone district would improve the general welfare of the area. The public health, safety, and welfare is also promoted by rezoning out of the non-standard O-1 zone district, based on the Former Chapter 59, and into a newer Denver Zoning Code zone district, the purpose of which is to "implement Denver's Comprehensive Plan and guide orderly development of the City that preserves and promotes the public health, safety, prosperity, and welfare of its inhabitants" (Sec. 1.1.1).

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." The property previously served a community center function for decades, but the YMCA vacated the property in 2005 and ownership has been transferred. The site no longer serves the community center function. Both the applicant and the community have not found a new user or buyer for the property, which is mostly disused. The land has sufficiently changed that it is in the community interest to encourage redevelopment, as is also reflected in the local registered neighborhood organization's support for rezoning the property. Enabling new uses in the context of the Denver Zoning Code standards will provide new opportunities for investment and redevelopment.

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

Neighborhood Context Description

The E-MU-2.5 zone district is in the Urban Edge Neighborhood Context. According to DZC 4.1.1, "The Urban Edge Neighborhood Context is characterized by a mix of elements from both the Urban and Suburban Neighborhood Contexts. ... Multi-unit residential uses ... are located along local streets, arterials, and main streets." In terms of building placement, residential buildings "typically have consistent moderate to deep front setbacks" (DZC 4.1.3). Building height is typically low, except for some mid- and high-rise structures, particularly along arterial streets or at nodes (DZC 4.1.4).

The neighborhood context surrounding this site is consistent with the code's description of the Urban Edge Neighborhood Context. The block shapes are generally a modified grid, with alleys present.

Building heights are generally low. The Urban Edge building form standards will maintain the consistent moderate- to deep-setback found here. While the waivers will increased allowed height from 2.5 to 3 stories, this still results in generally low-scale buildings, which also will step down through the code's protected district setback and upper story setback standards. Therefore, the proposed E-MU-2.5 with waivers will be consistent with the surrounding neighborhood context and the code's neighborhood context description.

Zone District Purpose and Intent

The general purpose of the "the Residential districts is to promote and protect residential neighborhoods within the character of the Urban Edge 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" (DZC 4.2.2.1.A). Further, "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" (DZC 4.2.2.1.D).

According to DZC 4.2.2.2.L, the specific intent of the E-MU-2.5 zone district is that it "is a multi unit district and allows urban house, detached accessory dwelling unit, duplex, tandem house, town house, garden court and apartment building forms up to two stories in height."

Rezoning to E-MU-2.5 with waivers would be consistent with both the general purpose and the specific intent. The new zone district allows for new multi-unit uses but to a limited extent and height in a limited area of the neighborhood, which will remain mostly single family in character. The zone district also provides better clarity about what is allowed than the existing O-1 zone district. Reinvestment will be enabled by the rezoning. The rezoning also is consistent with the specific intent by allowing the new multi-unit building forms. It is of note that the specific intent states that the district allows "up to two stories in height" but in fact the district already allows 2.5 stories in height for all building forms other than Apartment. This allowance results in 3-story building forms with the 3rd story reduced in gross floor area as compared to the story below. The 3-story waiver is consistent with the total height in stories allowed in the other building forms in this zone district.

Planning Board Recommendation

On May 20, 2015, the Planning Board held a public hearing on this application. After hearing testimony from the applicant and one member of the public concerned about property values, the Planning Board voted unanimously to recommend **approval** of the application to the City Council.

Staff Recommendation

Based on the review and analysis set forth above, CPD staff finds that the application for rezoning the property located at 3540 E. 31st Ave. to the E-MU-2.5 zone district with waivers meets the requisite review criteria. Accordingly, staff recommends that the Neighborhoods and Planning Committee move the application out for consideration by the full Council.

Attachments

1. Application (includes RNO email)

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. 12.4.10.13</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. 12.4.10.14</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 rezoning 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.
	<p>Please provide an attachment describing the justifying circumstance.</p> <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.
	<p>Please provide an attachment describing how the above criterion is met.</p>
REQUIRED ATTACHMENTS	
<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	
ADDITIONAL ATTACHMENTS	
<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

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (YES/NO)
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
Blue Rhino Investments, Inc. Steve Caragol, Pres.	PO Box 772428 Steamboat Springs, CO 80477	100%	<i>[Signature]</i> President, Blue Rhino Investments, LLC	2/11/2015	(A)	Yes

Last updated: June 20, 2014

Return completed form to rezoning@denvergov.org

April 7, 2015

Addendum Pages to the proposed Official Zone Map Amendment Application for:

3540 E. 31st Ave: Assessor's Number: 0225412016000

Case Number: 2012I-00021

Property Owner:

**Blue Rhino Investments, Inc.
PO Box 772428
Steamboat Springs, Colorado 80477**

**Proposed Zoning: E-MU-2.5 (with waivers), resubmittal of re-application for Map Amendment
(submitted 2/11/2015) to rezone from O-1 to S-MU-3.**

Authorized Representative:

**Hegge & Company (Steve Hegge)
1465 So. Kearney St.
Denver, CO 80224
303.378.3775
shegge@comcast.net**

PROPOSED MAP AMENDMENT SUMMARY

- This proposed rezoning map amendment is intended to provide sufficient commentary and response to the Agency Comments on the First Submittal, dated February 13, 2013, and additional Official Map Amendment Comments dated March 31, 2015, pursuant to CPD's Planning Services review of Application # 2012I-00021. If the proposed map amendment is adopted, this 4.246 acre site would be divided into parcels as directed by a yet-to-be-determined developer as needed.

This MAP amendment and zoning application proposes a change in the current zoning from O-1 to E-MU-2.5 (with waivers). Applicant has chosen to pursue an Urban Edge Neighborhood Context (E-MU-2.5 with waivers) in lieu of the originally proposed S-MU-3 Zone to "equalize" the resulting Division 3.3 Design Standards (with pending text Amendments), so as to preserve the continuity of the surrounding Urban Edge Neighborhood Context prevalent throughout the existing community. At the time of this application submittal, no official Map Amendment (or text amendment) alternative exists within the Division 4.3 specification (*E-MU-x with a sufficiently appropriate and usable design standard to emulate the design standards as are currently allowed in the Suburban Neighborhood Context) permitting 3-story development (S-MU-3). The S-MU-3 Zone class permits among other uses 3-story multifamily height structures or less. As an E-MU-3 Zone class is not available, waivers are deemed to be the appropriate mechanism to accomplish a three-story alternative within the Urban Edge Neighborhood Context.

- The site does meet the requisite Minimum Area Requirements as defined in DRMC 12.4.10.3. (see Exhibit "B")
- This amendment provides the appropriate zone district and entitlements for the map amendment and redevelopment of an existing O-1 zoned neighborhood center with vacant land (see DRMC 12.4.10.2). This new zone district would enable and envision the development of suburban house, urban house, duplex, tandem house, townhome, garden court, and/or multifamily apartments (including conventional rental/for sale or affordable residential senior or workforce rental) units.
- Historically, this site in its entirety has served the local community in its commercial capacity as the East Denver YMCA. Past property uses provided access and function as a gathering space for the surrounding neighborhood and families living nearby. This proposed rezoning retains the potential to provide facilities for neighborhood gatherings and uses. Efforts are underway to locate and identify users or developers intent on rehabbing or proposing a repurposing for the existing YMCA structure.
- A 40-foot pre-existing Park Hill Storm Sewer easement (63" Public storm main) along the 31st Avenue south frontage provides a deep setback and buffer from the single-family homes across 31st Avenue, ensuring lower impact from the proposed increase in zoning density on the

surrounding neighborhood at the north boundary line of the subject property. This sewer main and easement are master planned for improvements.

- According to Denver Mayor Michael Hancock, “affordable housing is the chief priority and challenge the city faces”. The change of use and map amendment at this location could potentially add workforce units or much needed affordable senior housing at this critical time of need.
- A two-year “East Y Visioning” study has been conducted to establish zoning and redevelopment options/alternatives/preferences, and a final report has been issued containing the summary findings (Exhibit “E”). Since that time, numerous meetings with members from the impacted neighborhood zoning committee (representing the area’s Registered Neighborhood Association “RNO”) have been convened. These meetings have resulted in a recommendation and resolution passed by the RNO Board of Directors *and by its general membership* in support of this proposed zoning application.
- The E-MU-2.5 zone (with waivers) as proposed would allow for a higher density development that may result in attached homes ranging in size and price from approximately \$225,000 - \$500,000. E-MU-2.5 (*without waivers*) would yield approximately 50% fewer units than the S-MU-3 comparable zone, resulting in average unit pricing well over \$500,000 which is neither beneficial or a feasible sales price for the neighborhood.

REVIEW CRITERIA

The criteria for review of this rezoning and Map Amendment application are presented as follows in two Criteria descriptions.

REVIEW CRITERIA # 1 contains Applicant's response to the Official Map Amendment Comments by CPD dated February 13, 2013.

REVIEW CRITERIA # 2 contains evidence and comments related to DZC, Sections 12.4.10.13 and 12.4.10.14, as follows:

DZC Section 12.4.10.13

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

DZC Section 12.4.10.14

4. Justifying Circumstances

The following adopted plans apply to this property:

- Denver Comprehensive Plan 2000
- Blueprint Denver (2002)
- East Y Visioning Plan (Summary) and Final Report (Exhibit E dated January 22, 2014)
- (Note: No Small Area Plan is on record for the Skyland Neighborhood RNO). Aside from the Visioning Plan above, the most current assessment of neighborhood's long-term planning efforts appear to be the Skyland/North City Park 2008 Neighborhood Research Results posted online at <http://northcitypark.wordpress.com/about> ("RNO 2008 survey")

REVIEW CRITERIA #1. Review of Official Map Amendment Comments letter – Agency Comments on the First Submittal - dated 2/13/2013 (Comments are based on "technical aspects" of the application)

(Agency comment # 1). The application number for this rezoning proposal is 2012I-00021.

(Agency request # 2.) The application did not include evidence of Stephen Caragol's authority to sign on behalf of corporate property owner Blue Rhino Investments, Inc.

SEE EXHIBIT "A": Evidence of Stephen Caragol's authority to sign on behalf of Corporate Property Owner Blue Rhino Investments Inc.

(Agency request # 3.) In evaluating consistency with Blueprint Denver, the application focuses on Blueprint Denver Concept strategies found on page 25. The application did not address consistency with the following elements of Blueprint Denver:

- a. **Land Use Building Blocks:** This property has a concept land use designation of “Single Family Residential.” The application should identify how the map amendment is consistent with this designation. See page 42. Staff does not find the S-MU-5 zone district to be consistent with this land use designation.

Response: The property has a Blueprint Denver concept land use designation of “Single Family Residential.” While the surrounding land-use is primarily single-family residential, the specific site in question has never functioned as such, operating as a YMCA and neighborhood center for the past 50+ years. The YMCA closed their operations at the facility in the mid-2000’s.

The site was not rezoned when the new Denver Zoning Code was implemented in 2010. Carla Madison, the former District 8 Councilwoman, and the neighborhood vigorously resisted any type of low-density designation. The current O-1 zoning allows for uses that are less consistent (Correctional Facility, Parking lot, Utility, Cemetery, Public Transportation Terminal, Large or Small Shelter for the Homeless, etc.) with the surrounding land-use than the proposed E-MU-2.5 zone district.

See Blueprint Denver Areas of Stability: Relation to Areas of Change: “...in stable residential neighborhoods there often are areas that would benefit from change, such as stagnant commercial development that would benefit from revitalization and possibly provide some neighborhood services. These areas, due to their lack of reinvestment, have a negative visual impact on the surrounding area.”

The site presents a unique set of circumstances that are not addressed under the Blueprint Denver concept land-use of Single Family Residential. The 4.2 acre site allows for development that could not occur on the smaller lots that comprise the majority of the neighborhood. The proposed uses would allow for the creation of housing choices not currently present in the neighborhood. The current building on the site cannot be repurposed under a Single Family Residential designation. In order to adapt the existing building, a land-use that provides for compatible types of development must be implemented. A summary finding in the RNO 2008 Survey indicated that “Demographic trends suggest the neighborhood is in a preliminary phase of gentrification.”

Blueprint Denver acknowledges that different types of residential areas exist within a specific neighborhood. *Creating a zone district that does not comply with the concept land-use of Single Family Residential will allow for development that responds to the unique circumstances of this site.*

- b. **Multi-Modal Street System:** The property abuts two streets that have undesignated street types and have street functions of “Local Streets.” The application should identify how the map amendment is consistent with this street function See page 51.

Response: The property abuts 31st Avenue and Monroe Street. Both have undesignated street types and have street functions of “Local Streets”, according to Blueprint Denver. The proposed map amendment is consistent with this street function because it provides for a majority of development to be residential. This will keep with the stated purpose of local streets in providing local access. Martin Luther King Blvd, classified as a residential arterial is approximately 300’ from the site. This ensures that both foot and vehicular traffic on the local streets adjoining the site can quickly disburse by accessing the higher volume route, thereby reducing traffic impacts on the local neighborhood. Martin Luther King Blvd also provides access to RTD bus service and dedicated bike lanes. This provides multi-modal transportation options within close proximity to the site. The alleyway adjoining the east property boundary line provides safe and logistical access to the local street from property driveways.

- c. **Areas of Stability:** Blueprint Denver further describes the concepts of Areas of Stability in Chapter 7. The application may be revised to identify how the map amendment would be consistent with these concepts. For example, the goal for Areas of Stability is described on page 120, and Guiding Principles for Areas of Stability are described on page 141. With no 5-story structures in the neighborhood, no 5-story zone districts in the neighborhood, and very limited amounts of multi-unit residential in the surrounding blocks, staff does not find that the new development allowable in the S-MU-5 zone district would be compatible with existing development in this Area of Stability.

Response: The surrounding neighborhood is an Area of Stability; the specific site in question is clearly not. Without the zone map amendment the site will likely remain in its current state, or suffer further deterioration. The goal of this zone map amendment is to provide positive infill development on the site that will spur reinvestment and contribute to the stability of the neighborhood. The proposed downzoning from the proposed S-MU-5 to E-MU-2.5 (with waivers limiting building height to three stories) was a pivotal goal of the Zoning Committee as expressed by members of the Zoning Committee and Board for the RNO. The three-story or less height limitation as suggested in this map amendment is offered in relief of the concerns expressed above in paragraph “C”.

Several of the guiding principles for Areas of Stability (p. 141) to achieve the land use and transportation vision of Blueprint Denver and the Denver Comprehensive Plan 2000 are implemented by the proposed zone map amendment. (REVIEW CRITERIA # 2)

•Respect valued development patterns

Relationship of the Building to the Street: The larger setbacks allowed under the E-MU-2.5 zone district will ensure that new development is appropriate for the neighborhood.

Building Scale: The building scale allowed under the E-MU-2.5 zone district is generally larger than what is currently found in the surrounding neighborhood. Allowing a slight increase in building scale will attract high-quality development that can potentially provide many of the amenities desired by the neighborhood due to improved economies of scale. Building scale and density were key elements in the ongoing discussions with the RNO. The building height and resulting unit density contemplated in this application has been endorsed and supported by the membership at large of this organization.

•Respect valued attributes of area

Diversity of Housing Types and Prices: The proposed zone district allows for single-unit, two-unit, and multi-unit housing. This will gently diversify an area that is currently dominated by single-family residential housing, while providing new infill residential units consistent with the near urban neighborhood location and characteristics enjoyed by this location. Similar heights and density exist in several locations just blocks from the subject site.

Neighborhood-serving public and residential use services: The E-MU-2.5 zone district provides for limited (by zoning application with informational notice) neighborhood-serving and civic services. Specifically, the proposed zone district allows for day-care centers, postal facilities, group and assisted living, rooming and boarding house, and libraries. These uses enable opportunities to benefit the neighborhood with needed services, and potentially provide expanded redevelopment options for the existing YMCA building.

Mature Landscaping: The E-MU-2.5 zone district will require that any new development comply with Section 10.5.3 of the Denver Zoning Code.

•Respect adjoining property

Light, Air and Privacy: The setback and design guidelines for the E-MU-2.5 zone district will provide the light, air and privacy desired by adjoining properties. Waivers requesting a modification of the design guidelines are proposed, however applicant anticipates ongoing dialog with adjacent property owners and the RNO on issues relating to setbacks, bulk plain requirements, etc. will

continue. Additional setbacks and easements are mandated as set forth in the Proposed Map Amendment Summary (para. 4) above.

Fencing: The E-MU-2.5 zone district will require that any new development comply with Section 10.5.5 of the Denver Zoning Code.

Orientation to the Street: The design standards for the E-MU-2.5 zone district provides for development that will respect adjoining properties. Additional commitments and “Guiding Principles” have been discussed in detail between the NRO and the applicant as follows:

- Building and Site layout should complement the existing neighborhood
- Attempt to foster community gatherings or community space
- Consider traffic and shadow impact project may have on the neighborhood
- Factor in open space and other recreational uses wherever possible. Work with community leaders and NCPA to achieve renovation or re-creation of community center

•Expanded transportation choice

Pedestrian Safety and Comfort: The proposed zone map amendment will require that public right-of-way improvements be made to the existing sidewalks and pedestrian infrastructure when development occurs.

Access to Transit: The proposed zone map amendment will allow for development to occur on a site that is located within a ¼ mile of multiple bus stops.

Street System Continuity: The historic walkability of the traditional orthogonal street grid at the north and west boundaries of the subject site will continue to function as they have over the many years the previous YMCA served as a magnet for neighborhood gatherings and social activities.

•Minimize traffic impacts on neighborhood streets

Less cut-through traffic: The proximity of the site to Martin Luther King Blvd, a local arterial, will minimize traffic impacts. Alleyways at the east and south boundaries of the site will allow for orderly and safe access onto the local street without creating long wait times at nearby intersections.

Not solving one problem only to create another: The site is located within 300' of Martin Luther King Blvd, greatly limiting any increase in traffic on local streets as a result of new development.

•Respect environmental quality

Tree Canopy: Existing trees along Wilson Court will be preserved.

Listed below are regulatory tools for supporting reinvestment in Areas of Stability described on page 123-124 that apply directly to the proposed zone map amendment

•Creating new and more appropriate zone districts

The current O-1 zoning makes it difficult to find an appropriate fit between the land-uses allowed and the surrounding neighborhood. The result of the current zone-district has been no investment interest in the site. Replacing the zoning will allow for appropriate development to occur.

•Design Standards

The current O-1 zoning is not governed by the improved design guidelines implemented under the new Denver Zoning Code. The proposed map amendment allows for the specific design and development standards devised under the new zoning code to be implemented on the site and continue to improve the neighborhood as an Area of Stability.

•Mixed-Income Housing

The existing neighborhood is made up almost entirely of single-family residential housing. The proposed zone-district allows for multi-family development, which will provide for a diversity of housing types and price points in the neighborhood, contributing to the Area of Stability. Diverse housing opportunities afford the opportunity to live in the area, providing a valuable source of home ownership when renters wish to make the transition from local multifamily rental to neighborhood single-family ownership! The SMU3 zone allowed for a higher density development that would likely result in attached homes ranging in pricing from approximately \$225,000 - \$500,000. An alternative zoning such as EMU2.5 or ETH2.5 (without waivers) would yield approximately 50% of the units than the previously sought SMU3 zone, and would result in average unit pricing over \$500,000 which is neither beneficial or a feasible sales price for the neighborhood. The current application contemplates using an E-MU-2.5 with waivers to achieve the benefit of the S-MU-3 height and density design parameters without a change in Neighborhood context.

(Agency request # 4.) The review criterion in DZC Sec. 12.4.10.14.B requires that the map amendment be consistent with the applicable neighborhood context and the stated purpose and intent of the proposed zone district. The application correctly identifies that the surrounding neighborhood is in an Urban Edge Neighborhood Context and it describes the application's consistency with an Urban Edge Neighborhood Context, but the application is for a zone district in the Suburban Neighborhood Context (See DZC Division 3.1). The application does not address consistency with the S-MU-5 purpose and intent statements. See DZC Section 3.2.2. A Suburban Neighborhood Context zone district may be inappropriate in the surrounding Urban Edge Neighborhood Context:

Response: The neighborhood is currently categorized as Urban Edge. However, the expressed desires of neighbors and the unique circumstances of the site merit the implementation of a Suburban Neighborhood Context designation and zone district as an "equal" specification alternative for three-story construction is not available in the Urban Edge context. The neighborhood has expressed a desire for any development to have setbacks and density that respond to the surrounding context. Applicant agrees with the recommendations above, and has agreed to the proposed change to an Urban Edge Neighborhood Context with appropriate waivers to achieve relative parity with corresponding Suburban Neighborhood Context specifications (S-MU-3).

*The general purpose of the Suburban Residential district states that the **regulations provide certainty to property owners, developers, and neighborhoods about the limits of what is allowed in residentially zoned areas.** Additionally, the Denver Zoning Code describes the intent of the Suburban Residential districts as **promoting and protecting residential neighborhoods.** The regulations are designed to **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.** This neighborhood context is the best solution to address neighborhood concerns that all new development fits appropriately with the character of the surrounding area. It is important to note that this subject has been thoroughly vetted in both the Visioning study as noted above and in ongoing Zoning Committee and RNO Board sessions, resulting in the zoning/map amendment (S-MU-3) as originally proposed. The current E-MU-2.5 with waivers accomplishes the purposes and intents as stated above without a change in Neighborhood context.*

*The specific intent of the E-MU-2.5 zone district **allows for day-care centers, postal facilities, group and assisted living, rooming and boarding house, and library building forms up to 2.5 stories in height.** These building types respond best to the surrounding neighborhood context, while allowing for a building height that facilitates repurposing and reinvestment in the existing property. The original S-MU-3 zoning characteristics provides for setback requirements, as opposed to a build-to requirement. This will provide assurances to the neighbors that any development is appropriately setback from the street and adjacent homes. The proposed E-MU-2.5 with appropriate waivers can achieve these stated benefits from the proposed Suburban Neighborhood Zone district, while remaining consistent with the applicable neighborhood*

context, and with the stated purposes and intents of each of these Zone Districts. (See also **REVIEW CRITERIA # 2**)

(Agency request # 5.) Asset Management: “Approve – No Comments.”

(Agency request # 6.) Development Services

Fire Prevention: “Approve Rezoning Only”

Wastewater: “Approve Rezoning Only”

(Agency request # 7.) Parks and Recreation: “Approved”.

(Agency request # 8.) Public Works – City Surveyor: “Denied. Legal Description needs to be retyped.”

Response: See attached (Exhibit “C”): Corrected Legal Description

REVIEW CRITERIA # 2.

DZC Section 12.4.10.13

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

DZC Section 12.4.10.14

- 1. Justifying Circumstances**

DESCRIPTION OF CONSISTENCY WITH ADOPTED PLANS (DRMC 12.4.10.13(AB&C)) / UNIFORMITY / PUBLIC HEALTH

Denver Comprehensive Plan 2000

This comp plan makes clear (see “Variety in housing, p.13”) that Denver planning should seek “To encourage a healthy mix of diversity in Denver, the City must try to ensure housing opportunities in a range of types and prices throughout the city. Housing policies must address the needs of people of diverse incomes, household sizes, ages and lifestyles. Adequacy and variety of housing close to work also protect the environment by reducing driving”.

This emphasis has been strongly reiterated by Denver’s Mayor Hancock in his recent five-year plan on providing affordable housing. A key priority outlined in this initiative is to “Promote affordable housing throughout more ethnically and economically diverse areas for a wider range of family sizes, **with better tracking of neglected, underutilized and/or derelict properties.**”

OUR LONG-TERM PHYSICAL ENVIRONMENT

ENVIRONMENTAL SUSTAINABILITY Chapter

Objective 1: Burdens and Benefits

Strategy 1-A: Encourage redevelopment of vacant, underutilized and environmentally compromised land known as brownfields.

The YMCA site has been mostly abandoned and underutilized site since the mid 2000’s. The size of the parcel lends itself best for the intended use as set forth in this application.

Strategy 1-B: Promote public-private sector involvement and cooperation with citizens to formulate plans and actions that achieve shared responsibilities and benefits.

Numerous meetings, planning sessions and surveys have been conducted with the City Councilman, neighbors, RNO members, and other stakeholders. This outreach effort has directly resulted in a proposed downgrade of the Zoning class from the earlier proposed S-MU-5 to E-MU-2.5 with waivers. An agreement to support an appropriate 3-story zone class in this zoning/map amendment has been agreed to by the RNO Board of Directors and its membership. This agreement is considered just a starting point, as ongoing discussions between the RNO in the interest of preserving the preferences and values in the neighborhood will continue to be voiced and incorporated appropriately within the development planning process. (see Exhibits “G” & “K”). Additional surveys to measure site development opinions/alternatives and other key preferences have also been conducted by the applicant. (Exhibit “F”)

Objective 2: Stewardship of Resources

Strategy 2-E: Encouraging the use of recycled materials in the construction of buildings.

In the course of final determination as to the outcome of the existing buildings at the site, or in the alternative the demolition of one or more structures, a heavy emphasis on recycling of the discarded materials will be employed. All new construction will meet or exceed all environmental recommendations and requirements.

Strategy 2-F: Conserve land by: Promoting infill development within Denver at sites where services and infrastructure are already in place;

And: Designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods.

And: Creating more density at transit nodes.

And: Adopting construction practices in new developments that minimize disturbance of the land.

And: Encouraging the redevelopment of brownfields.

The proposed use and map as proposed and amended herein meets all of these Objectives, and will use the services and infrastructure that currently exist on or near the site where feasible.

LAND USE Chapter

Objective 1: Citywide Land Use and Transportation Plan

Strategy 1-B: Ensure that the Citywide Land Use and Transportation Plan reinforces the city's character by building on a legacy of high-quality urban design and stable, attractive neighborhoods: encouraging preservation of historic buildings, districts and landscapes; and maintain the integrity of the street grid, parks, parkways and open space system.

Multifamily units built on or near existing mass transit lines enables and facilitates transportation for Denver's workforce and further reduces dependencies on automobiles for transit. Further, multifamily constructed in vacant in-fill locations helps to diminish urban sprawl and the need to extend public services and transportation access. The proposed zoning augments these benefits.

Strategy 1-H: Encourage development of housing that meets the increasingly diverse needs of Denver's present and future residents in the Citywide Land Use and Transportation Plan.

Current Zoning at the subject site is O-1, allowing for Group Living / Residential Care (Small or Large) and Shelter for the Homeless. The proposed zoning and map change is consistent with the previous zoning as it also provides for group-sized living and apartments, helping the City to achieve its stated workforce or rental housing needs.

Objective 3: Residential Neighborhoods and Business Centers

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.

The proposed map and zoning change provides for housing alternatives that, when planned and implemented in a public-private exchange of needs and benefits, would result in the restoration of a dilapidated and unsafe property, thereby providing compatible uses and design that meet the needs of the surrounding community and the City. Additional public access to amenities like landscaped areas, plazas and open green space that would benefit the neighborhood is one of the Visioning plan strategies. (“Exhibit E”)

Strategy 3-D: Identify and enhance existing focal points in neighborhood, and encourage the development of such focal points where none exist.

The proposed development use would provide a sense of place and home where none currently exists. If efforts to realize a business use or public meeting space upon redevelopment of the existing YMCA transpire, the site will carry on its legacy as a community gathering spot and neighborhood focal point. The current site is in disrepair and a blemish on the environment. Additional public access to amenities that would benefit the neighborhood is one of the Visioning Plan strategies, and is indicated in the Visioning Plan Summary (see Exhibit “E”)

MOBILITY Chapter

Objective 4: Changing Travel Behavior

Strategy 4-E: Continue to promote mixed-use development, which enables people to live near work, retail and services.

LEGACIES Chapter

Objective 2: New Development, Traditional Character

Strategy 2-B: Focus design standards and review efforts on new and evolving districts that are undergoing the most dramatic change. Periodically evaluate their need and effectiveness, recognizing that location of review focus may change over time.

The Skyland Neighborhood (North City Park) is perched at the front-end of a renaissance redevelopment period which (if South City Park is any indication) will bring significant change within the community in spite of its Stabilized Neighborhood Context designation. This is due greatly to the impact from the effects of ongoing “gentrification” the neighborhood is experiencing. Typically this trend leads to higher housing costs, driving workforce and entry-level rental housing opportunities further away from the neighborhood and City Center. Designating this site for conventional rental, or workforce or senior housing options would preserve the opportunity to provide access to affordable for sale or rental housing as the neighborhood benefits from higher land and real estate valuations.

Strategy 2-C: Identify community design and development issues, and target specific concerns with appropriate controls and incentives.

A joint effort between the local community, the RNO, and the applicant have resulted in significant design and development controls, and a recommendation to support a three-story multifamily Zoning change as contemplated herein. These recommendations and preferences have been set forth in within the Visioning Process Summary (Exhibit “E”), are incorporated in the ongoing discussions and understandings with the RNO and its members, and with other stakeholders.

Strategy 2-D: Define and administer development and design goals clearly and efficiently to ensure they serve as effective tools and incentives to add quality, not cost. Provide development review services in an integrated and flexible package of controls and incentives.

These strategies are indicated in the Visioning Plan Summary (see Exhibit “E”), and are consistent with the zoning/map change as proposed herein.

Objective 3: Compact Urban Development

Strategy 3-A: Identify areas in which increased density and new uses are desirable and can be accommodated.

Strategy 3-B: Create regulations and incentives that encourage high-quality, mixed-use development at densities that will support Denver’s diverse housing needs and public transportation alternatives.

The proposed zoning and map amendment would help Denver to meet these strategic initiatives, while providing additional multifamily, workforce or senior housing options.

Objective 4: Strong Connections

Strategy 4-E: Recognize the significant design role of alleys in defining the character of traditional Denver neighborhoods with regard to access and building orientation.

These strategies are indicated in the Visioning Plan Summary (see Exhibit “E”)

Objective 7: Preserving Neighborhoods

Strategy 7-A: Conduct resource surveys in the development of neighborhood plans.

Neighborhood/Stakeholder impact surveys were conducted by ION Community Solutions and the applicant (Exhibits “E” and “F”)

The Preference Survey results as indicated in the report indicated a TOTAL Survey Response of 81 Completed Surveys. Following is a synopsis of the findings:

- 1. Strongly support any redevelopment, acknowledging that it may change the neighborhood and create some impacts: 23 responses*
- 2. Willing to Support Redevelopment ONLY IF it is implemented respectful to the character of the neighborhood: 57 responses*

3. *Strongly opposed to any Redevelopment: 1 response*

According to the report, following are the Vision Plan's Accomplishments:

1. **Dialogue:** *Originally intended to be completed within 60 days, the Visioning Plan – for a variety of reasons and dynamics that are atypical with neighborhood initiatives – took longer than had been hoped. ion (sic) acknowledges the efforts of all to remain “at the table” during this initial phase of planning for potential redevelopment.*
2. **Memorialization:** *The Vision Plan “Memorializes” and “Institutionalizes” the continued engagement between the neighborhood and the Property Owner. It also acknowledges the history of what preceded the Vision Plan and compliments the input from the hundreds of participants since engagement with the Property Owner. This is not insignificant as the documented process will continue to advise policy makers and reviewal (sic) entities in the future.*

Other impacts/preferences/observations from the Survey Responses, findings, and recommendations are available in the report.

HOUSING Chapter

“The City and County of Denver is developing an aggressive and comprehensive strategy to address the increasing problem of providing affordable housing opportunities for working families and persons of need within our community. “

Objective 2: Preserve and Expand Existing Housing: Encourage preservation and modernization of Denver’s existing housing stock and established neighborhoods. Support addition of housing in expansion and infill development

Strategy 2-A: Encourage rehabilitation of existing housing, both rental and owner-occupied, by increasing funds for housing rehabilitation. Give priority to vacant structures.

Strategy 2-D: As part of the citywide land-use planning process, identify vacant land and study the feasibility of assembling parcels for infill housing.

Strategy 2-F: Explore opportunities for housing in all proposed development and redevelopment projects, including commercial and retail projects.

Although the former YMCA structures are not an existing housing use, its repurposed and redevelopment use as a site for rental housing as an alternative to its current blighted and vacant state supports these strategies and objectives.

Objective 3: Housing Assistance

Strategy 3-D: In coordination with religious and other private organizations, develop permanent and transitional housing that is affordable for very low-income households and special needs populations.

Strategy 3-F: In public and private housing programs designed to assist low-income families, integrate case management and support services that promote resident's efforts to become economically self-sufficient.

Strategy 3-I: Support the development of affordable housing using a variety of public finance mechanisms.

Although the proposed zone change does not specifically limit the multifamily use for the purpose of providing workforce or low-income housing, it is anticipated that this is one viable alternative for repurposing the vacant and blighted site. In furtherance of the strategies indicated above, multiple alternatives to utilize public and private housing financing and private activity bonds are anticipated as likely sources of financing for projects of this type.

Objective 6: Preferred Housing Development

Strategy 6-B: Continue to support mixed-income housing development that includes affordable rental and for-purchase housing for lower-income, entry-level and service employees, especially in Downtown and along transit lines.

The subject site lies one-block from a major transit line (bus). The proposed use would permit the development of affordable for-sale units or rentals targeted at lower-income, entry-level workforce and service employees. The Skylark Neighborhood and environs offer few opportunities for affordable and accessible rental and/or for sale unit occupancies. Units contemplated to be developed on this site at this location would provide additional users for the transit lines, thus decreasing the need for more inefficient transportation alternatives for workers and seniors.

OUR LONG-TERM HUMAN ENVIRONMENT

ECONOMIC ACTIVITY Chapter

Objective 1: Workforce Development and Support

Strategy 1-H: Support a variety of housing opportunities for Denver's current and future workforce. Housing opportunities throughout Denver should be expanded – especially in the

Downtown core and near employment centers – to accommodate people and families of all incomes.

NEIGHBORHOODS Chapter

Objective 2: Communication, Partnership, Participation

Strategy 2-A: Develop and implement a comprehensive communications plan that outlines roles and responsibilities of City agencies, neighborhood organization, residents, community institutions and businesses potentially affected by proposed actions.

Strategy 2-B: Take a leadership role in developing a mutually responsive communications network among City agencies, neighborhood groups, citizens, community institutions and businesses to identify neighborhood concerns and to address them openly, thoughtfully and fairly.

Strategy 2-D: Expand the use of mediation as a tool for resolving neighbor-to-neighbor and institutional conflicts.

Strategy 6-A: Develop a participatory process that encourages open communication among all affected parties for the siting and expansion of facilities that are not already guided by existing local, state and federal laws.

These important strategies have been implemented within a broad coalition of participants over the last several years. The mediation tools and processes have included neighborhood surveys, Visioning plans, meetings with the NCPA Zoning Board and its members, solicitation of Letters of Support, negotiation of an MOU for support, meetings with planners and respective City Council representatives, and numerous other related meetings and conference calls. This process is expected to continue and is anticipated to be an ongoing effort.

Summary: *The references listed above are taken from Denver’s Comprehensive Plan 2000 and are believed to support the proposed map amendment.*

Blueprint Denver 2002

1. Future Land Use Map Rezoning Application #2012I-00021

3540 E. 31st Ave / November 1, 2014

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. The site is located in a single-

family residential area in the Skylark/North City Park Civic Association Neighborhood. Blueprint Denver proscribes that a neighborhood is “an area that consists primarily of residential land uses.” and further that “A city should contain neighborhoods that offer a variety of housing types, as well as complementary land-use types such as stores, parks and schools that provide the basic needs of nearby residents.” The site is currently a mix of dilapidated public/community use structures and vacant land.

Note: The following portion of this application contains excerpts and paraphrasing from the final report “Blueprint Denver, An Integrated LAND Use and Transportation Plan”. Page numbers are included to provide a reference to the entire section of the Plan cited.

CHAPTER 3- Blueprint Denver Concept

Page 25

Preserve Areas of Stability

The site is designated as an Area of Stability in Blueprint Denver. The goal for the Areas of Stability is to identify and maintain the character of an area while accommodating some new development and redevelopment. The zone change from O-1, a non-conforming zone class to E-MU-2.5 with waivers (max. height 3-story), an Urban Edge Neighborhood Context (Multi Unit) allows for a more viable redevelopment of the existing land parcel or repurposing of vacant structures. “Within Areas of Stability there may be places such as stagnant commercial centers where reinvestment would be desirable to make the area an asset to and supportive of the surrounding neighborhood”.

- Strategies:
- Address incompatible zoning and land use issues
 - Diversity of housing type, size and cost
 - Reinvest in substandard and deteriorating infrastructure

CHAPTER 4 – The Plan Map

Page 54

Multi-Modal Street Types

Blueprint Denver classifies 31st Avenue and Wilson Court as Local Residential Streets. Residential Streets are designed to emphasize walking, bicycling and land access over mobility. The initial design elements suggested in Blueprint Denver are integral elements in the proposed workforce housing/senior multi-unit zone plan as proposed as these populations typically retain fewer automobiles, and utilize public bus transportation (within ¼ mile) more often than their single-family neighbors. The use of Alleys and Rear-facing local/private drives for vehicular and non-vehicular traffic further supports the intended use and application. This density also can be

supported without modifying the current class of any adjacent drives or streets. The zone change is consistent with Blueprint Street Classifications.

CHAPTER 7 - Areas of Stability and Areas of Change

Page 120

Relation to Areas of Change

Areas of Change and Stability should not be considered as mutually exclusive. First, each area in the city can be thought of as located on a continuum from change to stability. Second, in stable residential neighborhoods there often are areas that would benefit from change, such as stagnant commercial development that would benefit from revitalization and possibly provide some neighborhood services. These areas, due to their lack of reinvestment, have a negative visual impact, character and level of safety on the surrounding area.

Page 126

Partnership Tools – Mixed Income Housing

Examples of uses for partnerships include:

- *Redevelopment of a brownfield (site is vacant with blighted bldgs.)*
- *Affordable housing development*

Mixed-income housing development in an Area of Stability can maintain moderate income housing opportunities in the face of increasing housing prices. This can occur by combining public and private financing.

The proposed project use is consistent with these objectives.

Page 141

Guiding Principles for Areas of Stability and Change

Every project or plan needing City approval – be it a small area plan, rezoning or site development plan – is expected to contribute to achieving the Blueprint Denver vision for land use and transportation and the overall Plan 2000 vision of Sustaining Denver’s quality of life. These guiding principles summarize the fundamental concept of Blueprint Denver.

Areas of Stability (Guidelines) - *By way of extensively reaching out to the neighborhood and local community, often extensively utilizing the “Public Participation Process” as described in Blueprint Denver’s Chapter 10 (p. 173), many of the Guiding Principles as noted in this section have been incorporated into the Visioning Plan and within the proposed ROA support letter.*

CHAPTER 9 - Blueprint Denver Implementation

This chapter summarizes the regulatory, infrastructure and partnership recommendations that affect the whole city and are a high priority for accomplishing Blueprint Denver.

Page 162

Land Use Regulation Strategy - Elimination of Obsolete Zone Districts

The proposed zone and map amendment anticipates changing from the original (now obsolete) use of the O-1 Zoning class to a new conforming zoning class.

Page 170

Partnerships

- Provide financing to fill the gap needed to make priority projects feasible.
- Assemble land in priority areas.
- Work with associations to promote transit use or to maintain public spaces.
- Work with local jurisdictions in the region to address transportation and growth issues.

Page 171

Affordable Housing

To implement this plan, the City will consider making mixed-income housing developments along transit corridors a priority for housing resources. Several plan objectives can be met including: increasing transit ridership; providing affordable housing in locations served by transit and nearby employment and services; and increasing access to jobs.

CHAPTER 10 – Public Participation Process

Page 175

Public Input and the Plan Development Process & Open Houses

In an effort to maintain total transparency and fairness throughout the pre-amendment process, the following public involvement workshops and open houses have been conducted:

- *Visioning Surveys / Land Use Alternative assessments / Reporting (see Exhibit “E”)*
- *Neighborhood surveys (see Exhibit “F”)*
- *Numerous meetings with the Registered Neighborhood Association’s Zoning Committee (“NCPCA”) / supported by Board of RNO and pending a vote of the membership*
- *Proposed developer concept presentations*
- *Developer field trips (for NCPCA members) to demonstrate typical project design/concept and density alternatives*
- *Meetings with Planning/CPD, the RNO, its Board and Zoning Committee, current City Council representative, and other interested stakeholders*
- *Meetings with the previous City Councilman*

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to E-MU-2.5 with waivers will result in the uniform application of the new zone district building form, and in accordance with the respective 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.

4. Justifying Circumstance

The application identifies the changed ownership of the property as the Justifying Circumstance under DZC Section 12.4.10.14.A.4, "The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area. This is an appropriate justifying circumstance for the proposed rezoning."

The proposed zone map amendment is responding to the changed conditions of the site. The property was formally home to the East Denver YMCA and served as a community health and wellness center, as well as a gathering space for the surrounding neighborhood. The YMCA vacated the property in 2005 and the site has since deteriorated into a state of under-use and disrepair. After unsuccessfully attempting to find a new user and/or buyer for the property over the past 7 years, rezoning is deemed necessary for the redevelopment and improvement of this site.

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

Denver Zoning Code Criteria is incorporated in its entirety by reference into this proposed official map amendment and is intended to be fully consistent with the descriptions and requirements of the new applicable neighborhood context, and with the stated purpose and Rezoning.

6. Neighborhood Goals

The public interest for the citizens of Denver, and especially surrounding neighbors is best served by adoption of this map amendment, which anticipates providing the services, amenities, and residential development necessary to alleviate the blighted condition of the subject site, and will further provide the needed incentives for positive planned growth to occur on this location.

"The proposed official map amendment is consistent with the applicable neighborhood context and with the stated purpose and intent of the proposed Zone district."

The proposed zone district for this property attempts to emulate the suburban-like context of the surrounding housing, street pattern, etc. The E-MU-2.5 Zone district is thus proposed for compatibility reasons, seeking to remain as harmonious and consistent with the existing neighborhood context as possible.

*The specific intent of the E-MU-2.5 zone district (with waivers) as proposed herein is to **allow suburban house, duplex, townhouse, urban house, tandem house and apartment forms up to 3 stories in height built around common open space (Denver Zoning Code: Section 4.3.3.1)**. These standards attempt to recognize existing residential characteristics within the Suburban Neighborhood Context while allowing for the continuity of the existing Urban Edge Neighborhood Context. This solution can accommodate a variation and range of residential options. These building types allow for a building form that will drive neighborhood-desired investment in the property. The E-MU-2.5 with waivers provides setback requirements, as opposed to a build-to requirements. This will provide certainty to the neighbors that any development is appropriately setback from the street and adjacent homes.*

For the above stated reasons the proposed Urban Edge Neighborhood zone district is consistent with the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.

**Exhibit "A": Evidence of Stephen Caragol's authority to sign on behalf of Corporate
Property Owner Blue Rhino Investments Inc.**

BLUE RHINO INVESTMENTS, INC.

INFORMAL ORGANIZATIONAL ACTION OF THE BOARD OF DIRECTORS

August 2, 2001

THE UNDERSIGNED, constituting all of the members of the Board of Directors of Blue Rhino Investments, Inc., a Colorado corporation (the "Corporation"), in accordance with §7-108-202 of the Colorado Business Corporation Act, do hereby take the actions below set forth, and to evidence their waiver of any right to dissent from such actions, do hereby consent as follows:

RESOLVED: That the Articles of Incorporation of this Corporation filed with the Colorado Secretary of State on August 2, 2001, and incorporated by this reference herein, be and the same are hereby approved and accepted.

RESOLVED: That the following persons be and they are hereby elected as officers of the Corporation in their respective capacities set forth after their several names, the terms of office of each person to be until the first annual meeting of the Board of Directors and until their respective successors shall be elected and qualified:

Stephen Caragol	President
Michelle Caragol	Vice President
Stephen Caragol	Treasurer
Stephen Caragol	Secretary

RESOLVED: That the seal of the Corporation shall consist of a circular impression bearing around the outside rim the words "Blue Rhino Investments, Inc.", the word "Colorado" and in the center the date "2001".

RESOLVED: That ~~Compass~~ *Vector* Bank be and it hereby is designated as a depository of this Corporation and that the corporate banking resolutions of said bank be and the same are hereby adopted and approved.

RESOLVED: That the Treasurer be and is hereby authorized and directed to pay all fees and expenses incident to and necessary for the organization and qualification of the Corporation including, without limitation, all legal and accounting fees and costs to procure proper Corporate books.

RESOLVED: That the proper officer of the Corporation cause to be prepared appropriate books and records with respect to the capital stock of the Corporation, and which shall be recorded, among other things, the names and addresses of the stockholders and the number of shares held by each.


RESOLVED: That the Corporation elects to qualify as an S corporation pursuant to Subchapter S of the Internal Revenue Code of 1986, provided that the stockholders of the Corporation approve unanimously such election, and that the proper officer of the Corporation file all forms and undertake all action necessary to effectuate such election.

RESOLVED: That the Corporation issue the following number of shares of Common Stock to the following below named individuals:

<u>Name</u>	<u>Number of Shares</u>
Stephen Caragol	990
Michelle Caragol	10

RESOLVED: That any and all actions taken or contracts entered into heretofore by a promoter, officer or director for the Corporation, either as a promoter, officer or director, as well as any and all actions taken or contracts entered into by said persons as individuals, acting for the Corporation, be and the same are hereby ratified, approved and confirmed by the Corporation and all such contracts adopted as though said individual had at such time full power and authority to act for the Corporation and in the same manner as if each and every act had been done pursuant to the specific authorization of the Corporation.

WITNESS my signature effective the day and year first above written.



Stephen Caragol, President

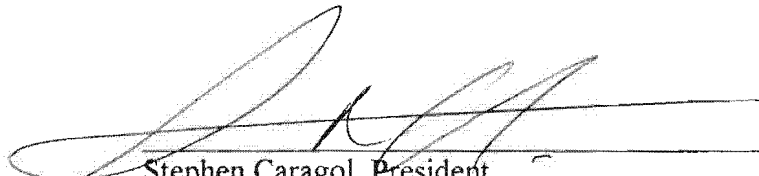
BLUE RHINO INVESTMENTS, INC.

ORGANIZATION AND ACTION OF BOARD OF DIRECTORS August 2, 2001.

THE UNDERSIGNED, constituting all of the members of the Board of Directors of Blue Rhino Investments, Inc., a Colorado Corporation (the "Corporation"), in accordance with Section 7-108-202 of the Colorado Business Corporation Act, do hereby take the actions below set forth, and to evidence their waiver of any right to dissent from such actions, do hereby consent as follows:

RESOLVED: That the officers of the Corporation have the authority to financially commit the Corporation for secured loans held against the assets of the Corporation and unsecured loan, purchase and sell assets of the Corporation including real property deeds, and financially obligate the corporation and release financial obligations to the corporation at the discretion of the officers.

WITNESS my signature effective the day and year first above written.



Stephen Caragol, President



Michelle Caragol, Vice President

Exhibit "B": Site Survey

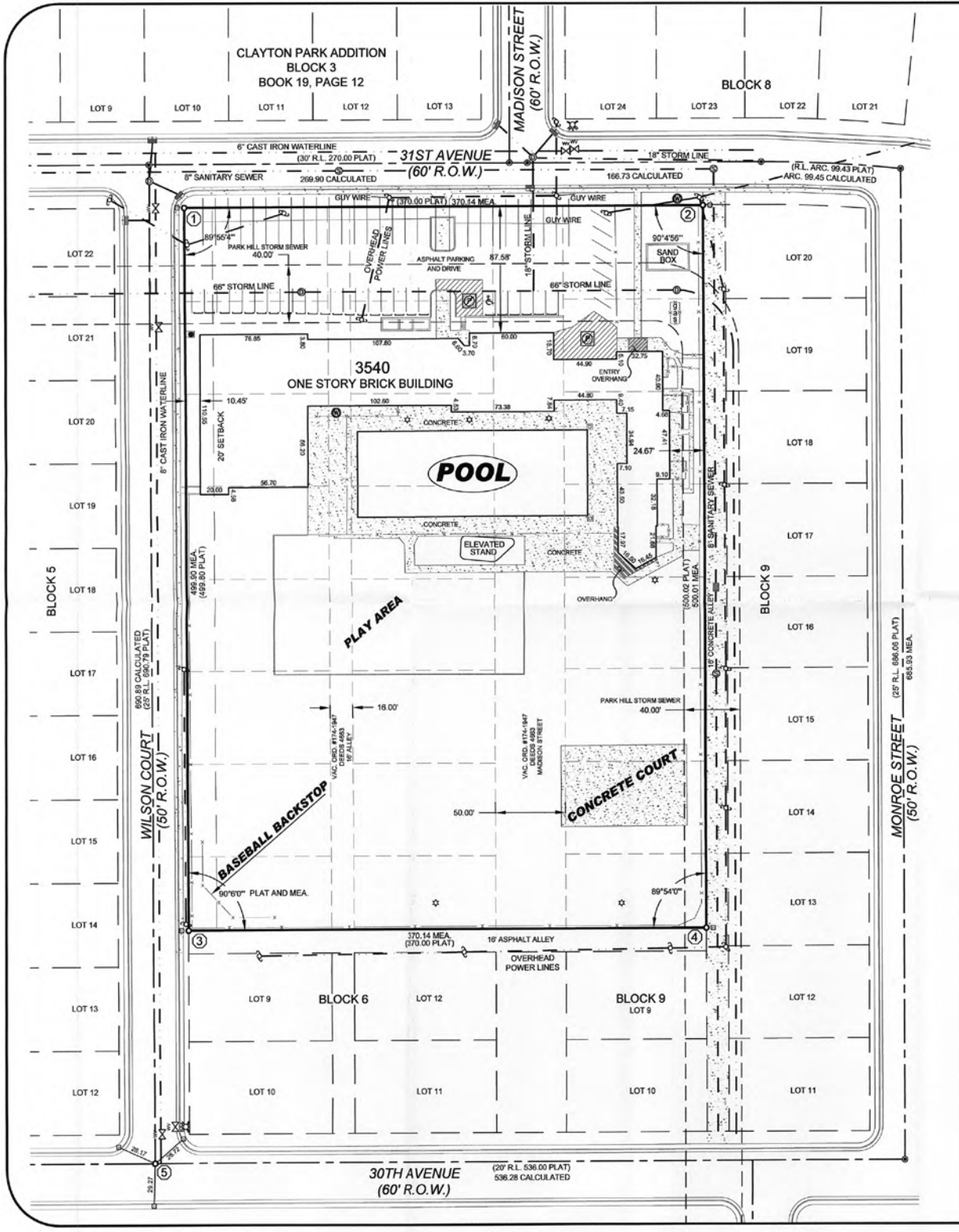


Exhibit "C": Corrected Legal Description

**LOTS 1 TO 7, LOTS 14 TO 20, ALL INCLUSIVE, AND THE NORTH 51 FEET OF LOTS 8 AND 13,
BLOCK 6,**

**LOTS 1 TO 7 INCLUSIVE, AND THE NORTH 51 FEET OF LOT 8,
BLOCK 9,**

ALL IN CLAYTON PARK ADDITION;

**AND THAT PART OF MADISON STREET NOW VACATED LYING BETWEEN SAID BLOCKS 6 AND 9
NORTH OF A LINE 141 FEET NORTH OF THE SOUTH LINE OF SAID BLOCKS AND ALL OF THE
ALLEY NOW VACATED IN SAID BLOCK 6 LYING NORTH OF A LINE 141 FEET NORTH OF THE
SOUTH LINE OF SAID BLOCK 6,**

CLAYTON PARK ADDITION,

CITY AND COUNTY OF DENVER,

STATE OF COLORADO.

Exhibit "D": Owner's Sub-Agent Authorization

Blue Rhino Investments, Inc.
POB 772428 Steamboat Springs, CO 80477

November 1, 2014

Re: Official Map Amendment of 3540 E. 31st Ave, Denver, CO

Please be advised that Blue Rhino Investments, Inc, in its capacity as property owner of the above-referenced property hereby authorizes Steve Hegge, dba Hegge & Company, 1465 So. Kearney St., Denver, CO 80224 to act on Blue Rhino Investments behalf as Owner's Representative for all zone map amendment applications, procedures, and correspondence related to the rezoning of property located at 3540 E. 31st Ave, Denver, CO 80206.



Stephen Caragol, President

Blue Rhino Investment, Inc
PO Box 772428
Steamboat Springs, CO 80477

Exhibit "E": East Y Visioning Plan – Summary of Findings – January 22, 2014



EAST Y VISIONING PLAN - SUMMARY OF FINDINGS

January 22, 2014

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NORTH CITY PARK
CIVIC ASSOCIATION

THE HISTORY of the Neighborhood’s Visioning Process*

In March, 2013, North City Park Civic Association initiated a neighborhood based Old YMCA property **Visioning** process in an effort to coalesce and ensure proper neighborhood outreach, input, and information regarding the rezoning efforts and proposed five story development in the Skyland neighborhood proposed by Blue Rhino Investments in 2012.

The Visioning Process is the partial result of a concern voiced during the recommendations from the original Y Task Force that proper neighborhood outreach was necessary to determine if there was adequate support for the proposed development and that this outreach was not financially feasible. The initial Y Task Force, was assembled in 2012 by the NCPCA board to As a result the Task Force met with several developers, hosted several neighborhood meetings and developed the initial survey to inform and gain input from residents. The neighborhood survey generated less than 5% of neighborhood input due to lack of resources. The first Y Task Force was split on the proposed development, but recommended approval of the five-story proposed development with concessions (zoning change only on the initial parcel to be developed, not the entire site) to the neighborhood for a discounted price for a community center on a small parcel of the proposed development, again noting concern about lack of further neighborhood outreach due to financial limitations.

The NCPCA board rejected the recommendation of the initial Y Task Force noting the concern regarding the lack of adequate neighborhood outreach. In order to alleviate the financial problem with outreach NCPCA sought funding from The Denver Foundation for a Visioning Process to increase neighborhood outreach and visibility about the proposed development, as well as to gather information on the neighborhood and surrounding area residents and businesses on their desires for development of the property. The Denver Foundation approved NCPCA’s grant in April of 2013. NCPCA initiated a **Visioning Team** with the expressed purpose of managing the process of seeking community input regarding rezoning efforts and development at the former YMCA site. The Denver Foundation recommended ion community solutions as a partner to provide technical support and facilitation of the Visioning Process. NCP began the planning with ion in May/June of 2013 for the Visioning Process.

During the initial planning of the **Visioning**, and prior to the approval of the Denver Foundation grant, Councilman Brooks through third party mediator Steve Charbonneau initiated a mediation process between the owner and neighborhood in an attempt to seek common ground regarding the proposed

development. The Visioning process was placed on hold during these negotiations. The discussions in mediation led to the creation of a Neighborhood Representatives Committee comprised of NCPCA members, independent Skyland residents, and Blue Rhino representatives. The outcome was insufficient for a consensus for the proposed development and the Neighborhood Committee was dissolved by Mr. Charbonneau. Upon the dissolution of the mediation effort NCPCA began actively pursuing the Vision Process once again.

The formal **Visioning** process began in late May of 2013 initiated by former board member David Goens with support from the board and membership. The neighborhood participated in five sessions facilitated by ION Solutions and the Visioning Team which included: Tammi Robson, Gerald Hamel, David Goens, Gerrie Grimes, Deborah Sims Fard, and Kyle Shelton. NCPCA will include the results of the Visioning in a comprehensive report to inform City Council about the process and neighborhood position.

Acknowledgements

The following contributed to the East Y Visioning Plan

The East Y Visioning Team:

Tammi Robson	Co-Chair	David Goens	
Gerie Grimes	Co-Chair	Kyle Shelton	
Deborah Fard	NCPCA President	Gerald Hamel	Co-Chair (past)

Blue Rhino Investments:

Steve Caragol; Property Owner

ion community solutions

Ray Kramer	Fong Lee
Jann Oldham	Michael Blea
Allen Harlow	Terrance Ware (consultant)

The East Y Visioning Team would also like to thank:

The Denver Foundation for its assistance towards funding this project

Councilman Albus Brooks for his assistance and support

Plus the many, many residents and neighbors who volunteered and assisted with the public workshops and other events as well all those members of the public who attended the presentations and/or posted comments on-line.

* Prepared by the **North City Park Civic Association** P.O. Box 7562 Denver, CO 80205



EAST Y VISIONING - INTRODUCTION and BACKGROUND

The East Y Visioning Team was established to address potential reinvestment on the Former East YMCA site. The Visioning Team is comprised of members of the North City Park Civic Association (NCPCA).

The purpose of this process has been to continue to engage interested parties – the North City Park residents, businesses, institutions, and surrounding communities, property stake holders, visioning facilitators, visioning planners, and consultants - in the development of acceptable options for viable redevelopment and regeneration of the Former East YMCA site. Specifically, the purpose of the Visioning process has been to:

1. document the assets of the existing community
2. document the traditions and values of the existing community
3. document Good Neighbor Principles for any reinvestment/ redevelopment of the site
4. build collaboration between all involved that result in feasible and sustainable solutions
5. provide a voice to residents regarding feasible redevelopment of the site, especially related to:
 - an appropriate level of redevelopment in character to the existing surrounding neighborhood
 - continued public access to the site once redeveloped
 - possible public amenities

6. result in a Vision for redevelopment of the property advising any potential developers as well as any future Neighborhood Planning by the City and County of Denver.

This Visioning Process has fully incorporated the NCPCA’s Mission Statement:

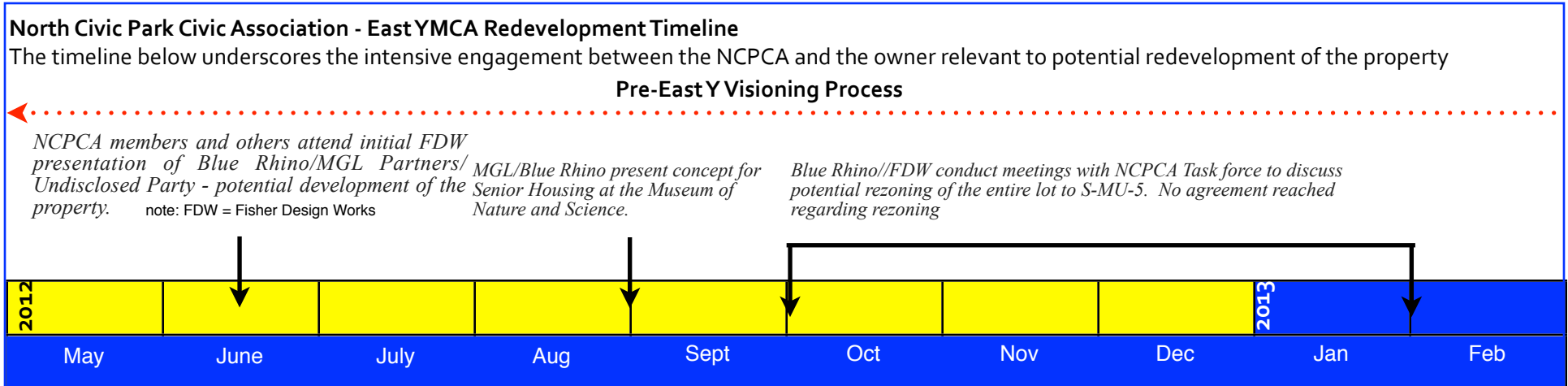
.....North City Park is a great place to live, work, learn and play. We live in a vibrant and diverse neighborhood. Let’s speak our minds and listen to our neighbors so that we can grow together as a community.....

Most importantly, this Visioning has allowed all a chance to "Think Outside of the Box" as viable approaches and strategies were presented and shared for community input.

Information as to all events hosted by the Visioning Team was widely distributed throughout the community with regular postings also on the EastY.org website established for this process. The entire Visioning Team also made itself available during this entire process to discuss the purpose and goals for this Plan with all those who chose to participate.

Project Initiation

After months of direct discussions between the East Y neighbors and the property owners stalled regarding the potential rezoning of the site, the





NCPCA established the Visioning Team. Each of the team members had been directly involved in discussions between the property owner, city and others (refer to the summary of the Pre-Visioning period provided as provided by the NCPCA). assistance with the community outreach and management components for such a plan. Understanding the importance of the Visioning Plan, The Denver Foundation awarded the NCPCA/Visioning Team with a grant to assist in the costs associated with public outreach costs and management of the process. In this time, ion community solutions (ion) was selected by the Visioning Team to provide the technical assistance that would be required for the work. Upon initiation of the project, ion reached out to the owner of the property, Blue Rhino Investments, encouraging participation in the process. Having been engaged with the community for over a year and without any significant movement towards resolution, Blue Rhino saw the potential benefit of the the Visioning Plan and the clarity it might provide and remained an active participant throughout the process.

Workshop No. 1

Over 70 members from the community showed up to take part in the initial workshop which was a reaffirmation of what makes North City Park such a special place to live. Many North City Park residents participated along with



Workshop No. 1

Workshop No. 1 was held in the gymnasium of the East Y (some of the participants at their tables represented in the upper photo left). Attendees were asked to reaffirm community values based upon the presented questionnaires (example below photo) which were also posted on the East Y.org website.

North City Park - East Y
VISION PLAN
Worksession No. 1 Questionnaire
June 20, 2015

Please Tell us a bit about yourself!

Are you a current or past North City Park Resident : Yes No What is your current Zip Code _____

Did you ever use the Old YMCA? Yes No What is your proximity to the site? Zone A B C D

If you did use the Old YMCA please describe how: _____

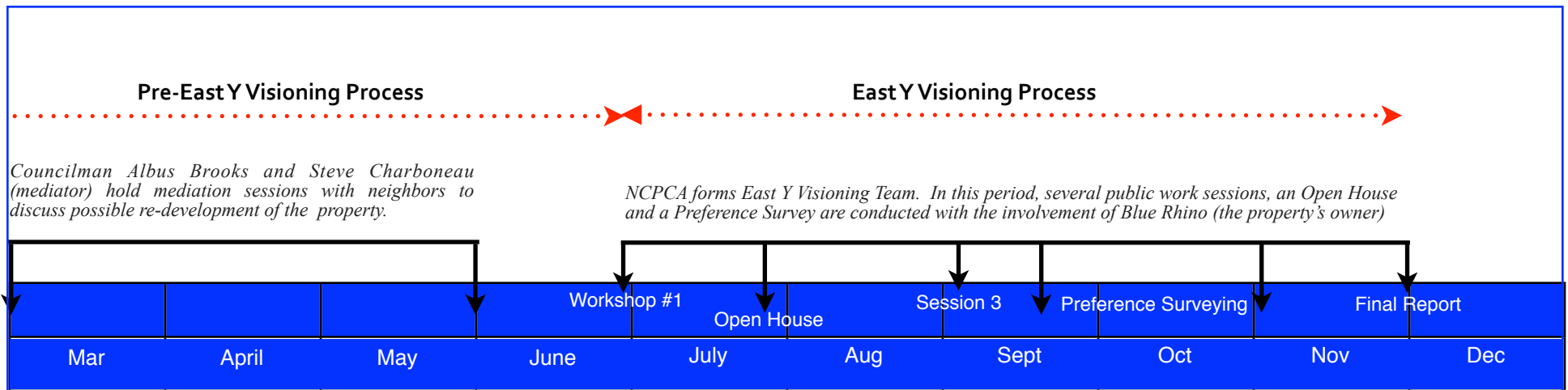
If you did use the Old YMCA, what do you miss about it: Meeting Neighbors Activities/Recreation Identity Other (please describe below)

The North City Park Area
What are some of the things that you value the most about living in the North City Park Area?

Neighborhoods Location/Proximity
 People/Neighbors Recreation/Activities
 Streetscapes Other (please describe below)

The Former East Y Neighborhood - Now
What are some of the things that you value the most about this neighborhood? What makes it special?

Yards "Quiet Streets" - Mobility
 Proximity People/Neighbors
 Residential Character Other (please describe below)





community members from Aurora, Clayton, Curtis Park, Green Valley Ranch, Northeast Park Hill, and Whittier. At the workshop, 18 people signed up to volunteer with the East Y Visioning process. The NCPCA/Visioning Team was amazed at the level of interest placed towards future re-investment at the former East DenverYMCA .

Workshop #1 was also attended by representatives of The Denver Foundation; Strengthening Neighborhoods, the City and County Community Planning and Development, Councilman Albus Brooks, and the DenverYMCA at Manual High School. The owner of the property was also in attendance and participated. The entire Visioning team was proud that so many community partners could attend to listen to the community.

Following the workshop, the East Y Visioning Team compiled the results from the questionnaires that were filled out (both at the session and on line) for incorporation into presentations that would be prepared for the Open House. Note: All questionnaires remain on file and are available for review.

Open House

Building upon the core values of the neighborhood as reaffirmed during the initial workshop, the consulting team prepared a series of scenarios that represented a broad range of potential redevelopment alternatives. The scenarios were not intended to be actual site plans, but rather, composite examples of how elements might be organized based upon a particular redevelopment approach. Eight in total, the scenarios were presented at the Clayton Campus in a manner that allowed attendees to rate their support and/or concern for each. The issues used for public comment included:

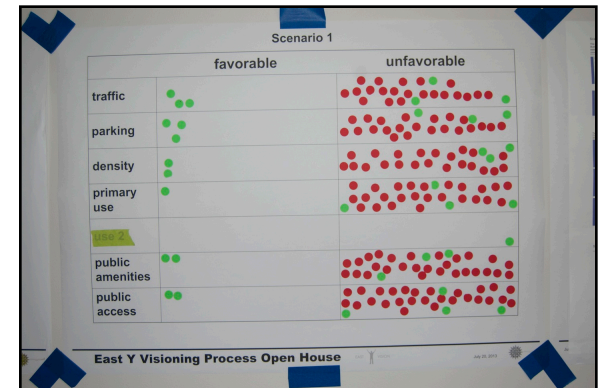
1. Traffic
2. Parking
3. Density
4. Use
5. Public Amenities
6. Public Access



In the photo above, Open House attendees review one of the eight presented redevelopment scenarios with the assistance of an ion representative.

Open House

A range of potential redevelopment scenarios - as opposed to actual site plans - were presented during the Open House at the Clayton Center. The scenarios were not intended to be actual site plans, but rather, composite examples of how elements might be organized based upon a particular redevelopment approach. Each attendee was provided with red and green dots for indicating their support or concern for various aspects of the eight presented options (a green dot indicating a favorable response and a red dot unfavorable). At each of the eight stations, a redevelopment scheme was presented along side a chart listing a series of typical redevelopment factors - such as traffic, parking, density, public amenities, etc. - for attendees to register their observations.



Responses to Scenario No. 1: Storage Facility - which illustrated a "use by right" based upon the current zoning - are represented in the photo above. As is evident, mostly concerns with this approach were registered by attendees.



In addition to the East Y scenarios presented on the outer walls of the Center, several other service groups set up tables to discuss their neighborhood related programs including the Denver YMCA, Voices on Canvas and the HOPE Center. Attendees at the day long open house numbered around eighty. For each presented scenario, they were asked to mark their support or concern by placing a dot in the appropriate column; red representing a concern, green representing support. The scenarios were also placed on the East Y website for input and comment as well. After the event and after allowing the materials to remain on the website for a week, the Visioning Team tabulated the results from both the open house and web site.

Work Session No. 3

Following the Open House, it was agreed upon by the Visioning Team and the owner of the property that additional focus towards those factors that typically contribute to the feasibility and economic viability of any redevelopment should be provided to the community. To this end, ion and the Visioning Team conducted a session at Councilman Brook's office that provided an evaluation of the eight presented Open House. The evaluation was based upon a series of feasibility thresholds including Financial, Market, Political, Physical and Implementation. Within each of these categories, each option was rated as to its potential success (with rankings of more likely, moderate, less likely - see materials opposite page). This evaluation advised ion and the Visioning Team as to the preparation of the final redevelopment scenarios for inclusion into the Preference Surveying.

Preference Surveying

Building upon the evaluation of the Open House options, five redevelopment scenarios were prepared as a part of a neighborhood "Preference Survey." Similar to the Open House options, these five scenarios were not intended to be actual site plans, but once again, composites of how elements might be organized based upon a particular redevelopment approach. The scenarios did include the benefit of further refinements based the community input and observations by the property owner. To accommodate to the fullest extent possible participation in the Preference Surveying by the community, two presentations were conducted at Councilman Brooks' office. Similar to all previous work sessions, the Preference Survey was posted on the EastY.org web site for those who could not or chose not to attend the public presentations.



Open House Scenarios Presented

Building upon the core values of the neighborhood - as reaffirmed during the initial workshop - the consulting team prepared eight scenarios representing a broad range of potential redevelopment alternatives for presentation at the Open House. The scenarios (thumbnails above) were not intended to be actual site plans, but rather, composites of how elements might be organized given a particular redevelopment approach.

Feasibility Index

Prior to the preparation of the final redevelopment scenarios for inclusion into the Preference Surveying, the eight Open House options were evaluated based upon a series of feasibility factors including Financial, Market, Political, Physical and Implementation. Within each of these categories, each was rated as to potential success; i.e., more likely, moderate, less likely. The evaluation, the final summary to the left, was presented during Work Session No. 3.

From this evaluation, several options were eliminated including Option No. 1 (Storage Units) and Option No. 6 and Option 7 (Four story - Five story Congregate Facility) were merged. The Community Center (Option 2) advanced in spite of scoring low in areas such as the Financial Category. The Community Center option continued to garner strong support throughout the process even with the recognized challenges of securing the significant level of funding that would likely be required from unidentified public and/or philanthropic entities.

Development Options	Financial	Market	Political	Physical	Implementation
1 - Storage Units, Warehousing	○	○	○	○	○
2 - Community Center	○	○	+	●	○
3 - Single-Family Housing (7 du/a)	○	●	●	○	○
4 - Row Housing, 2-story, attached/detached	○	○	●	○	○
5 - Multi-Family, 3-story	○	○	○	○	○
6 - Mixed-use, Community Center, Multi-Family, 2-4 story	○	○	○	○	○
7 - Mixed housing type, Multi-Family 2-5 story	●	○	○	○	○
8 - Mixed housing, MF, 2-5 story,	●	○	○	○	○

More Likely
 Moderate
 Less Likely

Exhibit "F": Neighborhood Letters of Support

To Whom It May Concern:

As a member of the North City Park community and/or Greater Denver area, I would like to express my support for rezoning the former East Denver YMCA property located at 3540 E. 31st Ave unto a mix of community-based uses.

The site has been in a state of under-use and disrepair for the past 10 years and has become an eyesore for the neighborhood. This unique site holds great importance for North City Park, as well as the City of Denver. The rezoning to S-MU-5 and good neighbor agreement as proposed present a wonderful opportunity to bring much needed senior housing in the area, as well as a diversity of uses and housing types otherwise not found in our community at present. I believe that the many benefits that redevelopment of this site will bring to our community far outweigh any objections being raised.

I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

X Grant M Brown

Print Name: GRANT M BROWN

Address: 3100.57 Paul St
Denver, CO 80205

Email: gmbrown@msk.com

Jack Fisher

From: no-reply@www2.dragndropbuilder.com
Sent: Tuesday, October 08, 2013 9:50 PM
To: collaborate@northcityparkrenewal.com
Subject: New Form Entry: I support Rezoning at 3540 E 31st Ave.

You've just received a new submission to your [I support Rezoning at 3540 E 31st Ave..](#)

Submitted Information:

Name

Justin Peck

Address

2853 Columbine St
Denver, CO 80205

Email

To Whom It May Concern:

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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

x Vickie Stephen

Print Name: Vickie Stephen

Address: 2909 St Paul St
DENVER, CO 80205

Email: _____

collaborate@northcityparkrenewal.com: New Form Entry: I support Rezoning at 3540 E 31st Ave. (19 of 44)

- Horde
- Mail
 - Filters
 - New Message
 - Search
 - Inbox
 - chris
 - chris@fisherde
 - chris@fisherde
 - collaborate@fis
 - collaborate@nc
 - comments@no
 - Drafts
 - lan@fisherdesi
 - jack
 - jack@fisherde
 - Junk
 - Sent
 - Trash
 - Virtual Folders
- Organizing
- Options
- Log out

Mark as:

Date: Sun, 14 Apr 2013 16:37:46 GMT [04/14/2013 10:37:46 AM MDT]

From: collaborate@northcityparkrenewal.com

To: collaborate@northcityparkrenewal.com

Subject: New Form Entry: I support Rezoning at 3540 E 31st Ave.

Show this HTML in a new window?

You've just received a new submission to your I support Rezoning at 3540 31st Ave..

Submitted Information:

Name
Marian Wells

Address
3043 st. Paul
Denver , CO 80205

Email

Mark as:

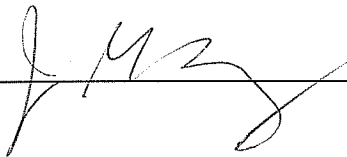
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Sincerely,

x  _____

Print Name: Jesus Sanchez

Address: 3195 Clayton St.
Denver CO, 80205

Email: Cj Sanchez 28184@gmail.com

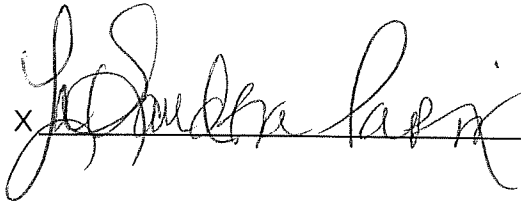
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Sincerely,

x  _____

Print Name: LA SANDRA PARIS

Address: 3010 CLAYTON STREET
DENVER CO. 80205

Email: _____

To Whom It May Concern:

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Sincerely,

x Natalia V Ruiz

Print Name: Natalia Ruiz

Address: 2911 Clayton
Denver CO

Email: _____

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Sincerely,

Sven Carlos Díez

Print Name: *Sven Carlos Díez*

Address: *2820 CLAYTON ST*
Denver CO
80205

Email: _____

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Sincerely,



X _____

Print Name: _____

Ross Feldman

Address: _____

2800 Fillmore

Denver, CO 80205

Email: _____

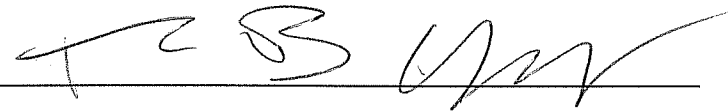
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Sincerely,

X 

Print Name: Thomas B. Young

Address: 2824 Fillmore st
Denver CO.

Email: sophiatby@gmail.com

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Sincerely,

x Hazel J. Bell

Print Name: Hazel J. Bell

Address: 2840 Fillmore St
Denver, CO 80205

Email: _____

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Sincerely,

x 

Print Name: Bibiana Brame

Address: 2736 Milwaukee St
Denver, CO 80205

Email: bibiana.brame@du.edu

To Whom It May Concern:

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Sincerely,

x Michael Harty

Print Name: Michael Harty

Address: 2711 Milwaukee St
Denver
80205

Email: _____

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Sincerely,

X Travis Desmond

Print Name: Travis Desmond

Address: 2920 Milwaukee St
Denver, CO 80205

Email: tidesmond@gmail.com

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Sincerely,

x Dena Boor

Print Name: Dena Boor

Address: 3055 Milwaukee St
Denver, CO
80205

Email: jasondena@msn.com


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Sincerely,

X 

Print Name: JASON BOONE

Address: 2055 M. INAUDER ST.
DENVER CO
80205

Email: JASONUDENA@MSN.COM

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Sincerely,

x Pelar Parker

Print Name: Pelar Parker

Address: 2690 Milwaukee st

Email: _____

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Sincerely,

X  _____

Print Name: Rachael Weaver

Address: 2655 York St
Denver, CO 80205

Email: rachaelgweaver@gmail.com

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Sincerely,

X  _____

Print Name: Jessie Kirby

Address: 2855 York St.
Denver Co, 80205

Email: _____

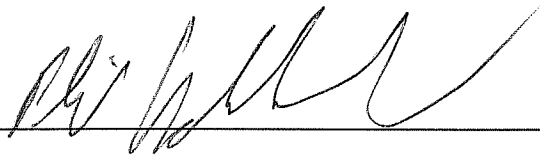
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Sincerely,

X  _____

Print Name: Phil Rahibacher

Address: 2912 Columbine St

Email: _____

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Sincerely,

x Theresa E Phillips

Print Name: Theresa E Phillips

Address: 3131 Elizabeth St
Denver Co, 80205

Email: TheresePhillips@live.com

W


To Whom It May Concern:

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Sincerely,

x  _____

Print Name: Simone groen-nieto

Address: 3105 elizabeth st

denver CO 80205

Email: _____


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Sincerely,

X  _____

Print Name: Rogelio Lujan

Address: 3035 Elizabeth St - 1
Denver, CO 80205

Email: RogelioLujan@gmail.com

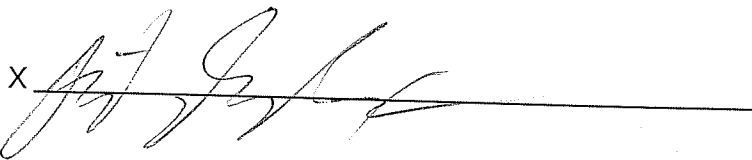
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Sincerely,

X 

Print Name: David Schexnayder

Address: 3003 Columbine
Denver, CO 80205

Email: _____

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Sincerely,

X Andrea Lawton

Print Name: Andrea Lawton

Address: 2503 York St
Denver, CO 80205

Email: _____

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Sincerely,

X 

Print Name: Michael Rodgers

Address: 2545 York
Denver, CO 80205

Email: _____

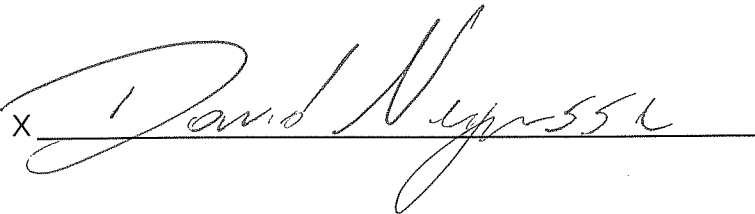
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Sincerely,

X 

Print Name: DAVID NEOUSSE

Address: _____

Email: _____

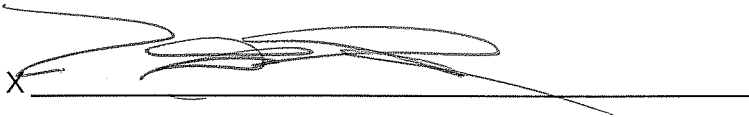
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Sincerely,


X _____

Print Name: Donde Collier

Address: 3535 E 30th AVE
DENVER CO 80205

Email: _____

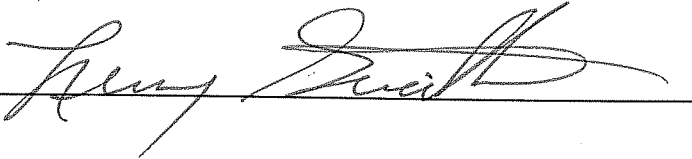
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Sincerely,

X 

Print Name: LEROY SMITH

Address: 2665 MAPLE

Email: LC SLAND@aol.com

jack@fisherdesignworks.com

From: z3mogo@gmail.com
Sent: Monday, July 08, 2013 5:18 PM
To: collaborate@northcityparkrenewal.com
Subject: New Form Entry: I support Rezoning at 3540 E 31st Ave.

You've just received a new submission to your [I support Rezoning at 3540 E 31st Ave.](#)

Submitted Information:

Name

Lorenzo Gomez

Address

5427 Ben Park Cir
Parker, Co Douglas 80134

Email

z3mogo@gmail.com

- Horde
- Mail
 - Filters
 - New Message
 - Search
 - Inbox
 - chris
 - chris@fisherde
 - chris@fisherde
 - collaborate@fis
 - collaborate@nc
 - comments@no
 - Drafts
 - ian@fisherdesi
 - jack
 - jack@fisherdes
 - Junk
 - Sent
 - Trash
 - Virtual Folders
- Organizing
- Options
- Log out

collaborate@northcityparkrenewal.com: New Form Entry: I support Rezoning at 3540 E 31st Ave. (20 of 43)

Mark as: [dropdown] Move Copy This message to [dropdown]
 Delete Reply Forward Redirect View Thread Blacklist Whitelist Message Source Save as Print Headers

Date: Sun, 14 Apr 2013 16:54:36 GMT [04/14/2013 10:54:36 AM MDT]
From: collaborate@northcityparkrenewal.com
To: collaborate@northcityparkrenewal.com
Subject: New Form Entry: I support Rezoning at 3540 E 31st Ave.

Show this HTML in a new window?

You've just received a new submission to your I support Rezoning at 3540 31st Ave..

Submitted Information:

Name
sandra goff

Address
2830 garfield st
denver, co 80205

Email

Delete Reply Forward Redirect View Thread Blacklist Whitelist Message Source Save as Print Headers
 Mark as: [dropdown] Move Copy This message to [dropdown]

ack@fisherdesignworks.com

From: mario_giardiello@dpsk12.org
Sent: Wednesday, April 17, 2013 7:46 AM
To: collaborate@northcityparkrenewal.com
Subject: New Form Entry: I support Rezoning at 3540 E 31st Ave.

You've just received a new submission to your [I support Rezoning at 3540 E 31st Ave.](#)

Submitted Information:

Name

Mario Giardiello

Address

2546 Cherry St.
Denver, Colorado United States 80207

Email

mario_giardiello@dpsk12.org

jack@fisherdesignworks.com

From: Aimeel320@yahoo.com
Sent: Monday, April 15, 2013 10:26 AM
To: collaborate@northcityparkrenewal.com
Subject: New Form Entry: I support Rezoning at 3540 E 31st Ave.

You've just received a new submission to your [I support Rezoning at 3540 E 31st Ave.](#)

Submitted Information:

Name

Aimee Leifer

Address

3256 Clayton St
Denver, co United States 80205

Email

Aimeel320@yahoo.com

jack@fisherdesignworks.com

From: rachaelschwab@yahoo.com
Sent: Saturday, April 13, 2013 7:38 PM
To: collaborate@northcityparkrenewal.com
Subject: New Form Entry: I support Rezoning at 3540 E 31st Ave.

You've just received a new submission to your [I support Rezoning at 3540 E 31st Ave.](#)

Submitted Information:

Name

Rachael Schwab

Address

1542 High St.
Denver, CO United States 80218

Email

rachaelschwab@yahoo.com

esignworks.com

borate@northcityparkrenewal.com
rday, April 13, 2013 4:16 PM

borate@northcityparkrenewal.com
Form Entry: I support Rezoning at 3540 E 31st Ave.

You've just received a new submission to your [I support Rezoning at 3540 E 31st Ave.](#)

Submitted Information:

Name
Tom Dadourian

Address
3340 Dexter St
Denver, CO USA 80207

Email

jack@fisherdesignworks.com

From: collaborate@northcityparkrenewal.com
Sent: Saturday, April 13, 2013 4:16 PM
To: collaborate@northcityparkrenewal.com
Subject: New Form Entry: I support Rezoning at 3540 E 31st Ave.

You've just received a new submission to your [I support Rezoning at 3540 E 31st Ave.](#)

Submitted Information:

Name

Tom Dadourian

Address

110 Hudson St
Denver, CO USA 80220

Email

jack@fisherdesignworks.com

From: cwcrawford@hotmail.com
Sent: Friday, April 26, 2013 10:48 AM
To: collaborate@northcityparkrenewal.com
Subject: New Form Entry: I support Rezoning at 3540 E 31st Ave.

You've just received a new submission to your [I support Rezoning at 3540 E 31st Ave.](#)

Submitted Information:

Name

Curtis Crawford

Address

2659 Gaylord St
Denver, Colorado 80205

Email

cwcrawford@hotmail.com

To Whom It May Concern:

As a member of the North City Park community and/or Greater Denver area, I would like to express my support for rezoning the former East Denver YMCA property located at 3540 E. 31st Ave unto a mix of community-based uses.

The site has been in a state of under-use and disrepair for the past 10 years and has become an eyesore for the neighborhood. This unique site holds great importance for North City Park, as well as the City of Denver. The rezoning to S-MU-5 and good neighbor agreement as proposed present a wonderful opportunity to bring much needed senior housing in the area, as well as a diversity of uses and housing types otherwise not found in our community at present. I believe that the many benefits that redevelopment of this site will bring to our community far outweigh any objections being raised.

I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

x Tawana Mack

Print Name: Tawana Mack

Address: 3017 St. Paul St. 1
Denver CO 80205

Email: _____

To Whom It May Concern:

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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

x Ashley Nowlett

Print Name: Ashley Nowlett

Address: 2935 Monroe St.
Denver, CO 80205

Email: _____

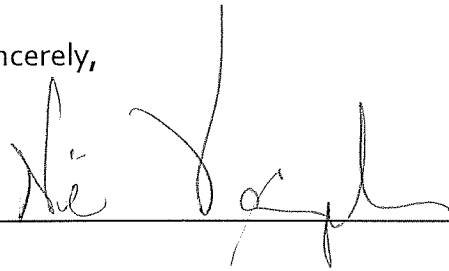
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Sincerely,

x  _____

Print Name: Nia Vaughn

Address: 2701 St. Paul St.
Denver CO, 80205

Email: vaughnnia95@gmail.com

To Whom It May Concern:

As a member of the North City Park community and/or Greater Denver area, I would like to express my support for rezoning the former East Denver YMCA property located at 3540 E. 31st Ave unto a mix of community-based uses.

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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

X Rosebud Jaeger

Print Name: Rosebud Jaeger

Address: 2701 ST. PAUL

Email: _____

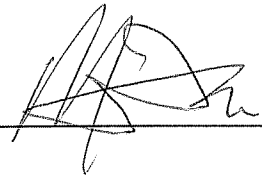
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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

X  _____

Print Name: Mike Bailey _____

Address: 2950 St Paul _____
Denver Co _____
80205 _____

Email: _____

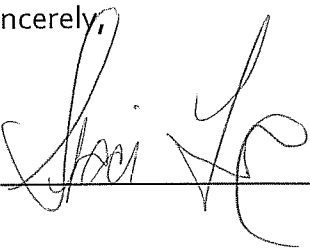
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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

x  _____

Print Name: Staci Fox

Address: 3200 E. 30th Ave

Email: _____

To Whom It May Concern:

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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

X Vera Goleman

Print Name: VERA GOLEMAN

Address: 2908 ST. PAUL

Denver, CO

Email: _____

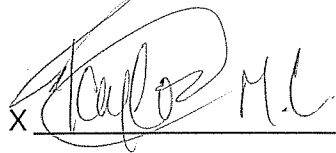
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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

X  _____

Print Name: Taylor Mack-Lynch

Address: 3012 St. Paul

Email: _____

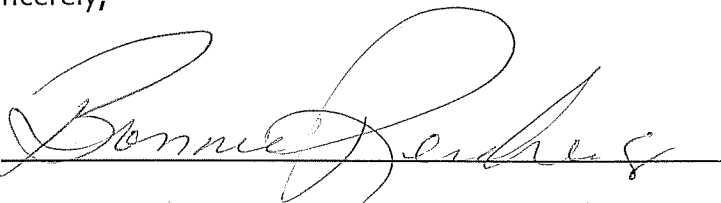
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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

X 

Print Name: Bonnie Reichers

Address: 2657 Adams
Denver CO 80205

Email: _____

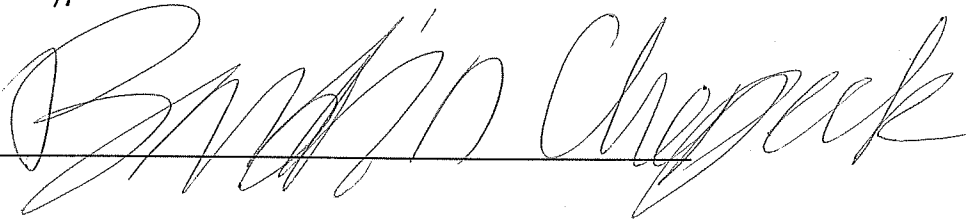
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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

X 

Print Name: Dustin Chepeck

Address: 2935 Monroe St.
Denver, CO 80205

Email: _____

To Whom It May Concern:

As a member of the North City Park community and/or Greater Denver area, I would like to express my support for rezoning the former East Denver YMCA property located at 3540 E. 31st Ave unto a mix of community-based uses.

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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

x Bernie Blanchard

Print Name: BERNIE BLANCHARD

Address: 3515 E 27 AVE
DENVER, CO 80205

Email: _____

To Whom It May Concern:

As a member of the North City Park community and/or Greater Denver area, I would like to express my support for rezoning the former East Denver YMCA property located at 3540 E. 31st Ave unto a mix of community-based uses.

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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

x Stacie R. Hanson

Print Name: Stacie R. Hanson

Address: 2401 York
Denver, CO 80205

Email: staciehanson@gmail.com

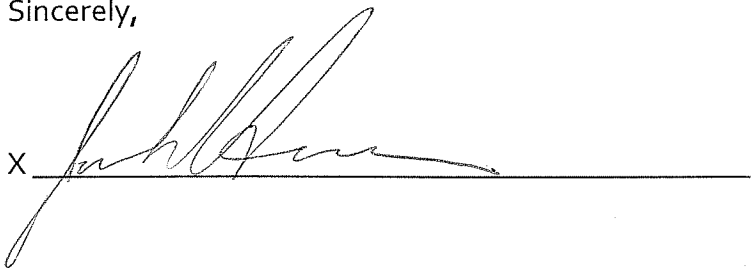
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Sincerely,

X 

Print Name: Jason L. Hanson

Address: 2401 York St
Denver CO 80205

Email: j.lauvane.hanson@gmail.com

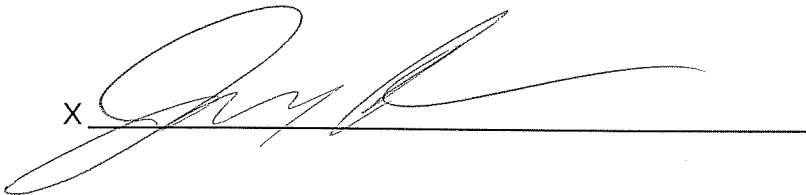
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Sincerely,

X 

Print Name: Jeremy Rauhkola

Address: 2636 Steele St
Denver, CO 80205

Email: rockoy@hotmail.com

To Whom It May Concern:

As a member of the North City Park community and/or Greater Denver area, I would like to express my support for rezoning the former East Denver YMCA property located at 3540 E. 31st Ave unto a mix of community-based uses.

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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

x Joseph Wilkins

Print Name: Joseph Wilkins

Address: 2695 Columbine St
Den CO

Email: _____

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Sincerely,

x Eleanor Gallegos

Print Name: Eleanor Gallegos

Address: 3022 Colobrise

Email: _____

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Sincerely,

x Barry Elliott

Print Name: Barry Elliott

Address: 3110 Fillmore St
80205

Email: _____

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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

X Sherry Shepard

Print Name: Sherry Shepard

Address: 2635 Milwaukee
Denver CO 80205

Email: None

To Whom It May Concern:

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Sincerely,

x Amy White / Dylan P Stine

Print Name: AMY WHITE / DYLAN P STINE

Address: 3025 Elizabeth Street
Denver, CO 80205

Email: amywhite@gmail.com

To Whom It May Concern:

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Sincerely,

x Mary E. Shepard

Print Name: MARY E SHEPARD

Address: 2635 Milwaukee St
Denver CO 80205

Email: _____

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Sincerely,

x Cindy Mora

Print Name: Cindy Mora

Address: 2915 Elizabeth St
Denver, CO. 80205

Email: _____

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Sincerely,

x Joanna Johnson

Print Name: JOANNA JOHNSON

Address: 3163 ST PAUL ST
DENVER, CO. 80205

Email: _____

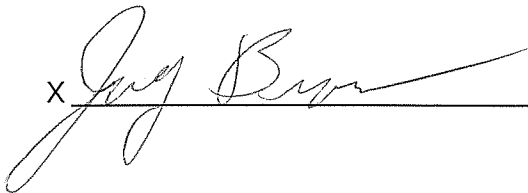
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Sincerely,

x  _____

Print Name: Jerry Brown

Address: 3456 ST PAUL
DENVER, COLO 80205
303-282-5766

Email: _____


To Whom It May Concern:

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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

X 

Print Name: Dallas Howell

Address: 3213 Saint Paul St.
Denver, CO 80205

Email: dallas@gnail.com


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Sincerely,

x 

Print Name: NATHAN DIVER

Address: 3540 MILWAUKEE ST.
DENVER, CO 80205

Email: nldilla@gmail.com

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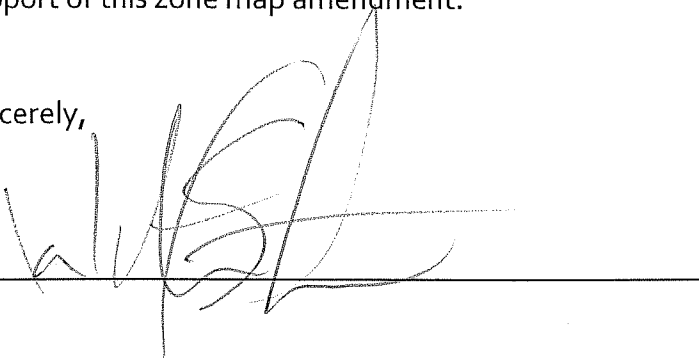
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Sincerely,

X



Print Name:

William Stiern

Address:

3076 Milwaukee St
80205

Email:

wstiern@gmail.com


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Sincerely,

X  _____

Print Name: Ricci Johnson

Address: 2821 Milwaukee Street
Denver, CO 80205

Email: riccijo@comcast.net

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Sincerely,

X  _____

Print Name: Elizabeth Farleigh

Address: 3709 Milwaukee St "
Denver, CO 80205

Email: _____

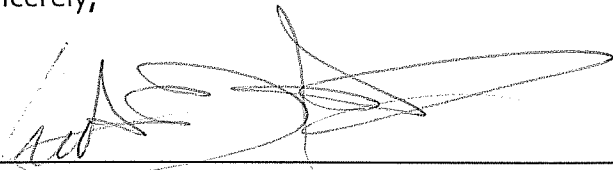
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Sincerely,

X 

Print Name: _____

Gentry Sienas

Address: _____

3209 Milwaukee St
Denver CO 80205

Email: _____

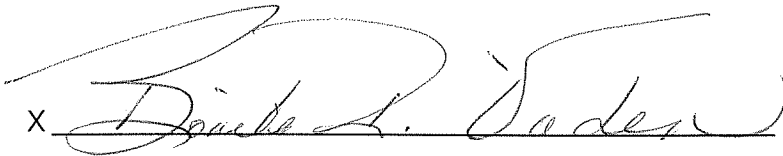
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Sincerely,

X 

Print Name: Bonita R. Vaden

Address: 2745 Steele St.
DENVER, Co
80205

Email: _____

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Sincerely,

X Lucile + Grover Smith

Print Name: Lucile + Grover Smith

Address: 2655 Milwaukee
Denver, Colo 80205

Email: _____

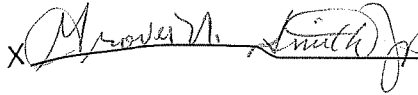
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Sincerely,

X  _____

Print Name: _____

Address: _____

Email: _____

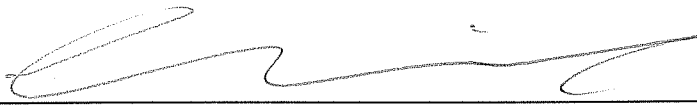
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Sincerely,

X 

Print Name: CHARLES VICKLAND

Address: 2855 MILWAUKEE ST
DENVER, CO 80205

Email: _____

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Sincerely,

x Caroline Hackl

Print Name: Caroline Hackl

Address: 3139 Milwaukee St
Denver, Co 80205

Email: _____

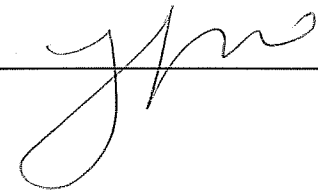
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Sincerely,

X  _____

Print Name: Jessiza Rivas

Address: 3054 Saint Paul St
Denver CO 80205

Email: _____

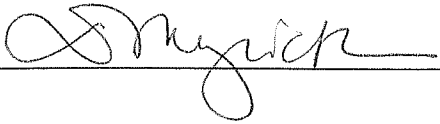
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Sincerely,

x  _____

Print Name: Dorothy Myeick

Address: 2916 St. Paul
80205

Email: _____

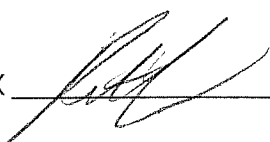
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Sincerely,

X  _____

Print Name: Pete Zerloff

Address: 2642 St Paul St "
Denver, CO 80205

Email: _____

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Sincerely,

x Kristi P

Print Name: Kristi Pundres

Address: 3301 SAINT PAUL ST
DENVER CO 80205

Email: _____

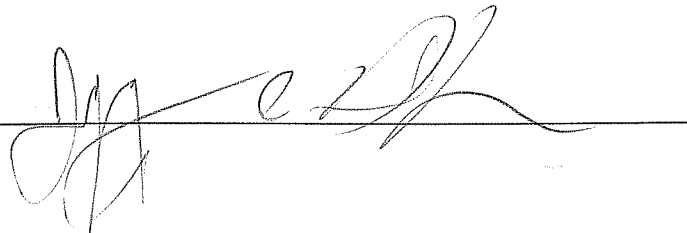
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Sincerely,

X 

Print Name: JEFF HADDEN

Address: 2949 St. Paul St. "
DENVER, CO 80205

Email: _____

To Whom It May Concern:

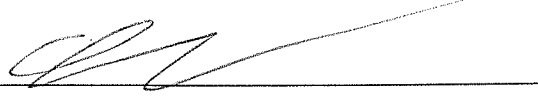
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Sincerely,

X



Print Name:

Tim Hopp

Address:

3212

St Paul st

Email:

N/A

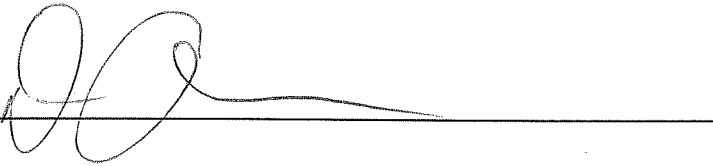
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Sincerely,

X 

Print Name: Ian Arreola

Address: 3434 st Paul street
Denver CO 80205

Email: _____

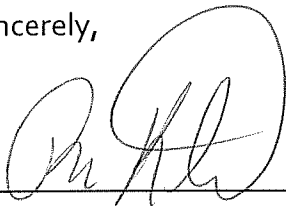
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Sincerely,

X  _____

Print Name: Bruce Kindred

Address: 3130 St. Paul St.
Denver, CO 80205

Email: _____

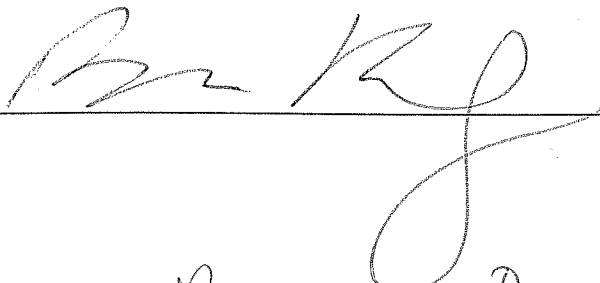
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Sincerely,

X 

Print Name:

Breanne Busby

Address:

2836 Saint Paul St
Denver CO 80205

Email:

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Sincerely,

X Ronald Wells

Print Name: Ronald Wells

Address: 3043 st. Paul

Email: _____

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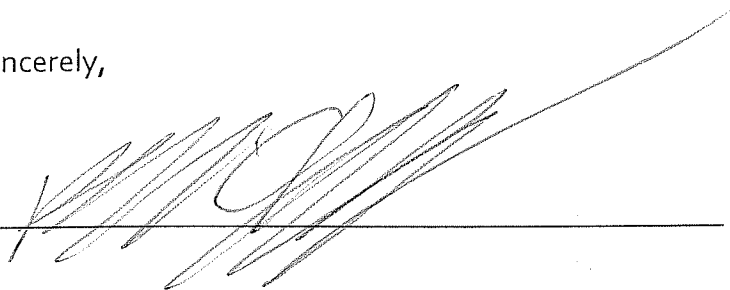
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Sincerely,

X



Print Name:

RYAN EUMENDORF

Address:

4065 MILWAUKEE
DENVER CO 80214

Email:

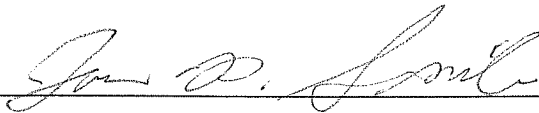
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Sincerely,

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Print Name: 

Address: 2439 York St
DENVER CO 80205

Email: _____

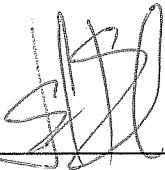
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Sincerely,

X 

Print Name: JEFF ELAM

Address: 2925 YORK STREET
DENVER CO 80205

Email: EOGARSOND@AOL.COM

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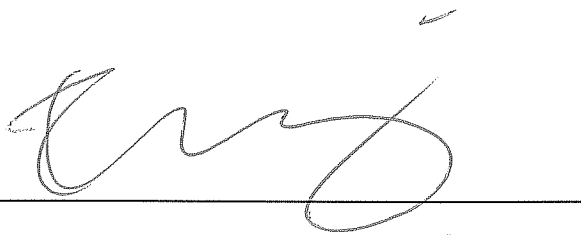
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Sincerely,

X



Print Name:

Rian Morrissey

Address:

2830 Josephine
Denver CO 80205

Email:

Rian.Morrissey@gmail.com

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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

X Zach Bull

Print Name: Zach Bull

Address: 2942 COLUMBINE ST

DENVER, CO 80205

Email: _____

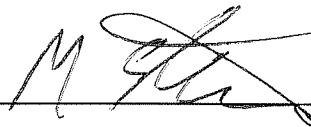
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Sincerely,

X  _____

Print Name: Matt Stacy _____

Address: 3124 Elizabeth St
Denver, CO 80205

Email: MLSTACY31@gmail.com _____

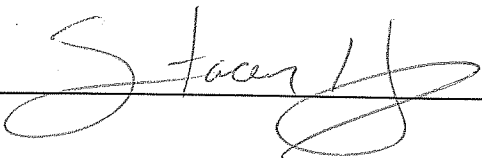
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Sincerely,

X  _____

Print Name: STACEY JONES

Address: 2911 Clayton St
Denver CO 80205

Email: J2amazing@yahoo.com

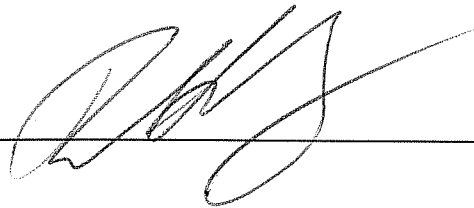
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Sincerely,

X 

Print Name: ROBERT SANCHEZ

Address: 3060 CLAYTON STREET
DENVER, CO 80205

Email: RJ SANCHEZ SY04@GMAIL.COM

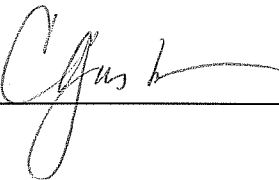
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Sincerely,

X  _____

Print Name: Chriseta Gaskin

Address: 3031 E. 31ST AVE
Denver Co 80205

Email: _____

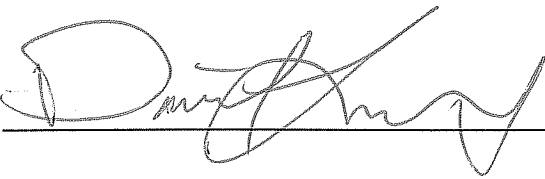
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Sincerely,

X  _____

Print Name: DANIEL THOMAS

Address: 2705 Steele st.
DENVER CO 80205

Email: dthomas1424@yahoo.com

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Sincerely,

X Ashley Cooper

Print Name: Ashley Cooper

Address: 3120 St Paul St
Denver CO 80205

Email: Ashley.Cooper303@yahoo

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Sincerely,

X 

Print Name: SHAWN D. DAWKINS

Address: 3016 MILWAUKEE ST.
DENVER, CO 80205

Email: DAWKINSSHAWN67@yahoo.com

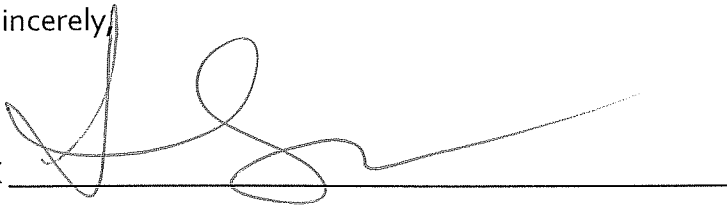
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Sincerely,

X 

Print Name: Susan H. Long

Address: 2945 Milwaukee St
Denver, CO 80205

Email: SUSIE HL@HOTMAIL.COM

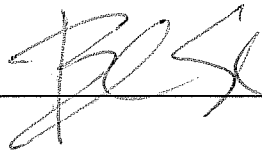
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Sincerely,

X  _____

Print Name: BLAKE SABO

Address: 2710 MILWAUKEE ST
DENVER, CO 80205

Email: BLAKE SABO@HOTMAIL.COM

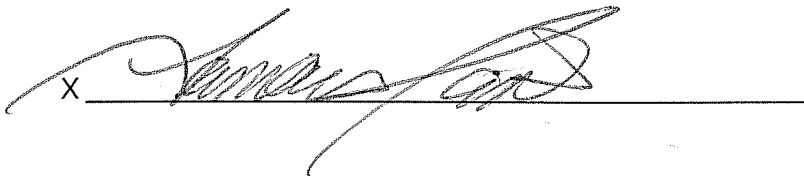
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Sincerely,

X 

Print Name: Tamar Jones

Address: 3143 Clayton St
Denver, CO 80205

Email: Tamarajana0629@yahoo.com

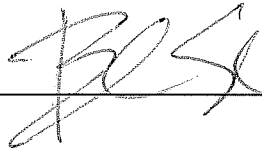
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Sincerely,

X  _____

Print Name: BLAKE SABO

Address: 2710 MILWAUKEE ST
DENVER, CO 80205

Email: BLAKE SABO@HOTMAIL.COM

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Sincerely,

X _____

Print Name: LEX GARCIA

Address: _____

2749 YORK ST

80205

Email: _____


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Sincerely,

X  _____

Print Name: Sudhir Kedia

Address: 2807 York St

Email: _____

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Sincerely,

X Lori Hogan

Print Name: Lori Hogan

Address: 2825 York St
Denver CO
80205

Email: _____

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Sincerely,

x Pat Allen

Print Name: PAT ALLEN

Address: 3020 Josephine St

Email: _____

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Sincerely,

X Linnie Bell

Print Name: Linnie Bell

Address: 3060 Josephine
Denver, CO 80205

Email: _____

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Sincerely,

x Abigail Segovia

Print Name: Abigail Segovia

Address: 2857 Columbine St
Denver Co 80205

Email: _____

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Sincerely,

x Theodore Hewing

Print Name: Theodore Hewing

Address: 3001 Elizabeth
Denver, CO 80202

Email: _____

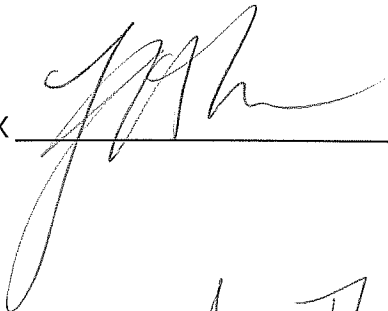
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Sincerely,

X  _____

Print Name: Jen Thompson

Address: 2830 Clayton St.
DENVER CO 80205

Email: _____

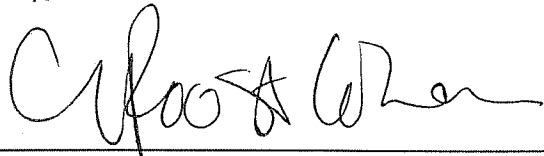
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Sincerely,

X  _____

Print Name: Erin Cohen

Address: 2900 Clayton St.
Denver, CO 80205

Email: _____

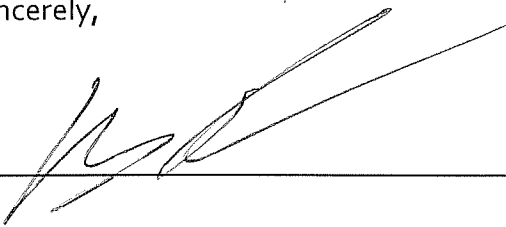
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Sincerely,

X 

Print Name: Kyle Pedlar

Address: 3038 Clayton St
Street Denver, CO
80205

Email: _____

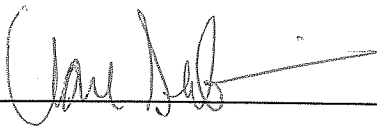
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Sincerely,

X  _____

Print Name: Clare Sullivan

Address: 2859 Fillmore St
Denver, CO 80205

Email: _____

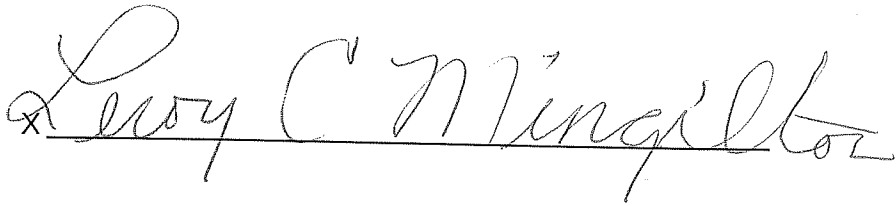
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Sincerely,

A handwritten signature in cursive script that reads "Leroy C. Mingilto". The signature is written in black ink and is positioned above a horizontal line.

Print Name: Leroy C. Mingilto

Address: 3105 Fillmore

Email: _____

To Whom It May Concern:

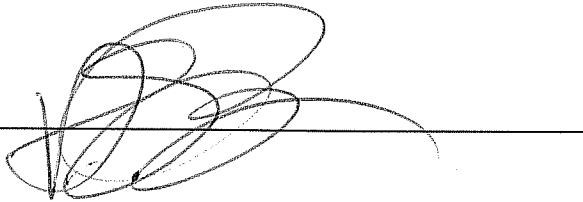
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Sincerely,

X



Print Name: Vietta Spencer-Branden

Address: 2958 Milwaukee St
Denver, CO 80205

Email: _____

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Sincerely,

X  _____

Print Name: Calvin L. Payne

Address: 3030 Milwaukee St
Denver CO 80205

Email: _____

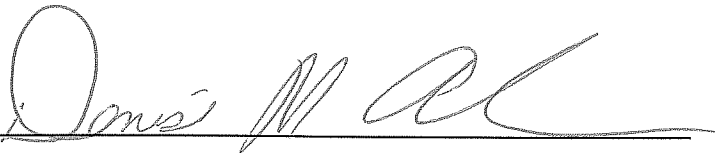
To Whom It May Concern:

As a member of the North City Park community and/or Greater Denver area, I would like to express my support for rezoning the former East Denver YMCA property located at 3540 E. 31st Ave unto a mix of community-based uses.

The site has been in a state of under-use and disrepair for the past 10 years and has become an eyesore for the neighborhood. This unique site holds great importance for North City Park, as well as the City of Denver. The rezoning to S-MU-5 and good neighbor agreement as proposed present a wonderful opportunity to bring much needed senior housing in the area, as well as a diversity of uses and housing types otherwise not found in our community at present. I believe that the many benefits that redevelopment of this site will bring to our community far outweigh any objections being raised.

I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

X 

Print Name: Denise Anderson

Address: 3130 Milwaukee St
Denver, CO 80205

Email: _____


To Whom It May Concern:

As a member of the North City Park community and/or Greater Denver area, I would like to express my support for rezoning the former East Denver YMCA property located at 3540 E. 31st Ave unto a mix of community-based uses.

The site has been in a state of under-use and disrepair for the past 10 years and has become an eyesore for the neighborhood. This unique site holds great importance for North City Park, as well as the City of Denver. The rezoning to S-MU-5 and good neighbor agreement as proposed present a wonderful opportunity to bring much needed senior housing in the area, as well as a diversity of uses and housing types otherwise not found in our community at present. I believe that the many benefits that redevelopment of this site will bring to our community far outweigh any objections being raised.

I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

X  _____

Print Name: S.G. Rosa

Address: 3138 Milwaukee St

Denver CO 80205

Email: 

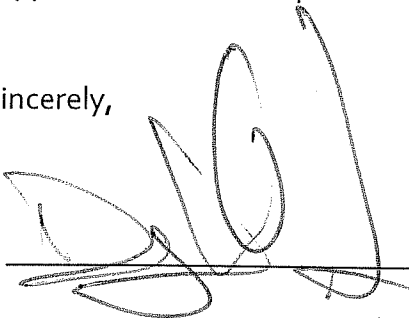
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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

X 

Print Name:

Dylan Orledge

Address:

2844 Saint Paul
Denver CO 80205

Email:

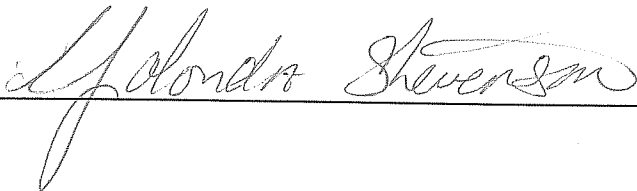
To Whom It May Concern:

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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

x 

Print Name: Yolanda STEVENSON

Address: 3127 St. Paul st
Denver Co
80205

Email: _____

To Whom It May Concern:

As a member of the North City Park community and/or Greater Denver area, I would like to express my support for rezoning the former East Denver YMCA property located at 3540 E. 31st Ave unto a mix of community-based uses.

The site has been in a state of under-use and disrepair for the past 10 years and has become an eyesore for the neighborhood. This unique site holds great importance for North City Park, as well as the City of Denver. The rezoning to S-MU-5 and good neighbor agreement as proposed present a wonderful opportunity to bring much needed senior housing in the area, as well as a diversity of uses and housing types otherwise not found in our community at present. I believe that the many benefits that redevelopment of this site will bring to our community far outweigh any objections being raised.

I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

x Gary Simmons

Print Name: Gary Simmons

Address: 3131st Paul st

Email: _____

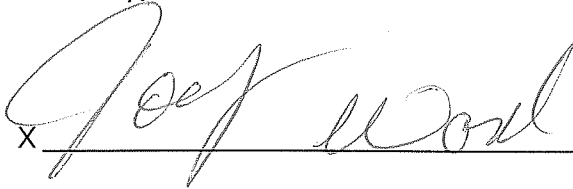
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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

X  _____

Print Name: Joy Ward

Address: 3140 St Paul
Denver CO
80205

Email: Na

To Whom It May Concern:

As a member of the North City Park community and/or Greater Denver area, I would like to express my support for rezoning the former East Denver YMCA property located at 3540 E. 31st Ave unto a mix of community-based uses.

The site has been in a state of under-use and disrepair for the past 10 years and has become an eyesore for the neighborhood. This unique site holds great importance for North City Park, as well as the City of Denver. The rezoning to S-MU-5 and good neighbor agreement as proposed present a wonderful opportunity to bring much needed senior housing in the area, as well as a diversity of uses and housing types otherwise not found in our community at present. I believe that the many benefits that redevelopment of this site will bring to our community far outweigh any objections being raised.

I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

X Paula J. Konecny

Print Name: Paula J. Konecny

Address: 244 2658 Steele St

Email: _____

To Whom It May Concern:

As a member of the North City Park community and/or Greater Denver area, I would like to express my support for rezoning the former East Denver YMCA property located at 3540 E. 31st Ave unto a mix of community-based uses.

The site has been in a state of under-use and disrepair for the past 10 years and has become an eyesore for the neighborhood. This unique site holds great importance for North City Park, as well as the City of Denver. The rezoning to S-MU-5 and good neighbor agreement as proposed present a wonderful opportunity to bring much needed senior housing in the area, as well as a diversity of uses and housing types otherwise not found in our community at present. I believe that the many benefits that redevelopment of this site will bring to our community far outweigh any objections being raised.

I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

x Emily Adams

Print Name: Emily Adams

Address: 3015 Steele St.
Denver, CO 80205

Email: emilyadams259@gmail.com

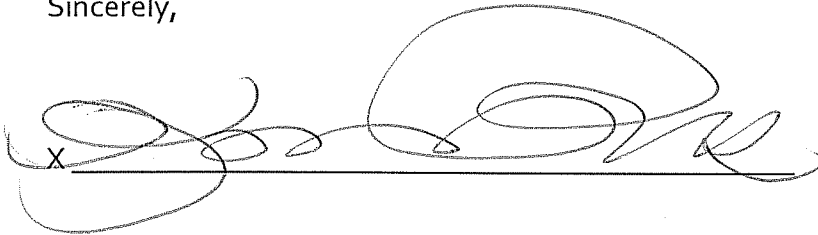
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I hope that Registered Neighborhood Organizations and Denver City Council will share my support of this zone map amendment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kara Pollack', written over a horizontal line. The signature is stylized and cursive.

Print Name: Kara Pollack

Address: 2621 Madison St
Denver CO 80205

Email: pjollack@gmail.com

Exhibit "G": Proposal to support a three-story multifamily Zoning Application to RNO

Rezoning Proposal

DATE / VENUE: January 8, 2015 / 6:30 pm / Ford-Warren Library

SUBJECT SITE: East YMCA in North City Park
3540 E. 31st Avenue
Denver, CO 80205

PRESENTED TO: North City Park Civic Association – Board of Directors

PRESENTER: Blue Rhino Investments – Property Owner

POINTS OF DISCUSSION:

- Background Summary
- Final Visioning Report results
- Proposed changes to the Redevelopment Plan
- Work with representatives of BRI during the rezoning application process to achieve a new conforming Zoning Permit

Background Summary:

Nineteen months ago Blue Rhino Investments, Inc. (BRI), the owner of a proposed redevelopment site located in the Skyland Neighborhood in NE Denver, agreed to participate in multiple community-based efforts and a Visioning process intending to reach agreement between the parties of interest on a plan to rezone the subject property. Each of these entities have expressed their concerns as to the ultimate use of this property. According to the East Y Visioning Plan Summary Report, this Visioning process was an ***“effort to coalesce and ensure proper neighborhood outreach, input, and information regarding the rezoning efforts and proposed five story development in the Skyland neighborhood [as] proposed by Blue Rhino Investments in 2012”***.

Although it was clear to BRI at the time that the Visioning Process would significantly delay the ultimate sale and disposition of the site, and was likely to table all existing current interest by market developers to acquire the site, it was mutually agreed upon by all that the proposed efforts should foster a better understanding and agreement between all of the impacted stakeholders as to a plan for the ultimate upgrade potential for this site. This process received assistance and support from Councilman Brooks, The Denver Foundation, Ion Community Solutions, various members of NCPA and its Board and other interested members of the public.

Upon completion of various outreach sessions, neighborhood meetings, surveys and compilations of the results of this research, a final “East Y Visioning Plan Summary of Findings Report” was issued and released on January 22, 2014. Concurrent with the Visioning Plan effort, BRI also conducted an independent neighborhood survey. Soon after, it became apparent that the report did not achieve a final satisfaction of all of the issues held by some members of the neighborhood.

In a planning session chaired and facilitated at and by Community Planning & Development Planning Services of Denver on April 17, 2014, a coalition of participants including NCPCA members, Denver CPD, and BRI concluded that a series of meetings between the NCPCA (through its “Zoning Committee”) and an assigned “Facilitator” would enable a forum wherein the various concerns and operational issues - still unresolved following the issuance of the Visioning Plan Summary - could be further aired and discussed. A number of discussion sessions were then held, resulting in a draft Memorandum of Understanding. This Draft was then presented to the NCPCA Board of Directors in special session and rejected as insufficient.

Final Visioning Report Results:

The intent of the Visioning Process was broad in its scope and application. By way of workshop discussions and input from the participants, questionnaires were modeled to survey the overall preferences of the community at large and the local Skyland Neighborhood. *(Note: For a full understanding of all of the survey results and compilation summary, it is suggested that the full Summary and Findings Report be reviewed and referenced.)* The points below however will attempt to extract key and fundamental findings that are relevant to this Rezoning Proposal:

- Strong concerns relevant to potential traffic impacts to the neighborhood, regardless of the type of development were indicated
- Parking concerns – while highly indicated – suggest that potential impacts can be mitigated
- Building height was the highest concern. Responses again suggested that regardless of height, impact can be mitigated through good design
- There was a very high response indicating a retention and/or repurposing of the existing Y, and the inclusion of public space. This included on-going access by the public. It was also made clear that without sufficient funding for this proposed repurposing, that this preference was not feasible.

- Various Redevelopment Scenarios were presented. Development of a community center or a repurposing of the existing center ranked highest, with a Row House and Flats design scoring the next highest preference (3-story design w/2-story units capped by a third floor flat). There was little to no support for single-family development
- There was little to no support for uses under the current zoning

A door-to-door survey was conducted during the Visioning process by BRI. When the survey results were tabulated, they showed favorable support for multi-story development up to five stories. The S-MU-3 zone change as suggested in this proposal offers a site-wide height limitation of three stories.

Proposed Changes to the Redevelopment Plan:

As early as October of 2013, BRI was in negotiations with several prospect development entities to develop and operate Senior and/or Affordable Housing alternatives on the site. These discussions included the need to rezone the property to an S-MU-5 zone class, thereby allowing the construction of a five-story building.

Subsequent discussions with NCPCA began to suggest that, although multifamily units were deemed to be an appropriate and feasible use of the site, a five-story zoning brought forth too many problems: density, traffic, shadow impacts, privacy among others.

Following a number of fits and starts to look for alternatives, BRI offered a plan to keep the S-MU-5 Zone application in place, but with a site restriction (variance) limiting construction height to 4-stories. Although this did offer up a solution that received some support, the MOU drafted in the NCPCA Zoning committee incorporating this revision was, after consideration, rejected by the Board.

All in all the effort to change the zoning away from the existing property zone class (O-1) to a new and conforming zone class acceptable to a majority of local community members has been long, costly and difficult. After more than four years of considering various methodologies and efforts to achieve a common ground, the fact remains that there is no one consensus amongst the community members and their representatives as to what the optimal (and feasible) zoning solution should be.

In an effort to bring coalescence and harmony to this impasse, BRI proposes to attempt to bring the site to the market with a S-MU-3 zoning over the entire site (3-story limitation as

to height, as suggested in the results from the Visioning Report), thereby removing many of the concerns that have been registered over these last few years. BRI further commits that it would seek no variances, thereby assuring conformance to the zone class as promulgated, and providing the neighborhood with the comfort that the site will be built to current zoning regulations as set forth in the Denver Zoning Code.

Here is a summary of the S-MU-3 (Suburban Multi-Unit 3-story maximum height) requirements:

- Maximum Height: (3-story) 40 Feet
- Typical uses: Duplex/Townhomes & Flats/Apartments
- Provides a foundation for “walkable, safe, active and livable street frontage”, currently non-existent on the site. Enhances the sidewalks contributing to the safety, comfort, and mobility of individuals who do not have the option of driving including the elderly, the disabled, children and lower-income residents
- Will allow for a diversity of housing type, size and cost to the surrounding neighborhood. This will create more housing opportunities for various demographics, lifestyles, and income levels
- The Skyland Neighborhood will benefit from the “reinvestment” on this site, as the character of the neighborhood is maintained while benefitting from reinvestment through modest infill and redevelopment of dilapidated structures
- This proposed zoning fills a need for a diversity of housing and desire for public improvements (resulting from area reinvestment), and is reasonable and necessary for the promotion of the health, safety, and general welfare of neighborhood residents. This map amendment would provide the necessary housing support and public improvement needed for a rapidly growing and diversifying neighborhood while preserving the valued and historic character of the community.

Work with representatives of BRI during the rezoning application process to achieve a new conforming Zoning Permit:

In its letter of October 17, 2014 (responding to the draft Memorandum of Understanding prepared by the facilitator and the NCPCA Zoning Committee), it was stated that the NCPCA Board and its constituents are “dedicated to bringing viable, sustainable, and neighborhood friendly development to the former Y property and hope that we can work together to make it happen”. The Rezoning Proposal outlined here is a significant departure from all previous plans in height, density and massing on the subject site, and is offered by BRI in an attempt to allay many of those more significant concerns as set forth in the October 17th letter.

A developer is not likely to be attracted to purchasing this site and working through the details of repurposing the existing Public use structures at this site if a zoning bargain cannot be struck between these parties of interest. The Proposal offered here is an attempt to reach a consensus with the NCPA/RNO. It is clearly understood that not all remaining issues can be finalized in this meeting (set for 6:30 pm/Thursday, Jan 8, 2015). Having however the necessary discussion amongst the attending Board members at this meeting, and bringing the 3-story zoning proposal to an up/down vote, would help the process along and permit moving to the next stage in the zoning application process. It would also facilitate finding a developer/purchaser resulting in some site planning as well.

Exhibit "H": Proof of Ownership Document(s):
(Title Commitment # 597-F0505545-158-TKA, Amendment No. 1 dated Jan 29, 2015



4643 South Ulster Street, Suite 500
 Denver, CO 80237
 Phone: (303) 889-8200
 Fax: (303) 633-1986

DATE: February 2, 2015
 FILE NUMBER: 597-F0505545-158-TKA, Amendment No. 1
 PROPERTY ADDRESS: 3540 East 31st Avenue, Denver, CO 80205-4906
 BUYER/BORROWER: Bill Moore and Patrick Guinness and/or assigns
 OWNER(S): Blue Rhino Investments, Inc., a Colorado corporation
 YOUR REFERENCE NUMBER:
 ASSESSOR PARCEL NUMBER: 2254-12-016

PLEASE TAKE NOTE OF THE FOLLOWING REVISED TERMS CONTAINED HEREIN:

Contract

WIRED FUNDS ARE REQUIRED ON ALL CASH PURCHASE TRANSACTIONS. FOR WIRING INSTRUCTIONS, PLEASE CONTACT YOUR ESCROW OFFICE AS NOTED ON THE TRANSMITTAL PAGE OF THIS COMMITMENT.

TO: Fidelity National Title Company 4643 South Ulster Street, Suite 500 Denver, CO 80237	ATTN: Patricia A. Kenney PHONE: (303) 889-8283 FAX: (303) 633-1923 E-MAIL: tkenney@fnf.com
TO: Patrick Guinness and/or assigns 8729 E. 23rd Ave. Denver, CO 80238	ATTN: PHONE: FAX: E-MAIL: patrick@guinnessdev.com
TO: Bill Moore 940 Lincoln Denver, CO 80203	ATTN: PHONE: (720) 436-5713 FAX: E-MAIL: bmoore@sprocketdb.com
TO: Blue Rhino Investments, Inc., a Colorado corporation POB 772428 Steamboat Springs, CO 80477	ATTN: Steve Caragol PHONE: (970) 871-7934 FAX: E-MAIL: srcaragol@gmail.com
TO: Guinness Developement Company 8729 E. 23rd Ave. Denver, CO 80238	ATTN: Patrick Guinness PHONE: (720) 231-1361 FAX: (000) 000-0000 E-MAIL: patrick@guinnessdev.com
TO: Transwestern 4643 S. Ulster St. Suite 900 Denver, CO 80237	ATTN: Tom Wanberg PHONE: (303) 952-5592 FAX: (000) 000-0000 E-MAIL: tom.wanberg@transwestern.com
TO: DTC - Regency 4643 South Ulster Street Suite 500 Denver, CO 80237	ATTN: Patricia A. Kenney PHONE: (303) 889-8200 FAX: (303) 633-1986 E-MAIL: tkenney@fnf.com

END OF TRANSMITTAL

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**Fidelity National Title Insurance Company
COMMITMENT**

SCHEDULE A

Commitment No: 597-F0505545-158-TKA, Amendment No. 1

1. Effective Date: January 29, 2015 at 7:00 A.M.

2. Policy or policies to be issued:

Proposed Insured	Policy Amount
(a) ALTA Owners Policy 6-17-06	\$3,650,000.00
Bill Moore and Patrick Guinness and/or assigns	
(b) ALTA Loan Policy 6-17-06	\$3,100,000.00
TBD	

\$

3. The estate or interest in the land described or referred to in this Commitment is:

A Fee Simple

4. Title to the estate or interest in the land is at the Effective Date vested in:

[Blue Rhino Investments, Inc., a Colorado corporation](#)

5. The land referred to in this Commitment is described as follows:

[See Attached Legal Description](#)

(for informational purposes only) 3540 East 31st Avenue, Denver, CO 80205-4906

PREMIUMS:

Lenders Coverage: \$125.00
Owners Coverage: \$3,623.00
Del (1-4) owners: \$65.00

Attached Legal Description

Lots 1 to 7, Lots 14 to 20, all inclusive, and the North 51 feet of Lots 8 and 13, Block 6, Lots 1 to 7 inclusive, and the North 51 feet of Lot 8, Block 9, all in Clayton Park Addition, and that part of Madison Street now vacated lying between said Block 6 and 9 North of a lien 141 feet North of the South line of said Block 6, Clayton Park Addition,
City and County of Denver, State of Colorado.

**SCHEDULE B – Section 1
Requirements**

The following requirements must be met:

- a. Pay the agreed amounts for the interest in the land and/or for the mortgage to be insured.
- b. Pay us the premiums, fees and charges for the policy.
- c. Obtain a certificate of taxes due from the county treasurer or the county treasurer's authorized agent.
- d. Evidence that any and all assessments for common expenses, if any, have been paid.
- e. The Company will require that an Affidavit and Indemnity Agreement be completed by the party(s) named below before the issuance of any policy of title insurance.

Party(s): [Blue Rhino Investments, Inc., a Colorado corporation](#)

The Company reserves the right to add additional items or make further requirements after review of the requested Affidavit.

- f. Deed sufficient to convey the fee simple estate or interest in the Land described or referred to herein, to the Proposed Insured Purchaser.
- g. Furnish for recordation a full release of deed of trust:

Amount: \$1,810,000.00
 Trustor/Grantor: Blue Rhino Investments, Inc., a Colorado Corporation
 Trustee: Public Trustee of Denver County
 Loan No.: Unknown
 Beneficiary: Bank of Choice Colorado Arvada
 Recording Date: February 9, 2007
 Recording No: [2007022604](#)

An agreement to modify the terms and provisions of said deed of trust as therein provided

Executed by: Bank of Choice Colorado Arvada
 Recording Date: March 7, 2012
 Recording No: [2012000017098](#)

An agreement to modify the terms and provisions of said deed of trust as therein provided

Executed by: Bank of Choice Colorado Arvada
 Recording Date: March 7, 2012
 Recording No: [2012029755](#)



An assignment of the beneficial interest under said deed of trust which names:

Assignee: Wells Fargo Bank, National Association, as Trustee for the Registered Holders of FDIC Commercial Mortgage Trust 2012-C1, FDIC Commercial Mortgage Pass-Through Certificates, Series 2012-C1
Loan No.: Unknown
Recording Date: June 20, 2012
Recording No: [2012080581](#)

h. Furnish for recordation a termination statement terminating the financing statement described below

Debtor: Blue Rhino Invest Inc
Secured Party: Bank of Choice
Recording Date: November 9, 2011
Recording No: [2011127422](#)

Assignment recorded June 20, 2012 at [Reception No. 2012080582.](#)

i. Furnish for recordation a full release of deed of trust:

Amount: \$150,000.00
Trustor/Grantor: Blue Rhino Investments, Inc.
Trustee: Public Trustee of Denver County
Loan No.: Unknown
Beneficiary: Jean Barnard
Recording Date: February 15, 2013
Recording No: [2013022023](#)

Note: The beneficiary must present the original note, Deed of Trust, payoff letter, and a recordable Release of Deed of Trust prior to or at the closing of the Land.

j. Release of Assessment Lien claimed by City and County of Denver in the amount of \$500.00 recorded May 1, 2014 at [Reception No. 2014049055.](#)

k. Release of Assessment Lien claimed by City and County of Denver in the amount of \$235.02 recorded July 7, 2014 at [Reception No. 2014079953.](#)

l. Furnish to the Company an ALTA/ACSM Land Title Survey in form, content and certification to Fidelity National Title Insurance Company and Fidelity National Title Company.

Note: Exception may be made to any adverse matters disclosed by the ALTA/ACSM Land Title Survey.

NOTE: Exception(s) number(ed) 1-4 will not appear on the Owner's/ Lenders Policy. Exception number 5 will be removed from the policy provided the company conducts the closing.

24 MONTH CHAIN OF TITLE, FOR INFORMATIONAL PURPOSES ONLY:



The following vesting deeds relating to the subject property have been recorded in the Clerk and Recorder's office of the County in which the property is located:

There are no conveyances affecting said land recorded within 24 months of the date of this report.

END OF REQUIREMENTS

SCHEDULE B – Section 2
Exceptions

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction:

1. Any facts, rights, interests or claims that are not shown by the Public Records but which could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachments, encumbrances, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by Public Records.
4. Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires of record for the value the estate or interest or mortgage thereon covered by this Commitment.
6. Water rights, claims of title to water, whether or not these matters are shown by the Public Records.
7. All taxes and assessments, now or heretofore assessed, due or payable.

NOTE: This tax exception will be amended at policy upon satisfaction and evidence of payment of taxes.

8. Terms, conditions, restrictions, provisions, notes and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on the Plat(s) of said subdivision set forth below:

Recording Date: June 24, 1946

Recording No: Plat [Book 19 Page 12](#)

9. Any existing leases or tenancies, and any and all parties claiming by, through or under said lessees.

END OF EXCEPTIONS

AFFIDAVIT AND INDEMNITY AGREEMENT

TO Fidelity National Title Company a Colorado Corporation and Fidelity National Title Insurance Company, a California Corporation.

- 1. This is written evidence to you that there are no unpaid bills, and to the extent there may be unpaid bills, that the undersigned undertakes and agrees to cause the same to be paid such that there shall be no mechanics or materialmen’s liens affecting the property for materials or labor furnished for construction and erection, repairs or improvements contracted by or on behalf of the undersigned on property:

legally described as:

See Attached Affidavit and Indemnity Agreement Legal Description

Property Address: **3540 East 31st Avenue, Denver, CO 80205-4906**

- 2. We further represent that to the actual knowledge and belief of the undersigned there are no public improvements affecting the property prior to the date of closing that would give rise to a special property tax assessment against the property after the date of closing.
- 3. We further represent that to the actual knowledge and belief of the undersigned there are no pending proceedings or unsatisfied judgments of record, in any Court, State, or Federal, nor any tax liens filed or taxes assessed against us which may result in liens, and that if there are judgments, bankruptcies, probate proceedings, state or federal tax liens of record against parties with same or similar names, that they are not against us.
- 4. We further represent that there are no unrecorded contracts, leases, easements, or other agreements or interests relating to said premises of which we have knowledge.
- 5. We further represent that to the actual knowledge and belief of the undersigned we are in sole possession of the real property described herein other than leasehold estates reflected as recorded items under the subject commitment for title insurance.
- 6. We further represent that there are no unpaid charges and assessments that could result in a lien in favor of any association of homeowners which are provided for in any document referred to in Schedule B of Commitment referenced above.
- 7. We further understand that any payoff figures shown on the settlement statement have been supplied to Fidelity National Title Company as settlement agent by the seller's/borrower's lender and are subject to confirmation upon tender of the payoff to the lender. If the payoff figures are inaccurate, we hereby agree to immediately pay any shortage(s) that may exist. If applicable as disclosed or referred to on Schedule A of Commitment referenced above.

The undersigned affiant(s) know the matters herein stated are true and indemnifies **Fidelity National Title Company**, a Colorado Corporation and Fidelity National Title Insurance Company, a California Corporation against loss, costs, damages and expenses of every kind incurred by it by reason of its reliance on the statements made herein.

This agreement is executed with and forms a part of the sale and/or financing of the above described premises, and is given in addition to the conveyance and/or financing of the premises in consideration for the conveyance and/or financing, and forms a complete agreement by itself for any action thereon.

SELLER:

SELLER:

Blue Rhino Investments, Inc., a Colorado corporation

SELLER:

SELLER:

State of Colorado }ss:
County of **Denver**

The foregoing instrument was acknowledged, subscribed, and sworn to before me on _____ by [Blue Rhino Investments, Inc., a Colorado corporation](#).

(SEAL)

Notary Public
My Commission Expires:

**ATTACHED AFFIDAVIT AND INDEMNITY AGREEMENT
LEGAL DESCRIPTION**

Lots 1 to 7, Lots 14 to 20, all inclusive, and the North 51 feet of Lots 8 and 13, Block 6, Lots 1 to 7 inclusive, and the North 51 feet of Lot 8, Block 9, all in Clayton Park Addition, and that part of Madison Street now vacated lying between said Block 6 and 9 North of a line 141 feet North of the South line of said Block 6, Clayton Park Addition, City and County of Denver, State of Colorado.



Fidelity National Title[®] Insurance Company

COMMITMENT FOR TITLE INSURANCE

Issued by

Fidelity National Title Insurance Company

Fidelity National Title Insurance Company, a California corporation (“Company”), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedule A and B and to the Conditions of this Commitment.

The Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate 6 months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not fault of the Company.

The Company will **provide** a sample of the policy form upon request.

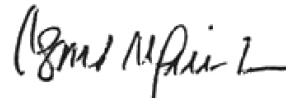
IN WITNESS WHEREOF, Fidelity National Title Insurance Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

Attest:


Secretary



By:


President



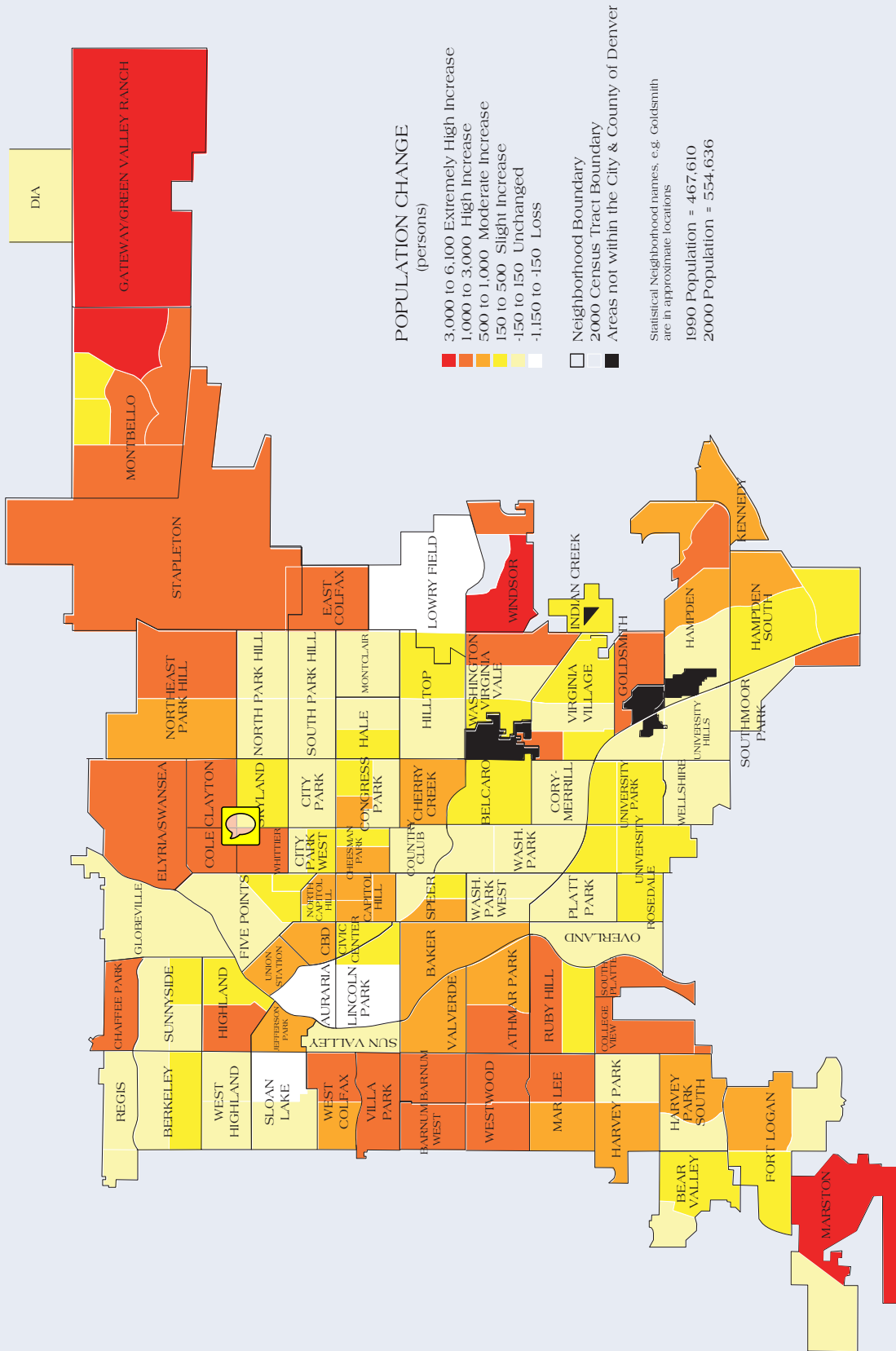
CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.
3. Liability of the Company under this Commitment shall be only to the named proposed insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policies or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at <http://www.alta.org>.

Exhibit "I": Skyline & Environs Zoning Map



How population growth occurred in Denver in the 90s



Denver Maps

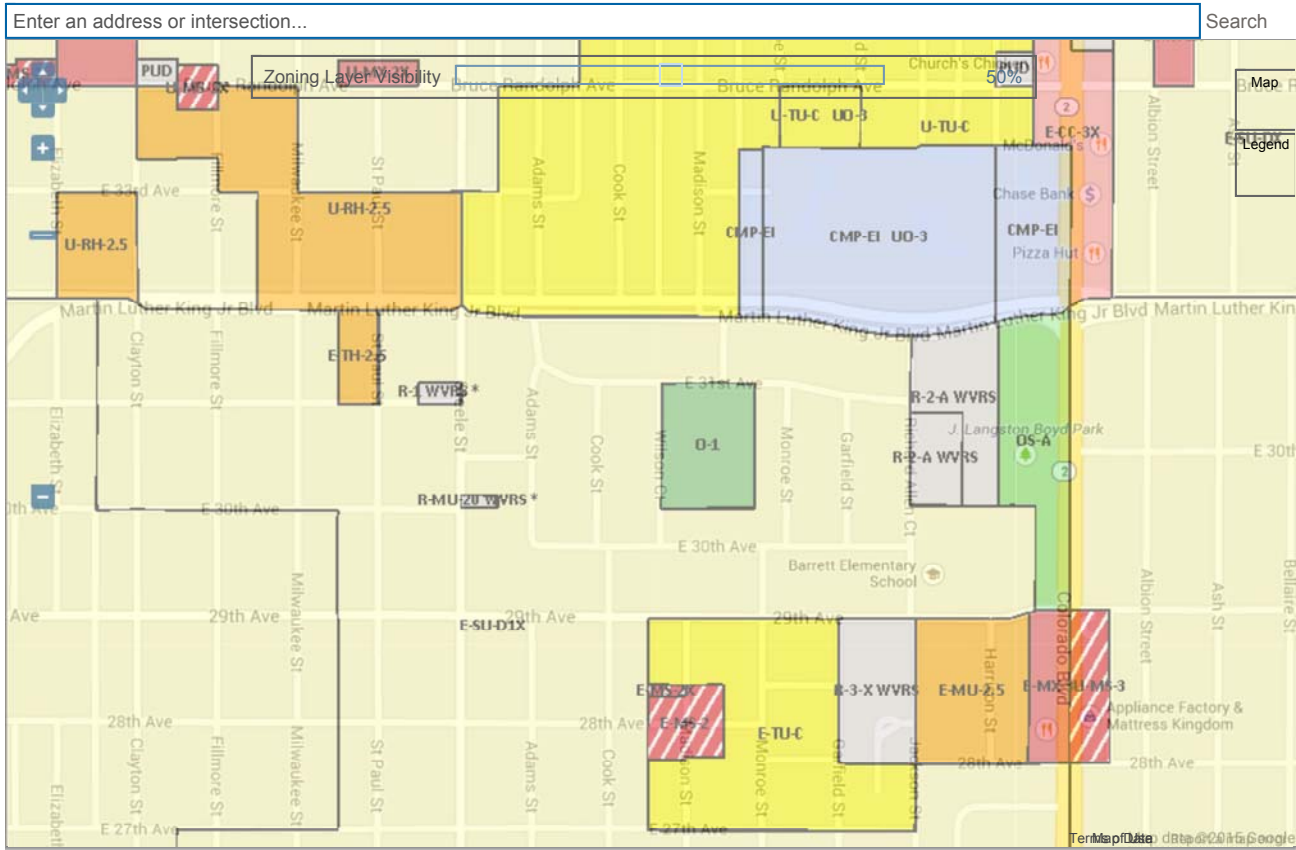
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Exhibit "J": Letter of Support from the Registered Neighborhood Assn



April 10, 2015

Mr. Kyle A. Dalton, Associate City Planner
Community Planning & Development
City and County of Denver
201 W. Colfax Ave., Dept. 205
Denver, CO 80202

Re: RNO Comments in support of proposed amendments and Rezoning Application
Case Number: 2012I-00021, dated February 11, 2015 for subject site located at
3540 E. 31st Ave
Assessor's Number: 0225412016000
Existing Zoning Classification: O-1

Dear Mr. Dalton:

This Letter of Support is being provided to you by the Board of Directors (BOD) and Zoning Committee of the North City Park Civic Association (NCPCA) on behalf of the general membership with regards to the Rezoning Application cited above. The BOD support for this letter is guided by an indicative vote of the NCPCA general membership taken on February 24, 2015, with a final vote held on March 12, 2015. The outcome from the process votes recorded our membership and residents support for the proposed rezoning of the subject parcel to a three-story maximum height zone district, based on the proposal presented by Guinness Development. NCPCA would request that this letter be made a part of the record of this case in support of the applicant's proposed rezoning of the property to 3 stories maximum height.

In consideration of the direct comments of the adjacent neighbors, the proposed new ownership, Guinness Development, is prepared to limit the height to two-stories at the sides of the lot that abut the existing residential alleys through the recognition of a third story setback within 25' of all of the property lines adjacent to all alleys surrounding the property. The revised details and layout could be accomplished by way of a waiver or deed restriction, or as directed by CPD.



Thank you,

On behalf of the North City Park Civic Association Board of Directors

Kyle Shelton Vice President NCPA

A handwritten signature in cursive script that reads "Kyle Shelton".

Exhibit "K": Article 4 Urban Edge Neighborhood Context
Division 4.3 Design Standards (with Waivers indicated)

APARTMENT

HEIGHT

	E-MU-2.5
A Stories, <u>front 65% / rear 35% of zone lot depth</u> (max)	<u>2/1 3</u>
A Feet, <u>front 65% / rear 35% of zone lot depth</u> (max)	<u>30'/19' 40'</u>
Feet, front 65% of zone lot depth, <u>allowable permitted</u> height increase	<u>1' for every 5' increase in lot width over 50' up to a maximum height of 35' na</u>
Side Wall Plate Height, for Pitched Roof, within 15' of Side Interior and Side Street (max)	25'
Upper Story Setback, <u>for Flat Roof</u> , Above 25': Side Interior and Side Street (min)	15'

Bring over
from Suburban

SITING

ZONE LOT

	E-MU-2.5
Zone Lot Size (min)	6,000 ft ²
Zone Lot Size (min)	50'

REQUIRED BUILD-TO

<u>Primary Street (min% within min/max)</u>	<u>50%</u> <u>0'/80'</u>
---	-----------------------------

Bring over
from Suburban

SETBACKS

B Primary Street, block sensitive setback required (see Sec. 13.1.2.3)	yes
B Primary Street, where block sensitive setback does not apply (min)	20'
C Side Street (min)	5'
D Side Interior (min)	5'
E Rear, alley/no alley (min)	12'/20'

PARKING

Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed
Surface Parking Screening	See Article 10, Division 10.5
<u>Vehicle Access, 3 or more side-by-side dwelling units in one structure</u>	<u>From Alley; or Street access allowed when no Alley present (Sec. 4.3.7.6)</u>
Vehicle Access, <u>all other permitted uses</u>	Access determined at Site Development Plan

DESIGN ELEMENTS

BUILDING CONFIGURATION

	E-MU-2.5
Street facing garage door width per Primary Structure (max)	20'
<u>Rooftop and/or Second Story Decks</u>	<u>See Section 4.3.5.1</u>
<u>Upper Story Setback above 27', adjacent to Protected District: Side Interior (min)</u>	<u>25'</u>

Bring over
from Suburban

GROUND STORY ACTIVATION

G Transparency, Primary Street (min)	30%
H Transparency, Side Street (min)	25%
I Pedestrian Access, Primary Street	Entrance

USES

Primary Uses shall be limited to Multi Unit Dwelling and allowable permitted Group Living and Nonresidential uses. See Division 4.4 Uses and Parking

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

Exhibit "K": Proposed Waivers

Per Section 12.4.10.6 (Waivers of Rights and Obligations and Approval of Reasonable Conditions) of the Denver Zoning Code, I, the undersigned owner of the property under application for the rezoning referenced herein, do hereby waive certain rights or obligations of the Denver Zoning Code and instead shall comply with the waivers contained herein.

E-MU-2.5 with waivers:

Sections 4.3.3.4.A (Suburban House), B (Urban House), C (Duplex), D (Tandem House), E (Town House), F (Garden Court), and G (Apartment) building forms in the Denver Zoning Code are hereby waived, and instead only the "Apartment" building form table contained on the following page of this rezoning application is applicable.

These waivers shall apply to all our successors and assigns.

Agreed to by:



Steve Caragol, President

Blue Rhino Investments, Inc.

5-12-15

Date

APARTMENT

HEIGHT	E-MU-2.5 with waivers
Stories (max)	3
Feet (max)	40'
Feet, front 65% of zone lot depth, permitted height increase	na
Side Wall Plate Height, for Pitched Roof, within 15' of Side Interior and Side Street (max)	25'
Upper Story Setback, for Flat Roof, Above 25': Side Interior and Side Street (min)	15'

SITING	E-MU-2.5 with waivers
ZONE LOT	
Zone Lot Size (min)	6,000 ft ²
Zone Lot Size (min)	50'
REQUIRED BUILD-TO	
Primary Street (min% within min/max)	50% 0'/80'
SETBACKS	
Primary Street, block sensitive setback required (see Sec. 13.1.2.3)	yes
Primary Street, where block sensitive setback does not apply (min)	20'
Side Street (min)	5'
Side Interior (min)	5'
Rear, alley/no alley (min)	12'/20'
PARKING	
Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed
Surface Parking Screening	See Article 10, Division 10.5
Vehicle Access, 3 or more side-by-side dwelling units in one structure	From Alley; or Street access allowed when no Alley present (Sec. 4.3.7.6)
Vehicle Access, all other permitted uses	Access determined at Site Development Plan

DESIGN ELEMENTS	E-MU-2.5 with waivers
BUILDING CONFIGURATION	
Street facing garage door width per Primary Structure (max)	20'
Rooftop and/or Second Story Decks	na; Section 4.3.5.1 shall not apply
Upper Story Setback above 27', adjacent to Protected District: Side Interior (min)	25'
GROUND STORY ACTIVATION	
Transparency, Primary Street (min)	30%
Transparency, Side Street (min)	25%
Pedestrian Access, Primary Street	Entrance

USES	E-MU-2.5 with waivers
	All permitted Primary Uses shall be allowed within this building form. See Division 4.4 Uses and Parking

See Sections 4.3.5 - 4.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions