

December 22, 2014

RE: Athmar Park Neighborhood - Solutions Center Building Purchase

Dear All Denver City Council Members,

I and the majority of the Athmar Park Neighbors requests to the City Council to delay approval to purchase commercial building, at 405 S. Platte River Drive for intended purpose of developing a Solutions Center.

There are questions that have recently arisen, not discussed in our previous neighborhood meetings with the City, those are very concerning to us and we feel they have to be discussed before anything else can move forward. As of today, no Letter of Intent as promised by Chris Nevitt or any official assurance of any kind has been received from Denver to Athmar Neighborhood regarding the intended use in writing. As a first step, it would be a good idea to establish your intended use in writing to Athmar Neighborhood President, Ian Harwick. Here is how the Solutions Center design was represented by the City to me and the Athmar Neighborhood.

- Solutions Center to be a medical facility not a homeless shelter for the purpose of treating underprivileged individuals who needed mental treatment and counseling, treatment and counseling for drug and alcohol addictions.
- The Center is to have just 46 beds with a portion of them lock down.
- The Center is to be 24 hour referral only, with no walk in admittance.
- The Center is a voluntary program, people will not be held against their will.
- The Center patients were to be escorted by SC staff, if allowed outside the facility.
- The Center is to house administrative offices for staff and management.
- The Center is to be designed after a similar facility in Seattle.
- The Center was represented to be zoned as a medical clinic and office.

Athmar Park Neighborhood defines the following reasons to delay or reject purchase approval:

- I or other Athmar neighborhood members did not receive any information, did not have any discussion, did not agree to, or realize the Solutions Center would have to be multi purposed zoned in part as a Homeless Shelter for the function of providing 46 overnight or extended stay beds. Homeless Shelter zoning will never be included in the Athmar Neighborhood Agreement with the Solutions Center or assumedly be allowed by the, to be formed Advisory Committee, comprised of Stakeholders surrounding the Solutions Center.
- I and other Athmar Neighborhood neighbors do not agree homeless shelter provision (section 11.2.7) could be included into the Solutions Center zoning, because it will not function or operate as a homeless shelter. The Solutions Center is to be a medical/office facility only, as described to Athmar Neighborhood by Evan Dryer, Representative of City of Denver. You cannot zone a property for a use unless that is the intended use. *Example: you cannot zone a property for sales office if its intended use is being a restaurant.*

- I nor majority of Athmar Park Neighbors or businesses will not agree to any outside restroom facilities outside of the interior spaces of a building as homeless shelter zoning requires. (Paragraph 11.2.7.1 – D, 4)
- I and majority of Athmar Park Neighbors have only been informed of 46 overnight stay beds and will not be agreeable to any increase in beds. We will provide appropriate opposition including dissolution of a Homeless Shelter zoning, if ever approved, for any bed increase that could be possible now or in the future under homeless shelter zoning provisions.
- I and majority of Athmar Park Neighbors agree and will enforce zoning provisions which homeless shelter zoning will enact (section 11.2.6, Residential care use small or large) in the Denver Zoning Code.
- I and the majority of Athmar Park Neighbors agrees the Solutions Center provider could not supply adequate measures now or ever to safeguard the public as currently designed if homeless shelter zoning is allowed.
- Per (paragraph D, sub-paragraph 1, line E), I and the majority of Athmar Park Neighbors agree the Solutions Center would substantially and permanently injure the appropriate use of nearby conforming property, parks and path if homeless shelter zoning is allowed
- Homeless Shelter zoning would substantially increase the homeless population in Athmar and also substantially or permanently injure the whole neighborhood, preventing all neighbors, including specialized accessible populations, from being able to reap the benefits of residential surroundings safely, i.e. Johnson-Habitat Park and Platte River bike and walking path, including safe and undisturbed access to the Denver commuter light rail over Alameda Bridge if homeless shelter zoning is allowed and homeless population increases.
- I or the Athmar Neighbors will contest any facility that would substantially increase the population, congestion, traffic, off hour or night time activity, including 24 hour activity which currently does not exist, damaging the established zoned I-A Industrial buffer, designed to quell night time noise and mainly traffic noise from I-25 Highway to surrounding residential properties on West side of zoned I-A industrial buffer.
- All residential properties in or near the proposed Solutions Center would be damaged as the increased activity of a homeless shelter or any business with 24 hour activity would bear negatively on the neighborhood and the zoned I-A Industrial buffer.
- The 405 property is the closest property to the I-25 corridor in Athmar. The residences on Lipan St, behind 405, one of which is a mere 400 feet from the 405 building is most affect by the I-25 noise and would now forever suffer the impact of 24 hour activity as a Homeless Shelter would create by losing altogether or damage of its zoned I-A buffer. This is a violation of those residences property rights, property values, zoning and their right to quite enjoyment.
- Chris Nevitt City Council Member and District 7 City Council representative and Ian Harwick, Athmar Park Neighborhood President have both personally and publically denounced the location of the Solutions Center. Ian, calls this a very bad location.
- On November 8th a General Neighborhood meeting was held by the City of Denver to answer questions regarding the Solutions Center, never was Homeless Shelter zoning mentioned by the City. A vote was taken at the meeting which 95% of the attendees voted against the establishment of the Solution Center mainly because of the proximity to Johnson-Habitat Park and the Platte River Public Path. Denver and its Representatives has ignored the Athmar Neighborhood and could now suffer negative consequences in future dealings with Athmar.

- On December 8th a meeting was held of the Athmar Neighborhood Association, a general consensus of the Board of Directors and attendees were to oppose the Solutions Center if homeless shelter zoning was allowed.

I and the majority of the Athmar Neighborhood hopes the Denver City Council can see there are enough questions to be answered, the main one, is this the right location, please delay approval until we all find out if it is right. We need more discussion. It would be a shame and unjust to misappropriate tax payer's money if this project could not be built because of zoning restrictions and you purchased the building knowing the following information. I ask the City Council to be sensible and work the details out first with the Athmar Neighborhood, then if agreeable, purchase the building. It really is better if we work with each other instead of against. Please consider all of the reasons and think about if this was your neighborhood or District. Please do not approve the purchase of the 405 building at this time.

Tom Thompson
Athmar Business Owner
C- 303-419-6126
Email Sunrms4u@aol.com