



TO: City Council
FROM: Fritz Clauson, AICP, Associate City Planner
DATE: February 20, 2025
RE: Official Zoning Map Amendment Application #2024I-00074

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval for Application #2024I-00074.**

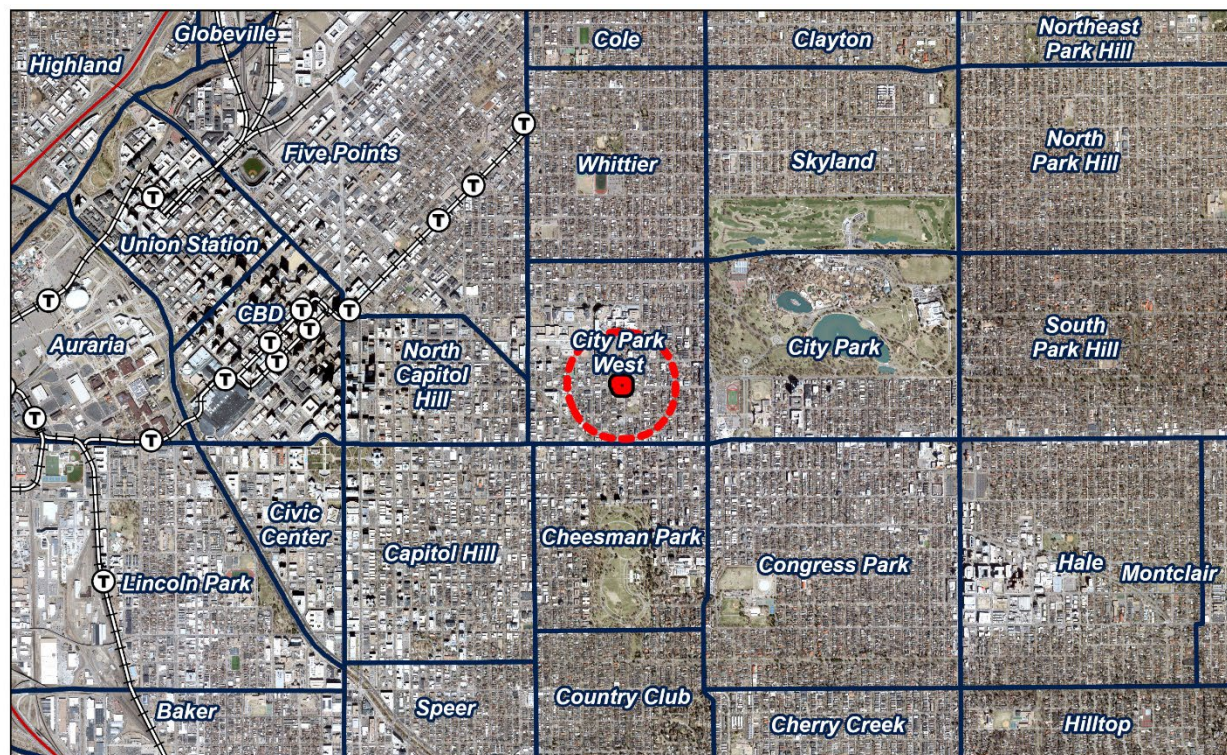
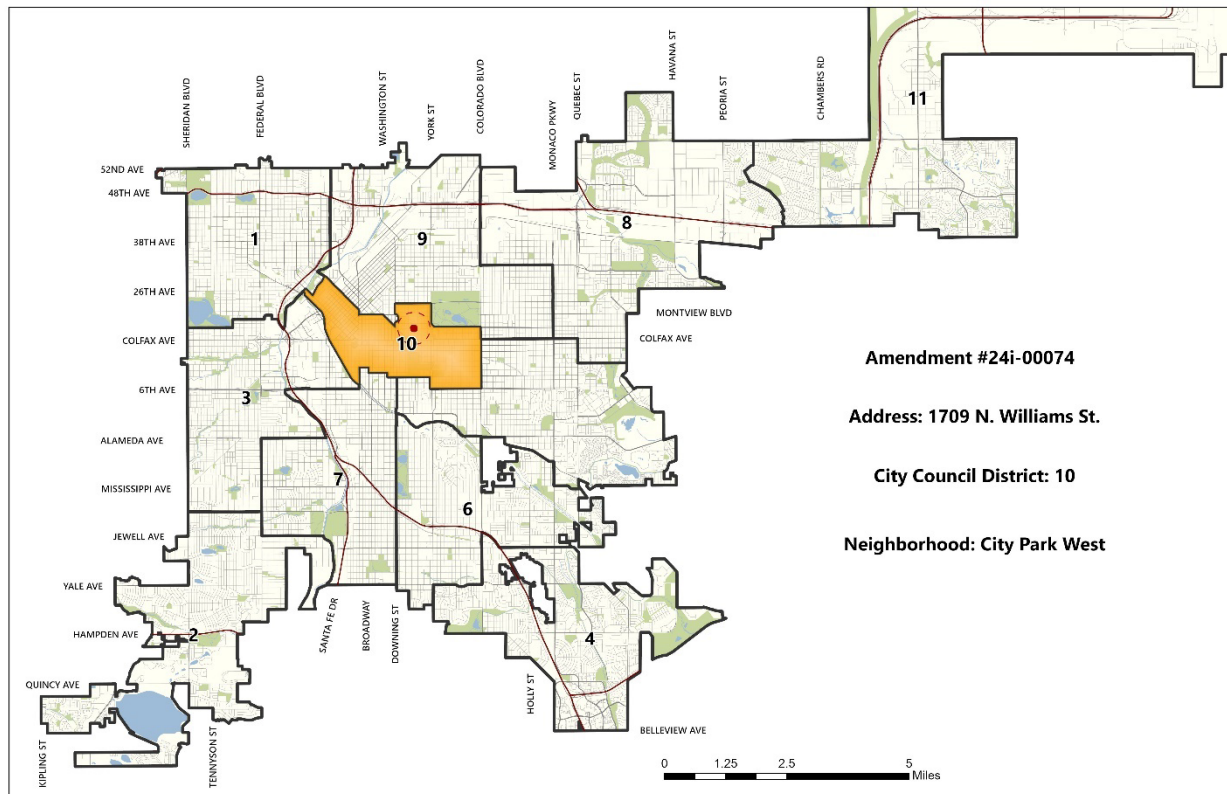
Request for Rezoning

Address:	1709 N Williams St.
Neighborhood/Council District:	City Park West / Council District 10
RNOs:	Capitol Hill United Neighborhoods (CHUN), Opportunity Corridor Coalition of United Residents, Neighbors for Greater Capitol Hill, City Park Friends and Neighbors, East Denver United Neighbors, City Park West Neighborhood Association, Strong Denver, and Inter-Neighborhood Cooperation (INC)
Area of Property:	9,380 square feet or 0.21 acres
Current Zoning:	B-2 with Waivers
Proposed Zoning:	G-MS-3
Property Owner(s):	1735 LLC
Owner Representative:	Michael McAtee

Summary of Rezoning Request

- The subject property is in the City Park West neighborhood, at the northwest corner of East 17th Avenue and North Williams Street.
- The site currently contains a 4,260 square foot 2 story commercial office structure and parking lot, built in 1964.
- The property owner is proposing to rezone the property to allow a mixed-use redevelopment.
- The proposed G-MS-3 (**G**eneral Urban, **M**ain Street, **3**-story) zone district allows a broad range of commercial, residential, and civic uses in the Town House and Shopfront building forms with a maximum height of three stories. Further details of the requested zone district can be found in the proposed zone district section of the staff report and in Article 6 of the Denver Zoning Code (DZC).

Existing Context





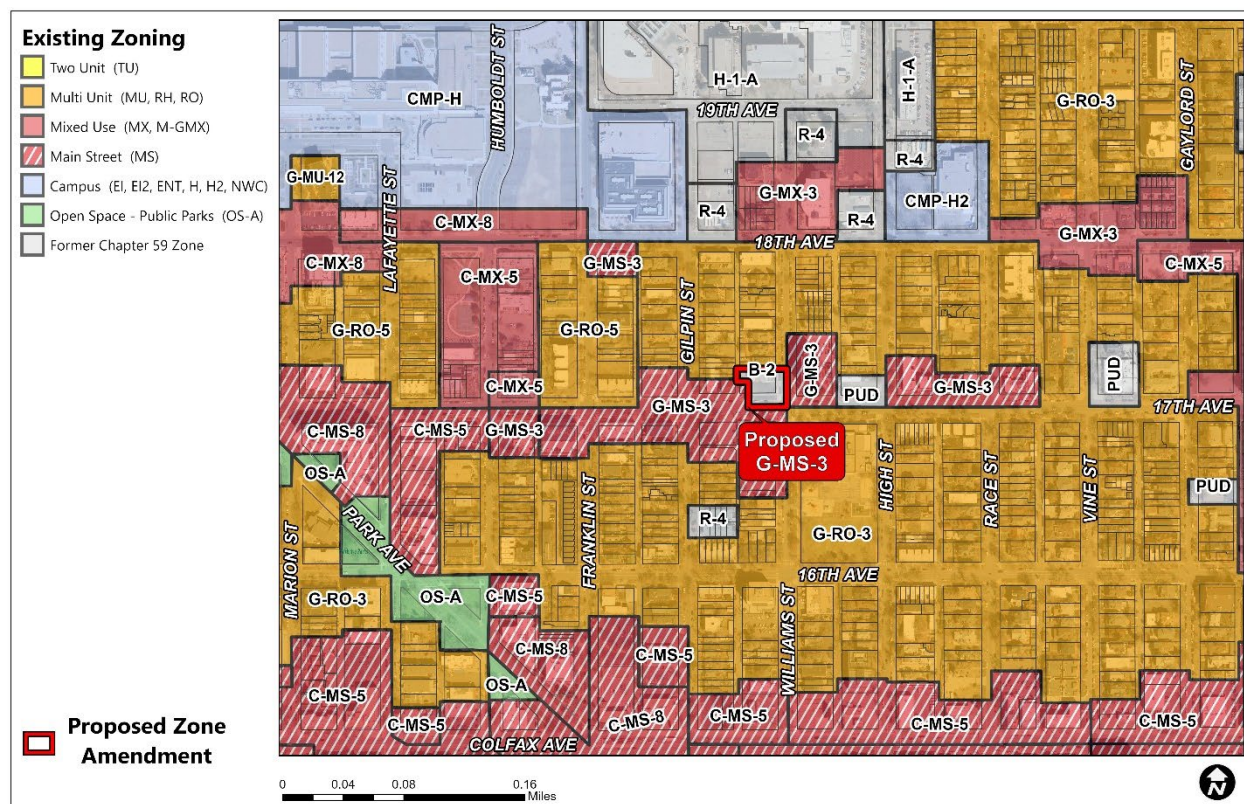
The subject property is in the City Park West statistical neighborhood, at the northwest corner of the intersection of E 17th Avenue and N Williams Street. The neighborhood is characterized by a diverse mix of office, retail, public/quasi-public, and single, two, and multi-unit residential uses, with a general pattern of regular blocks with a mix of curb cuts and alley access. RTD bus route 20 runs westbound along East 17th Avenue, with a stop diagonally opposite of the site on the southwest corner of 17th and Williams, with generally 30-minute headways. Saint Joseph Hospital is .2 miles northwest of the subject site and the Denver Center for 21st Century Learning, a middle and high school that serves the neighborhood, is diagonally opposite 17th Avenue from the subject site.

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	B-2 WVRS	Commercial - Office	2-story commercial structure with parking lot and curb cuts on E 17 th Ave and N Williams St.	Generally regular grid of streets. Block sizes and shapes are consistent and rectangular with alleys in the middle of blocks.
North	G-RO-3	Single-unit Residential	2.5-story brick home fronting N Williams St.	
South	G-MS-3	Commercial and multi-unit residential	1-2.5-story commercial and residential structures fronting E 17 th Ave.	

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
East	G-MS-3/G-RO-3	Commercial & Multi-unit Residential	2.5-story brick home used as commercial structure fronting E 17 th Ave, multi-unit rowhome-style residential structure fronting N Gilpin St	Four blocks west of the subject site on East 17 th Avenue the grid gets interrupted by Park Avenue that cuts through diagonally.
West	G-MS-3	Multi-unit Residential	High-rise multi-unit housing building owned by Denver Housing Authority, at northeast corner of E 17 th Ave and N Williams St	

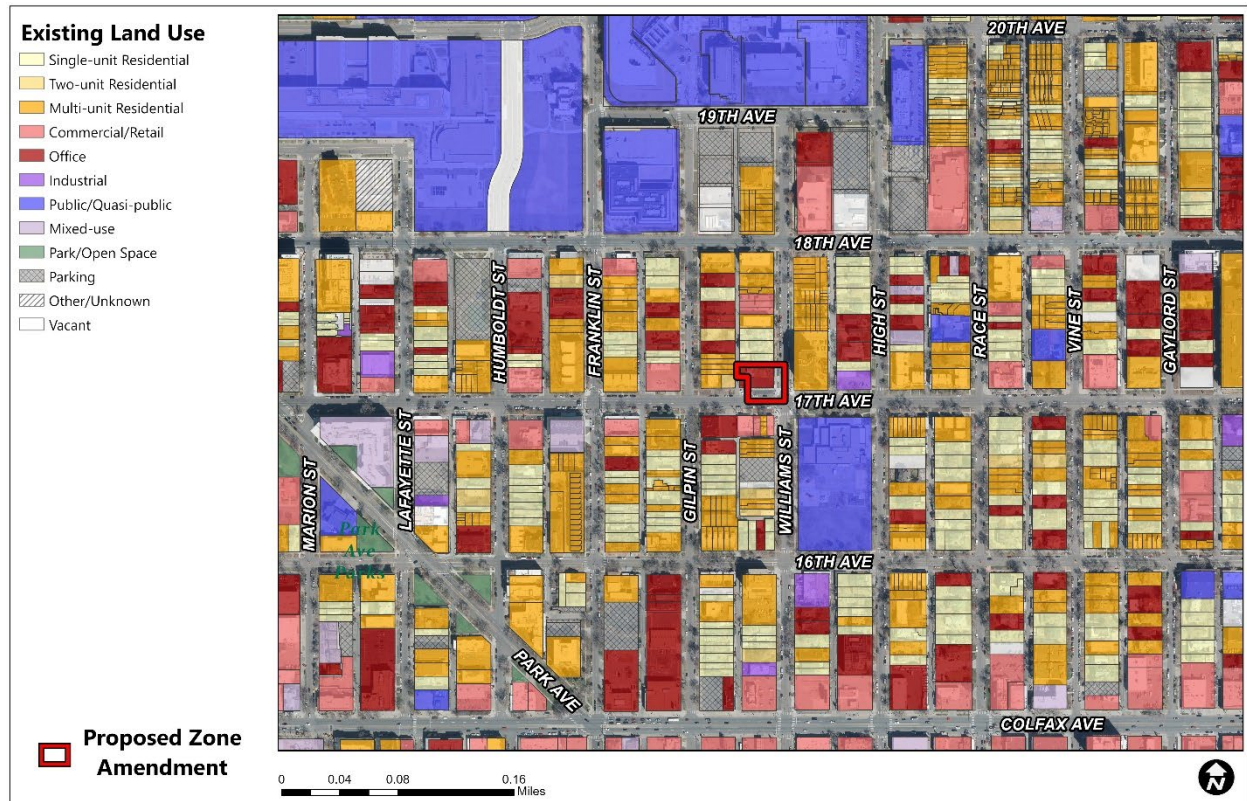
1. Existing Zoning



The B-2 zone district is a former Chapter 59 commercial district allowing a range of uses, including single and multiple unit dwellings, office, retail, and community-serving uses. The ordinance that applied B-2 zoning to this property included waivers of a number of specific uses, including gas stations, child care centers, dry cleaning, fire stations, grocery stores, liquor stores,

pet supply stores, and sporting goods stores. Development in former Chapter 59 is generally limited by Floor Area Ratio (FAR), and B-2 allows a 1:1 ratio of gross floor area to the size of the zone lot, with required setbacks of 5 feet from the front lot lines and 10 feet from rear lot lines. The current building is not historically protected, and the current zoning would allow replacement with a commercial or residential structure, subject to the design and use limitations of the current zoning and waivers.

2. Existing Land Use Map



3. Existing Building Form and Scale (Source for all photos: Google Earth)



View of property looking northwest from intersection of E. 17th Ave and N. Williams St.



View of the properties to the south of the subject site, looking southwest from the intersection of E 17th Ave and N. Williams St.



View of the property to the east of the subject site, looking northeast from the intersection of E. 17th Ave and N. Williams St.



View of the properties to the north of the subject site, looking west from N. Williams St.

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View of the property to the west of the subject site, looking north from E. 17th Ave.

Proposed Zoning

The requested G-MS-3 zone district has a maximum height of three stories or 45 feet with allowable encroachments and height incentives. The minimum primary street setback is zero feet, except for the town house building form which has a 10-foot minimum primary street setback. A variety of mixed residential, commercial, and civic uses are allowed. Build-to requirement ranges between 50% and 75%, depending on the building form. For additional details of the requested zone district, see DZC Sections 6.2.5, 6.3 and 6.4.

The primary building forms allowed in the existing zone district and the proposed zone district are summarized below.

Design Standards	B-2 w/Waivers (Existing)	G-MS-3 (Proposed)
Primary Building Forms Allowed	NA	Town House; Drive Thru Services; Drive Thru Restaurant; Shopfront
Maximum Height in Stories/Feet, Front 65% of Zone Lot	NA (FAR 1)	Drive Thru Services: 3/45' Drive Thru Restaurant: 3/45' Town House: 3/38' Shopfront: 3/45'
Zone Lot Size (Min.)	NA	Drive Thru Services: NA Drive Thru Restaurant: NA Town House: NA Shopfront: NA
Primary Street (Min.)*	5 feet	Drive Thru Services: 0' Drive Thru Restaurant: 0' Town House: 10' Shopfront: 0'
Side Street (Min.)	5 feet	Drive Thru Services: 0' Drive Thru Restaurant: 0' Town House: 7.5' Shopfront: 0'
Side Interior Setback (Min.)	0 feet	Drive Thru Services: 0' Drive Thru Restaurant: 0' Town House: 5' Shopfront: 0'
Rear Alley / No Alley (Min.)	10 feet / 10 feet	Drive Thru Services: 0' Drive Thru Restaurant: 0' Town House: 0' Shopfront: 0'
Building Coverage per Zone Lot including all accessory structures (Max.), not including exceptions	NA (FAR 1)	Drive Thru Services: NA Drive Thru Restaurant: NA Town House: NA Shopfront: NA
Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement)	NA	Drive Thru Services: NA Drive Thru Restaurant: NA Town House: 100% Shopfront: 100%

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:

Assessor: Approved – No response.

Asset Management: Approved – No comment.

Denver Public Schools: Approved – No response.

Department of Public Health and Environment: Approved - No Comments

Denver Parks and Recreation: Approved – No response.

Department of Transportation and Infrastructure – R.O.W.- City Surveyor: Approved – No Comments

Development Services – Project Coordination: Approve Rezoning Only - Will require additional information at Site Plan Review

1) Redevelopment of the site will require zoning and building permit approvals. Mixed-use and multi-family (3 units or more) will require Concept and Formal SDP review processes. Residential with 2 units or less will require Residential Team review.

2) It is strongly recommended to submit a Concept Plan for review (if future plans include mixed-use or multi-family uses) simultaneously with the rezoning application. Staff will verify that the proposed plans work within the proposed zone district and building form.

3) Please note a Denver Zoning Code Text Amendment bundle is currently in draft form with expected adoption in early November 2024. The amendment impacts a number of code sections that may impact proposed project design.

4) Any SDP will need to comply with the DZC in place at the time of final SDP approval.

Development Services - Fire Protection: Approve Rezoning Only - Will require additional information at Site Plan Review

Development Services – Transportation: Approved – No Response

Development Services- Wastewater: Approved – No Response

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	8/6/2024
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	12/3/2024
Planning Board public hearing: Planning Board was originally scheduled for 11/6/2024, the applicant requested to postpone the public hearing to allow for time to go through a mediation process with the opposing neighbors. Planning Board unanimously recommended approval on 12/18/2024.	12/18/2024
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:	12/30/2024
Land Use, Transportation, and Infrastructure Committee of the City Council:	1/14/2024
Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations:	2/3/2025
City Council Public Hearing:	2/24/2025

- **Registered Neighborhood Organizations (RNOs)**
 - To date, staff has received one comment letter from the City Park West Registered Neighborhood Organizations, which detailed a meeting the RNO held with the applicant but did not take an official position. A Memorandum of Understanding between the applicant, an adjacent property owner, and the City Park West RNO was agreed to and signed on November 25th. The MOU outlines agreements on demolition and construction timing and logistics, support for the adjacent Weathervane Café during construction, specific restrictions on future use of the property, and resolving issues on shared use of the alley and parking area for trash collection and other purposes.
- **Other Public Comment**

To date, staff has received 8 comments in support and 22 comments in opposition to the proposed rezoning. Comments in support expressed anticipation for new residential opportunities in the neighborhood, while comments in opposition expressed concern regarding demolition of a unique (but non-historic) structure and existing commercial

space. Applicant completed a mediation process with the local RNO and neighboring property owner to address issues raised in public comments.

Criteria for Review / Staff Evaluation

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

DZC Section 12.4.10.7

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

DZC Section 12.4.10.8

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

1. Consistency with Adopted Plans

The following adopted plans apply to this application:

- Denver Comprehensive Plan 2040 (2019)
- Blueprint Denver (2019)
- East Central Area Plan (2020)

Denver Comprehensive Plan 2040

The proposed rezoning is consistent with many of the adopted Denver Comprehensive Plan 2040 strategies, which are organized by vision element.

Equitable, Affordable and Inclusive Vision Element

- Equitable, Affordable and Inclusive Goal 1 – Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities (p. 28).
- Equitable, Affordable and Inclusive Goal 1, Strategy C - Improve equitable access to resources that improve quality of life, including cultural and natural amenities, health care, education, parks, recreation, nutritious food and the arts (p. 28).
- Equitable, Affordable and Inclusive Goal 2, Strategy A - Create a greater mix of housing options in every neighborhood for all individuals and families (p. 28).

The proposed G-MS-3 zoning allows for a variety of uses including residential, retail services, and employment close to residences and transit. This map amendment may increase access to services and amenities for nearby residences, as well as allow for new residential uses.

Strong and Authentic Neighborhoods Vision Element

- Strong and Authentic Neighborhoods Goal 1, Strategy A – Build a network of well-connected, vibrant, mixed-use centers and corridors (p. 34).
- Strong and Authentic Neighborhoods Goal 1, Strategy B – Ensure neighborhoods offer a mix of housing types and services for a diverse population (p. 34).

- Strong and Authentic Neighborhoods Goal 1, Strategy D – Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities (p. 34).

The proposed G-MS-3 zone district would allow the property to redevelop as a mixed-use site that is responsive to current needs and reinvests in the corridor area, helping to create a complete neighborhood and offering new housing and service opportunities to ensure a strong local economy.

Environmentally Resilient Vision Element

- Environmentally Resilient Goal 8, Strategy B – Encourage mixed-use communities where residents can live, work and play in their own neighborhoods (p. 54).
- Environmentally Resilient Goal 8, Strategy C – Focus growth by transit stations and along high- and medium-capacity transit corridors (p. 54).

The proposed rezoning would allow for compatible residential and commercial uses in an established neighborhood and transit corridor, consistent with the strategies from the Environmentally Resilient vision element.

The proposed map amendment will allow a mixed-use development where infrastructure and services such as water, stormwater, and streets already exist. It also encourages mixed-use communities by allowing residential, commercial, and employment uses near transit and existing residential areas. Rezoning this property where infrastructure exists, and near transit, allows Denver to grow responsibly and promotes land conservation. Therefore, the rezoning is consistent with *Denver Comprehensive Plan 2040* recommendations.

Blueprint Denver

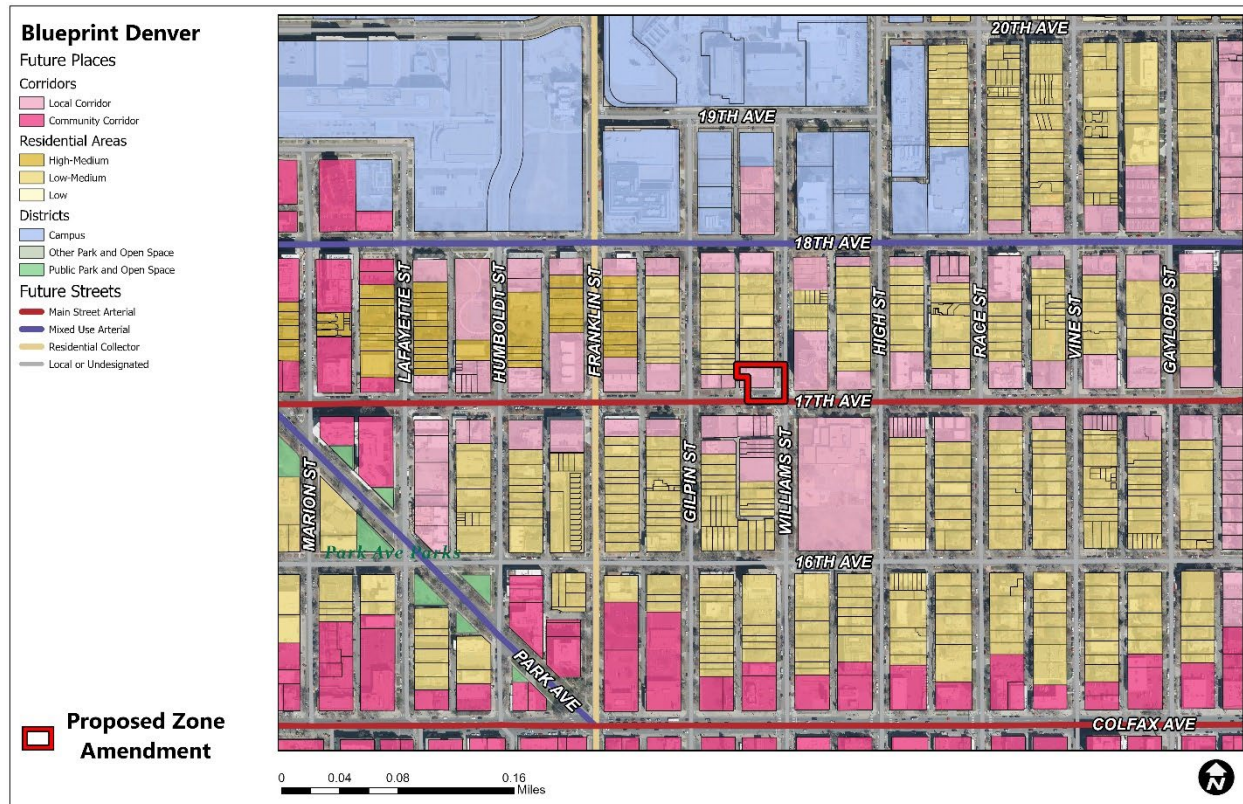
Blueprint Denver was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city's land use and transportation decisions. *Blueprint Denver* identifies the subject property as part of a Local Corridor place within the General Urban Neighborhood Context and provides guidance on the future growth strategy for the city.

Blueprint Denver Future Neighborhood Context



In *Blueprint Denver*, future neighborhood contexts are used to understand differences across land use and built form and mobility options at a higher scale, between neighborhoods. The subject property is within the General Urban context, which “are typically located at the edge of higher intensity contexts like urban center and downtown” (p. 241) and are characterized by multi-unit residential and community-serving mixed uses. The General Urban neighborhood context is described as varying “from mixed-use multi-unit buildings to compact single-unit homes. Development should be sensitive to the existing neighborhood character and offer residents a mix of uses, with good street activation and connectivity” (p. 238).

The proposed G-MS-3 zone district is part of the General Urban context and is “intended to promote safe, active, and pedestrian-scaled commercial streets through the use of building forms that clearly define and activate the public street edge” (DZC 6.2.5.1). Since the proposed district allows a substantial mix of uses with allowable building forms that contribute to street activation, the proposed rezoning to a General Urban context is appropriate and consistent with the plan.

Blueprint Denver Future Places

The future place map shows which place description(s) should be used to evaluate the appropriateness of the proposed zone district (p. 66). The subject property is mapped as Local Corridor in the Future Place Map. *Blueprint Denver* describes the aspirational characteristics of Local Corridor in the General Urban context as “Primarily provides options for dining, entertainment, and shopping... Buildings have distinctly linear orientation along the street with very shallow setbacks. The scale is intimate with a focus on the pedestrian. The public realm is typically defined by lower-scale buildings with active frontages. Heights are generally up to 3 stories. Due to shorter lot depths, special attention may be needed for transitions to nearby residential areas.” (p. 244).

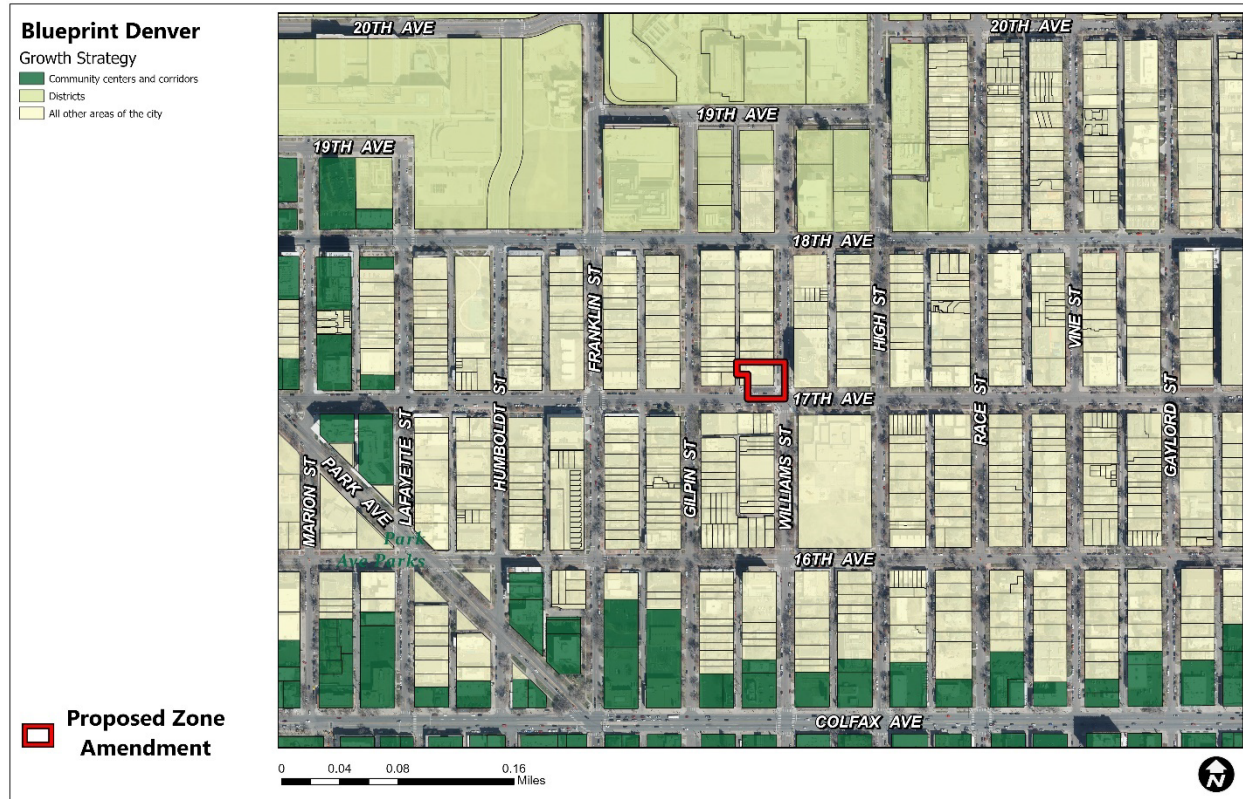
The proposed district of G-MS-3 provides a wide range and mix of uses in building forms that address the street and define the public realm. The future proposed height of up to 3 stories is appropriate for a Local Corridor in this location.

Blueprint Denver Street Types

In *Blueprint Denver*, street types work in concert with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). *Blueprint Denver* classifies East 17th Avenue as a Main Street Arterial. “Arterial streets are designed for the highest amount of through movement and the lowest degree of property access” (p.154). The use and built form characteristics of Main Street streets is described as, “a mix of uses including retail, services and restaurants, as well as residential. Buildings are pedestrian-oriented, with little front setback, a continuous street wall, and high

transparency” (p.158). The proposed G-MS-3 district would allow for a mix of uses that is consistent with the Main Street Arterial Future Street Tyle classifications.

Blueprint Denver Growth Strategy

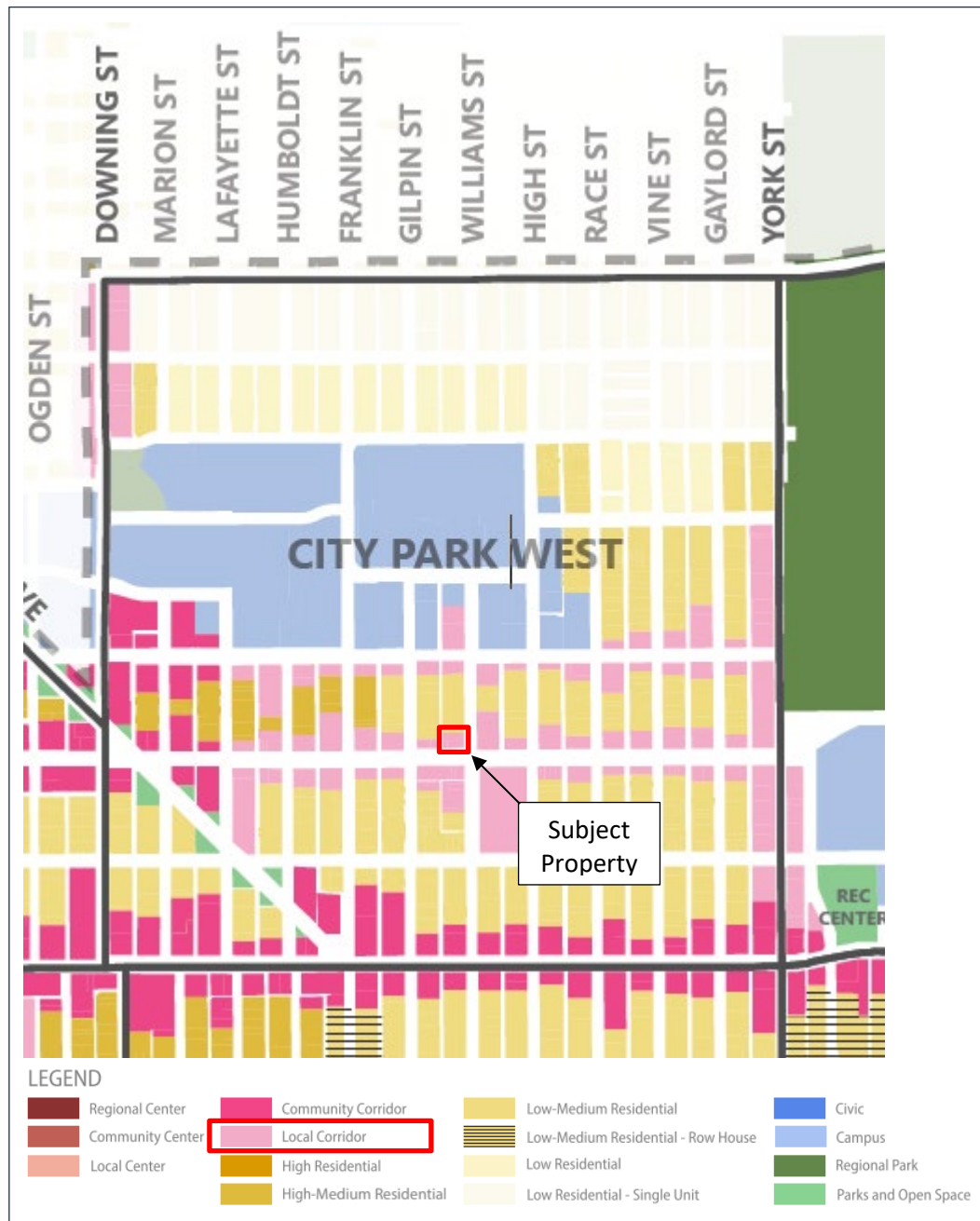


Blueprint Denver's growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject property is part of the “All other areas of the city” growth area. These areas anticipate experiencing around 20% of new housing growth and 10% of new employment growth by 2040 (p. 51). This growth area is “mostly residential areas with embedded local centers and corridors, take a smaller amount of growth intended to strengthen the existing character of our neighborhoods” (p. 49). The proposed map amendment to G-MS-3 will allow residential and commercial uses and intensity appropriate to the corridor, serving to strengthen the customer base and identity of the corridor.

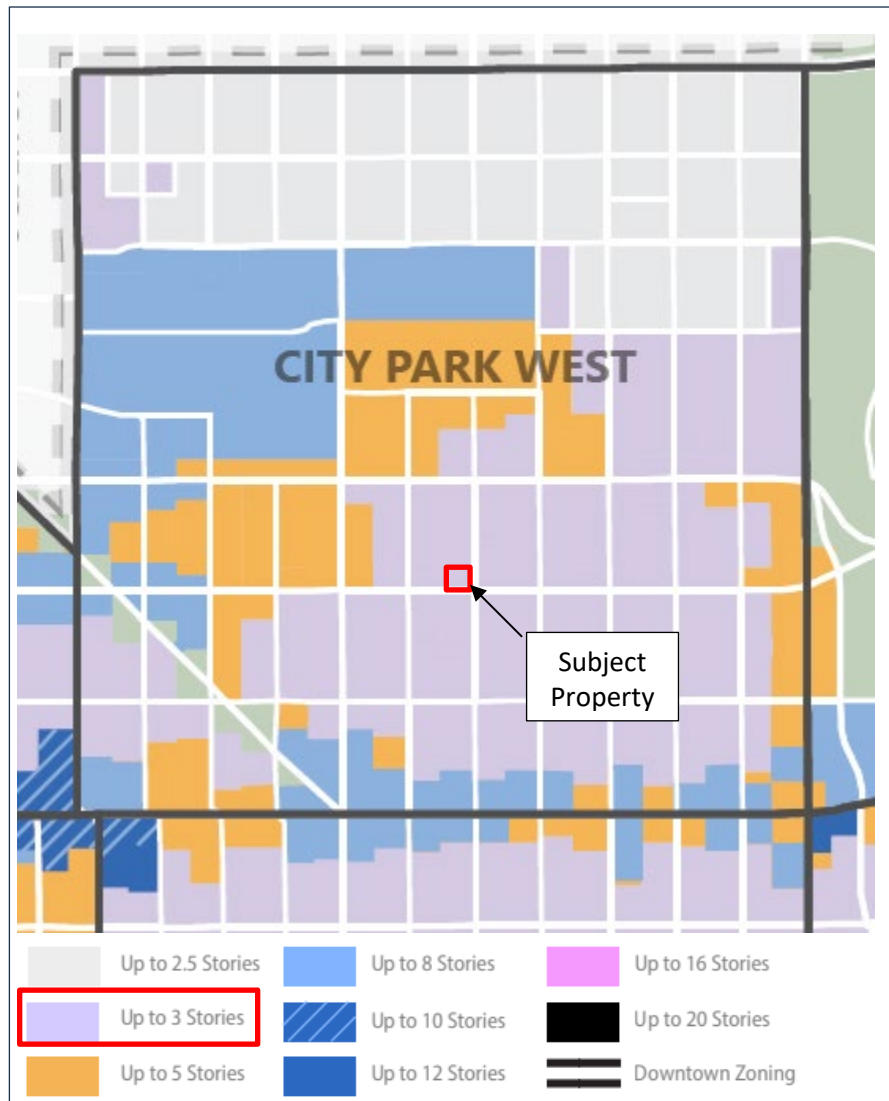
East Central Area Plan

The East Central Area Plan was adopted by City Council in 2020 and applies to the subject property. The plan includes general recommendations and neighborhood-specific recommendations and utilizes the same context and place framework as *Blueprint Denver*. The subject property is designated General Urban Local Corridor, with a place description similar to *Blueprint Denver*: “Primarily provides options for dining, entertainment and shopping. May also include some residential and employment uses. Provides a more intimate, pedestrian scale” (p. 29). The Maximum Building Heights map on page 35 indicates the maximum height for the subject property is 3 stories.

Future Place Map



Future Heights Map



In addition, Policy L10: “Continue Improving out of date zoning regulations” (p.45) also recommends rezoning properties retaining former Chapter 59 zoning designations into the current Denver Zoning Code.

The proposed G-MS-3 provides a wide range and mix of uses in building forms that address the street and define the public realm what would allow for high quality design while preserving the character of the neighborhood. The proposed map amendment is consistent with the *East Central Area Plan*’s context and place designations and would promote compatible residential and commercial uses at an appropriate location in the City Park West neighborhood, making it consistent with the plan.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to G-MS-3 will result in the uniform application of zone district building form, use, and design regulations on this site as they are applied to any other sites zoned G-MS-3.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City through implementation of the city's adopted land use plan, contributing to a walkable, mixed-use area, and allowing the addition of new residential units.

4. Justifying Circumstance

The proposed rezoning is justified by several changed or changing conditions as the under DZC Section 12.4.10.8, "Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such a change may include: Changed or changing conditions in a particular area, or in the city generally; or, a city adopted plan; or that the city adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning."

As discussed above, *Blueprint Denver* and the *East Central Area Plan* specifically mapped this site as Local Corridor with a height recommendation of up to 3 stories, which is consistent with the proposed district of G-MS-3, a zone district that allows a wide range and mix of uses in building forms that address the street and define the public realm. These plans were adopted after the date of approval of the existing zone district; therefore, this is an appropriate justifying circumstance for the proposed rezoning. In addition, the Denver Zoning Code review criteria, *Blueprint Denver*, and the *East Central Area Plan* all encourage the rezoning of properties with former Chapter 59 zoning to the current Denver Zoning Code.

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

The requested G-MS-3 zone district is within the General Urban Neighborhood Context. The neighborhood context generally consists of multi-unit residential uses in a variety of building forms and commercial uses in a variety of building forms that may contain a mixture of uses within the same structure (DZC, Division 6.1). The proposed rezoning would allow multi-unit residential and commercial uses at an appropriate location consistent with the neighborhood context description.

The General Urban Main Street zone districts are intended to promote safe, active, and pedestrian-scaled commercial streets and should be applied where a higher degree of walkability and pedestrian activity is desired (DZC, Section 6.2.5.1).

The specific intent of the G-MS-3 zone district is to apply "primarily to collector or arterial street corridors... where a building scale of 1 to 3 stories is desired" (DZC Section 6.2.5.2.A). East 17th Avenue is an arterial corridor where the neighborhood plan calls for up to eight stories. The proposed rezoning would facilitate development consistent with the intent of the G-MS-3 zone district.

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1709 N. Williams Street
February 20, 2025

Attachments

1. Application
2. Public Comments
3. Memorandum of Understanding



Community Planning and Development
Planning Services

201 W. Colfax Ave., Dept. 205
Denver, CO 80202
p: 720.865.2915
f: 720.865.3052
www.denvergov.org/CPD

Rezoning Application

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 FEE PAYMENT***		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION <input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name	Sandy Stein of 1735 LLC	Representative Name	Michael McAtee
Address	8181 E Dartmouth Ave UNIT 104	Address	5233 S. Ironton Way
City, State, Zip	Denver, CO 80231	City, State, Zip	Englewood CO 80111 +
Telephone	303-755-8871	Telephone	303.704.5321
Email		Email	mm@lhdenver.com
*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf. ***If contact for fee payment is other than above, please provide contact name and contact information on an attachment.	
SUBJECT PROPERTY INFORMATION			
Location (address):	1709 N Williams Street, Denver CO 80218		
Assessor's Parcel Numbers:	02355-19-031-000		
Area in Acres or Square Feet:	9,380 SF		
Current Zone District(s):	B-2 WVRS		
PROPOSAL			
Proposed Zone District:	G-MS-3		
PRE-APPLICATION INFORMATION			
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?	<input type="checkbox"/> Yes - State the contact name & meeting date _____ <input checked="" type="checkbox"/> No - Describe why not (in outreach attachment, see bottom of p. 3)		
Did you contact the City Council District Office regarding this application ?	<input checked="" type="checkbox"/> Yes - if yes, state date and method <u>6/12/24 - email</u> <input type="checkbox"/> No - if no, describe why not (in outreach attachment, see bottom of p. 3)		

REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)

<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm and include sections in the review criteria narrative attachment</p>	<p><input checked="" type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.</p> <p>Please provide a review criteria narrative attachment describing how the requested zone district is consistent with the policies and recommendations found in each of the adopted plans below. Each plan should have its' own subsection.</p> <p>1. Denver Comprehensive Plan 2040</p> <p>In this section of the attachment, describe how the proposed map amendment is consistent with <i>Denver Comprehensive Plan 2040's</i> a) equity goals, b) climate goals, and c) any other applicable goals/strategies.</p> <p>2. Blueprint Denver</p> <p>In this section of the attachment, describe how the proposed map amendment is consistent with: a) the neighborhood context, b) the future place type, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in <i>Blueprint Denver</i>.</p> <p>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable): East Central Area Plan</p>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B & C</p> <p>Check boxes to the right to affirm and include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.</p>	<p><input checked="" type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input checked="" type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p> <p>In the review criteria narrative attachment, please provide an additional section describing how the requested rezoning furthers the public health, safety and general welfare of the City.</p>
<p>Review Criteria for Non-Legislative Rezoning: DZC Sec. 12.4.10.8</p> <p>For Justifying Circumstances, check box and include a section in the review criteria narrative attachment.</p> <p>For Neighborhood Context, Purpose and Intent, check box and include a section in the review criteria narrative attachment.</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error;</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact;</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints of development created by the natural characteristics of the land, including, but not limited to , steep slopes, floodplain, unstable soils, and inadequate drainage;</p> <p><input checked="" type="checkbox"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:</p> <p style="padding-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or,</p> <p style="padding-left: 20px;">b. A City adopted plan; or</p> <p style="padding-left: 20px;">c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (overlay Zone Districts) of this Code.</p> <p>In the review criteria narrative attachment, please provide an additional section describing the selected justifying circumstance. If the changing conditions circumstance is selected, describe changes since the site was last zoned. Contact your pre-application case manager if you have questions.</p> <p><input checked="" type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>In the review criteria narrative attachment, please provide a separate section describing how the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.</p>

REQUIRED ATTACHMENTS

Please check boxes below to affirm the following **required** attachments are submitted with this rezoning application:

- ☒ Legal Description of subject property(s). **Submit as a separate Microsoft Word document.** View guidelines at: <https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.html>
- ☒ Proof of ownership document for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed, or (c) Title policy or commitment dated no earlier than 60 days prior to application date. If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.
- ☒ Review Criteria Narratives. See page 2 for details.

ADDITIONAL ATTACHMENTS (IF APPLICABLE)

Additional information may be needed and/or required. Please check boxes below identifying additional attachments provided with this application.

- ☐ **Written narrative explaining reason for the request** (optional)
- ☒ **Outreach documentation attachment(s).** Please describe any community outreach to City Council district office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors. If outreach was via email- please include email chain. If the outreach was conducted by telephone or meeting, please include contact date(s), names and a description of feedback received. If you have not reached out to the City Council district office, please explain why not. (optional - encouraged)
- ☐ **Letters of Support.** If surrounding neighbors or community members have provided letters in support of the rezoning request, please include them with the application as an attachment (optional).
- ☒ **Written Authorization to Represent Property Owner(s)** (if applicable)
- ☒ **Individual Authorization to Sign on Behalf of a Corporate Entity** (e.g. if the deed of the subject property lists a corporate entity such as an LLC as the owner, this document is required.)
- ☐ **Affordable Housing Review Team Acceptance Letter**
- ☒ **Other Attachments.** Please describe below.

Per "Pre-Application Information" section above - We have not had a Concept meeting with Development Services yet. We have studied the site as a shopfront building form with several different uses, but yet to determine the best use of the site. Our goal is to submit to Development Services for Concept SDP in the next 30-60 Days.

REZONING GUIDE

Rezoning Application Page 4 of 4

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

We, the undersigned represent that we are the owner(s) 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	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (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>	01/12/20	(A)	YES
Michael McAtee	5233 S. Ironton Way Englewood CO 80111 303.704.5321 mm@lhdenver.com		Michael McAtee <small>Digitally signed by Michael McAtee Date: 2024.07.08 19:58:27 -06'00'</small>	06/26/24	A	YES
						YES
						YES
						YES

Re: Review Criteria Narrative for a Rezoning request for 1709 N Williams Street, Denver CO 80218.

To whom it may concern:

I am purchasing the property at 1709 N Williams St. I am requesting a rezone to G-MS-3 from the Former Chapter 59 Code B-2 WVRs.

The owner of the property Sandy Stein / 1735 LLC has given me authorization as the "Property Owners Representative" to apply for a rezoning of the property. Please reference the letter provided named "Property Owners Representative."

As of the date of this letter, I have completed the Pre-Application meeting, reached out to all RNOs, sent letters to neighbors, and emailed District 10's Councilman Hinds. In my correspondence to the RNOs and Councilman Hinds, I offered to meet, discuss the site, my vision, and hope to gain support on the rezoning.

The Pre-Application meeting provided us with a presentation that outlined much of the information required by the application "Rezoning Review Criteria" section. The presentation was supportive for the zone change. That presentation is included as an attachment to this narrative and best describes the General Review Criteria requested by *General Review Criteria DZC Sec. 12.4.10.7.A, B, C and DZC Sec. 12.4.10.8.*

As shown in the supporting narrative and documents, the request to change from Former Chapter 59 Zoning B-2 WVRs to G-MS-3 aligns best with the surrounding neighborhood context and fits best in the future vision of the cities adopted plans.

Regards,

A handwritten signature in blue ink, appearing to read 'Michael McAtee', with a stylized flourish at the end.

Michael McAtee

*Please note, the narrative outline is from the rezoning application and our review is in red.

General Review Criteria: DZC Sec. 12.4.10.7. A

Adopted Plans

A. Denver Comprehensive Plan 2040: how the proposed map amendment is consistent with *Denver Comprehensive Plan 2040*

A. Equity goals

Equitable, Affordable, and Inclusive

1. Goal 1 – Strategy A - Increase development of housing units close to transit and mixed-use developments. Our desire is to redevelop the site with a multi-unit residential and/or mixed-use development that will increase housing units close to transit and other mixed use developments. The location of this property is on the corner of 17th Ave and Williams. 17th Ave is a collector street that is also an RTD bus route with stops. In addition, 18th Ave, one block North is also a collector street and RTD bus route with stops. Along both 17th Ave and 18th Ave, are other mixed-use developments easily accessible from this property by transit, bikes, or walking.
2. Goal 2 – Strategy A - Create a greater mix of housing options in every neighborhood for all individuals and families. Our plan to redevelop this site into multi-unit residential and/ or mixed use, would offer greater density and additional housing which will help meet the increasing demand for housing. In addition, we are exploring how we can align with the “Expanding Housing Affordability Ordinance”
3. Goal 3 – Strategy B – Use land use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing especially where close to transit. As our plan develops through concept, the goal is to provide more density of housing in the development. The existing building is only commercial, and mostly vacant. As part of our redevelopment plan, we are considering the land use regulations of G-MS-3, other zoning regulations, and the “Expanding Housing Affordability Ordinance” which may allow for more residential density and height in exchange for more affordable housing. That is yet to be determined, but part of our consideration in planning.

B. Climate goals

Environmentally Resilient

1. Goal 1 – Strategy A - Embrace clean and local energy that comes from renewable sources such as sun and wind. Our plan is to embrace clean and local energy. Current code adoptions for new developments require clean and local energy. The 2022 Denver Energy Code is to eliminate greenhouse

gases by 2030 in new developments. The existing building built in 1964 is far from energy efficient. Redeveloping this site will result in a project that aligns with the energy goals of the city. Our vision is to provide a net zero redevelopment that uses renewable energy.

2. Goal 1 – Strategy C - Invest in multimodal transportation and support a clean, carbon-free transportation system. This site's proximity to public transportation, bike paths, walking paths, and local amenities increases likelihood of lifestyles that lead to a reduction in carbon footprint. By such proximity, the site promotes cleaner transportation than other options such as personal vehicles.
3. Goal 1 – Strategy D – Become a leader in smart technologies that help to reduce greenhouse gas emissions. Our vision is to embrace the 2022 Denver Energy Code. That code's mission is to eliminate greenhouse gases by 2030 in new developments. We plan to use technologies such as energy star appliances, heat pumps, solar panels, more efficient windows, etc. Implementing our goals for a building that uses smart tech will reduce greenhouse gas emissions.

C. Other applicable goals/strategies

Strong and Authentic Neighborhoods.

1. Goal 1, Strategy D –Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities. Our vision is to redevelop this site into a multi-unit and/or mixed-use building that will be consistent with the surrounding context and increase amenities for the neighborhood. In contrast the current 1964 building is obsolete in form and function. It does not meet current zoning codes, align with adopted plans, or contribute to the vision of a Strong and Authentic Neighborhood.
2. Goal 1, Strategy A –Build a network of well connected, vibrant, mixed-use centers and corridors. This property is situated on a highly visible and interactive corner and corridor. The potential of this corner is not being embraced by the current building. Former Chapter 59 code also does not promote this goal. There is much opportunity to increase the connection and vibrance to this location. Redeveloping this site under G-MS-3 will align best so this property connects to the street scape, neighborhood, and surroundings.

Environmentally Resilient

- i. Goal 8 - Strategy A Promote infill development where infrastructure and services are already in place. This property is adjacent to the infrastructure and services a redevelopment needs. Not only will a redevelopment use the existing

infrastructure, there will be needed improvements, such as sidewalks, curbs, gutters, alleys, tree lawns, etc.

- ii. Goal 8 - Strategy C Focus growth by transit stations and along high -and medium-capacity transit corridors. This property is a corner of 17th Ave and Williams Street which is a prominent corner along a transit corridor. 17th Ave is a collector street that is an RTD bus route with stops. In addition, 18th Ave, one block North is also a collector street with RTD bus route and stops.

B. Blueprint Denver Update 2019: how the proposed map amendment is consistent with Blueprint Denver:

- A. **Consistent with neighborhood context – General Urban** – General Urban is predominantly multi-unit structures. 1-unit and 2-unit residential and low scale mixed-use are embedded with the multi-unit areas. Block patterns are generally regular with consistent alley access. Buildings are medium scale and close to the street.

The requested zoning change to G-MS-3 will align with the General Urban neighborhood context definition of Blueprint Denver. Our vision for the redevelopment to be a multi-unit structure and / or low scale mixed use buildings is supported by the G-MS-3 zoning code. The building will be a medium scaled 3 stories, and close to the street.

- B. **Consistent the future place type – Local Corridor** - Local Corridors provide options for dining, entertainment, and shopping and include some residential and employment uses. Buildings have distinctly linear orientation along the street with very shallow setbacks. The scale is intimate with a focus on the pedestrian. The public realm is typically defined by buildings with active frontages.

The requested G-MS-3 Zoning code aligns with the Local Corridor definition. The code requires buildings to be distinctly linear along the street with very shallow setbacks. The build-to requirements create active frontages to the streets. Our vision is to create an intimate street level that improves the corner and experience for the pedestrian.

- C. **Consistent the growth strategy** – The zoning code G-MS-3 and vision for the redevelopment density aligns with the growth strategy which calls for 10-20% population growth by 2040. As the highest growth strategy area, G-MS-3 will help in supporting the growth by allowing higher density and site coverage than the current Former Chapter 59 zoning code.
- D. **Consistent with adjacent street types** - Given our location on the corner of 17th Ave and Williams St, which consists of multi-unit residential, small commercial, mixed uses and surrounding residential uses, our vision of multi-unit residential and/ or mixed use aligns with the other properties, and street scape along both 17th Ave and Williams. This

property presents a great opportunity to add to that consistency along the streets. Currently the existing building does not add to the consistency nor does Former Chapter 59 zoning code.

- E. **Consistent with plan policies and strategies** - Our proposed zoning complies by providing pedestrian friendly scale, active street frontages, and lower scale buildings generally at three-story max height. Further, our adjacency to RTD transit routes and stops aligns with proximity to transit and encourages high density residential areas.
- F. **Consistent with equity concepts contained in Blueprint Denver.**
 - 1. This property location site is adjacent to RTD transit routes as well as access to local corridors due to central location.
 - 2. Redeveloping to residential and/or mixed use, we believe our proposed zoning and vision provides housing diversity.
 - 3. While temporary construction of our proposed plan would also provide construction employment opportunities. Further our product type may provide employment in the real estate and leasing industries.

3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):

A. East Central Area Plan

Encourage high-quality design and character preservation in Centers and Corridors – With most of the growth directed to centers and corridors, new development should help advance the vision for quality design, a diversity of small, locally owned businesses, compatibility with adjacent residential neighborhoods, and preservation of unique existing commercial buildings that contribute to East Central's character.

The vision to change the zoning from the Former Chapter 59 to the new code G-MS-3 is to allow a redevelopment that will align with the East Central Area Plan. The former chapter is outdated and is not as flexible to achieve this plans vision. In addition, the existing building and site plan does not contribute to the East Central's character or other adopted plans.

Continue Improving out of date zoning regulations – Properties that have retained Former Chapter 59 zoning (Denver's old zoning, prior to the 2010 code update) or the Billboard Use Overlay allow development that is no longer consistent with the vision for East Central.

- A. **Rezone Former Chapter 59 properties into the Denver Zoning Code (DZC)**
 - 1. *Ensure that fees are structured as to promote rezoning out of Former Chapter 59 zone districts and into the DZC and reflect the true cost of administration.*

The current zoning code is the Former Chapter 59. We are requesting to change to the new zoning code that fits the current neighborhood zoning and context. This property is an outlier

still under the Former Chapter 59 zoning code. It is the only property along this section of 17th Ave that is not G-MS-3 or similar.

General Review Criteria: DZC Sec. 12.4.10.7. B & C

Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.

The proposed map amendment furthers the public health, safety and general welfare of the City by allowing reinvestment in an under-utilized property and by implementing the City's adopted plans for the area. The rezoning enhances the opportunity to redevelopment a property into a new, safe, walkable, pedestrian friendly environment by providing street level activation and an appropriate building height and scale for the neighborhood and 17th Ave.

Review Criteria for Non- Legislative Rezoning: DZC Sec. 12.4.10.8

Justifying Circumstances - One of the following circumstances exists:

Justifying circumstances – Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:

- a. Changed or changing conditions in a particular area, or in the city generally; or,
- b. A City adopted plan; or
- c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.

Both b and c apply to our request to change our zoning

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.

- A. **Proposed district neighborhood context description / General Character** – *The General Urban Neighborhood Context is characterized by multi-unit residential uses in a variety of building forms. Single-unit and two-unit residential uses are also found in a mix of residential building forms. Low-scale commercial areas are embedded within residential areas. Commercial uses occur in a variety of building forms that may contain a mixture of uses within the same structure. Residential uses are primarily located along local and residential arterial streets. Commercial uses are primarily located along mixed-use arterial and main streets but may be located at or*

between intersections of local streets. To best fit into the General Character of the surrounding zoning and neighborhood, the zoning change is appropriate. G-MS-3 allows for uses, building forms, setbacks, coverage, and heights that fit in the context of the street scape and neighborhood. The vision for redevelopment is multi-unit residential and/or mixed use in the shopfront building form. The Shopfront building form allows for the most flexibility of uses, while providing the most appropriate zoning regulations to fit this context

B. General Purpose Statement of G-MS-3

6.2.5.1 General Purpose

- A. The Main Street zone districts are intended to promote safe, active, and pedestrian-scaled commercial streets through the use of building forms that clearly define and activate the public street edge. The vision is to redevelop the property with a building that activates the street, creates vibrancy, and connects to the public. This vision will promote safe, active, and pedestrian scale architecture.*
- B. The Main Street zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering along the city's commercial streets. The property is located that is convenient for transit walking, shopping and gathering. The current building, site, and code does not promote these things other than being located on a corner.*
- C. The Main Street district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, encourages affordable housing, and improves the transition between commercial development and adjacent residential neighborhoods. A new development under this code will contribute positively by redeveloping the site under the new code that is consistent with other adjacent properties. The existing site does not provide a good transition by way of scale or architecture. It does not fit in the character of the surrounding neighborhood(s).*
- D. Main Street zone districts are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets (as designated in Blueprint Denver) or, less frequently, on single zone lots at the intersection of local/collector streets within a residential neighborhood. 17th Ave properties are primarily zoned G-MS-3. This property is one of the remaining properties under the Former Chapter 59 zone code. The change in zoning will align with the other properties along 17th ave and on this block.*
- E. In all cases, the Main Street zone districts should be applied where a higher degree of walkability and pedestrian activity is desired than required in a Corridor, Mixed Use, or Residential Mixed Use zone district. 17th Ave is made up of many walkable amenities. This site is very accessible by foot or bike from the surrounding neighborhoods and city center.*
- F. In the General Urban Neighborhood Context, the Main Street zone districts may also be embedded within a larger commercial shopping center or mixed-use area to promote a pedestrian active street front within a larger mixed use or commercial development. Although not in a commercial shopping center the street front on this property and others on 17th should promote an active pedestrian street front within the larger neighborhood context.*

- G. *The Main Street zone districts are intended to promote an urban, mixed-use, built-to environment regardless of neighborhood context. Main Street buildings have a shallow front setback range. The build-to requirements are high and the maximum building coverage is significant. The current building does not align with the vision of the adopted plans or new zoning code. The existing building has large setbacks and very little “build-to.” The vision with G-MS-3 as the zoning code is to have a shallow front setback, active street scape, and adequate coverage. Chapter 59 does not allow for adequate coverage as the new code G-MS-3 does.*

C. Specific Intent of G-MS-3

6.2.5.2 Specific Intent

A. **Main Street 3 (G-MS-3)**

G-MS-3 applies primarily to local or collector street corridors, or may be embedded within a commercial shopping center or mixed-use area, where a building scale of 1 to 3 stories is desired.

Our vision is to be consistent with G-MS-3 Specific Intent and text from the new Denver Zoning Code. This property is located on a collector street, with other G-MS-3 properties. Our vision is for the building to be 3 stories under this code section.

1709 N WILLIAMS ST

Owner	1735 LLC 8101 E DARTMOUTH AVE UNIT104 DENVER, CO 80231-4261
Schedule Number	02355-19-031-000
Legal Description	WYMANS ADD B3 S 10FT OF L16 ALL OF L17 & N 7.5FT OF L18 & S17.5FT OF L18 EXC W 29.2FT & L19 EXC W 29.2FT
Property Type	COMMERCIAL-OFFICE
Tax District	DENVER

Print Summary

Property Description			
Style:	OTHER	Building Sqr. Foot:	4260
Bedrooms:		Baths Full/Half:	0/0
Effective Year Built:	1964	Basement/Finish:	0/0
Lot Size:	9,380	Zoned As:	B-2
<div>Note: Valuation zoning may be different from City's new zoning code.</div>			

Current Year			
Actual	Assessed	Exempt	
Land		\$1,125,600	\$305,670 \$0
Improvements		\$35,300	\$9,850
Total		\$1,160,900	\$315,520

Prior Year			
Actual	Assessed	Exempt	
Land		\$1,125,600	\$305,670 \$0
Improvements		\$35,300	\$9,850
Total		\$1,160,900	\$315,520

Real Estates Property Taxes for current tax year

System Upgrade Underway:
Due to a system upgrade, payment information is taking longer to update and may not reflect the current status of your account.

Mill Levy * **77.486** *
Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

	Installment 1 (Feb 28 Feb 29 in Leap Years)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)
Date Paid	2/22/2024	5/31/2024	
Original Tax Levy	\$12,224.19	\$12,224.19	\$24,448.38
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Paid	\$12,224.19	\$12,224.19	\$24,448.38
Due	\$0.00	\$0.00	\$0.00

Additional Information

Note:

If "Y" is shown below, there is a special situation pertaining to this parcel. For additional information about this, click on the name to take you to an explanation.

Additional Assessment ⓘ	N	Prior Year Delinquency ⓘ	N
Additional Owner(s) ⓘ	N		
Adjustments ⓘ	N	Sewer/Storm Drainage Liens ⓘ	N
Local Improvement Assessment ⓘ	N	Tax Lien Sale ⓘ	N
Maintenance District ⓘ	N	Treasurer's Deed ⓘ	N
Pending Local Improvement ⓘ	N		

Real estate property taxes paid for prior tax year: **\$25,981.64**

Assessed Value for the current tax year

Assessed Land	\$305,670.00	Assessed Improvements	\$9,850.00
Exemption	\$0.00	Total Assessed Value	\$315,520.00

**CONSENT TO ACTION TAKEN IN LIEU
OF ORGANIZATIONAL MEETING OF
1735 LLC
A COLORADO LIMITED LIABILITY COMPANY**

The undersigned, being all of the managers and members of 1735 LLC, a Colorado limited liability company (the “**Company**”), as designated in the Articles of Organization filed with the Colorado Secretary of State on November 9, 2010 (the “**Articles**”), hereby consents to, ratify, and approves the actions taken to organize the Company, and approves and authorizes the further matters and actions to be taken, all as set forth hereinafter.

1. The actions of Sanford N. Stein, as the organizer of the Company, taken in connection with filing the Articles, hereby are approved and ratified, and such Articles have been inserted in the record books of the Company (the “**Company Books**”).

2. The Company Books will include all of the records required by C.R.S. § 7-80-101, *et seq.*, the Colorado Limited Liability Company Act (the “**Act**”). Further, at this time the Company shall not adopt a formal Operating Agreement but rather will operate pursuant to the Act subject to the terms of this and any other consents or resolutions of the Members and/or Managers.

3. The ownership percentages in the Company hereby are 50% for Sanford N. Stein and 50% for Ilene Stein, all totaling a 100% ownership interest in the Company.

4. The persons indicated below hereby are elected and appointed the “**Managers**” of the Company, to serve for a period of one year and/or until their successors are appointed or elected and installed:

**Sanford N. Stein
Ilene Stein**

5. The Managers hereby are authorized and directed to: (i) obtain a Federal Tax EIN Number for the Company; (ii) open a bank account in the name of the Company; and (iii) engage legal, accounting and any other professionals and/or service providers as deemed necessary or appropriate.

6. December 31 of each year is hereby adopted as the end of the fiscal and accounting year of the Company.

7. The Managers acknowledge that the Company and all of its Members and Managers, are, or may from time-to-time be, subject to mandatory obligations timely to report, and agrees to update and/or correct required information relating to beneficial ownership of the Company, pursuant to the federal Corporate Transparency Act (codified at 31 U.S.C. § 5336) (the “**CTA**”) and regulations promulgated by the federal Financial Crimes Enforcement Network (“**FinCEN**”) (31 C.F.R. §1010.380) (collectively, the “**Reporting Requirements**”).

8. The Managers hereby are authorized and directed to request, and each Manager and Member shall provide within the time requested, all information the Company determines is needed to comply with the Reporting Requirements including, without limitation: (i) information regarding the ultimate beneficial ownership interests in the Company; (ii) issues involving parties exercising substantial control; (iii) any Member holding ownership interests of at least 25% in the Company; (iv) copies of valid driver's licenses (or, if none exist, valid government issued identification with photographs), full legal name, countries of citizenship, and primary residential address; and (v) any Member or Manager that is not individual, all organizational documents and proof of all direct or indirect beneficial owners of that non-individual Member or Manager (all as defined in the CTA).

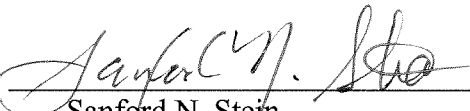
9. The Managers will submit the required Beneficial Ownership Certificate and all required supporting documentation needed to fulfill the Reporting Requirements for formation of the Company (the "**CTA Certification**"); and (b) further certifies, warrants and represents that the information set forth in the CTA Certification will be updated.


10. The Managers hereby further are authorized and directed to take such other actions and sign such documents, licenses, etc. as he/she/it deems necessary or appropriate to ensure in their reasonable exercise of judgment the proper formation of the Company and to allow the Company to undertake and conduct its business.

11. Sanford N. Stein hereby is designated as the "*Partnership Representative*" for the Company pursuant to the Internal Revenue Code of 1986, to serve in such capacity until a successor is appointed and installed, and in such capacity, shall have the right to make such elections as the Partnership Representative deems appropriate and/or in the best interest of the Company.

Dated effective as of June 24, 2024 (the "**Effective Date**").

MANAGERS/MEMBERS:

By: 
Sanford N. Stein

By: 
Ilene Stein

1709 N Williams Street

Denver, CO 80218

6/13/2024

To whom it may concern,

I, Sandy Stein, the owner of the property located at 1709 N Williams Street, Denver, CO 80218, hereby authorize Michael McAtee to act on my behalf as the *Property Owners' Representative* during the rezoning process of the aforementioned property.

Michael McAtee is empowered to represent my interests and make decisions regarding the rezoning application, including, but not limited to, submitting necessary documents, attending meetings, and communicating with relevant authorities.

Should you require any further information or verification, please do not hesitate to contact me.

Thank you for your attention to this matter.

Sincerely,

Sandy Stein

A handwritten signature in cursive script that reads "Sandy Stein". The signature is written in black ink and is positioned below the printed name "Sandy Stein".

Sandy Stein

Owner, 1709 N Williams Street

Denver, CO 80218

303-755-8871

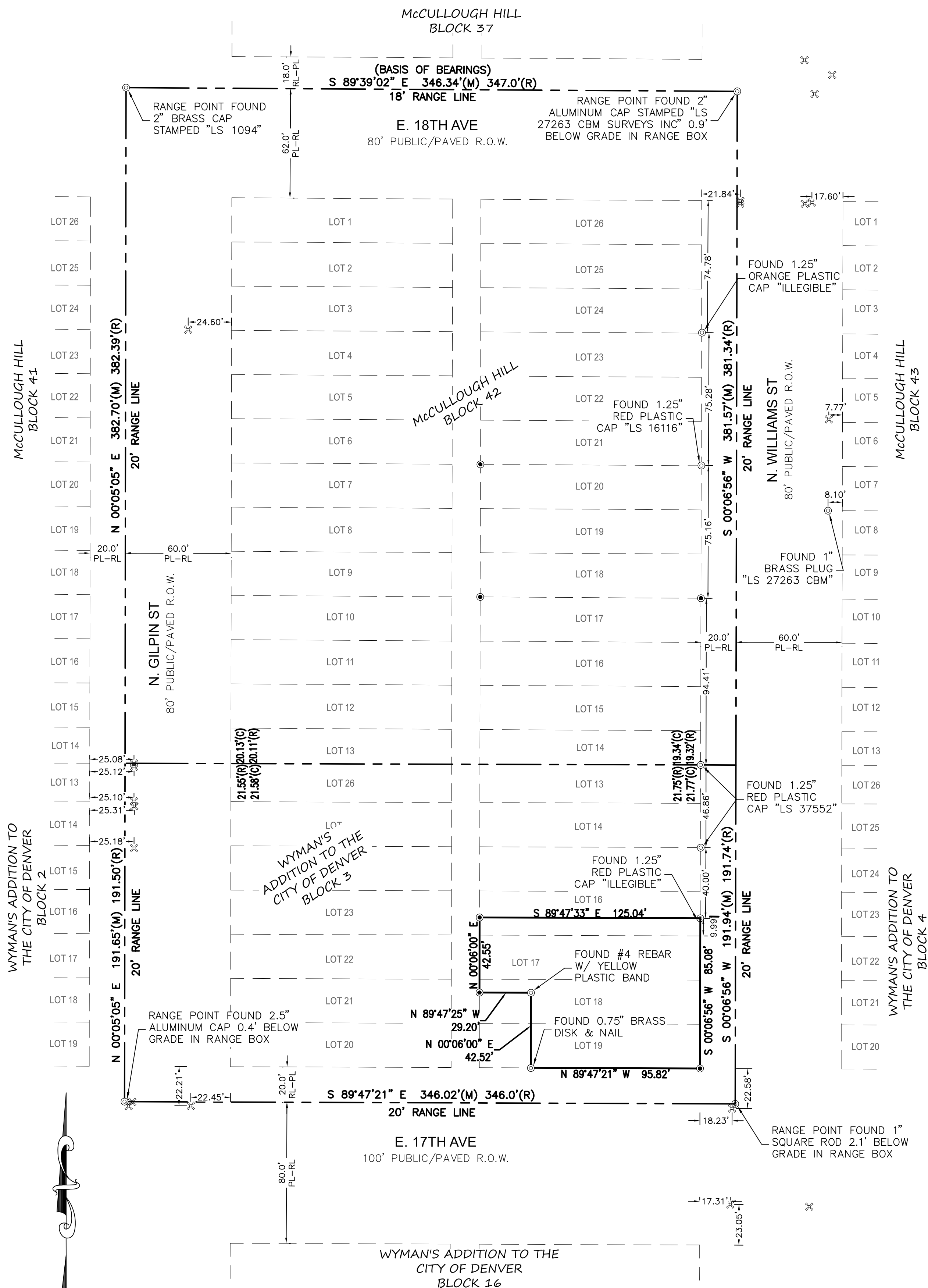
ilesans@gmail.com

Land Survey Plat

LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 68 WEST
OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO

BOUNDARY ANALYSIS

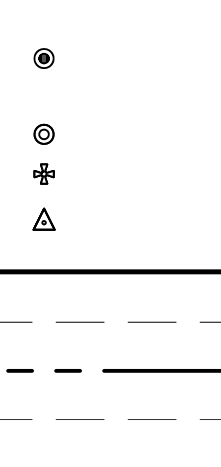
Scale: 1"=40'



VICINITY MAP
NOT TO SCALE

LEGEND - LINETYPES & SYMBOLS

SET REBAR WITH 1.25" YELLOW PLASTIC CAP OR NAIL & 1" DIAMETER WASHER STAMPED "PLS 37929"
FOUND MONUMENT, AS NOTED
FOUND CHISELED CROSS OR X
CALCULATED RANGE POINT POSITION
PROPERTY BOUNDARY
BLOCK
SECTION LINE
EASEMENT
TIE LINE



LEGEND - ABBREVIATIONS

OS OFFSET
PL PROPERTY LINE
RL RANGE LINE
PL-RL PROPERTY LINE TO RANGE LINE
WC WITNESS CORNER
(C) CALCULATED DIMENSION
(M) MEASURED DIMENSION
(R) RECORD DIMENSION

SURVEYOR'S NOTES

- DATE OF FIELD WORK COMPLETION: JUNE 15, 2024.
- NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY POWER SURVEYING COMPANY INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD, RIGHT OF WAY, AND TITLE OF RECORD, POWER SURVEYING COMPANY, INC. PREPARED AND ISSUED THIS LAND SURVEY PLAT WITHOUT BENEFIT OF A TITLE COMMITMENT.
- THIS LAND SURVEY PLAT, AND THE INFORMATION HEREON, MAY NOT BE USED FOR ANY ADDITIONAL OR EXTENDED PURPOSES BEYOND THAT FOR WHICH IT WAS INTENDED AND MAY NOT BE USED BY ANY PARTIES OTHER THAN THOSE TO WHICH IT IS CERTIFIED.
- THE LINEAR UNIT OF MEASUREMENT FOR THIS SURVEY IS THE INTERNATIONAL FOOT, DEFINED AS EXACTLY 0.3048 METER.
- PROPERTY ADDRESS: 1709 N. WILLIAMS STREET
- THE SUBJECT PROPERTY CONTAINS ±9,395 SQ.FT. OR ±0.216 ACRES MORE OR LESS.

BASIS OF BEARINGS

BEARINGS ARE BASED UPON A 20' RANGE LINE IN 18TH AVENUE, BETWEEN GILPIN STREET AND WILLIAMS STREET, SAID LINE IS ASSUMED TO BEAR SOUTH 89°39'02" EAST, A DISTANCE OF 346.34' FEET, MONUMENTED AT THE INTERSECTION OF 18TH AVENUE AND GILPIN STREET BY A 2" BRASS CAP STAMPED "LS 1094" AND A 2" ALUMINUM CAP STAMPED "LS 27263 CBM SURVEYS INC" 0.9' BELOW GRADE IN RANGE BOX MONUMENTED AT THE INTERSECTION OF WILLIAMS STREET AND 18TH AVENUE.

LAND DESCRIPTION

PER SPECIAL WARRANTY DEED RECORDED DATE AT RECEPTION No. 2010143723, OFFICIAL RECORDS OF CITY AND COUNTY OF DENVER, COLORADO

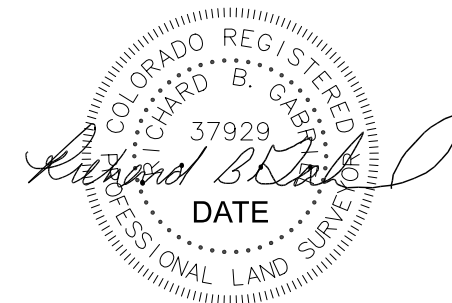
THE SOUTH 10 FEET OF LOT 16, ALL OF LOT 17, 18, AND 19, EXCEPT THE WEST 29.2 FEET OF THE SOUTH 17.5 FEET OF LOT 18 AND EXCEPT THE WEST 29.2 FEET OF LOT 19, BLOCK 3, WYMAN'S ADDITION TO DENVER, ACCORDING TO THE RECORDED PLAT THEREOF.

ALSO KNOWN AS 1709 N. WILLIAMS STREET

SURVEYOR'S CERTIFICATE

I, RICHARD B. GABRIEL, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LAND SURVEY PLAT CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION ON JUNE 15, 2024, THAT THE MONUMENTS SHOWN HEREON ARE OF THE CHARACTER SHOWN AND OCCUPY THE POSITIONS INDICATED AND THAT ALL NOTES, DIMENSIONS AND IMPROVEMENTS ARE CORRECTLY SHOWN HEREIN TO THE BEST OF MY KNOWLEDGE AND BELIEF.

RICHARD B. GABRIEL, P.L.S.
Colorado License No. 37929
For and on behalf of Power Surveying Company, Inc.
6911 Broadway
Denver, CO 80221
(303) 702-1617



INDEXING STATEMENT

DEPOSITED THIS ____ DAY OF _____, 20____ AT _____ O'CLOCK ____M., IN BOOK _____ OF THE COUNTY SURVEYORS LAND SURVEY / RIGHT OF WAY SURVEYS AT PAGE(S) _____, RECEPTION NUMBER _____.

COUNTY SURVEYOR / DEPUTY COUNTY SURVEYOR

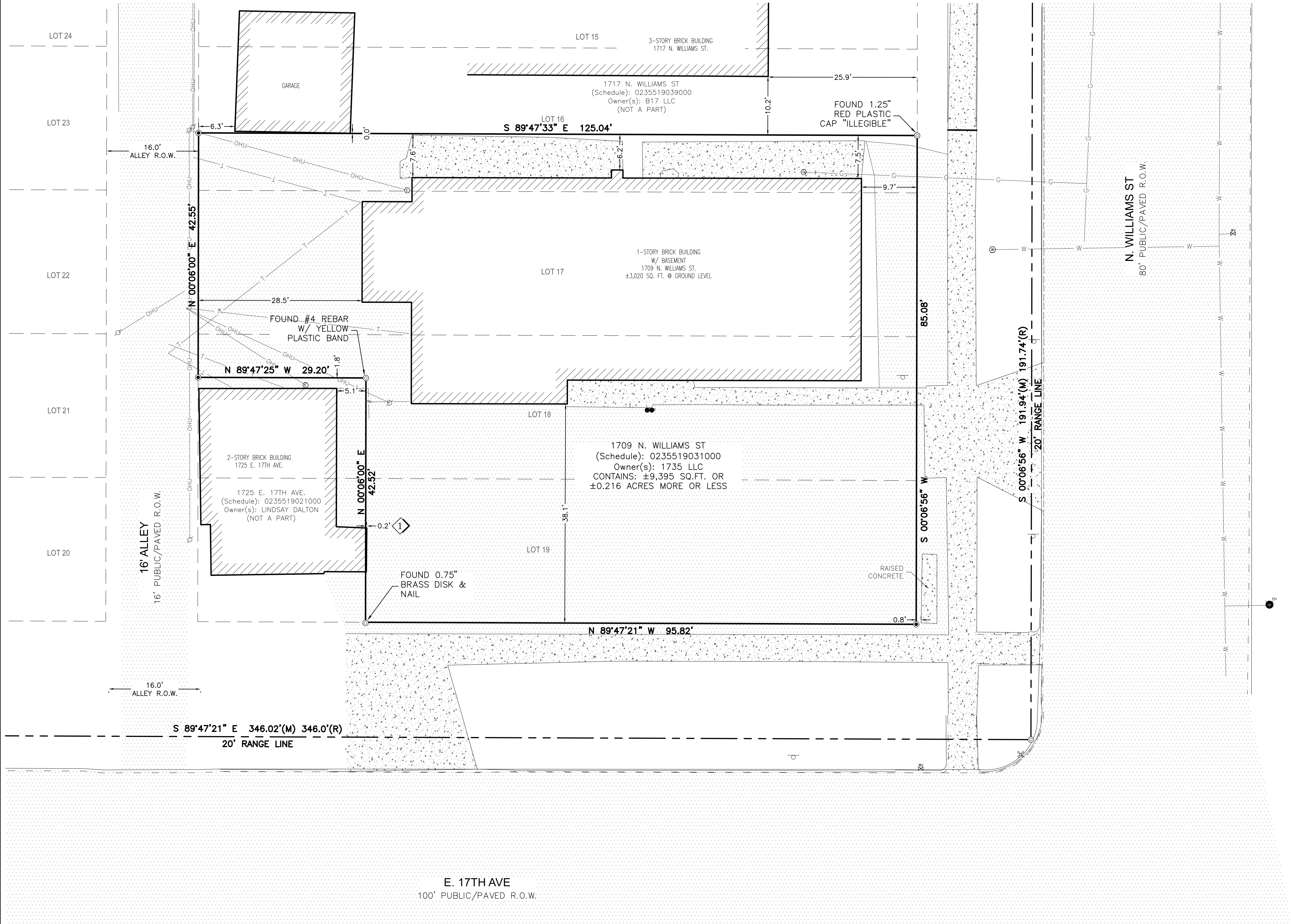


TYPE OF SUBMITTAL:	LAND SURVEY PLAT
PREPARATION DATE:	JUNE 18, 2024
REVISION DATE:	
REVISION DATE:	
DRAWN BY: JRY	REVIEWED BY: RBG
JOB NO. 501-24-090	DWG: 24-090 LSP.dwg

Land Survey Plat

LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 35, TOWNSHIP 3 SOUTH, RANGE 68 WEST
OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO

LOT DETAILS
Scale: 1"=10'

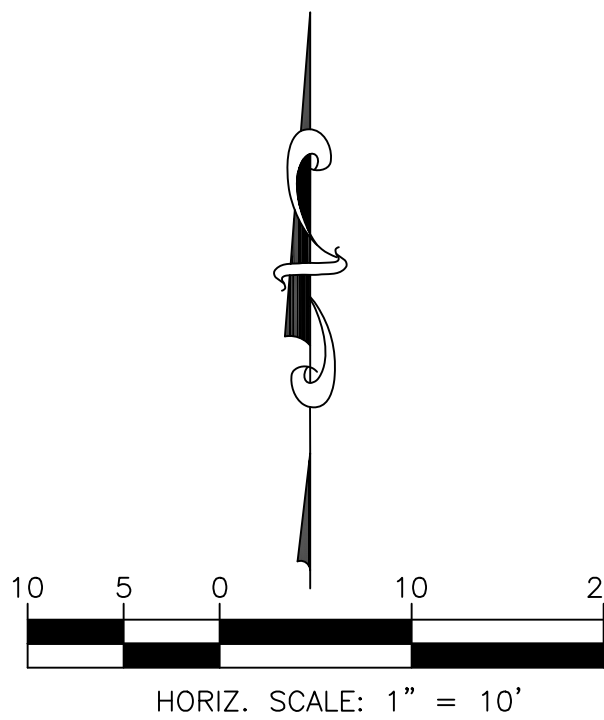


LEGEND - LINETYPES & SYMBOLS

- PROPERTY BOUNDARY
- BLOCK LINES
- RANGE LINE
- ELECTRIC LINE - BURIED
- ELECTRIC LINE - OVERHEAD
- FENCE - WOOD
- FENCE - CHAINLINK
- BUILDING OVERHANG
- FLOWLINE
- GAS LINE
- WATERLINE

- SET REBAR & PLASTIC CAP, MARKED "PLS 37929" TYPICAL, UNLESS NOTED OTHERWISE
- RANGE LINE CALCULATED POSITION AS SHOWN
- FOUND MONUMENT, AS NOTED
- CROSS
- GAS METER
- SANITARY MANHOLE
- UTILITY POLE
- LIGHT POLE
- SIGN
- MAILBOX
- CLEANOUT
- EVERGREEN TREE
- DECIDUOUS TREE
- WATER METER
- WATER VALVE
- FIRE HYDRANT
- AIR CONDITIONING UNIT
- ELECTRIC METER
- ELECTRIC BOX

- BUILDING
- CONCRETE
- GARAGE
- PAVEMENT



AREAS OF CONCERN

- BUILDING CORNER LIES 0.2' EASTERLY MAXIMUM OF PROPERTY LINE.

	TYPE OF SUBMITTAL:	LAND SURVEY PLAT
	PREPARATION DATE:	JUNE 18, 2024
	REVISION DATE:	
	REVISION DATE:	
	DRAWN BY: JRY	REVIEWED BY: RBG
	JOB NO. 501-24-090	DWG: 24-090 LSP.dwg
SHEET OF 2		



DENVER
THE MILE HIGH CITY

CERTIFICATE OF DEMOLITION ELIGIBILITY

Issued by the City & County of Denver
Landmark Preservation Commission

This certificate is issued for a period of five years, pursuant to the requirements of Chapter 30 of the Revised Municipal Code of the City & County of Denver

Address: 1709 N Williams St

Legal Description: WYMANS ADD B3 S 10FT OF L16 ALL OF L17 & N 7.5FT OF
L18 & S 17.5FT OF L18 EXC W 29.2FT & L19 EXC W 29.2FT

Log Number: 2024-CDE-0000042

Certificate Issued: June 25, 2024

Expiration Date: June 25, 2029

Andrew Abbey , Denver Landmark Preservation

Per Chapter 30 of the Revised Municipal Code Section 30-6(1)(c): This certificate shall prevent an application for designation going forward without the owner's consent for a period of five (5) years from the date of issuance, and for said five-year period will allow an application for demolition to be processed without further review as to the structure's potential for designation

From: [Michael Mcatee](#)
To: ["chun@chundenver.org"; "director@chundenver.org"](#)
Subject: 1709 Williams St Rezoning Request from B-2 WVRs to G-MS-3
Date: Wednesday, June 12, 2024 3:30:00 PM
Attachments: [2024i-00074- 1709 Williams St Rezoning Pre-App.pdf](#)

Hello Mr. Mansour,

My name is Mike McAtee. I am a local real estate developer. I am purchasing a property located at 1709 Williams Street in your Organizations area. My intent is to rezone the property from the old zoning code to the new zoning code. The current zoning code is B-2 WVRs. I am proposing to change to G-MS-3 to align with the newer code and adopted plans. I have completed the preapplication review with the planning staff. The presentation document from that meeting is attached. That meeting was positive, and there appears to be support for the change to fit better in the neighborhood context. If you have time and would like to discuss, I would be happy to share my goals for the property and gain your support for the rezoning.

Respectfully,

Michael McAtee
ph 303-704-5321

From: [Michael McAtee](#)
To: ["ggarnsey@ecentral.com"; "ggarnsey@ecentral.com"](#)
Subject: 1709 Williams St Rezoning Request from B-2 WVRs to G-MS-3
Date: Wednesday, June 12, 2024 3:36:00 PM
Attachments: [2024i-00074- 1709 Williams St Rezoning Pre-App.pdf](#)

Hello Ms. Garnsey,

My name is Mike McAtee. I am a local real estate developer. I am purchasing a property located at 1709 Williams Street in your Organizations area. My intent is to rezone the property from the old zoning code to the new zoning code. The current zoning code is B-2 WVRs. I am proposing to change to G-MS-3 to align with the newer code and adopted plans. I have completed the preapplication review with the planning staff. The presentation document from that meeting is attached. That meeting was positive, and there appears to be support for the change to fit better in the neighborhood context. If you have time and would like to discuss, I would be happy to share my goals for the property and gain your support for the rezoning.

Respectfully,

Michael McAtee
ph 303-704-5321

From: [Michael McAtee](#)
To: district10@denvergov.org
Subject: 1709 Williams Rezoning Request from B-2 WVRS to G-MS-3
Date: Wednesday, June 12, 2024 3:15:00 PM
Attachments: [2024i-00074- 1709 Williams St Rezoning Pre-App.pdf](#)

Hello Councilman Hinds,

My name is Mike McAtee. I am a local real estate developer. I am purchasing the property located at 1709 Williams Street in your District. My intent is to rezone the property from the old zoning code to the new zoning code. The current zoning code is B-2 WVRS. I am proposing to change to G-MS-3 to align with the newer code and adopted plans. I have completed the preapplication review with the planning staff. The presentation document from that meeting is attached. That meeting was positive, and there appears to be support for the change to fit better in the neighborhood context. I am still studying the best use and redevelopment for the property once rezoned. If you have time, I would be happy to discuss this property and gain your support for the rezoning.

Respectfully,

Michael McAtee
ph 303-704-5321

From: [Michael Mcatee](#)
To: ["aurelio@insideboxing.com"; "aurelio@aurelioinc.com"](#)
Subject: 1709 Williams St Rezoning Request from B-2 WVRS to G-MS-3
Date: Wednesday, June 12, 2024 3:40:00 PM
Attachments: [2024i-00074- 1709 Williams St Rezoning Pre-App.pdf](#)

Hello Mr. Martinez,

My name is Mike McAtee. I am a local real estate developer. I am purchasing a property located at 1709 Williams Street in your Organizations area. My intent is to rezone the property from the old zoning code to the new zoning code. The current zoning code is B-2 WVRS. I am proposing to change to G-MS-3 to align with the newer code and adopted plans. I have completed the preapplication review with the planning staff. The presentation document from that meeting is attached. That meeting was positive, and there appears to be support for the change to fit better in the neighborhood context. If you have time and would like to discuss, I would be happy to share my goals for the property and gain your support for the rezoning.

Respectfully,

Michael McAtee
ph 303-704-5321

From: [Michael McAtee](#)
To: president@denverinc.org; excecomm@denverinc.org
Subject: 1709 Williams St Rezoning Request from B-2 WVRS to G-MS-3
Date: Wednesday, June 12, 2024 3:28:00 PM
Attachments: [2024i-00074- 1709 Williams St Rezoning Pre-App.pdf](#)

Hello Mr. Meyer,

My name is Mike McAtee. I am a local real estate developer. I am purchasing a property located at 1709 Williams Street in your Organizations area. My intent is to rezone the property from the old zoning code to the new zoning code. The current zoning code is B-2 WVRS. I am proposing to change to G-MS-3 to align with the newer code and adopted plans. I have completed the preapplication review with the planning staff. The presentation document from that meeting is attached. That meeting was positive, and there appears to be support for the change to fit better in the neighborhood context. If you have time and would like to discuss, I would be happy to share my goals for the property and gain your support for the rezoning.

Respectfully,

Michael McAtee
ph 303-704-5321

From: [Michael McAtee](#)
To: bwillcameron@comcast.net; ccschomp@yahoo.com
Subject: 1709 Williams St Rezoning Request from B-2 WVRS to G-MS-3
Date: Wednesday, June 12, 2024 3:34:00 PM
Attachments: [2024i-00074- 1709 Williams St Rezoning Pre-App.pdf](#)

Hello Mr. Cameron,

My name is Mike McAtee. I am a local real estate developer. I am purchasing a property located at 1709 Williams Street in your Organizations area. My intent is to rezone the property from the old zoning code to the new zoning code. The current zoning code is B-2 WVRS. I am proposing to change to G-MS-3 to align with the newer code and adopted plans. I have completed the preapplication review with the planning staff. The presentation document from that meeting is attached. That meeting was positive, and there appears to be support for the change to fit better in the neighborhood context. If you have time and would like to discuss, I would be happy to share my goals for the property and gain your support for the rezoning.

Respectfully,

Michael McAtee
ph 303-704-5321

From: [Michael Mcatee](#)
To: donnagarnett50@gmail.com; kkhdowntown@gmail.com
Subject: 1709 Williams St Rezoning Request from B-2 WVRS to G-MS-3
Date: Wednesday, June 12, 2024 3:32:00 PM
Attachments: [2024i-00074- 1709 Williams St Rezoning Pre-App.pdf](#)

Hello Ms. Garnett,

My name is Mike McAtee. I am a local real estate developer. I am purchasing a property located at 1709 Williams Street in your Organizations area. My intent is to rezone the property from the old zoning code to the new zoning code. The current zoning code is B-2 WVRS. I am proposing to change to G-MS-3 to align with the newer code and adopted plans. I have completed the preapplication review with the planning staff. The presentation document from that meeting is attached. That meeting was positive, and there appears to be support for the change to fit better in the neighborhood context. If you have time and would like to discuss, I would be happy to share my goals for the property and gain your support for the rezoning.

Respectfully,

Michael McAtee
ph 303-704-5321

From: [Michael Mcatee](#)
To: DenverVoters@gmail.com
Subject: 1709 Williams St Rezoning Request from B-2 WVRS to G-MS-3
Date: Wednesday, June 12, 2024 3:37:00 PM
Attachments: [2024i-00074- 1709 Williams St Rezoning Pre-App.pdf](#)

Hello Mr. Inzina,

My name is Mike McAtee. I am a local real estate developer. I am purchasing a property located at 1709 Williams Street in your Organizations area. My intent is to rezone the property from the old zoning code to the new zoning code. The current zoning code is B-2 WVRS. I am proposing to change to G-MS-3 to align with the newer code and adopted plans. I have completed the preapplication review with the planning staff. The presentation document from that meeting is attached. That meeting was positive, and there appears to be support for the change to fit better in the neighborhood context. If you have time and would like to discuss, I would be happy to share my goals for the property and gain your support for the rezoning.

Respectfully,

Michael McAtee
ph 303-704-5321

Michael McAtee
5233 S. Ironton Way
Englewood CO 80111

Re: 1709 N Williams St Rezoning

Dear Gabriel Gehrig,

My name is Michael McAtee. I am a local real estate developer and architect. I am under contract to purchase 1709 N Williams Street, contingent on rezoning the property. As you are a neighbor to this property, I am reaching out to let you know of my intent to rezone the property.

The property is currently zoned under the Former Chapter 59 Zoning code. The current zoning is B-2 WVRs, which does not exist in most of the city. I am requesting to change to G-MS-3 to align with the newer code, city adopted plans, and fit into the neighborhood. I have completed the preapplication review with the planning staff and they are supportive of the request to change.

If you would like to discuss, I would be happy to share my goals for the property and gain your support for the rezoning. I am also happy to share the preapplication review presentation document.

Respectfully,

Michael McAtee
mm@lhdenver.com
303.704.5321

Michael McAtee
5233 S. Ironton Way
Englewood CO 80111

Re: 1709 N Williams St Rezoning

Dear Gilpin Ridge LLC,

My name is Michael McAtee. I am a local real estate developer and architect. I am under contract to purchase 1709 N Williams Street, contingent on rezoning the property. As you are a neighbor to this property, I am reaching out to let you know of my intent to rezone the property.

The property is currently zoned under the Former Chapter 59 Zoning code. The current zoning is B-2 WVRs, which does not exist in most of the city. I am requesting to change to G-MS-3 to align with the newer code, city adopted plans, and fit into the neighborhood. I have completed the preapplication review with the planning staff and they are supportive of the request to change.

If you would like to discuss, I would be happy to share my goals for the property and gain your support for the rezoning. I am also happy to share the preapplication review presentation document.

Respectfully,

Michael McAtee
mm@lhdenver.com
303.704.5321

Michael McAtee
5233 S. Ironton Way
Englewood CO 80111

Re: 1709 N Williams St Rezoning

Dear Housing Authority,

My name is Michael McAtee. I am a local real estate developer and architect. I am under contract to purchase 1709 N Williams Street, contingent on rezoning the property. As you are a neighbor to this property, I am reaching out to let you know of my intent to rezone the property.

The property is currently zoned under the Former Chapter 59 Zoning code. The current zoning is B-2 WVRs, which does not exist in most of the city. I am requesting to change to G-MS-3 to align with the newer code, city adopted plans, and fit into the neighborhood. I have completed the preapplication review with the planning staff and they are supportive of the request to change.

If you would like to discuss, I would be happy to share my goals for the property and gain your support for the rezoning. I am also happy to share the preapplication review presentation document.

Respectfully,

Michael McAtee
mm@lhdenver.com
303.704.5321

Michael McAtee
5233 S. Ironton Way
Englewood CO 80111

Re: 1709 N Williams St Rezoning

Dear Jose Quintana,

My name is Michael McAtee. I am a local real estate developer and architect. I am under contract to purchase 1709 N Williams Street, contingent on rezoning the property. As you are a neighbor to this property, I am reaching out to let you know of my intent to rezone the property.

The property is currently zoned under the Former Chapter 59 Zoning code. The current zoning is B-2 WVRs, which does not exist in most of the city. I am requesting to change to G-MS-3 to align with the newer code, city adopted plans, and fit into the neighborhood. I have completed the preapplication review with the planning staff and they are supportive of the request to change.

If you would like to discuss, I would be happy to share my goals for the property and gain your support for the rezoning. I am also happy to share the preapplication review presentation document.

Respectfully,

Michael McAtee
mm@lhdenver.com
303.704.5321

Michael McAtee
5233 S. Ironton Way
Englewood CO 80111

Re: 1709 N Williams St Rezoning

Dear Judith Kozlowski,

My name is Michael McAtee. I am a local real estate developer and architect. I am under contract to purchase 1709 N Williams Street, contingent on rezoning the property. As you are a neighbor to this property, I am reaching out to let you know of my intent to rezone the property.

The property is currently zoned under the Former Chapter 59 Zoning code. The current zoning is B-2 WVRs, which does not exist in most of the city. I am requesting to change to G-MS-3 to align with the newer code, city adopted plans, and fit into the neighborhood. I have completed the preapplication review with the planning staff and they are supportive of the request to change.

If you would like to discuss, I would be happy to share my goals for the property and gain your support for the rezoning. I am also happy to share the preapplication review presentation document.

Respectfully,

Michael McAtee
mm@lhdenver.com
303.704.5321

Michael McAtee
5233 S. Ironton Way
Englewood CO 80111

Re: 1709 N Williams St Rezoning

Dear Lindsay Dalton,

My name is Michael McAtee. I am a local real estate developer and architect. I am under contract to purchase 1709 N Williams Street, contingent on rezoning the property. As you are a neighbor to this property, I am reaching out to let you know of my intent to rezone the property.

The property is currently zoned under the Former Chapter 59 Zoning code. The current zoning is B-2 WVRs, which does not exist in most of the city. I am requesting to change to G-MS-3 to align with the newer code, city adopted plans, and fit into the neighborhood. I have completed the preapplication review with the planning staff and they are supportive of the request to change.

If you would like to discuss, I would be happy to share my goals for the property and gain your support for the rezoning. I am also happy to share the preapplication review presentation document.

Respectfully,

Michael McAtee
mm@lhdenver.com
303.704.5321

Michael McAtee
5233 S. Ironton Way
Englewood CO 80111

Re: 1709 N Williams St Rezoning

Dear Masayuki Tsukada,

My name is Michael McAtee. I am a local real estate developer and architect. I am under contract to purchase 1709 N Williams Street, contingent on rezoning the property. As you are a neighbor to this property, I am reaching out to let you know of my intent to rezone the property.

The property is currently zoned under the Former Chapter 59 Zoning code. The current zoning is B-2 WVRs, which does not exist in most of the city. I am requesting to change to G-MS-3 to align with the newer code, city adopted plans, and fit into the neighborhood. I have completed the preapplication review with the planning staff and they are supportive of the request to change.

If you would like to discuss, I would be happy to share my goals for the property and gain your support for the rezoning. I am also happy to share the preapplication review presentation document.

Respectfully,

Michael McAtee
mm@lhdenver.com
303.704.5321

Michael McAtee
5233 S. Ironton Way
Englewood CO 80111

Re: 1709 N Williams St Rezoning

Dear MRFR II LLP,

My name is Michael McAtee. I am a local real estate developer and architect. I am under contract to purchase 1709 N Williams Street, contingent on rezoning the property. As you are a neighbor to this property, I am reaching out to let you know of my intent to rezone the property.

The property is currently zoned under the Former Chapter 59 Zoning code. The current zoning is B-2 WVRs, which does not exist in most of the city. I am requesting to change to G-MS-3 to align with the newer code, city adopted plans, and fit into the neighborhood. I have completed the preapplication review with the planning staff and they are supportive of the request to change.

If you would like to discuss, I would be happy to share my goals for the property and gain your support for the rezoning. I am also happy to share the preapplication review presentation document.

Respectfully,

Michael McAtee
mm@lhdenver.com
303.704.5321

Michael McAtee
5233 S. Ironton Way
Englewood CO 80111

Re: 1709 N Williams St Rezoning

Dear Pamela Shapiro,

My name is Michael McAtee. I am a local real estate developer and architect. I am under contract to purchase 1709 N Williams Street, contingent on rezoning the property. As you are a neighbor to this property, I am reaching out to let you know of my intent to rezone the property.

The property is currently zoned under the Former Chapter 59 Zoning code. The current zoning is B-2 WVRs, which does not exist in most of the city. I am requesting to change to G-MS-3 to align with the newer code, city adopted plans, and fit into the neighborhood. I have completed the preapplication review with the planning staff and they are supportive of the request to change.

If you would like to discuss, I would be happy to share my goals for the property and gain your support for the rezoning. I am also happy to share the preapplication review presentation document.

Respectfully,

Michael McAtee
mm@lhdenver.com
303.704.5321

Michael McAtee
5233 S. Ironton Way
Englewood CO 80111

Re: 1709 N Williams St Rezoning

Dear Patricia Votava,

My name is Michael McAtee. I am a local real estate developer and architect. I am under contract to purchase 1709 N Williams Street, contingent on rezoning the property. As you are a neighbor to this property, I am reaching out to let you know of my intent to rezone the property.

The property is currently zoned under the Former Chapter 59 Zoning code. The current zoning is B-2 WVRs, which does not exist in most of the city. I am requesting to change to G-MS-3 to align with the newer code, city adopted plans, and fit into the neighborhood. I have completed the preapplication review with the planning staff and they are supportive of the request to change.

If you would like to discuss, I would be happy to share my goals for the property and gain your support for the rezoning. I am also happy to share the preapplication review presentation document.

Respectfully,

Michael McAtee
mm@lhdenver.com
303.704.5321

Michael McAtee
5233 S. Ironton Way
Englewood CO 80111

Re: 1709 N Williams St Rezoning

Dear Susan Abbott,

My name is Michael McAtee. I am a local real estate developer and architect. I am under contract to purchase 1709 N Williams Street, contingent on rezoning the property. As you are a neighbor to this property, I am reaching out to let you know of my intent to rezone the property.

The property is currently zoned under the Former Chapter 59 Zoning code. The current zoning is B-2 WVRs, which does not exist in most of the city. I am requesting to change to G-MS-3 to align with the newer code, city adopted plans, and fit into the neighborhood. I have completed the preapplication review with the planning staff and they are supportive of the request to change.

If you would like to discuss, I would be happy to share my goals for the property and gain your support for the rezoning. I am also happy to share the preapplication review presentation document.

Respectfully,

Michael McAtee
mm@lhdenver.com
303.704.5321



Community Planning and Development

Planning Services

201 W. Colfax Ave., Dept. 205

Denver, CO 80202

p: 720.865.2915

f: 720.865.3052

www.denvergov.org/CPD

Public Comments

From: [Andrew Miller](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] 1709 N Williams Rezoning - Official Comment
Date: Thursday, September 12, 2024 2:17:47 PM

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

[Report Suspicious](#)

Mr. Clauson,

It is no secret that Denver is at an inflection point. With no shortage of vacant high-rise luxury apartment buildings, the question most residents are asking is who is benefiting from continued development. Certainly not the citizens of Denver. The proposed re-zoning plan for 1709 N Williams is a prime example of the crisis of greed that has infected this city and the thoughtful planning, or lack thereof, for its growth in an equitable way.

As a Denver resident for the last 8 years, I've witnessed firsthand the hand-over-fist greed that has enabled out-of-state developers to price out local businesses and I'm sick of it. I've decided to make it my vendetta to stand in opposition to any additional apartment development as Denver is now drowning in apartment vacancies.

I will be in attendance to vocally oppose the rezoning meeting for 1709 N Williams. It would be wise for you to listen to the community you serve. Stop serving greed, start serving your city.

- Andrew

--

[Andrew Miller](#)
Photographer | Sometimes a Graphic Designer
andrewmillerstudio.com

From: [Anissa Carter](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] 1709 N Williams Rezone
Date: Thursday, September 12, 2024 10:59:38 AM

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

[Report Suspicious](#)

Hello,

I am writing to submit an official comment regarding the rezoning of 1709 N Williams. As a member of the community surrounding this property, I believe this building could serve as a meaningful community hub, attracting small businesses that would keep the neighborhood walkable, diverse and pleasant.

Building yet another condo building would homogenize an otherwise vibrant area of City Park West. The corner at Williams and 17th is one of the last in the neighborhood that can host small businesses, and I urge you to consider keeping it that way.

Thank you for your time, and I would be happy to discuss this further or provide additional feedback.

Best,
Anissa Carter
anissaccarter@gmail.com
916-517-2674

From: [Cáitlin Zampieron](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] 1709 N Williams Rezone
Date: Thursday, September 12, 2024 1:04:05 PM

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

[Report Suspicious](#)

To whom it may concern,

I am writing to communicate my **opposition** to rezoning 1709 N Williams. Denver is a unique location with gems of the few pieces of Googie architecture left in the United States! They were commonly rezoned and have become a rarity. As someone who lives in the neighborhood - we DO NOT want more condos.

Thank you
Caitlin (Whittier/North Denver Homeowner)

From: [Rezoning - CPD](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: FW: [EXTERNAL] 1709 N Williams Attn: Fritz
Date: Monday, August 26, 2024 10:49:52 AM

From: Daniel Siegel <danielsiegel1990@gmail.com>
Sent: Saturday, August 24, 2024 6:43 PM
To: Rezoning - CPD <Rezoning@denvergov.org>
Subject: [EXTERNAL] 1709 N Williams Attn: Fritz

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

[Report Suspicious](#)

To whom it may concern,

I'm writing you as a concerned resident of 17th Ave. My partner and I live at 1309 and have for 4 years. It is my understanding that there is a proposal to rezone the lot at 1709 N Williams and allow for more luxury style condos to be built.

I firmly stand against this proposal. There are numerous luxury condos and apartments within a handful of blocks of this location. These are the last kinds of developments this neighborhood needs more of. Many of which are newly built and still unoccupied. On Lafayette between park and 17th there is even another building being built for luxury apartments/condos while the building just south of it continues to have uninhabited units. Continuing to flood the market with this style of housing only exacerbates the issues of Denver's housing situation.

Please feel free to contact me for any additional feedback.

Thank you,
Daniel Siegel
913.205.1868

From: [Emily Chichlowski](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#); district10@devergov.org
Subject: [EXTERNAL] Opposition to rezoning of 1709 N Williams
Date: Friday, October 25, 2024 11:18:10 AM

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Hello,

I am writing to submit a comment regarding the rezoning of 1709 N Williams. As a frequent patron of a woman owned business in this building and former resident of 17th & Williams, I oppose the rezoning of this property to be used for residential units. Please preserve this building and the hardworking business owners who operate out of it.

Thank you,
Emily

--

Emily K. Chichlowski
emilychichlowski@gmail.com | 262.339.9843

From: [Gillian Kreft](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] 1709 N Williams Rezone
Date: Thursday, September 12, 2024 10:55:00 AM

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Hi Fritz,

I hope this message finds you well. I am writing to formally object to the proposed rezoning of the property located at 1709 N Williams. As a resident and supporter of our neighborhood's unique character, I am deeply concerned about the potential impact this change could have on our community.

The building at 1709 N Williams has long housed several small businesses that contribute to the local economy and the neighborhood's vibrant atmosphere. It also features interesting and historic architecture, adding to the distinct charm of the area. Unfortunately, the proposed rezoning seems to pave the way for a large, impersonal development that would not only erase this architectural appeal but also limit opportunities for small, independent businesses to thrive. Moreover, this corner is one of the last remaining areas without a tall apartment building. With so many towering developments already altering the landscape, our neighborhood is beginning to feel more like a concrete jungle than a community. The scarcity of small businesses and public gathering spaces is creating an environment that feels more like a giant parking lot than a welcoming, dynamic neighborhood. I urge you to reconsider this rezoning proposal in favor of a plan that preserves the building's unique character and supports small businesses, which are the heart and soul of our neighborhood. Thank you for your attention to this matter, and I would be happy to discuss further or provide additional input.

Gillian Kreft
Resident of city park west & cheesman for 13 years

From: [Jaclyn Pickard](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] 1709 N Williams Rezone
Date: Thursday, September 12, 2024 11:16:38 AM

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Hello,

I would like to formally submit my opposition to rezoning the building at 1709 N Williams St.

I used to live close to this area before relocating west to the Highlands area. I admired this building often. This building is a classic, historical example of Googie architecture and it should be preserved, not demolished for yet another obtrusive block condo complex that Denver does not need.

The existing property is a neighborhood staple and community HUB that provides a safe haven for affordable rent for a wide array of small businesses and this would be a significant negative impact to the area. We do not need more luxury housing - we need AFFORDABLE spaces for small businesses to keep the culture and uniqueness alive in Denver.

Please stop Denver from becoming 'Beige'! We need your help! Please!

Thank you for your time,

Jaclyn Pickard
Homeowner - 4050 Benton Street, Wheat Ridge CO 80212

From: [Jordan Gantt](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] 1709 N Williams Rezone
Date: Thursday, September 12, 2024 8:49:50 PM

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I'm reaching out with concerns over the historic building at 1709 N Williams. This building is such a beautiful piece of Denver history. Not only would this be a loss of historic denver, but it would also affect small businesses in this area of town deeply. Please consider against the action to build yet another condo in downtown. Our small business and community is what keeps Denver so special.

Jordan Gantt

From: [Josh Goldstein](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] 1709 N Williams Rezone
Date: Friday, September 13, 2024 7:01:25 PM

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Hi Fritz!

I want to add my voice to the chorus suggesting keeping the building at 1709 N. Williams.

It's a unique example of Googie architecture, and as an architect myself, I see so much potential for adaptively reusing it and keeping its design around for the next generation to appreciate our architectural legacy.

We've lost a lot of our mid-century modern building stock lately and I'd hate to see this one fall as well. We often visit the Weathervane Cafe next door and always marvel at this building, hoping for a future where it's saved and restored versus razed entirely.

Thanks for your consideration.

Josh

From: [Kate Lange](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] 1709 North Williams Rezone
Date: Thursday, September 12, 2024 12:53:53 PM

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Hello!

I am a resident of 1701 E 17th Ave, just 3 doors down from 1709 and I DO NOT support the rezoning of this lot. I have lived on this block for 8 years and the beautiful building at 1709 has offered space for small businesses and community in a very important way over those years. So many of the beautiful homes and buildings in this neighborhood have already been torn down for more condos, we don't need to keep doing this. What will those condos be worth when there are no businesses in the neighborhood anymore? As a small business owner myself, I have seen more and more commercial properties being rezoned and it is causing a shortage of spaces for local businesses which leads to pricing hikes. Denver is the hardest city in the US to start and maintain a small business and the continuous rezoning of properties has a part to play in this issue. No one will want to live here in 10 years when all there are are apartment buildings and condos that no one can afford and no local businesses around them. I urge you to not approve this rezoning. Denver doesn't need more housing to be built, we need more housing to be affordable and accessible. We need diverse neighborhoods that offer a good mix of homes and businesses to support.

Thank you for taking the time to read my email.

Best wishes,
Kate Lange

From: [Katie OBrien](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] 1709 N Williams Rezone
Date: Friday, September 13, 2024 2:03:38 AM

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Don't tear down the building that is there to make luxury apartments!!

[Sent from Yahoo Mail for iPhone](#)

From: [Kelly Pearce](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] Official Comment - Rezoning of 1709 N Williams
Date: Thursday, October 24, 2024 11:32:39 AM

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Hello,

I am writing today to officially voice my concern with the zoning proposals at 1709 N Williams in the Cap Hill neighborhood.

I have lived in Denver since 2020, yet have seen more and more small businesses move out of my neighborhood in the last two years than even in the height of quarantine in the pandemic. Then, businesses would at least reopen in their space after gaining the support or financial means they needed. Now, I see businesses (some that have been in Denver more than a decade) be pushed out due to higher rent and buildings being bought out to become apartments/non commercial space. These pillars of their neighborhoods and city are then left with no option than to close completely or move to less trafficked areas.

1709 N Williams is a prime example of an opportunity to provide community and space for entrepreneurs being thrown away for the prospect of apartment spaces that are, from what I've seen in my years in Denver, largely unaffordable to the surrounding community that already lives here.

I am opposed to the proposal of rezoning, and support building remaining what it has been and can still be- not apartments with a small commercial potential, but instead a place where small businesses can grow together and stay for the long run.

Thank you,
Kelly Pearce

From: [Kelsey Goetz](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] 1709 N Williams Statement
Date: Friday, October 25, 2024 12:33:36 PM

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Hi Fritz,

I wasn't able to attend the community meeting last night, and originally sent a note to Scott (City Park West RNO President) - I'd like to have my voice included for considering the rezoning of 1709 N Williams - here's my statement:

I support protecting and investing in small business spaces, and believe that 1709 N Williams should not be rezoned. As a neighbor and homeowner, I would like to see a balance of housing and affordable commerce space on the East 17th corridor. As a regular patron of 1709 N Williams, I would love to see an investment into the building to support the already existing businesses. I would like the rezoning committee to have respect for the building's history, an understanding of its importance today, and consider the future legacy of the space.

Thanks for you time,
Kelsey Goetz

From: [Rezoning - CPD](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: FW: [EXTERNAL] 1709 N Williams Rezoning
Date: Friday, September 27, 2024 9:34:10 AM

From: Kelsey Goetz <kelseygoetz@gmail.com>
Sent: Thursday, September 26, 2024 12:46 PM
To: Rezoning - CPD <Rezoning@denvergov.org>
Subject: [EXTERNAL] 1709 N Williams Rezoning

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Hi there,

I am a resident of 1013 E 17th Ave and a frequent patron at **1709 N Williams** - in fact the space has been a place of healing for myself, my mom and my grandma. Thanks to the advocacy of the owners of the Weathervane Cafe, I have been made aware in detail of the plan to demolish this space and turn it into more expensive housing.

I implore the planning committee to review this rezoning plan - if 17th is turned into a homogenized street of more and more new builds, what will be left for commerce? I moved to 17th Ave in 2020 largely due to the historic nature of the neighborhood, walkability, and diversity of businesses. Since then, there have been businesses come and go, old buildings demolished and high-rise buildings come up.

I completely understand the need for affordable housing, but that should not come at the expense of small businesses. I believe the city should maintain the zoning of 1709 N Williams to protect the space for small businesses to thrive, especially those that serve our residents and keep our community strong.

Thank you for your time, and I hope to see balance restored so new (and expensive) housing does not overtake the need for small business space.

Best,
Kelsey Goetz

From: [Kelsey Goetz](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] 1709 N Williams Rezone
Date: Thursday, September 26, 2024 9:54:23 PM

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Hi there,

I am a property owner at 1013 E 17th Ave and a frequent patron at **1709 N Williams** - I have frequented this space for the past 2 years to receive acupuncture treatment and it has served as a true place of healing for me and also my mom and grandmother. It houses many women-run small businesses who can offer their services in a shared space.

In my opinion, the city should work to maintain a balance between building new (and more affordable) housing and also support/invest in small businesses to keep 17th Ave a healthy community for living and commerce (a reason so many of us love living here!) and **reconsider their current rezoning plan and preserve a historic building.**

Thank you for your time and I hope you will work to maintain small business space on East 17th!

Best,
Kelsey Goetz

From: [Lindsay](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] Official Submission for comments on the rezoning of 1709 N Williams
Date: Wednesday, September 25, 2024 5:58:39 PM
Attachments: [renovation \(9\).png](#)
[renovation \(6\).png](#)

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Hi Fritz, Here is our official comment. I have heard that Michael McAttee and his agent are convinced it will receive the new zoning code and will close before the hearing on 11/6, "if there is even a hearing" --
- Is this something you have also been informed of?

We are in touch with the City Council and with Historic Denver. We are also working with our RNO for City Park West, who has been so helpful! You have as well. Thank you! Our stir has got us in the WestWord this week and a discussion in the CityCast Podcast last week.

As a longtime resident and business owner in Denver, I'm writing to you today on behalf of myself and the neighbors of 1709 North Williams St. This property is a mid-century gem showcasing Google architecture that once was prevalent in Denver, and now is sadly a thing of the past.

Up until it was listed for sale, 1709 N Williams housed four women-owned businesses that served as a destination and anchor for the neighborhood. These businesses over the years since I've been in the neighborhood have included a yoga studio (est. in 2000), a massage therapist and esthetician's salon, a chiropractor, and a small business office. All of these small businesses were woman owned.

This property is currently under contract to be purchased by Denver developer, Michael McAttee. He plans to demolish this building that is on 9100 ft.² of land and build up six slot homes, one apartment and one small retail space. I have attached the plans to this email and I have also CC'ed our neighborhood RNO president, Scott Holder. Micheal McAttee has also purchased 1751 N. Williams Street for the same concept - demolish and build slot homes. In fact, on this block Williams between 17th and 18th, every building has slowly been torn down and in its place, there have been more identical slot homes built. The entire east side is gone, and they are working on replicating this pattern on the West side of Williams now.

It is our hope that we can save one corner of this neighborhood from being demolished and turned into a copy-and-paste set of luxury residences, which will further displace existing small businesses that serve as an anchor to the neighborhood. As a neighborhood and city, it's important that we have access to a diversity of spaces, which unfortunately is not what is happening on this block and frankly throughout the city. While this developer is following the precedent set on this block by other developers of building luxury slot homes (purchased for 650k-900k each), I'm hoping to lobby your office for support in protecting a historic building and a hub for small business. My hope is that by maintaining the existing zoning, it will allow for a preservation minded buyer - I know of one that has made a full price offer and is

willing to negotiate a counter offer to purchase this building and restore it. This buyer has a vision to keep this property a home for small businesses to thrive and bring diversity and enjoyment to the neighborhood. I have attached a picture. This building is not in disrepair. In fact, it had a complete roofing overhaul in 2022 to the tune of 150,000. As a fellow small business owner, I hope that in my city we make space for these types of ideas to thrive, rather than just parceling everything off to developers. I have attached a picture of what it might look like if sold to a preservation-minded buyer. The building is not in disrepair. In fact, over 150k was invested by the owner to rehab the roof and underlying construction.

In 2012, my husband and I were able to purchase the building that houses our business. It was in dire shape and needed a lot of rehab. This afforded us the opportunity to run our business with stable and affordable overhead. This has been an invaluable experience for us and has allowed us to both keep the character of the neighborhood and create a hub for the community.

The current purchase contract is contingent upon the current buyer receiving a zoning to G-MS-3. As I'm sure you are aware, the entire E 17th Avenue corridor has been reassigned to this particular code, including our building, which is next-door. During that time of rezoning, the city and the owner 1709 N Williams kept its existing zoning of B2, opting out of the new zoning code, to which Denver city planning approved and supported at that time. The city saw value in maintaining the zoning when they rezoned the whole corridor in 2010. This building and current zoning still has value to the community as it is.

We do also have one major logistical/neighborhood concern about the proposed redevelopment.

The alley that this development will butt up to is only 16 feet wide. Having garages and a driveway there will cause several obstacles for the current residents that are there. As it is today, only one car can fit in this alley and if someone is coming towards you from the opposite direction, you have to pull over into available space. As this block gets more and more developed, that available space to pull into to let someone pass you in the alley becomes less. With this new plan, it will not only take away space to pull over and let someone pass you, it will also add to the actual traffic that is in the alley which is not wide enough to support this amount of added traffic.

The aforementioned concern is really second to our concern for the neighborhood character and small business anchors. These are the other points that city planning asked us to address.

Here are the remarks on what city planning looks at:

Is the rezoning consistent with adopted plans? *Yes, but so is the current zoning.*

Does the rezoning further public health, safety and welfare? *It would not detriment the health, safety and welfare of the community but it would not further it either. It would take away affordable opportunities for small businesses and remove an interesting, note-worthy building from our block.*

Are there circumstances that justify the rezoning? *No. It was not rezoned when the rest of the E 17th Ave corridor was, showing that it had value and importance then as it is zoned currently. What has changed since 2010?*

Is the rezoning consistent with the neighborhood context? *Yes, only because the surrounding area has been drastically redeveloped. The entire East side of Williams (bet Gilpin & Williams) is already slot homes.*

Does the rezoning align with the zone district's purpose and intent? *Yes, but the current zoning PRESERVES opportunity for businesses. Affordable opportunity.*

Would it result in consistent regulations for each property with the same zoning designation citywide? *Not sure how to answer this.*

In conclusion, I think it's important to mention that as property and business owners, both outcomes are "good" for us. There is no "losing" outcome if you are thinking in terms of property value and traffic to our business. What we would lose as a neighborhood is diversity, character and affordable opportunities. These are things that have become pertinent to the life and business that we have created and it's also our wish that other citizens can have these same opportunities.

Thank you so much for hearing us out.

Please be in touch!

Best,

Lindsay Dalton





From: [Louise Ahmann](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] Official comment on the rezoning at 1709 N Williams
Date: Wednesday, October 23, 2024 2:04:37 PM

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To whom it may concern,

This is in regards to the proposed rezoning of 1709 N Williams St.

This rezoning application should not be passed. Mixed zoning would not benefit the neighborhood. Purpose-built for businesses, this structure has provided affordable real estate for entrepreneurs for decades. Local businesses rely on accessible spaces like this one, and so does our community. Maintaining the B2 zoning preserves a crucial spot where Denver residents can access the services they need, without being priced out by large developments.

This unique building is far from being in disrepair. In fact, a recent \$150,000 renovation to its roof and underlying structure ensures it will continue to stand strong for years to come. The investment in its longevity proves how essential this space is, not just for the past, but for the future of local businesses in our community. It is currently occupied by a thriving business.

Thank you for taking the time to hear our voices, and for your consideration to NOT pass the rezoning application of 1709 N Williams by Michael AcAtee.

Louise Ahmann

District 10 Denver Resident

From: [Marley Carrington-Maurer](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] 1709 N williams Rezone
Date: Thursday, September 12, 2024 1:30:21 PM

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Hi,

As a member of the Denver, City park neighborhood I am urging to oppose rezoning and preserve the current building! It is getting harder and harder to remember Denver of generations prior. We do not need more apartment buildings- we need to try to keep Denver a unique city and a place where small businesses and tight communities thrive.

Thank you
Marley Carrington-Maurer

From: [Rezoning - CPD](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: FW: [EXTERNAL] 1709 N Williams St Attn: Fritz
Date: Friday, August 23, 2024 12:17:44 PM

From: matthew seres <matthewseres@gmail.com>
Sent: Friday, August 23, 2024 10:27 AM
To: Rezoning - CPD <Rezoning@denvergov.org>
Subject: [EXTERNAL] 1709 N Williams St Attn: Fritz

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Hello-

I have lived in the uptown/city Parkwest neighborhood for 20 years and I am interested in preserving the building at this address.

I feel that it has great architectural value and adds much needed character to the neighborhood and that destroying it and putting up 3 story condos would not be the best interest of the neighborhood.

I appreciate you considering my recommendation.

Best - Matthew Seres

From: [Megan Coite](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] Opposing Rezoning Application for 1709 N Williams Street
Date: Friday, September 27, 2024 4:34:46 AM

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Good morning Fritz,

My name is Megan Coite. I'm a Lakewood resident and local real estate agent who is passionate about Denver's culture, architecture, and environment. Throughout my career I have been specifically drawn to how those things can be affected by real estate.

Recently it has come to my attention that 1709 North Williams Street in Denver has been purchased by a developer who plans to demolish the Googie building that currently stands there and has submitted an application for rezoning.

I am here to tell you why I oppose this rezoning application:

1. As you are well aware, an opportunity to rezone this area was already presented in 2010 and it was decided to keep the building the way it is. I believe that is because the people who made that decision saw an opportunity for folks like me. As a small business owner myself, I know how inherently crucial it is for our community to uphold affordable places for new entrepreneurs to get their start and begin to thrive.
2. To this point, I'm aware that new housing is required to include a space for retail. Unfortunately, building a new space creates cost barriers for many budding business owners. I'm afraid that the new business space that is planned to be developed may sit vacant since leasing a new building will be cost-prohibitive for mom-and-pop businesses.
3. As I mentioned at the start, I try to be a steward of the land and speak for the environment when it cannot speak for itself. Do we really need to take down this building? Is there anything structurally wrong with it that makes it no longer useable? I ask these questions to anyone who's considering scraping a property (whether its commercial or residential). In an ideal real estate world, we would be reimagining properties that already stand, to make the best use of what we already have. I understand that on paper this may make sense, because the 1700-1800 block of N Williams Street has already been redeveloped so much. The people who chose to make this neighborhood home (and work!) want a diverse city landscape - and trust me (as someone who has sold more than one property on N Williams Street) that is what SELLS. Residential deserts do not.

In conclusion, I believe we DO need more housing solutions in Denver. As a real estate agent, I see every day the usefulness of building *up*, of multifamily units. That said, aren't there other solutions besides tearing down a beloved cultural meeting point? This building is an architectural gem, a place for new businesses to get their footing and it can have a future, if you help us preserve it.

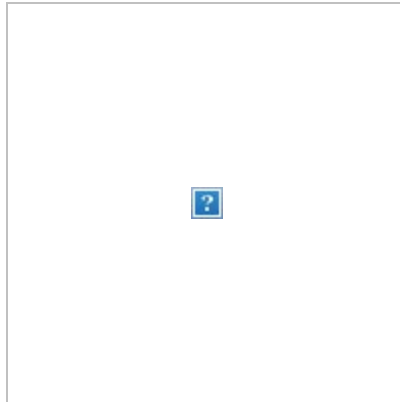
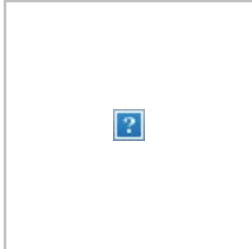
Thank you for your time and consideration,
Megan Coite of The DEN Collaborative at Resident Realty

MEGAN COITE

Real Estate Broker & Founder

303.801.8883 | megancoite@gmail.com

theDENcollaborative.com



From: [Nickolas Buchanan](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] 1709 n Williams rezone
Date: Thursday, September 12, 2024 7:14:06 PM

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Hello Fritz, Thank you for accepting public comment on the proposed rezone of 1709 N Williams. This building is not just a structure; it is a cornerstone of our community, a place that embodies the culture and history of our neighborhood. By allowing developers to encroach on this space, we risk losing a vital part of what makes this area unique. The relentless push for development often disregards the needs of long-term residents, replacing meaningful community spaces with sterile, profit-driven projects. We cannot allow corporate interests to dictate the future of our neighborhoods at the expense of local culture and identity. Please stand with the people, not the developers, and protect 1709 N Williams from the destructive wave of overdevelopment. This is about preserving the fabric of our community, not just saving a building. Thank you for your consideration and for prioritizing the voices of the community over private interests.

Nick Buchanan

"I pack my trunk, embrace my friends, embark on the sea, and at last wake up in Naples, and there beside me is the Stern Fact, the Sad Self, unrelenting, identical, that I fled from."

Ralph Waldo Emerson

From: [River](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] 1709 N Williams Rezone
Date: Thursday, September 12, 2024 4:44:18 PM

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Hello!

I'm writing because I've been informed that my neighborhood might lose an important space and piece of architecture. I've lived in north cap hill, Whittier, and cap hill on and off since 2012. During that time this building has been an important part of my life. I've attended yoga and meditation here among visiting other small businesses. I love the architecture which is one of the distinctive reasons I choose to stay in this neighborhood. As it loses more and more of what makes it special, I wonder why I'd stay. Please know that I understand the pressures you might face in making this decision, but also that many community members value this space over new developments deteriorating our beautiful neighborhood. Thanks!

With Hope,
River Cramer Wharton
206.915.1663
[River's Dream House](#) [Reciprocal Works](#)

"No Daring Is Fatal." -René Crevel

From: [Allan Babcock](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] Proposed Rezoning at 17th and Williams
Date: Thursday, September 12, 2024 12:11:56 PM

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Hello Fritz,

I'm sure you have been getting alot of feedback about this rezoning! I looked online and didn't see it on the proposed rezoning. Perhaps this is still early in the process. What I've heard is the reasoning would allow for 3 story apartment buildings to be built on the site. I assume some CMX3 type zoning?

I'm writing in strong support of that type of change for the city. Housing here would fit well with the future changes coming to 17th. As a transit priority corridor housing fits here very well. As a future place housing fits great here as well.

Again, I apologize for inundating you but I really appreciate the opportunity to give feedback to support this rezoning.

--

- A.B. Babcock

From: [Andrew Cushen](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] Support for Rezoning 1709 Williams Street
Date: Sunday, October 20, 2024 10:58:51 AM

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Good morning,

I recently learned about the proposed rezoning along 17th Avenue just a few blocks away from where I live. I am eager to see that ugly lot redevelop, particularly as there are no trees and no grass b/w the sidewalk and the street. I am a big fan of the Weathervane Cafe, and I think it would be a great boon to the neighboring businesses to see some modest growth come to 17th Avenue. Additionally, the MS zone district ensures a better relationship between the building and the street, and I hope this rezoning and subsequent redevelopment will eliminate the curb cuts between the parking lot, 17th Avenue, and Williams Street. I won't be able to attend the upcoming neighborhood association meeting as I will be out of town on a business trip, but boy, I can't underscore my excitement enough.

-Andy cushen
1551 N High Street, Denver CO 80218

From: [Carl Johnson](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] 1709 N Williams Rezone (Support)
Date: Friday, September 27, 2024 9:58:03 AM

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Hello -

I was notified of this rezoning via "The weathervane cafe" opposition social media post. I support this rezoning! This lot is not worth preservation since it's over-parked and semi-abandoned. The new plans for development look much better from a pedestrian POV - keeps retail, less impervious surfaces, and added tree canopy. Plus more homes = net positive for the city.

Is there any other way I can show my support for this project? Or at least get updates on?

Thanks,

Carl

From: [Danny Havelick](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] 1709 N Williams Rezone
Date: Thursday, September 12, 2024 10:52:30 AM

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Hello,

My name is Danny Havelick, I am a resident of Whittier (vice-president of the Whittier Neighborhood Association), customer of Weathervane Cafe, and frequent visitor to the City Park West neighborhood.

I'm writing in to express my **support** for the rezone, demolition, and proposed new project at 1709 N Williams. The current building is mostly abandoned, ran down, and architecturally uninteresting. The proposed project would add six (or seven? I can't tell based on the info I've found) homes and a brand new commercial space to a block that can fully support and thrive with new density like this.

While local input for any project is a valuable decision making tool, it's important that the City of Denver doesn't let a few objections from nearby cranks (such as the aforementioned Weathervane Cafe), who will object to any project that threatens to bring Denver into the 21st century, derail such a valuable project as this.

Thanks!

Danny

From: [John Riecke](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] 1709 Williams - YES to rezone
Date: Thursday, September 19, 2024 2:45:43 PM

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I saw on Instagram somebody posted your email so that you would get communications about opposing the rezoning. I'm writing to speak in favor of the rezoning because Denver needs more homes and not old office buildings with surface parking.

John Riecke

"However beautiful the strategy, you should occasionally look at the results."

From: [Robert Greer](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] Please support the 1709 Williams rezoning
Date: Thursday, September 19, 2024 9:19:15 AM

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I work near here and bike past this just about every day. I've heard there are some NIMBYs in the neighborhood trying to force the owner to keep an aging commercial space and a large parking lot.

Denver is in desperate need of housing in places like this. If some people want to push to incorporate aspects of the existing building's materials and design in the new housing, that's fine by me, but it should be on the people who are trying to block the new housing to do that.

Thanks for reading.



City Park West Neighbors Registered Neighborhood Organization

To: Fritz Clausen, Denver City Planning and Development, City Planner Associate

Subject: 1709 N Williams St Rezoning Change RNO Neighborhood Meeting

28 October 2024

Fritz:

The CPW RNO hosted a neighborhood meeting at 6pm at the Vine St Pub regarding the rezoning request for 1709 N Williams. Over a two-week period prior, the RNO flyer (door hangers) a section of CPW bounded by Colfax and 20th N/S and Franklin and Race E/W. This is in keeping with our process of partially flyer CPW when it comes to specific rezoning requests as we have neither the finances or people to flyer the entire neighborhood more than a couple of times a year. Moreover, we've learned that the farther one lives from a potentially rezoned site, the interest level in what happens there drops off significantly.

We had approximately 45 people and 5/6s of the RNO Board in attendance. We explained the above process and asked people to keep the Q&A session to just questions and that we'd conduct a straw poll at the end of the session.

Property owner/developer Mike McAtee spoke first as he brought the rezoning request to the City. He's been developing since 2009, typically only doing 1-2 infill projects a year. Specified that this meeting was about the rezoning request and not necessarily about the site-specific plans. The new zoning code in 2010 did not change for 1709 N Williams unlike most other corner parcels along the 17th Ave corridor. The site is currently zoned under the old code, B2 and has waivers on it that limit uses. He wants to change it to G-MS-3 (consistent with much of the other lots as mentioned) and that the development would be mixed use.

He outlined this would not be higher than 3-stories on an L-shaped lot. He did show the initial site development plan but repeatedly cautioned those present that this could change. The entire plan concept is sprinkled with live/work units plus around 750 sq/ft of commercial space on the first floor. All will be market rate on the 9000 sq/ft site.

Lindsay Dalton, owner of the adjacent property/business, Weathervane Café, then spoke against the rezoning proposal. She explained that local businesses have used the existing space and that it's been 100% occupied for the last 13 years until the previous owner stopped renewing leases in preparation for selling the property.

She explained what B2 zoning was for. Her concerns were affordability of commercial space and how the current building allows for much lower rents than a new-build project. She also stated that the live/work concept will not necessarily support the surrounding neighborhood but rather be home-based businesses/office with no services to the community.

We then opened up the floor for questions, some of which we'll list here.

Q: How many businesses can be in the existing building? Mike explained issues surround accessibility potentially limiting businesses; Lindsay stated that since previous owner is not renewing leases, full use of building is not happening.

Q: Does the City support the application? Mike alluded to this during his presentation based on the fact the City fees associated with pre-application were waived and that in a general sense, the City has a track record of wanting to bring old zoning like B2 into line with what was done along 17th Avenue in 2010.

Q: Are there any environmental issues. Mike explained that there are none in Phase I. There was some discussion on asbestos abatement but nothing clear cut was said.

Q: If not rezoned, what would be on the site. Mike indicated that development would be residential on a smaller scale.

Q: What type of businesses would be on the first floor of the live/work space or the dedicated commercial space? Lots of discussion but nothing definitive. Discussed parking allotments and zoning does limit the type of business.

Q: Does this zoning require an included commercial space: Yes.

Q: Why is the rezone necessary if residential can be done under current zoning? Mike indicated it wasn't the most profitable way to do it.

Q: What about Landmark status? We explained that since the demolition permit had already been issued and was good for five years, attempting to Landmark the property wasn't possible.

We closed Q&A and took a straw poll:

For Zoning Change: 16

Against Zoning Change: 23

Of note, currently the CPW RNO does not have a formal stance on this request, we typically don't take a stance, instead preferring our process/poll to speak for itself. This isn't to say that the RNO Board might not change this stance going forward and that individual RNO Board members are free to submit letters for/against the proposal, appear in front of the Planning/Zoning Board and ultimately, City Council.

If you have any questions about this process and its results, please don't hesitate to contact me.

Regards,

Scott Holder

Scott Holder
President, City Park West Neighbors RNO

From: [Emile Cessna](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] Official comment on 1709 N Williams St
Date: Wednesday, October 30, 2024 11:42:51 AM

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Dear Fritz Clauson,

I'm writing in support of Weathervane Cafe and other neighbors' plea regarding the property at 1709 N Williams St. I am a frequent pedestrian and big fan of the 17th street corridor, which features easy access between a variety of local businesses. The property at 1709 N Williams St has often been one of my favorite landmarks on my walks. I am overjoyed to discover that it is not in disrepair, that the roof was recently renovated, and that it has continually been an affordable location for small businesses and entrepreneurs for decades. For these reasons I oppose the rezoning of this property and support maintaining its current B2 zoning, to preserve the unique character of Denver's existing urban landscape and entrepreneurial spirit.

Thank you for your time,
Emile Cessna

From: [Shannon Corcoran](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] AGAINST rezoning at 1709 N Williams St
Date: Thursday, October 31, 2024 9:29:38 AM

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Hello Fritz,

I am just writing to inform you that I am **staunchly opposed** to the rezoning of this property. I have lived in this neighborhood for six years, and on Williams Street for the last four.

I attended yoga classes in the building on this lot, and still walk past the building every day. I have also witnessed the constant, ongoing construction of massive modern condos and townhouses on our block. It has pained me to see so many historic structures carelessly demolished and replaced by nondescript rectangles designed to take up every square foot available. Even more dismaying is the pricing structure of these dwellings. The fabric of our neighborhood is changing, and while some of these changes are not necessarily negative, I find that there is a desperate need for *balance*. Please consider that, while this corner lot is prime real estate and there is ample opportunity to redevelop it, new housing here is NOT needed and small local businesses need protection.

I have just learned that next week's hearing has been rescheduled, but please know that I still fully intend to participate and submit my vote in person whenever the hearing does take place.

I am happy to lend my voice whenever or wherever in support of this cause. Please feel free to reach out to me if I can be of any further assistance.

Sincerely,
Shannon

--

Shannon Corcoran
corcsc@gmail.com
(720) 279-4445

From: [Kate Laubach](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate; Planningboard - CPD](#)
Subject: [EXTERNAL] 1709 N. Williams Street (11/6/24 Planning Board Meeting)
Date: Monday, November 4, 2024 1:50:16 PM

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Good afternoon,

I am writing regarding the proposed rezoning of 1709 N. Williams Street. I live one block south of this property, and I thoroughly support and recommend the proposed rezoning to accommodate a three-story, mixed-used structure.

This property in question sits across from Connole Apartments and one block north of the William Tell Apartments. These properties are high-rise apartment buildings catering to individuals who are elderly, have physical and mental special needs and are on fixed incomes. Some residents are military veterans. Many of the residents do not own a car and are dependent on public transit, walking or wheelchairs to move about the city.

Rezoning 1709 N. Williams Street, as requested, would benefit the residents of these apartment buildings in two ways. First, the existing building is noncompliant with the Americans with Disabilities Act Standards for Accessible Design, despite the significant community of residents within a one-block radius who benefit from compliance under this standard. Second, the rezoning would increase the available commercial spaces that residents of these apartment buildings could easily access, be it a grocer, healthcare provider or retail space.

Moreover, the current building at 1709 N. Williams Street, as presently zoned, is not effectively serving the community in any meaningful manner. The building has struggled to retain tenants, the existing tenants do not cause (let alone encourage) commercial or pedestrian activity along East 17th Ave., and the building's layout does not align with principles of sustainable urban density.

Finally, I fear that opponents to the rezoning of 1709 N. Williams Street have a limited and questionable agenda to frustrate growth in the immediate neighborhood. I'm sensitive to scraping legitimately historic buildings, but I also want to see this stretch of E. 17th Ave. grow and prosper. In just a two-block radius is a shuttered 7-11, a long-dead empty lot (at N. Williams and E. Colfax), and the infamous fire-damaged and decrepit structures at 1600 and 1618 E. Colfax (we have the Denver Landmark Preservation Commission members to thank for ensuring this latter eyesore property will collapse before a developer ever touches it). As such, I respectfully ask the Board to approve the proposed rezoning.

Best regards,
Kate Laubach

From: [Will McClain](#)
To: [Clauson, Fritz - CPD CE0371 City Planner Associate](#)
Subject: [EXTERNAL] 1709 Williams St. Rezoning; Case number: 2024i-00074
Date: Friday, November 1, 2024 4:14:06 PM

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Fritz,

I would like to write in support of rezoning 1709 Williams St. I live a block south of the parcel, and used to attend yoga classes there, so am no stranger to this particular building.

The City Park West RNO appears to do their best to ensure these rezoning meetings go in their favor—i.e. fail (in this case, 23 against rezoning vs. 15 in favor). The rezoning meeting was well-attended by the board and other residents who live in the northeast corner of City Park West (the president of the RNO, Scott Holder, is not even a resident of City Park West, but of nearby Whittier), across from the park, a much more affluent area of City Park West than the area in question. The meeting was also well-attended by employees of Weathervane Cafe (and it is not even sure how many of them are local residents).

It was not (comparatively) well-attended by those who live in the immediate vicinity, and part of the stems from the poor effort on part of the RNO to advertise the meeting (door hangers within the immediate vicinity, and no e-mail, despite the RNO maintaining a listserve). However, many of those who live in the stretch of City Park West between Colfax and 18th Ave voted in favor of the rezoning.

People choose to live in this stretch of City Park West because of its vibrancy, walkability, and diversity. The neighborhood deserves to have zoning that reflects this, instead of what is currently there, an abandoned building or another empty lot (just like the abandoned lot Williams & Colfax, the abandoned Burger King catty-corner to it, the "historic" abandoned building at Franklin & Josephine, and the now-abandoned 7-11 at Gilpin & 17th).

Best,
Will McClain

Planning Board Comments



Submitted on	5 December 2024, 3:04PM
Receipt number	724
Related form version	3

Your information

Name	Ricardo
Address or neighborhood	1710 N Williams St
ZIP code	80204
Email	ricardonievez2017@gmail.com

Agenda item you are commenting on

Rezoning

Rezoning

Address of rezoning

Case number

Draft plan

Plan area or neighborhood

Proposed text amendment

Project name

Historic district application

Name of proposed historic district

Comprehensive Sign Plan

Address of comprehensive sign plan

Case number

DURA Renewal Plan

Address of renewal project

Name of project

Other

Name of project you would like to comment on

Submit your comments

Would you like to express support or opposition to the project?

Strong support

Your comment:

Dear Michael McAtee,

I hope this message finds you well, and that you are enjoying the festive season. I recently came across the notice of the proposed zoning change at 1709 N Williams St, and I wanted to share my thoughts and concerns, especially during this season of goodwill and community spirit.

As a member of this wonderful community, I have relied heavily on the public poles at Colfax and Williams to post important information and connect with my neighbors. The holiday season is a time for reaching out and supporting each other, and these poles have provided a safe haven for communication, especially for someone like me who has faced significant bullying and harassment online.

I understand that the proposed zoning change aims to bring about positive development, but I kindly request that the cleaning of these public poles be reconsidered or postponed. This small gesture would be a Christmas miracle for me, allowing me and others in similar situations to continue using them for safe communication.

I promise that my posts will be removable, and I will take full responsibility for maintaining and removing them once they are no longer needed. This temporary measure is crucial for me to reach out to the community safely during this holiday season and beyond.

Thank you for considering this request. Your support in ensuring that every member of our community has a safe way to communicate would be the greatest gift.

Wishing you and your loved ones a joyous and peaceful Christmas.

Warm regards,
Ricardo

If you have an additional document or image that you would like to add to your comment, you may upload it below. Files may not be larger than 5MB.

[Raise awareness Hate Disney_20241126_155850_0000.png](#)



Community Planning and Development
Planning Services

201 W. Colfax Ave., Dept. 205
Denver, CO 80202
p: 720.865.2915
f: 720.865.3052
www.denvergov.org/CPD

Memorandum of Understanding

I was asked by City Planner Fritz Clauson to mediate a rezoning agreement between Michael McAtee, owner of 1709 North Williams Street, Lindsay Dalton, owner of the adjacent property at 1725 East 17th Avenue (Weathervane Café) and City Park West Neighborhood Association. Michael McAtee had submitted a rezoning request to go from B-2 with waivers to G-MS-3.

I met with Lindsay Dalton, and with Michael McAtee separately. This gave me the opportunity to explain the process and expectations; and to understand their perspective, issues and concerns. About two weeks after our initial meetings, City Park West Neighborhood Association held a public meeting to review and discuss the proposed rezoning.

After the neighborhood meeting, we moved to mediation and through a number of conversations were able to reach the attached agreement. We were also able to involve Scott Holder, from City Park West in some of these conversations.

Thank you for the opportunity,

A handwritten signature in blue ink, appearing to read "Steve Charbonneau", with a long horizontal flourish extending to the right.

Memorandum of Understanding
Regarding the Rezoning of the Property at
1709 North Williams Street, Denver, CO

THIS AGREEMENT Is entered into by and between Michael McAtee (McAtee), owner of the property at 1709 North Williams Street (Property), Lindsay Dalton (Dalton), owner of the adjacent property at 1725 East 17th Avenue and the Weathervane Café, and City Park West Neighborhood Association (CPWNA).

RECITALS

- A. Whereas, Michael McAtee has applied to rezone 1709 North Williams Street from former Chapter 59 B-2 WVRs zoning to G-MS-3 zoning.
- B. Whereas, Lindsay Dalton, neighbors and the City Park West Neighborhood Association value the space for small businesses to thrive and grow in their community.
- C. Whereas, Michael McAtee, Lindsay Dalton, Neighbors, and City Park West Neighborhood Association all value their quality of life and are committed to finding a mutually agreeable outcome to the rezoning request.
- D. They enter into the following agreement.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the parties hereby agree as follows:

- 1. Demolition Timing.
 - a. It is important to both Dalton and the neighborhood that the current building is not demolished and the site left vacant. McAtee agrees not to demo the current building until all the proper requirements are in place and is reasonably certain he can begin rebuilding soon. Both parties are aware that the City approval process can impact timing.
 - b. McAtee will ensure adequate lighting for the site during demo and rebuilding, as allowed by the City. Proposed lighting will be placed at the alley and southeast corners of the site.
 - c. McAtee anticipates demolition of the building will begin in 2026.
- 2. Open for Business.
 - a. When the demolition and rebuilding process begins and a fence is erected, McAtee agrees to put signage on the fence indicating that the Weathervane is still open for business. Both McAtee and Dalton will assist and cooperate in maintaining the signage through the duration of the project. If the signage is damaged in ways other than construction activity, Dalton will be responsible for replacement.
 - b. Dalton will design the sign and prior to printing, share the proposed design with McAtee for his review and approval. McAtee will pay up to \$500 for his portion of the sign, payable to Dalton after demolition and the beginning of site erection.

3. Dust Control.
 - a. McAtee will explore options to control the dust and dirt during demolition and construction that may negatively impact the Weathervane. Both parties acknowledge that dust can be caused by factors other than construction. If Dalton feels that dust is hindering the business of the Weathervane, these concerns will be documented by photos and result in communication between Dalton and McAtee.
 - b. McAtee will make a good faith effort to minimize the dust and dirt impact on the Weathervane.
4. Construction Losses.
 - a. If the construction at 1709 causes the Weathervane to be closed for business, McAtee and Dalton will negotiate compensation for the closure. Reasons for closure caused specifically by the construction may include loss of water or sewer, loss of power, significant dust or debris, or access issues.
5. Construction Parking.
 - a. McAtee will inform construction workers that there is to be no construction parking along the block of 17th Avenue immediately adjacent to the Weathervane. If parking by construction works becomes a problem, McAtee will place a sign in a prominent place on his property notifying constructions workers not to park on 17th.
6. We Are Open Cards.
 - a. McAtee will pay the cost to send postcards to the immediate neighbors during or immediately after demolition letting them know that the Weathervane is and will remain open for business during construction. McAtee will provide an allowance for these postcards, not to exceed \$3,000. Receipts will be provided.
 - b. Dalton will design the cards and coordinate with CPWNA in distribution. Dalton will provide a draft to review prior to proceeding to print and mailing.
7. Survey and Easements.
 - a. There are two different surveys, both indicating slightly different boundary lines. McAtee will have his surveyor clarify the boundary line between 1709 North Williams Street and 1725 East 17th Avenue.
 - b. Dalton and McAtee will coordinate the need for easements or other legal instruments appropriate to specific conditions that will accommodate property line encroachments, foot traffic, and dumpsters access/storage that may cross McAtee's property. They will share the expense equally of creating these easements. These easements will be filed with the deed.
 - c. There will be no fee or rent charged to Weathervane Café for access
 - d. Dalton will provide a certificate of insurance to McAtee demonstrating liability coverage and keep current throughout the duration of access needed
8. Water.
 - a. During construction, Dalton will allow McAtee the use of water from their exterior spigot. McAtee will reimburse Dalton for the use of the water.
9. Restricted Business Uses.
 - a. For as long as Dalton owns the Weathervane Café and McAtee owns 1709 North Williams, McAtee will ensure that a similar type of coffee shop or American fast casual café serving breakfast and lunch will not be a tenant in the southeast corner

commercial unit, should the current SDP be developed as designed.

- b. If the southeast corner unit is sold, the seller will inform the potential buyer of this agreement and provide them with a copy.

10. Zoning Request.

- a. Based on this agreement, Dalton will support McAtee's rezoning request.
- b. Dalton will explain the agreement and encourage neighbors and her email list to at a minimum not oppose McAtee's rezoning request.
- c. CPWNA will use their email list and social media accounts to explain the agreement process and point out that the main neighbor's involvement in the original opposition to the rezoning request entered into mediation, subsequently found a compromise, and are no longer pursuing opposition to McAtee's rezoning request.

Signed:

Michael McAtee

Michael McAtee, Property Owner of 1709 North Williams Street

2024-11-25

Date

Lindsay Dalton

Lindsay Dalton, Owner of the Weathervane Café

2024-11-21

Date

Scott Holder

Scott Holder, City Park West Neighborhood Association

2024-11-21

Date

Signature Certificate

Reference number: GPXSG-YCBA9-5RYPH-HYSCV

Signer

Timestamp

Signature

Lindsay Dalton

Email: flocksocial@gmail.com

Sent:

19 Nov 2024 15:27:53 UTC

Viewed:

21 Nov 2024 15:44:21 UTC

Signed:

21 Nov 2024 15:48:15 UTC

Recipient Verification:

✓ Email verified

21 Nov 2024 15:44:21 UTC

IP address: 8.35.97.157

Location: Evergreen, United States

Lindsay Dalton

Scott Holder

Email: scott@dauphinehotel.com

Sent:

19 Nov 2024 15:27:53 UTC

Viewed:

21 Nov 2024 19:01:12 UTC

Signed:

21 Nov 2024 19:01:34 UTC

Recipient Verification:

✓ Email verified

21 Nov 2024 19:01:12 UTC

IP address: 71.218.167.88

Location: Denver, United States

Scott Holder

Michael McAtee

Email: mm@lhdenver.com

Sent:

19 Nov 2024 15:27:53 UTC

Viewed:

22 Nov 2024 15:16:32 UTC

Signed:

25 Nov 2024 18:29:30 UTC

Recipient Verification:

✓ Email verified

22 Nov 2024 15:16:32 UTC

IP address: 71.237.14.93

Location: Englewood, United States

Michael McAtee

Document completed by all parties on:

25 Nov 2024 18:29:30 UTC

Page 1 of 1



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