



TO: Land Use, Transportation, and Infrastructure Committee of the Denver City Council
FROM: Scott Robinson, Senior City Planner
DATE: September 28, 2017
RE: Official Zoning Map Amendment Application #2016I-00117

Staff Report and Recommendation

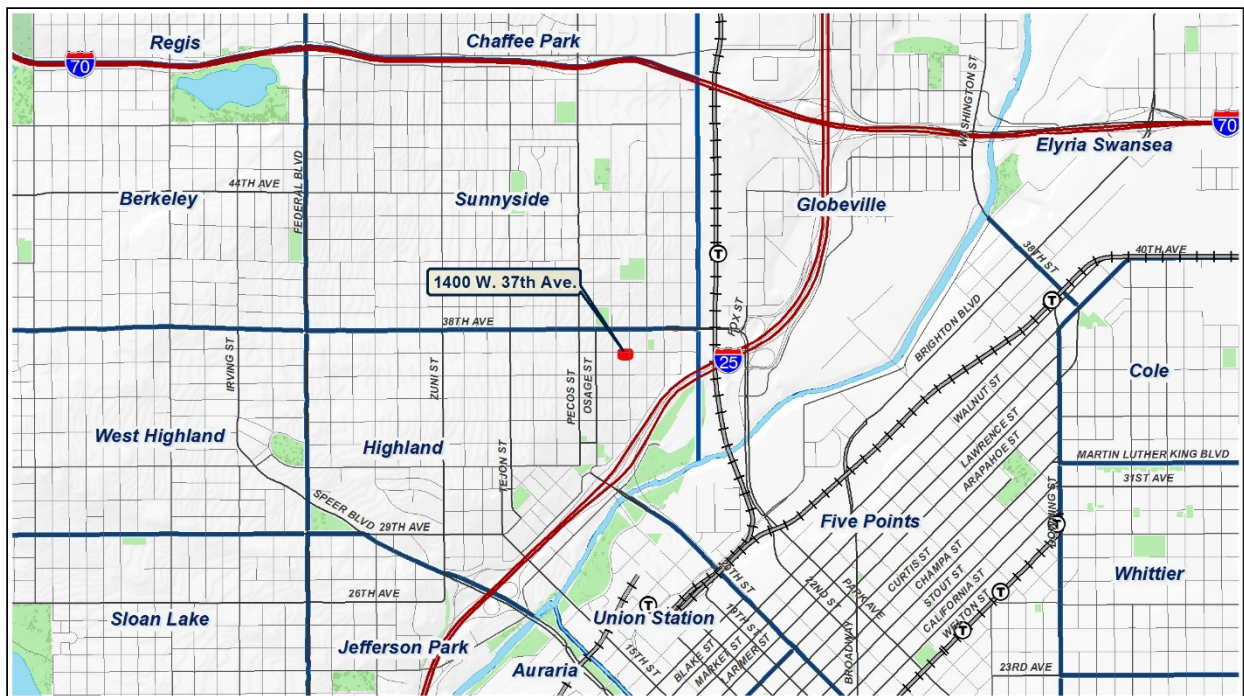
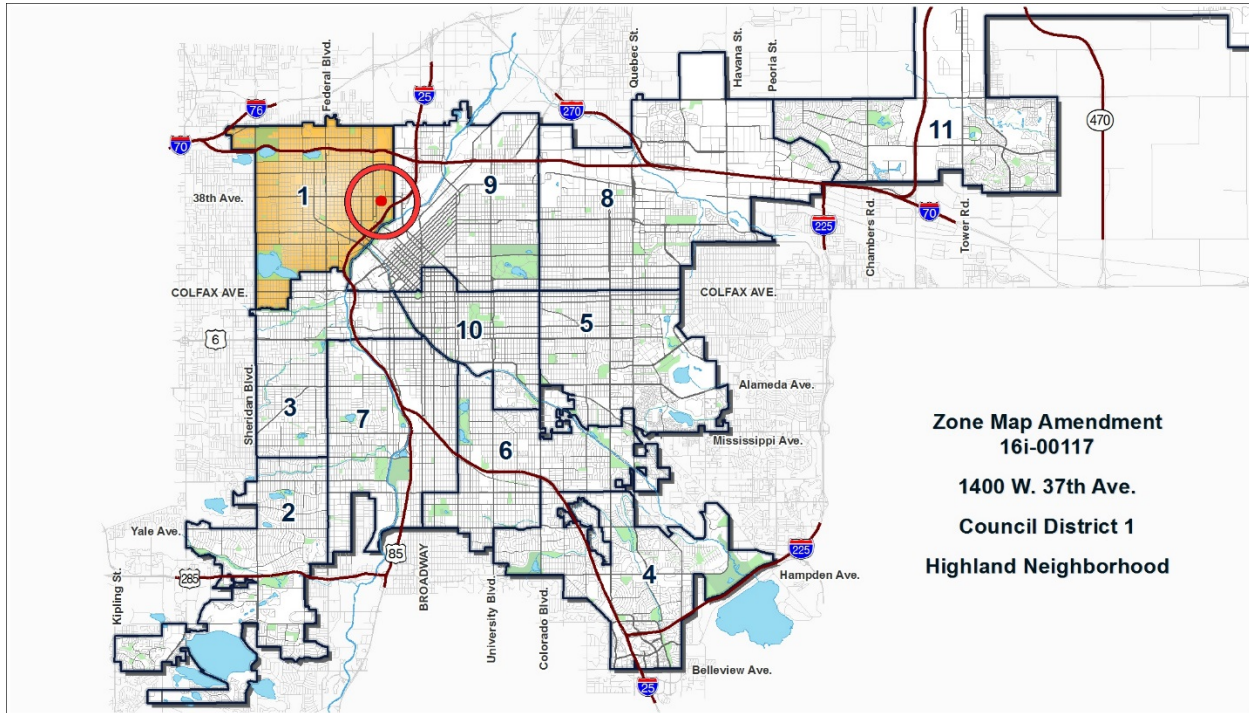
Based on the criteria for review in the Denver Zoning Code, staff recommends approval for Application #2016I-00117.

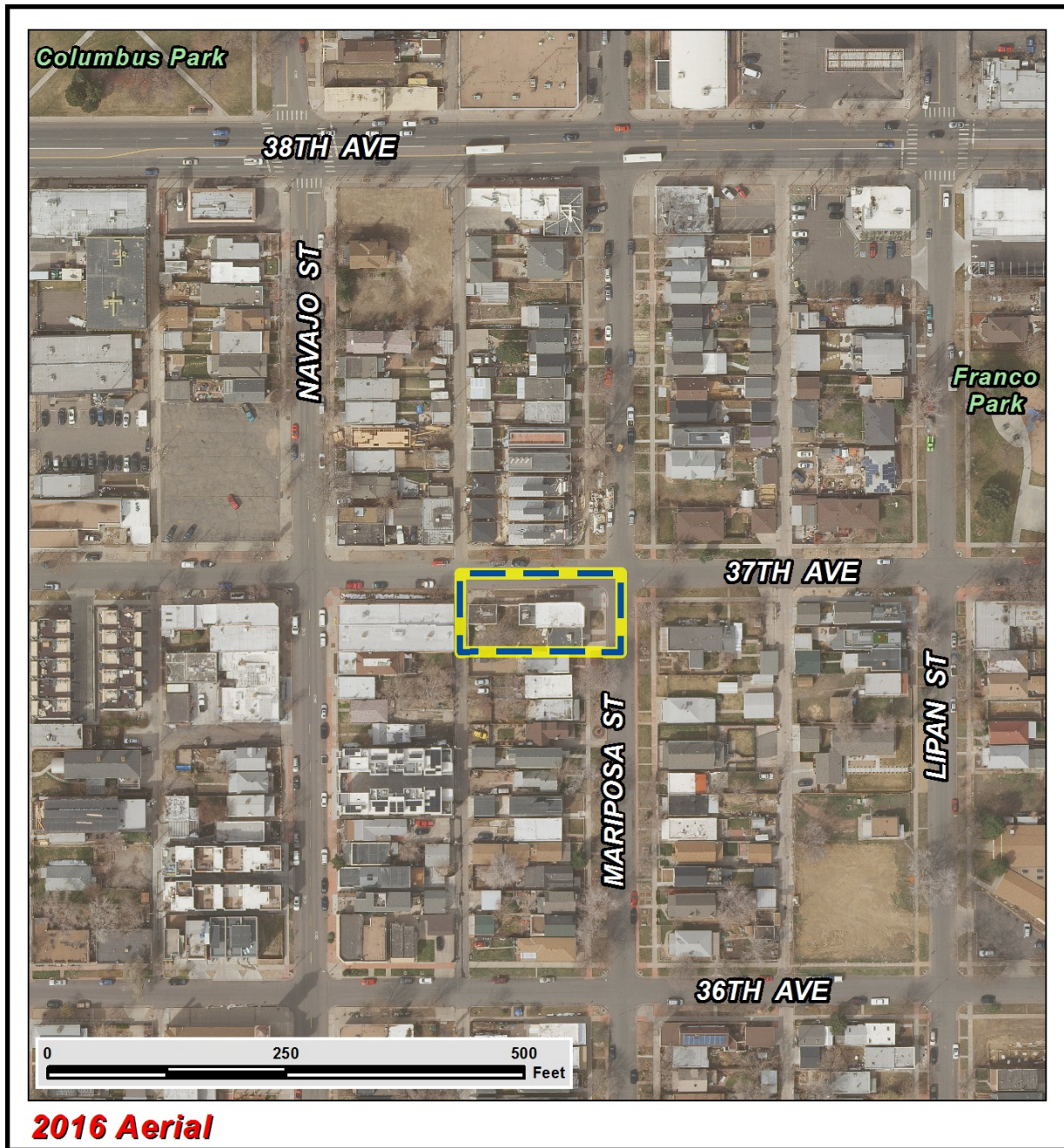
Request for Rezoning

Address: 1400, 1404, & 1408 W. 37th Avenue
Neighborhood/Council District: Highland / Council District 1
RNOs: United Northside Neighborhood; Inter-Neighborhood Cooperation; Denver Neighborhood Association, Inc.; Highland United Neighbors, Inc.
Area of Property: 6,090 square feet
Current Zoning: U-TU-B2 DO-4
Proposed Zoning: U-MX-2x
Property Owner(s): NAPS Construction Associates, LLC
Owner Representative: Paul J Stann

Summary of Rezoning Request

- The property is located in the Highland neighborhood, at the corner of 37th Ave. and Mariposa St., one block from the Navajo St. commercial corridor.
- There is currently the partially collapsed remains of a two-story commercial building that previously housed a restaurant on the site.
- The applicant is requesting the rezoning to allow the property to be redeveloped.
- The **U-MX-2x** (**U**rban Neighborhood, **M**ixed Use, **2** story) zone district is intended to provide safe, active, and pedestrian-scaled diverse areas in established residential neighborhoods. The "x" indicates that allowed uses are more limited than in the U-MX-2 zone district. Further details of the zone districts can be found in Article 5 of the Denver Zoning Code (DZC).





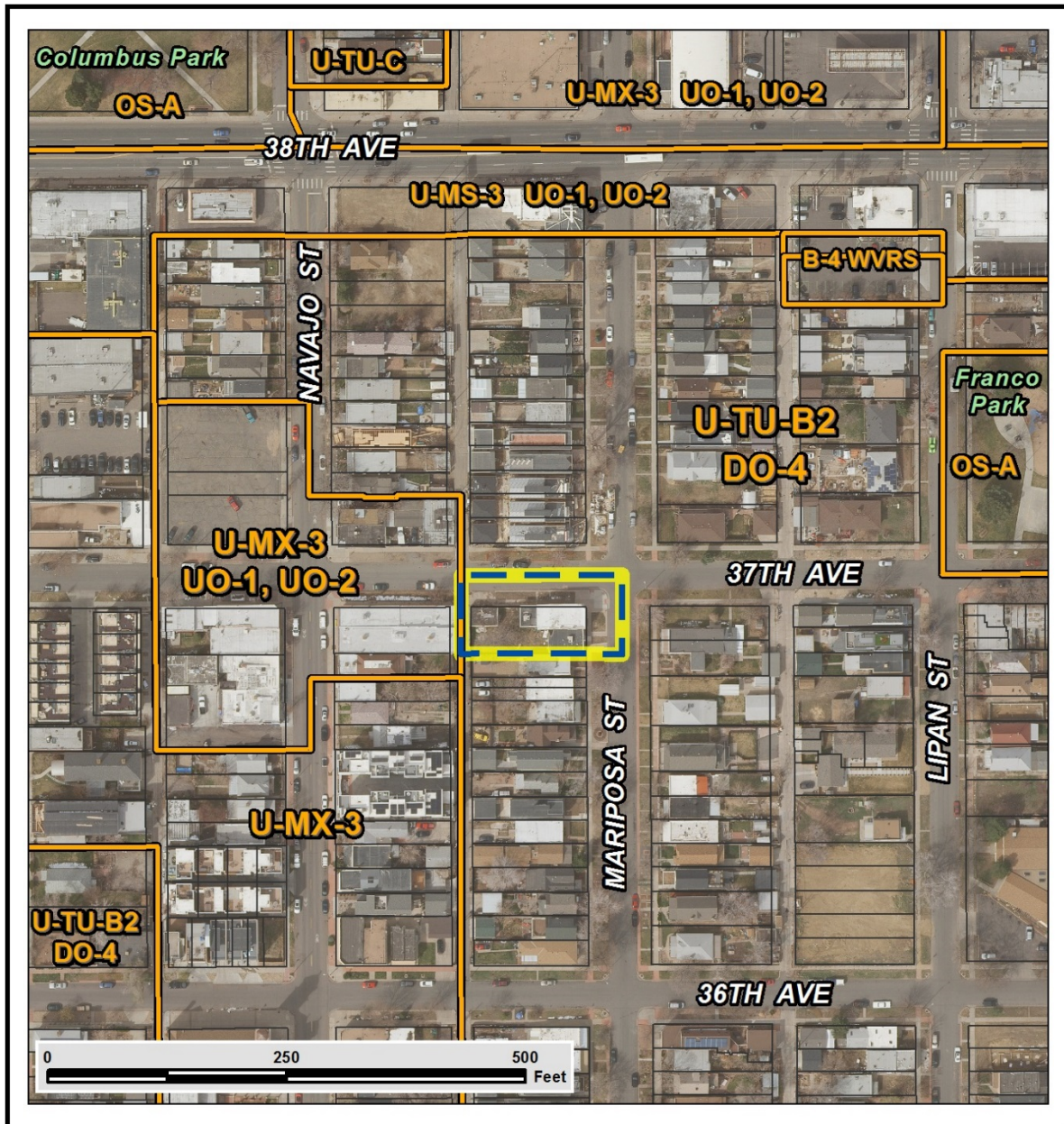
Existing Context

The subject property is in a residential neighborhood primarily composed of single-family and duplex units. It is one block south of the 38th Avenue commercial corridor and immediately east of the Navajo Street commercial corridor. Franco Park is one block to the east and Columbus Park is across 38th Ave. to the north. There is bus service on both 38th Ave. and Navajo St., and the property is about ½ mile from the 41st and Fox transit station.

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

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	U-TU-B2, DO-4	Vacant, formerly restaurant	Partially collapsed 2-story commercial structure	Generally regular grid of streets interrupted to the south and east by I-25. Block sizes and shapes are consistent and rectangular. Vehicle parking to the side or rear of buildings (alley access).
North	U-TU-B2, DO-4	Single-family and duplex residential	1-2 story residential structures with minimal side setbacks	
South	U-TU-B2, DO-4	Single-family and duplex residential	1-2 story residential structures with minimal side setbacks	
East	U-TU-B2, DO-4	Single-family and duplex residential	1-2 story residential structures with minimal side setbacks	
West	U-MX-3, UO-1, UO-2	Mixed-use corridor including retail, residential, and cultural uses	Older 1-2 story commercial and residential buildings, newer 3-story townhome buildings	

1. Existing Zoning



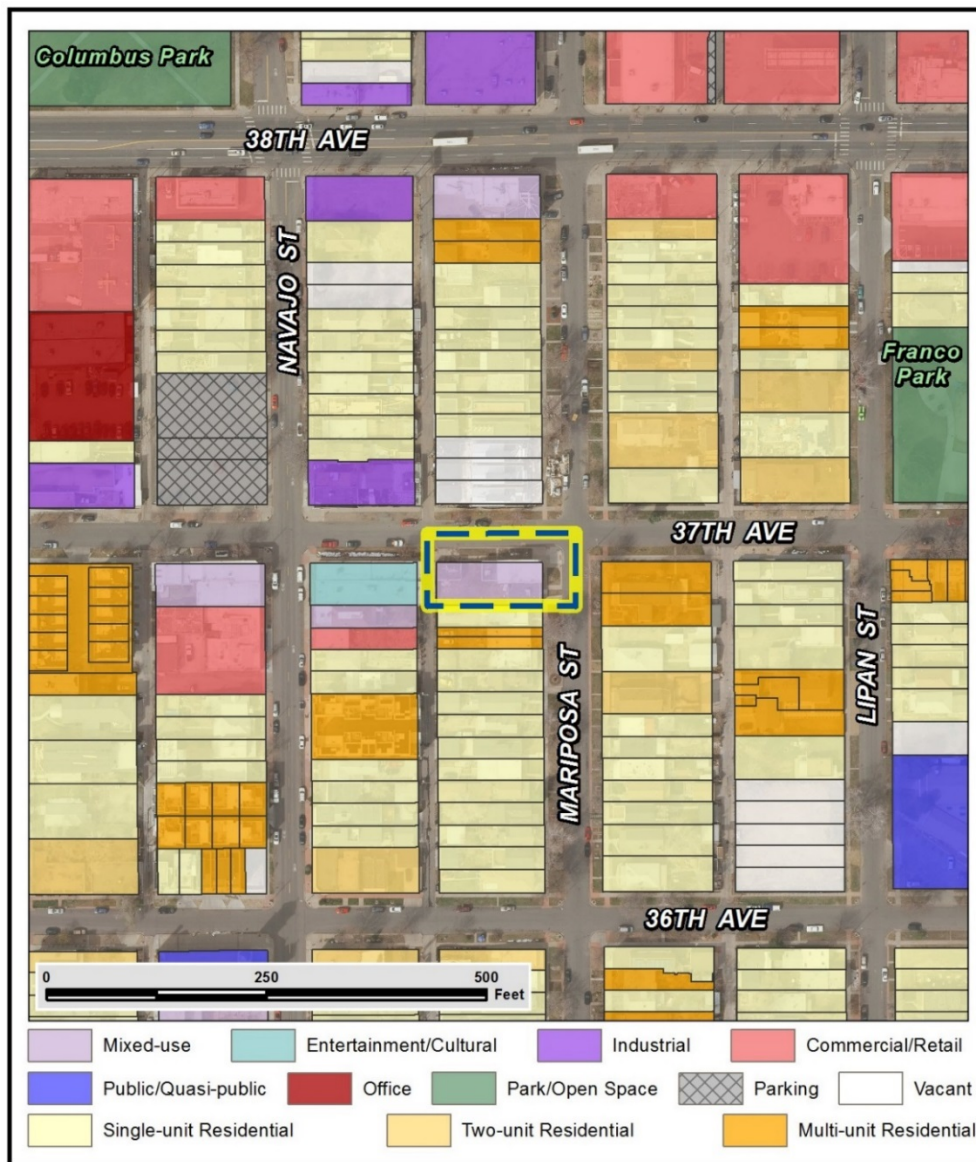
The current U-TU-B2 zone district allows up to two residential units on most lots in the Urban House, Duplex, and Tandem House building forms. The Row House building form is allowed on corner lots adjacent to a collector or arterial, which the subject property is not. The zoning allows a maximum height of 2.5 stories and 30 feet. Setback requirements vary based on the setbacks of surrounding properties and the width of the lot. Allowed uses are mostly limited to civic uses and single unit and two unit dwellings with one parking space required per unit. However, existing commercial structures are allowed to have non-residential uses that would be allowed in the U-MS-

2x zone district if approved through the Zoning Permit with Informational Notice (ZPIN) process and any additional review process that would be required for the use in the U-MS-2x zone district. See DZC Section 11.4.5. For additional details of the zone district, see DZC Section 5.2.2. The DO-4 design overlay allows for reduced side setbacks for certain lots. See DZC Section 9.4.5.8.

2. View Planes

The subject property falls under the Park at 51st Ave. and Zuni St. view plane, which protects views of downtown. The maximum building height allowed on the subject property under the view plane is about 135 feet – significantly higher than the current and proposed zoning would allow.

3. Existing Land Use Map



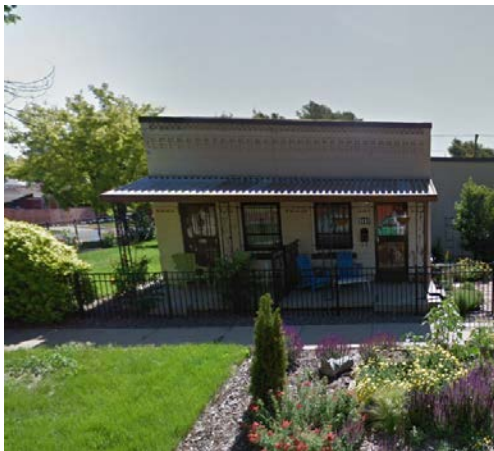
4. Existing Building Form and Scale



Site – at 37th Ave. and Mariposa St.



North – from Mariposa St.



East – from Mariposa St.



South – from Mariposa St.



West – at 37th Ave. and Navajo St.
Source: Google Maps

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:

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

The applicant is also advised that this property is within a study area with high 100 year precipitation event street ponding up to 2.2' deep. Finished floor for any new structure on this parcel will need to be set above 2 x 100 year or 12" above 100 year ponding depth. 2 x 100 year elevations are about 3' deep.

Public Works – City Surveyor: Approved – No Comments.

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council and registered neighborhood organizations:	12/8/16
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 and registered neighborhood organizations:	9/1/17
Planning Board voted 9-0 at the public hearing to recommend approval to City Council	9/20/17
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:	9/18/17
Land Use, Transportation and Infrastructure Committee of the City Council review:	10/3/17
Property legally posted for a period of 21 days and CPD written notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations (tentative):	10/20/17
City Council Public Hearing (tentative):	11/13/17

- Summary of Other Public Outreach and Input
 - **Registered Neighborhood Organizations (RNOs)**
 - Highland United Neighbors, Inc. has submitted a letter in support of the application.
 - **Other Public Comment**
 - 23 letters of support were delivered by the applicant at the Planning Board hearing.

Criteria for Review / Staff Evaluation

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

DZC Section 12.4.10.7

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

DZC Section 12.4.10.8

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

1. Consistency with Adopted Plans

The following adopted plans apply to this property:

- Denver Comprehensive Plan 2000
- Blueprint Denver (2002)
- Highland Neighborhood Plan (1986)
- 41st and Fox Station Area Plan (2009)

Denver Comprehensive Plan 2000

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

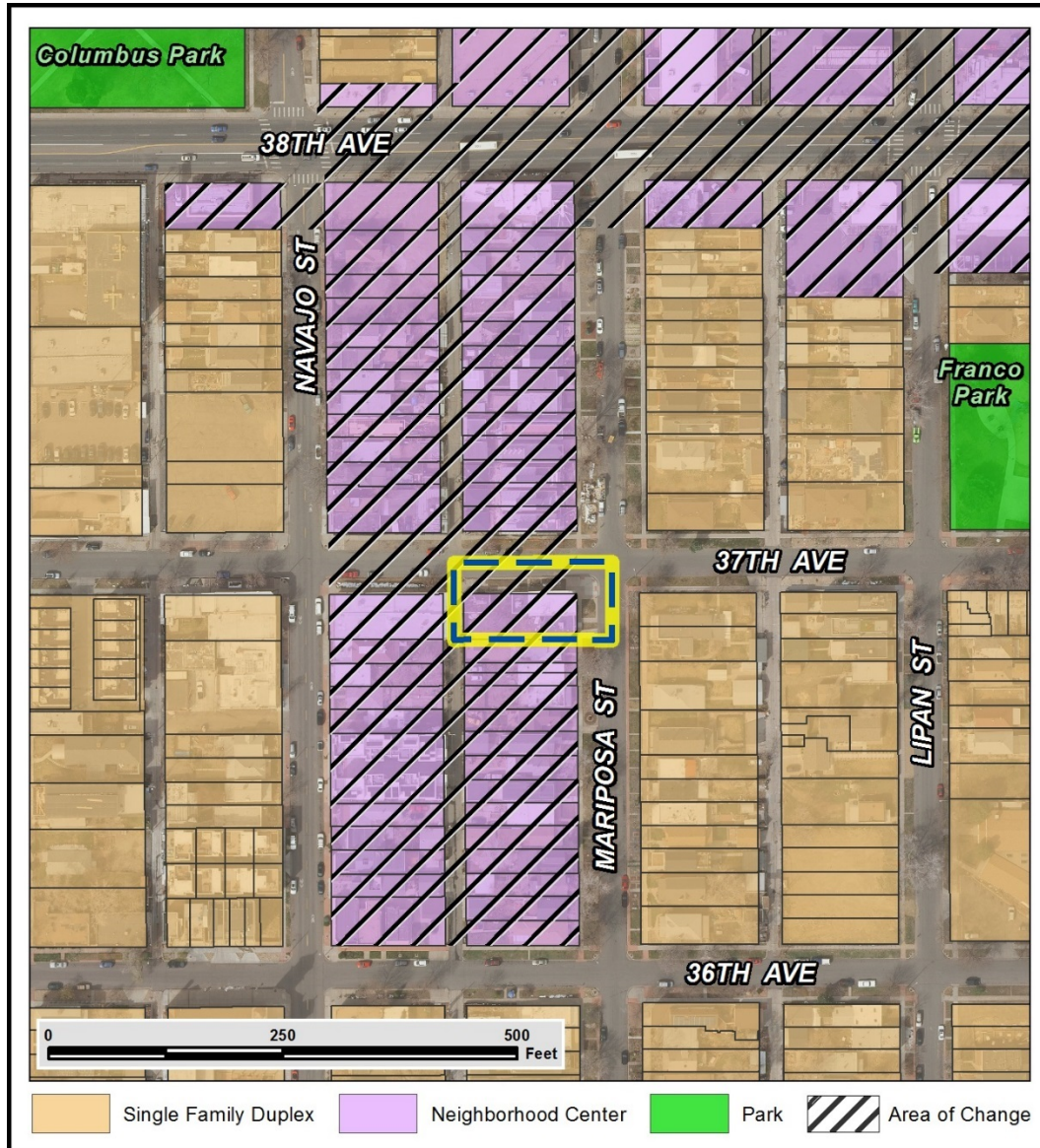
- Environmental Sustainability Strategy 2-F – *Conserve land by promoting infill development with Denver at sites where services and infrastructure are already in place; designing mixed use communities and reducing sprawl so that residents can live, work and play within their own neighborhoods.* (p. 39)
- Land Use Strategy 3-B – *Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.* (p. 60)
- Land Use Strategy 3-D – *Identify and enhance existing focal points in neighborhoods, and encourage the development of such focal points where none exist.* (p. 60)
- Mobility Strategy 4-E – *Continue to promote mixed-use development, which enables people to live near work, retail and services.* (p. 78)
- Economic Activity Strategy 5-A – *Support development of neighborhood business centers that serve adjacent residential areas in existing neighborhoods and new neighborhoods within development areas.* (p. 136)

The proposed map amendment would enable mixed-use infill development at a location that has historically had a mix of uses. The proposed zoning would allow development that could strengthen the adjacent commercial corridor while transitioning to the surrounding residential area. The rezoning is consistent with these plan recommendations.

Blueprint Denver

According to the 2002 Plan Map adopted in Blueprint Denver, this site has a concept land use of Neighborhood Center and is in an Area of Change.

Future Land Use



A Neighborhood Center is intended to “serve the many everyday shopping, service, or entertainment needs of one or more neighborhoods. A mix of land uses includes those for convenience shopping, personal services, and restaurants. A neighborhood center may also contain offices that serve nearby residents” (p. 43). The plan also says the area should have “smaller scale retail and everyday services and some office and residential” (p. 65). The proposed U-MX-2x zone district would allow neighborhood-scale commercial, office, or residential development, consistent with the Neighborhood Center designation.

However, in reviewing the Blueprint Denver Future Land Use Map, it appears there may have been an error in the designation of this and surrounding parcels. The Neighborhood Center designation

may have been intended to be a half block to the west, on either side of Navajo St. aligning with the commercial corridor. Blueprint Denver involved mapping the entire city, and did not include a parcel-level mapping analysis. While the property is officially designated Neighborhood Center and that is the plan guidance the city must consider, it can also be instructive to look at what the intended designation may have been.

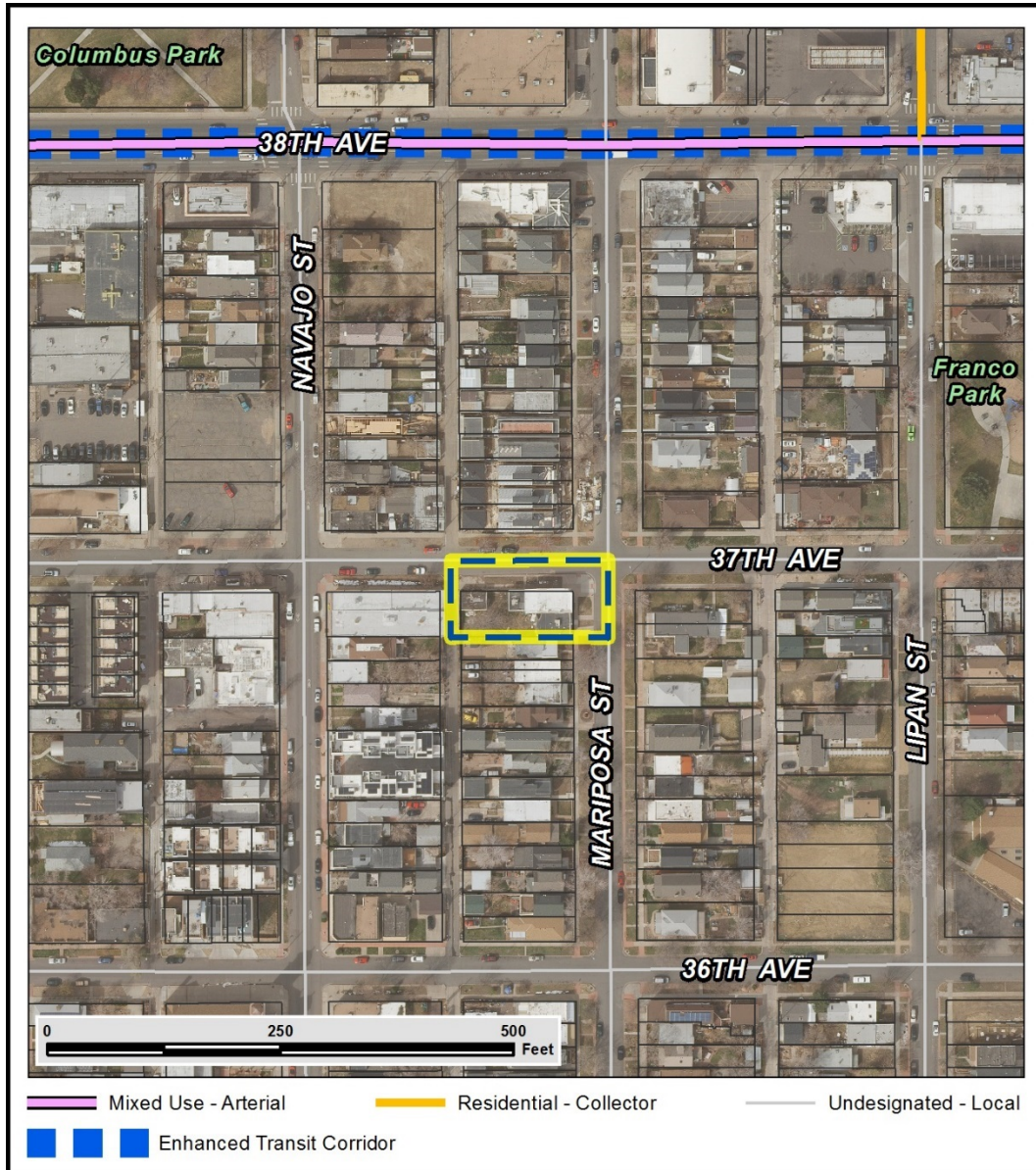
The properties surrounding the Neighborhood Center are designated Single Family Duplex, so that may have been the intended designation for the subject property. Blueprint Denver defines Single Family Duplex areas as “moderately dense areas that are primarily residential but with some complementary, small-scale commercial uses. However, the employment base is minor compared to the housing base” (p. 42). The plan also says the area should be “primarily residential with periodic small-scale commercial uses” (p. 65). The proposed U-MX-2x zone district would allow neighborhood-scale commercial uses or moderate density residential on the property, consistent with the context description. The proposed map amendment is compatible with both the official Neighborhood Center designation and possibly-intended Single Family Duplex designation.

Area of Change / Area of Stability

As noted, the site is in an Area of Change. In general, “The goal for Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips” (p. 127). Blueprint Denver provides additional specific guidance for the West 38th Avenue Area of Change: “West 38th Avenue between Sheridan and Inca Street demonstrates redevelopment potential as a pedestrian shopping corridor interspersed with residential” (p. 138). The rezoning application is consistent with the Blueprint Denver Area of Change recommendations. Access to jobs, housing, and services can improve in the mixed use zone districts, and this site has access to multiple bus transit lines.

If, as described above, the subject property was intended to be in the Single Family Duplex area instead of the Neighborhood Center area, it is also likely it would have been designated an Area of Stability instead of an Area of Change. Again, as above, Area of Change is the official plan guidance, but looking at the Area of Stability recommendations can also be informative. According to the plan, “the goal for Areas of Stability is to identify and maintain the character of an area while accommodating some new development and redevelopment” (p. 120). The proposed U-MX-2x zone district would allow a mix of uses at a neighborhood scale, similar to what has historically been on the property. The proposed map amendment is consistent with the Blueprint Denver recommendations for both Areas of Stability and Areas of Change.

Street Classifications



Both 37th Avenue and Mariposa Street are classified as Undesignated Local streets. Blueprint Denver states “the design features of local streets are influenced less by traffic volumes and are tailored more to providing local access. Mobility on local streets is typically incidental and involves relatively short trips at lower speeds to and from other streets” (p. 51). The proposed U-MX-2x zone district is intended for embedded commercial areas served by local streets, consistent with the street classifications of Blueprint Denver.

Highland Neighborhood Plan

The Highland Neighborhood Plan was adopted in 1986. The plan includes general recommendations for the entire Highland neighborhood and more specific recommendations by subarea. General recommendations include to “promote infill development in vacant land or abandoned structures” (p. 6b), “increase neighborhood employment opportunities” (p. 6b), “encourage a mixture of residential types and costs as a part of new development” (p. 11), “promote development efforts in Highland” (p. 12), and “encourage a variety of residential mixed use projects” (p. 16). The plan also recommends that infill development “should be compatible in character and materials and provide appropriate buffering to the surrounding properties; proposed uses should be low traffic generators; proposed uses should not create parking, noise, or pollution problems; and examples of acceptable uses are senior citizen housing, mom and pop shops, and low density multi-family housing” (p. 14).

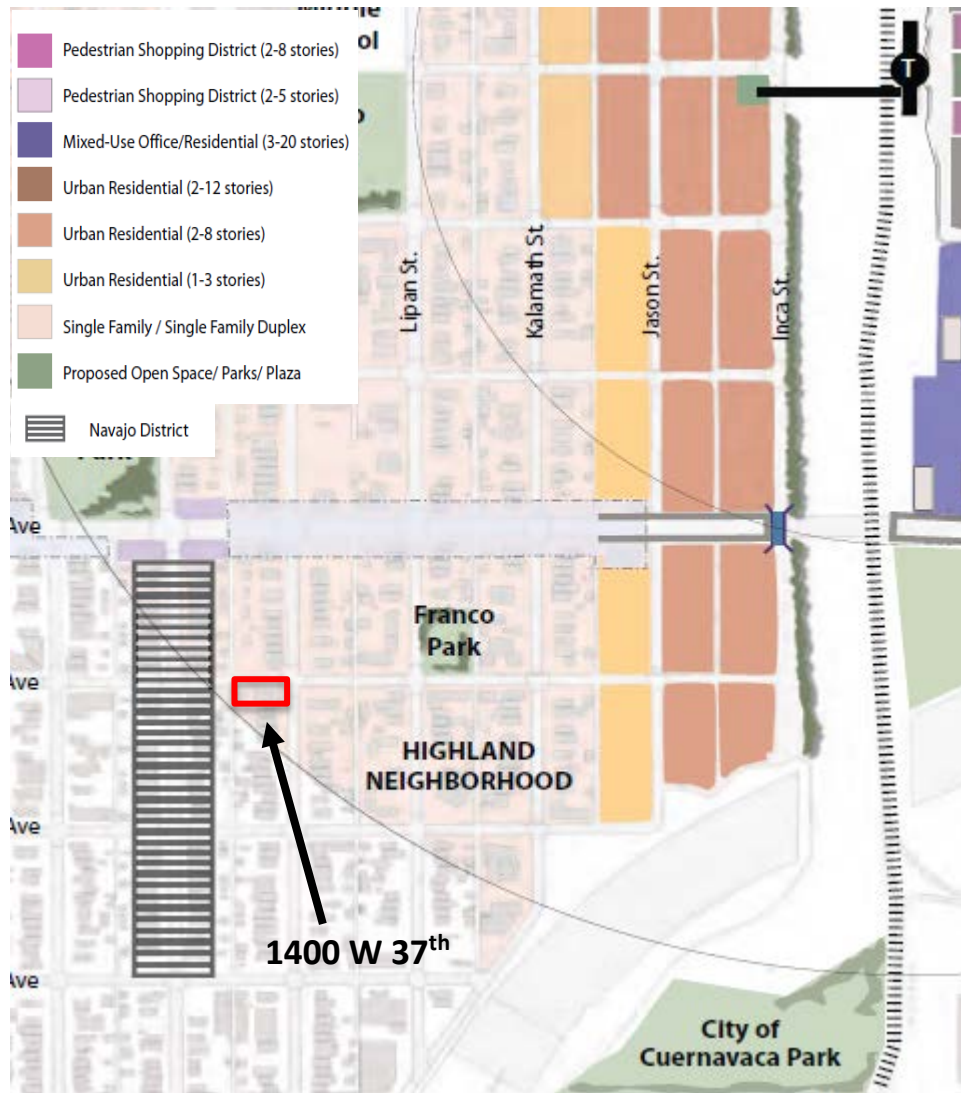
The plan includes recommendations for the area around 37th Ave. and Navajo St. to “reinforce and strengthen the W. 37th and Navajo retail area” and “encourage new compatible uses” (p. 23). The subject property also falls within Subarea 13 of the plan. Recommendations for Subarea 13 include to “improve and stabilize the residential areas,” “encourage reuse of vacant or abandoned commercial structures,” and “discourage further industrial and commercial encroachment” (p. 47).

The proposed U-MX-2x zone district would allow the redevelopment of a collapsed building with a mix of neighborhood scale commercial and residential uses. The U-MX-2x zone district is intended for commercial properties embedded in residential areas and includes protections to promote compatibility with surrounding development. Extending mixed-use zoning to the subject property would strengthen the adjacent 37th Ave. and Navajo St. commercial corridor. Allowing more intense development on the subject property may not contribute to stabilizing the residential neighborhood, but the proposed map amendment would not create further commercial encroachment as the property has historically had commercial uses. Overall, the proposed U-MX-2x zoning would encourage compatible development in the area, consistent with the recommendations of the Highland Neighborhood Plan.

41st and Fox Station Area Plan

The 41st and Fox Station Area Plan was adopted in 2009. The subject property is at the very edge of the ½ mile-radius plan area around the station. The plan designates the property Single Family / Single Family Duplex. The plan states “these areas are expected to see reinvestment in the mix of housing types which includes small-lot, single-family houses with duplexes and townhomes in certain areas near major corridors” and “houses in these areas are less than three stories in height” (p. 16).

The proposed U-MX-2x zone district would allow residential development of two stories and up to 35 feet, but would also allow commercial and mixed-use development at the same scale. Given the subject property’s historical commercial uses and location at the edge of the plan area and adjacent to the Navajo St. commercial corridor, the allowance of additional uses on the site is appropriate. The proposed map amendment is consistent with this and the other applicable adopted plans.



41st and Fox Station Area Plan

2. Uniformity of District Regulations and Restrictions

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

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City primarily through implementation of the city's adopted land use plan with a zone district that better promotes pedestrian activity and a mix of uses. It will also facilitate the redevelopment of a site with a partially-collapsed building by allowing more uses.

4. Justifying Circumstance

The application identifies several changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, “The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area.” The Highland neighborhood has seen significant redevelopment in recent years and, as mentioned above, the subject property is about ½ mile from the new 41st and Fox transit station. In the more immediate area, there have been several new higher-density residential developments within the U-MX-3 zoning along Navajo St. to the west.

There have also been several recent redevelopments within the U-TU-B2 zone district of the subject property, including immediately to the north across 37th Ave., but all have been single-family or duplex developments consistent with the existing character of the area. Also, as described above, the previously existing commercial structure on the property has collapsed and the property has lost the ability to maintain a commercial use in an existing commercial building in the residential zone district. So, while the character of the surrounding residential area has not significantly changed, the broader area – including the Navajo St. commercial corridor – is changing, and the property itself has changed, such that it is in the public interest to facilitate a redevelopment through rezoning the property.

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

The requested U-MX-2x zone district is within the Urban Neighborhood Context. The neighborhood context generally consists of single-unit and two-unit residential uses with embedded small-scale multi-unit residential and commercial areas (DZC, Division 5.1). The current zone district, U-TU-B2, is also within the Urban Neighborhood Context. The neighborhood surrounding the subject property matches the description of the Urban Neighborhood Context and the proposed U-MX-2x zoning would allow development consistent with that description.

According to the zone district intent stated in the Denver Zoning Code, the U-MX-2x district “applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses” (DZC Section 5.2.3.2.B). The subject property is one parcel embedded in an existing neighborhood at the intersection of two local streets. The proposed U-MX-2x zoning would allow low-scale buildings and uses consistent with the purpose and intent of the zone district.

Attachments

1. Application
2. HUNI letter
3. Public comment letters

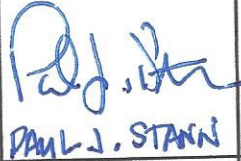
Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	NAPS Const. Associates, LLC	Representative Name	Paul J Stann
Address	1444 Wazee St. #100	Address	1444 Wazee St. Suite #100
City, State, Zip	Denver, CO 80202	City, State, Zip	Denver, CO 80202
Telephone	303.575.9130	Telephone	303.888.0196
Email	s2stann@aol.com	Email	s2stann@aol.com
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p> <p>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.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	1400, 1404 and 1408 W 37th Ave		
Assessor's Parcel Numbers:	2281-11-034 Alt. PIN 162871695		
Area in Acres or Square Feet:	6,090 Sq. Ft.		
Current Zone District(s):	U-TU-B2 DO-4 L-ZPIN		
PROPOSAL			
Proposed Zone District:	U-MX-2X		

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

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	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>	01/01/12	(A)	YES
NAPS Construction Associates, LLC	1400, 1404, 1408 W 37TH AVE. DENVER, CO 80211 s2stann@aol.com 303.888.0196	100%	 PAUL J. STANN	1/22/16	(A)	YES

Legal Description

LOTS 29 & 30, BLOCK 68, VIADUCT ADDITION, SITUATE IN THE NE ¼ OF SECTION 28, T.3.S., R.68.W. OF THE SIXTH P.M., CITY & COUNTY OF DENVER, STATE OF COLORADO, CONTAINING AN AREA OF 6,095 SQ. T., +/-.


20161-00117

Find Denver Property

- Real Estate
- Business Personal Property

Note: Enter parcel/schedule numbers without dashes

0228111034000

Search 

1 result is available, use up and down arrow keys to navigate.

[Advanced Search](#)

Results

Address	Schedule/Parcel#	Owner	Co-Owner	Year	Assessed Value	Actual Value	Property Type
1400 W 37TH AVE	0228111034000	NAPS CONSTRUCTION ASSOCIATES		2016	\$104,570	\$632,800	COMMERCIAL - MISC IMPROVEMENTS

Revised April 17, 2017

PNM PARTNERS HOLDING COMPANY, LLC
1444 Wazee Street, Suite 100
Denver, Colorado
Phone: 303.888.0196
S2stann@aol.com

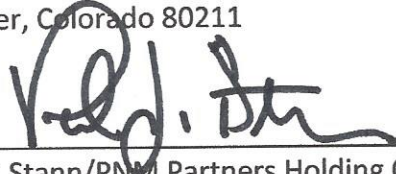
February 1, 2017

SUBJECT: PROPERTY OWNER REPRESENTATIVE WRITTEN AUTHORIZATION

To Whom It May Concern:

PNM Partners Holding Company, LLC, the managing member of NAPS Construction Associates, LLC, the Owner of 1400 W 37th Avenue hereby gives Paul J Stann written authorization to act on their behalf in regards to the Zone Map Amendment (Rezoning) process for:

1400 W 37th Avenue
Denver, Colorado 80211

A handwritten signature in black ink, appearing to read "Paul J. Stann", is written over a horizontal line.

Paul J Stann/PNM Partners Holding Company, LLC
Managing Member –
Property Owner

OPERATING AGREEMENT

OF

NAPS Construction Associates, LLC

a Colorado Limited Liability Company

INTERESTS IN THE COMPANY HAVE NOT BEEN REGISTERED OR QUALIFIED UNDER ANY FEDERAL OR STATE SECURITIES LAWS. THE INTERESTS ARE SUBJECT TO RESTRICTIONS ON TRANSFER AND MAY NOT BE TRANSFERRED EXCEPT AS PERMITTED BY THIS OPERATING AGREEMENT AND FEDERAL AND STATE SECURITIES LAWS PURSUANT TO REGISTRATION OR EXEMPTION THEREFROM. INTEREST HOLDERS SHOULD BE AWARE THAT THEY MAY BE REQUIRED TO BEAR THE FINANCIAL RISKS OF THIS INVESTMENT FOR AN INDEFINITE PERIOD OF TIME.

accordance with the Code, the Regulations and applicable law; provided, however, that such modifications and adjustments shall not materially alter the economic agreement between or among the Interest Holders.

(16) Tax Matters. The Manager may (a) prepare and file in the name and on behalf of the Company returns for all Federal, state, or local income, property, sales, use, withholding, and other taxes, (b) pay the amount of assessments, dues, fees, and taxes due from the Company with respect to the conduct of its business activities, (c) appeal from any adverse determinations made by a Government Agency with respect to such taxes, and (d) make all elections for Federal and state income tax purposes, including, but not limited to, in the case of any transfer of all or any part of Interests or upon the admission of Interest Holders, elections under Code Sections 734, 743, and 754 to adjust the basis of the assets of the Company.

(C) No Interest Holder Authority to Bind. Unless authorized to do so by this Agreement or by the Manager, no Interest Holder, employee, or agent of the Company shall have any power or authority to bind the Company in any way, to pledge its credit or to render it liable for any purpose.

(D) Manner of Acting. In the event that more than two Managers are acting, the concurrence and joinder of at least a majority of Persons acting as Managers shall be required. At any time at which only two Managers are acting, the unanimous consent of both Managers shall be required.

(1) Notwithstanding the foregoing, the Managers may adopt resolutions to govern their activities and the manner in which the Managers perform their duties to the Company, and nothing contained herein shall prohibit the Managers (if more than one) from unanimously agreeing, in writing, to allocate decision-making authority between themselves and agreeing that one of them, acting alone, may make certain decisions and execute certain documents on behalf of the Company as specified in such writing.

(2) Subject to the consent requirements and other limitations and restrictions set forth in this Agreement, any document or instrument may be executed and delivered on behalf of the Company by any Manager, and no other signature shall be required for any such instrument to bind the Company; provided, however, all checks, drafts, notes and other negotiable instruments, mortgages or deeds of trust, security agreements, and financing statements will require the signatures of any two Managers.

7.2 Number, Tenure, Election and Qualifications of Managers.

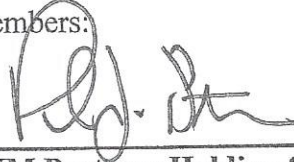
(A) Number. The Company shall have three Managers. The initial Manager shall be PNM Partners Holding Company, LLC. The other managers are Nick Stann and Miriam Mascarenaz.

(B) Tenure. The initial Manager shall hold office until such Manager's death, resignation, or removal. Thereafter, a Manager elected by the Members shall hold office until such Manager's dissolution, death, resignation, or removal.

CERTIFICATE

The undersigned members hereby agree, acknowledge and certify that the foregoing Agreement constitutes the Operating Agreement of NAPS Construction Associates, LLC adopted by the Members effective as of the Effective Date.

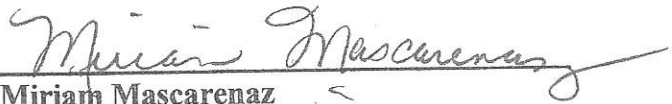
Members:



**PNM Partners Holding Company, LLC
Paul J Stann/Managing Member**



Nick C Stann



Miriam Mascarenaz



Catherine Marottoli

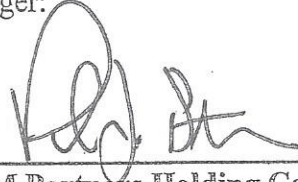


Nick DeBlasio

ACCEPTANCE

The undersigned hereby acknowledges and certifies that he has read and understands the foregoing Operating Agreement of NAPS Construction Associates, LLC and agrees without exception to be bound by its terms.

Manager:



PNM Partners Holding Company, LLC
Paul J Stann/Managing Member

EXHIBIT A

Schedule of Interest Holders

<u>MEMBER</u>	<u>INITIAL CAPITAL CONTRIBUTION</u>	<u>PERCENTAGE INTEREST</u>
PNM Partners Holding Company, LLC 1444 Wazee Street, #100 Denver, CO 80202	\$51.00	51%
Nick Stann 15611 Richmond Street Southgate, Michigan 48195	\$46.00	46%
Miriam Mascarenaz 1070 Zinnia Street Golden, CO 80401	\$2.00	2%
Nick DeBlasio 15601 Richmond Street 15441 Southgate, Michigan <i>* Nick DeBlasio</i>	\$0.50	.50%
Catherine Marottoli 1401 Wewatta Street, 608 Denver, CO 80202	\$0.50	.50%
TOTAL	\$100.00	100%



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

- Business Home
- Business Information
- Business Search

- FAQs, Glossary and Information

Summary

Details			
Name	NAPS Construction Associates, LLC		
Status	Good Standing	Formation date	06/28/2011
ID number	20111367243	Form	Limited Liability Company
Periodic report month	June	Jurisdiction	Colorado
Principal office street address	1444 Wazee Street, #100, Denver, CO 80202, United States		
Principal office mailing address	n/a		

Registered Agent	
Name	PNM Partners Holding Company, LLC
Street address	1444 Wazee Street, Suite #100, Denver, CO 80202, United States
Mailing address	n/a

[Filing history and documents](#)

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OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

NAPS Construction Associates, LLC

is a

Limited Liability Company

formed or registered on 06/28/2011 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20111367243 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 02/14/2017 that have been posted, and by documents delivered to this office electronically through 02/15/2017 @ 11:41:54 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 02/15/2017 @ 11:41:54 in accordance with applicable law. This certificate is assigned Confirmation Number 10078824 .



A handwritten signature in blue ink that reads "Wayne W. Williams". The signature is written in a cursive style and is positioned above a horizontal line.

Secretary of State of the State of Colorado

*****End of Certificate*****
Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

TO: Scott Robinson, Senior City Planner
720-865-2833
Scott.robinson@denvergov.org

FROM: Buddy Poppitt
Hangar 41, LLC
825 Santa Fe Drive
Denver, CO 80238

DATE: April 3, 2017

RE: Official Map Amendment Comments – Application # 2016|-00117
Address: 1400, 1404, 1408 W 37th Ave.

Overview: The existing building at 1400, 1404, and 1408 has collapsed and must be demolished. The property type's last use was mixed use / commercial / restaurant. The current zoning for the property is U-TU-B2 (4,500 sq ft minimum zone lot size, 2 = Row House building form allowed on certain corner lots). This zoning allows for 2.5 stories and with a max height of 30'.

I Consistency with adopted plans:

1.1 The proposed map amendment will support the vision of Blueprint Denver:

- Blueprint Denver designates the site as being within an 'Area of Change'. This designation implies a widespread agreement that development or redevelopment would prove beneficial. The existing zoning, U-TU-B2, only allows for 'Urban House', 'Detached Acc. Dwelling Unit', 'Duplex', 'Tandem House' and 'Row House' building forms, the last being subject to limitations. Therefore, the current zoning does not offer opportunity for increasing the density of the site and thus does not incentivize development. Conversely the proposed zoning, U-MX-2x, will permit measured densification by allowing the 'General' building form and accordingly will incentivize development. That said, the proposed zoning will not breach any present height restrictions. Summarily, U-MX-2x zoning is far more likely to fulfill Blueprint Denver's stated aim to "increase economic activity in the area" and "provide the stimulus to redevelop" without dramatically altering the form of the neighborhood. It ought also to be acknowledged that incentivizing development on this site is particularly pressing due to the existence of a blighted structure which persistently detracts from the neighborhood's appeal and safety.
- Blueprint Denver goes on to state that within an 'Area of Change' a "high priority will be providing housing opportunities for existing residents." Due to the same respective building form allowances detailed above, the proposed zoning is far more likely to result in an affordable, diversified neighborhood housing stock. Whereas the current zoning only allows for new and thus more expensive versions of the same types of housing already plentiful in the neighborhood, the potential for introducing different types of housing associated with the 'General' building form would better align with Blueprint Denver's intention to "be careful to encourage the retention of low-income residents" and foster "aggressive housing programs...to ensure that these become wonderful neighborhoods for all, not just for the fortunate few."
- Blueprint Denver additionally regards the site as being within a 'Neighborhood Center'. By definition, such centers comprise a mix of land uses including those for "convenience shopping, personal services and restaurants" along with "offices that serve nearby residents." The current zoning permits none of these uses, only housing. The proposed zoning will enable any of these uses as well as housing.

1.2 The proposed map amendment will support the vision of the Denver Comprehensive Plan 2000:

- The adjustability of the 'General' building form under U-MX-2x will best enable "housing opportunities in a range of types and prices [to] address the needs of people of diverse incomes, household sizes, ages and lifestyles."
- The build-to requirements of U-MX-2x zoning will mitigate curb cuts, safeguarding the sidewalk as an uninterrupted pedestrian path in the

neighborhood center, where the Denver Comprehensive Plan 2000 asserts “pedestrian access is particularly important.”

- Unlike U-TU-2B, U-MX-2x zoning will license certain commercial uses, reflecting the Denver Comprehensive 2000 Plan’s conclusion that “families find advantage in neighborhoods with retail and services close to home.”

1.3 The proposed map amendment will support the vision of the 41st and Fox Station Area Plan:

- In the same manner described prior with respect to Blueprint Denver, the proposed map amendment will contribute to the 41st and Fox Station Area Plan’s stated goal of adding more housing to the neighborhood and diversifying the available types of housing by opening the possibility of developing sensibly dense residential structures via the ‘General’ building form rather than proliferate exclusively the sparse and overabundant types of residences demanded under current zoning.
- Likewise, the admittance of the ‘General’ building form will further the 41st and Fox Station Area Plan’s adherence to ‘Transit Oriented Development Principals’ of “creating a dense mix of uses within walking distance of transit stations” by facilitating reasonable increases in density.
- Nonetheless, the proposed zoning maintains extant height limitations thereby protecting the neighborhood’s moderate massing and preserving its “distinct identity” in the spirit of place-making.
- Contrary to the present zoning, the proposed zoning requires a build-to ratio of 70%, effectively reducing curb cuts and securing the “continuity of sidewalk” per the 41st and Fox Station Area Plan’s expressed preference for cohesive pedestrian networks.

1.4 The proposed map amendment will support the vision of the Highland Neighborhood Plan:

- The height restrictions of U-MX-2x zoning are nearly identical to those of U-TU-2B zoning and respect the suggestion made by the Highland Neighborhood Plan for the structures in the region to remain approximately two stories.
- The ‘General’ building form granted under U-MX-2x zoning will incentive developers to construct new housing, alleviating the problem of disproportionately deteriorating housing in the Highlands, called out by the Highland Neighborhood Plan as being “most severe on the eastern edge near I-25”, in other words precisely where the site in question is located.
- U-MX-2x zoning accepts some commercial uses as well, making feasible the satisfaction of the Highland Neighborhood Plan’s recommendation to “landscape and improve commercial facades along both sides of the street between Quivas and Lipan Street.”

II Uniformity of District Regulations and Restrictions:

2.1 The proposed map amendment will result in the uniform application of zone district building form, use and design regulations:

- The existing building use is Mixed Use / Commercial / Restaurant. Instead of perpetuating a discrepancy between zoning and the built reality, the uniformity of district regulations and restrictions will be improved by amending the site's zoning to U-MX-2x.
- Immediately across 38th Ave to the north, small lots of U-MX-2x zoning are sporadically distributed within the surrounding U-TU-C zoning to provide residents with accessible goods and services and ease the "transition between commercial development and adjacent residential neighborhoods." For the sake of uniformity within the district, similar small lots of U-MX-2x should also be used to ease the transition between the commercial development along 38th Ave and the adjacent residential neighborhoods to the south.
- The zoning of the blocks immediately northwest steps in a diagonal pattern from U-MS-3 to U-MX-3. Rather than jump from U-MX-3 directly to U-TU-B2, uniformity of regulation will be enhanced by continuing the gradient with an intermediary lot of the proposed U-MX-2x zoning.

III Public Health, Safety and General Welfare:

3.1 The proposed map amendment will further the public health, safety, and general welfare of the City primarily through implementation of the City's adopted land use plans:

- In contrast to the building forms allowed by current zoning, none of which have build-to requirements, the proposed map amendment will advance the public health, safety and general welfare of the city by requiring a build-to ratio of 70% thereby preventing curb cuts. As a result, the zone region's sidewalks will remain uninterrupted, minimizing any risk of vehicle and pedestrian collisions while promoting the fitness and mental health attained by walking.
- By cultivating modestly increased density via the 'General' building form, the proposed map amendment will raise the number of eyes on the street, giving the community the necessary means to police itself efficiently.
- As the proposed map amendment will not alter present height limitations, it will continue to protect resident's access to natural sunlight and freely circulating air.

IV Justifying Circumstances:

Of the Justifying Circumstances identified in section 12.4.10.8.A of the Denver Zoning Code, the most applicable is clause 4, which reads: "The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area."

4.1 The proposed map amendment will recognize the changed character of the area:

- Blueprint Denver identifies the site and contiguous blocks as an 'Area of Change'.
- 38th Avenue, only one block to the north of the site under consideration, has become a hub of rapidly proceeding redevelopment. For instance, two new retail structures were completed in 2016 on the single block between Kalamath and Lipan.
- Only a few blocks south at the intersection of 32nd and Pecos the Avanti development opened in 2015 has proven a major attractor for young and relatively affluent patrons.
- Both the Edge Gallery and Next Gallery, long established in the Navajo Arts District merely one block westward, have been forced to depart their premises in recent months due to steadily increasing rents.

4.2 The proposed map amendment will act in the public interest to encourage a redevelopment of the area:

- Such pressures from all directions lend newfound urgency to the need for a diversified and densified housing stock in the area, ideally to be made available before rising rents force the "existing residents" explicitly prioritized by Blueprint Denver to vacate the neighborhood entirely. The 'General' building form under U-MX-2x zoning will empower the development of diverse and densified housing types.
- The flexibility of the 'General' building form under U-MX-2x zoning will equip the community with the ability to adapt to the changed and changing circumstances more dynamically than the current, restrictive zoning.

V Consistency with the Neighborhood Context:

The requested zone district is within the 'Urban Neighborhood Context' (section 5.1.1 of the Denver Zoning Code) which is "primarily characterized by single-unit and two-unit residential uses. Multi-unit residential uses are located along local streets, residential and mixed use arterials, and main streets. Commercial uses are primarily located along mixed use arterial or main streets but may be located at or between intersections of local streets."

- 5.1 The proposed map amendment will be consistent with the circulation patterns of the 'Urban Neighborhood Context':
 - The requested zoning, U-MX-2x, applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood.

- 3.2 The proposed map amendment will be consistent with the definition of 'mobility' within the 'Urban Neighborhood Context':
 - U-Mx-2x zone districts create pedestrian-oriented streetscapes by leveraging setbacks which require buildings to be pulled up to the street with parking at the side or rear of the building and build-to ratios that preclude curb-cuts, leading to "a balance of pedestrian, bicycle and vehicle reliance with greater access to the multi-modal transportation system."

- 3.3 The proposed map amendment will be consistent with the massing of the 'Urban Neighborhood Context':
 - Sites zoned U-MX-2x are typically one or two parcels and are limited to low scale building forms and low intensity uses.
 - U-MX-2x height restrictions will be less than the adjoining property to the west across the alley, zoned U-MX-3, and equivalent to the properties across Mariposa to the east.

Thank you for considering this revised submittal. If you have any queries or concerns, please feel free to contact me at (303) 877-5621.

Respectfully,

Buddy Poppitt, Principal
Hangar 41

Highland United Neighbors, Inc.

P.O. Box 11235, Denver, Colorado 80211

PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE

Authorized by the Board of Directors to represent HUNI in all zoning and planning matters.

August 30, 2017

Scott Robinson
Senior City Planner
City and County of Denver
Community Planning and Development
201 West Colfax Avenue
Denver, CO 80202

Re: 1400, 1404, and 1408 West 37th Avenue
Proposed Rezoning from U-TU-B2 to U-MX-2x

Dear Mr. Robinson:

The Planning and Community Development (PCD) Committee of Highland United Neighbors, Inc. (HUNI), has met with the Applicant on several occasions, most recently on August 8, 2017, to review their request for rezoning from U-TU-B2 to U-MX-2x. After negotiating a compromise on a number of issues, this committee voted 5-0 via an email vote between August 22nd and August 29th, 2017, to recommend approval to the Planning Board, subject to a number of conditions outlined below.

The PCD Committee is authorized by the HUNI Board of Directors to represent HUNI in all zoning, land use, and planning matters, including Landmark issues. Membership in HUNI is open to all residents and businesses in the Highland Neighborhood, which is bounded by West 38th Avenue, Federal Boulevard, Speer Boulevard, and Interstate 25. There are approximately 7000 households within the HUNI boundaries and roughly 300 paying members of HUNI. 3-6 mailings go out per year to these households and email newsletters are sent out twice a month to those who have opted in. These emails and many of the mailings contain information regarding notices of meetings with detailed agendas. There were approximately 20 people in attendance at each of our meetings.

This property has had an unusual and unique history during the process of requesting rezoning. The property had a commercial structure on it for many years, with the primary use being a bar. The 1956 zoning classified it as R2, and the commercial building apparently operated with a Business Structure Use Exception. The new zoning code in 2010 changed the R2 zoning to U-TU-B2, which did not allow commercial uses. New owners in 2015 proposed to change the zoning to U-MX-2x to recognize a new use as a restaurant, bar, and bakery. During renovations, the building collapsed. The rezoning application was open at that time, and the owners sold the property to Paul Stann. Mr. Stann proposed to continue with the rezoning, but desired to change the actual use to new for-sale residential units. The initial design shared with our committee showed an apparently 3-story building with roof decks above. This design utilized a mezzanine level which this committee did not believe met the requirements of a mezzanine as defined in the Denver Zoning Code.

Through negotiations, this committee has agreed to support this rezoning based on the following conditions:

1. Limit height to two “real” stories and 25 feet. Rooftop decks and minimal roof access structures would be allowed.
2. Eliminate the use of a mezzanine.
3. Limit number of units to five (5)
4. Design the building in an “L” shape with greater frontage along Mariposa to effectively block all views into the “auto court”. At least one unit must front on Mariposa and include a usable front porch facing Mariposa.
5. Provide proper street trees that, when mature, will provide a good street canopy.
6. Fenestration should respond to the traditional vertical proportions of those found in historic homes and commercial buildings in Highland; no horizontal “slot” windows.
7. Materials should relate to the traditional materials found in Highland; no trendy cedar siding that will deteriorate quickly in our climate or corrugated steel panels.

The following items must be memorialized in a recorded deed restriction:

1. Height limit in stories and feet.
2. No mezzanine level.
3. Limit on number of units.
4. Limit to residential use only.
5. Maximizing street frontage along Mariposa, including at least one front porch integrated with the unit entry.

The applicant’s plans submitted to HUNI on August 8, 2017, follow most of the conditions listed above. The committee did request that the entry and porch for the Mariposa-facing unit be reworked to integrate both into a single element, and that more brick be shown on the Mariposa frontage. Subject to those being accomplished, we support this rezoning.

We do need to point out that this is a unique situation due to the unanticipated loss of the historic building.

Should you have any questions on our position, please do not hesitate to contact us. Thank you for this opportunity to offer our opinion.

Sincerely,

HIGHLAND UNITED NEIGHBORS, INC.

A handwritten signature in black ink that reads "Timothy C. Boers". The signature is written in a cursive style with a large, prominent 'T' and 'B'.

Timothy C. Boers, AIA
Chair, Planning and Community Development Committee

Cc: HUNI Board President
Applicant
Committee Members
Councilman Rafael Espinoza
Councilwoman Debbie Ortega
Councilwoman Robin Kniech
Steve Charbonneau

23

DATE: _____

NEIGHBORHOOD RESIDENT ADDRESS: 3507 Osage St
Denver, CO 80211

RE: OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37th Avenue
From: U-TU-82, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

The above reference application has been referred to the interested City agencies and the district councilperson for consideration and approval.

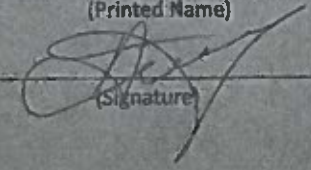
The Planning Board Hearing for this application has been scheduled for Wednesday, June 7, 2017 at 3:00 PM. This meeting will be held in the City and County Building at 1437 Bannock Street, Parr-Widener Community Room, Room #389. Applicants are required to appear at the hearing and may choose to make a presentation to the Planning Board.

I am a resident of the immediate neighborhood, have reviewed the rezoning application and fully support this re-zoning effort for the respective property. You may contact me at the address listed above or reach me in one of the following manners.

Cell Phone Number: 352-213-4496
Email Address: alice@chronatic.com

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME: Alice Aponasko
(Printed Name)


(Signature)

DATE: May 17, 2017

NEIGHBORHOOD RESIDENT ADDRESS: 3627 NAVAJO ST.
DENVER, Colorado 80211

RE: OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37TH Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

The above reference application has been referred to the Interested City agencies and the district councilperson for consideration and approval.

The Planning Board Hearing for this application has been scheduled for Wednesday, June 7, 2017 at 3:00 PM. This meeting will be held in the City and County Building at 1437 Bannock Street, Parr-Widener Community Room, Room #389. Applicants are required to appear at the hearing and may choose to make a presentation to the Planning Board.

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Cell Phone Number: 720 364 3600

Email Address: _____

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME: ROBERTA CAMACHO
(Printed Name)

Roberta Camacho
(Signature)

DATE: 5-17-17

NEIGHBORHOOD RESIDENT ADDRESS: 3700 Navajo St
Denver CO 80211

RE: OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37TH Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

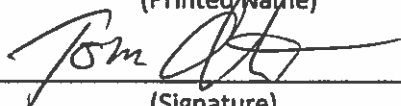
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I am a resident of the immediate neighborhood, have reviewed the rezoning application and fully support this re-zoning effort for the respective property. You may contact me at the addressed listed above or reach me in one of the following manners.

Cell Phone Number: 303-458-8500
Email Address: pressmantome@aol.com

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME: Tom Quintera
(Printed Name)

(Signature)

DATE: 5/21/2017

NEIGHBORHOOD RESIDENT ADDRESS: 3701 Mandosa St
Denver, CO 80211

RE: OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37th Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

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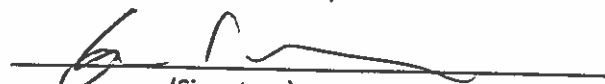
I am a resident of the immediate neighborhood, have reviewed the rezoning application and fully support this re-zoning effort for the respective property. You may contact me at the addressed listed above or reach me in one of the following manners.

Cell Phone Number: 76.860.9426

Email Address: jody_podporka@gmail.com

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME: Jody Podporka
(Printed Name)


(Signature)

DATE: 5/17/2017

NEIGHBORHOOD RESIDENT ADDRESS: 2424 W. Caithness Pl. # 300
Denver, CO 80211

RE: OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37TH Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

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I am a resident of the immediate neighborhood, have reviewed the rezoning application and fully support this re-zoning effort for the respective property. You may contact me at the addressed listed above or reach me in one of the following manners.

Cell Phone Number: 352-442-7667

Email Address: Mutter.matt91@gmail.com

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDNET NAME: Matthew Mutter
(Printed Name)


(Signature)

DATE: 5/18/17

NEIGHBORHOOD RESIDENT ADDRESS: 1585 W. 34th Ave #
Denver, CO 80211

RE: OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37th Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

The above reference application has been referred to the Interested City agencies and the district councilperson for consideration and approval.

The Planning Board Hearing for this application has been scheduled for Wednesday, June 7, 2017 at 3:00 PM. This meeting will be held in the City and County Building at 1437 Bannock Street, Parr-Widener Community Room, Room #389. Applicants are required to appear at the hearing and may choose to make a presentation to the Planning Board.

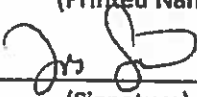
I am a resident of the immediate neighborhood, have reviewed the rezoning application and fully support this re-zoning effort for the respective property. You may contact me at the address listed above or reach me in one of the following manners.

Cell Phone Number: 602.491.0648

Email Address: pine2palm9@gmail.com

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME: Jason D Shepherd
(Printed Name)


(Signature)

DATE: 5/17/17

NEIGHBORHOOD RESIDENT ADDRESS: Ryan Boykin
2345 7th St
Denver, CO 80211

RE: **OFFICIAL MAP AMENDMENT APPLICATION #20161-0017**
1400, 1404, 1408 W 37TH Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

The above reference application has been referred to the Interested City agencies and the district councilperson for consideration and approval.

The Planning Board Hearing for this application has been scheduled for Wednesday, June 7, 2017 at 3:00 PM. This meeting will be held in the City and County Building at 1437 Bannock Street, Parr-Widener Community Room, Room #389. Applicants are required to appear at the hearing and may choose to make a presentation to the Planning Board.

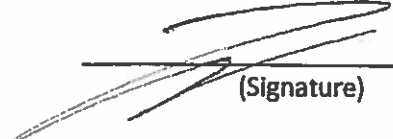
I am a resident of the immediate neighborhood, have reviewed the rezoning application and fully support this re-zoning effort for the respective property. You may contact me at the address listed above or reach me in one of the following manners.

Cell Phone Number: 303-332-4080

Email Address: ryan@realatlas.com

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME: Ryan P. Boykin
(Printed Name)



(Signature)

DATE: 22/May/17

NEIGHBORHOOD RESIDENT ADDRESS: 3619 Navajo St
Denver CO 80211

RE: OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37TH Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

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I am a resident of the immediate neighborhood, have reviewed the rezoning application and fully support this re-zoning effort for the respective property. You may contact me at the addressed listed above or reach me in one of the following manners.

Cell Phone Number: 720-360-5350

Email Address: laineeflanigan@gmail.com

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME: Laine Flanigan
(Printed Name)

[Signature]
(Signature)

DATE: 5-21-17

NEIGHBORHOOD RESIDENT ADDRESS: 1517 W. ~~36~~ 36TH Ave
Denver, Co 80211

RE: OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37TH Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

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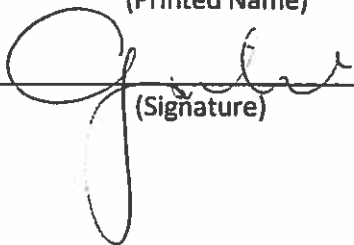
I am a resident of the immediate neighborhood, have reviewed the rezoning application and fully support this re-zoning effort for the respective property. You may contact me at the addressed listed above or reach me in one of the following manners.

Cell Phone Number: 303-883-7147

Email Address: gigil724@gmail.com

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME: Gina Gilbert
(Printed Name)


(Signature)

DATE: 5-21-2017

NEIGHBORHOOD RESIDENT ADDRESS: 3621 NAVAJO

RE: OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37TH Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

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I am a resident of the immediate neighborhood, have reviewed the rezoning application and fully support this re-zoning effort for the respective property. You may contact me at the addressed listed above or reach me in one of the following manners.

Cell Phone Number: 720-417-3375

Email Address: bystie@gmail.com

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME: BIRIAN YOST
(Printed Name)

Brian Yost
(Signature)

DATE: 5/21/17

NEIGHBORHOOD RESIDENT ADDRESS: 1521 Central St. 1C
Denver CO 80211

RE: OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37TH Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

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I am a resident of the immediate neighborhood, have reviewed the rezoning application and fully support this re-zoning effort for the respective property. You may contact me at the addressed listed above or reach me in one of the following manners.

Cell Phone Number: 720 498 7745
Email Address: cklogicallyblonde@gmail.com

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME: Colleen Kelley
(Printed Name)


(Signature)

DATE: 5/19/17

NEIGHBORHOOD RESIDENT ADDRESS: 3613 NAUATD
80211

RE: OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37TH Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

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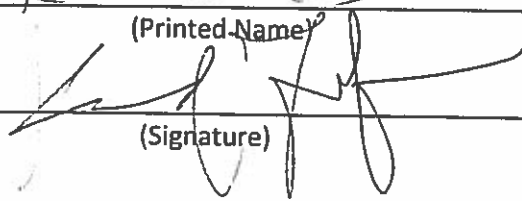
I am a resident of the immediate neighborhood, have reviewed the rezoning application and fully support this re-zoning effort for the respective property. You may contact me at the addressed listed above or reach me in one of the following manners.

Cell Phone Number: 7-971-8267

Email Address: _____

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDNET NAME: KARL LUEDERS
(Printed Name)


(Signature)

DATE: 5/17/17

NEIGHBORHOOD RESIDENT ADDRESS: 3613 Navajo St.
Denver, CO 80211

RE: OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37TH Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

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I am a resident of the immediate neighborhood, have reviewed the rezoning application and fully support this re-zoning effort for the respective property. You may contact me at the addressed listed above or reach me in one of the following manners.

Cell Phone Number: 720-737-4569

Email Address: wolmsted@gmail.com

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME: Whitney Olmsted
(Printed Name)
Whitney S. Olmsted
(Signature)

NEIGHBORHOOD RESIDENT ADDRESS:

Clay Markwell
3706 Yates St.
Denver, CO 80212

RE:

OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37TH Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN:

Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

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I am a resident of the immediate neighborhood, have reviewed the rezoning application and fully support this re-zoning effort for the respective property. You may contact me at the address listed above or reach me in one of the following manners.

Cell Phone Number: clay.markwell@gmail.com

Email Address: 312-203-6382

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME:

Clay Markwell

(Printed Name)

(Signature)

DATE: 19 May 2017

NEIGHBORHOOD RESIDENT ADDRESS: My Carmel Church
3549 Navajo
Denver, 80211

RE: OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37TH Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

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I am a resident of the immediate neighborhood, have reviewed the rezoning application and fully support this re-zoning effort for the respective property. You may contact me at the addressed listed above or reach me in one of the following manners.

Cell Phone Number: 303-455-0447

Email Address: hughg@tracarmel7.com

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME: Hugh G. Guenther
(Printed Name)

Hugh Guenther
(Signature) Pastor

DATE: 5.20.17

NEIGHBORHOOD RESIDENT ADDRESS: 3621 Manposa St
Denver, CO 80211

RE: OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37th Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

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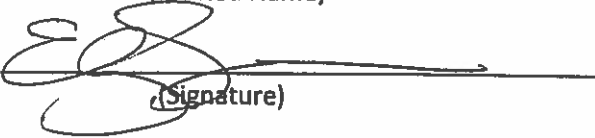
I am a resident of the immediate neighborhood, have reviewed the rezoning application and fully support this re-zoning effort for the respective property. You may contact me at the addressed listed above or reach me in one of the following manners.

Cell Phone Number: 720-341-7749

Email Address: eliz.veil@gmail.com

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME: Elizabeth ~~Heck~~ Spassbach
(Printed Name)


(Signature)

DATE: 5-19-17

NEIGHBORHOOD RESIDENT ADDRESS: 3649 MALIPOSA ST
DENVER, CO 80211

RE: OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37TH Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

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I am a resident of the immediate neighborhood, have reviewed the rezoning application and fully support this re-zoning effort for the respective property. You may contact me at the addressed listed above or reach me in one of the following manners.

Cell Phone Number: 303-917-4109

Email Address: RDBVAP@MSN.COM

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME: VICTORIA PERKINS
(Printed Name)

Victoria Perkins
(Signature)

DATE: 5/21/17

NEIGHBORHOOD RESIDENT ADDRESS: 3649 MARIPOSA ST.
DENVER, CO 80211

OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37TH Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

TTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

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I am a resident of the immediate neighborhood, have reviewed the rezoning application and fully support this re-zoning effort for the respective property. You may contact me at the addressed listed above or reach me in one of the following manners.

Cell Phone Number: 706.445.1544
Email Address: _____

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME: JORDAN LUCAS
(Printed Name)

[Handwritten Signature]
(Signature)

DATE: 5/21/2017

NEIGHBORHOOD RESIDENT ADDRESS: 3718 Manposa
DENVER, CO 80211

RE: OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37TH Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

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Cell Phone Number: 720-775-9506

Email Address: CrystalRN@gmail.com

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDNET NAME: Crystal Brewer
(Printed Name)

Crystal Brewer
(Signature)

DATE: _____

NEIGHBORHOOD RESIDENT ADDRESS: 3710 Mariposa St.

OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37th Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

TN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

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Cell Phone Number: _____

Mail Address: _____

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME: Oliver Leiva-Hoo
(Printed Name)


(Signature)

DATE: MAY 30, 2017

NEIGHBORHOOD RESIDENT ADDRESS: STEVE RONDINELLI
LITTLE ITALY IF DENVER
3517 NAVALO
DENVER, COLO

RE: OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37th Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

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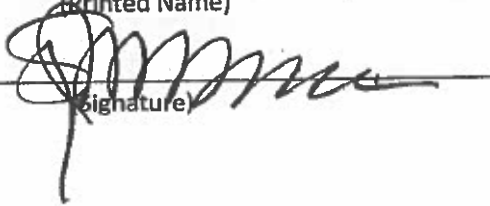
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Cell Phone Number: 303, 807, 3321
Email Address: srondinelli@bcen.com

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME: STEVE RONDINELLI, PRESIDENT
(Printed Name)


(Signature)

DATE: 5/24/17

NEIGHBORHOOD RESIDENT ADDRESS: CLEAR CREEK ACADEMY
3048 NAVATO ST
DENVER, COLO. 80211

RE: OFFICIAL MAP AMENDMENT APPLICATION #20161-0017
1400, 1404, 1408 W 37TH Avenue
From: U-TU-B2, DO-4 To: U-MX-2x

ATTN: Mr. Scott Robinson/Case Manager
Scott.robinson@denvergov.org

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Cell Phone Number: 303-429-1401

Email Address: info@clearcreekacademy.com

If you have any further questions or concerns, I would be happy to discuss them with you.

NEIGHBORHOOD RESIDENT NAME: KATHY PRITCHETT
(Printed Name)

Kathy Pritchett
(Signature)