



TO: Land Use, Transportation and Infrastructure Committee
FROM: Sara White, AICP, Senior City Planner
DATE: December 6, 2017
RE: Official Zoning Map Amendment Application #2016I-00130

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2017I-00034.

Request for Rezoning

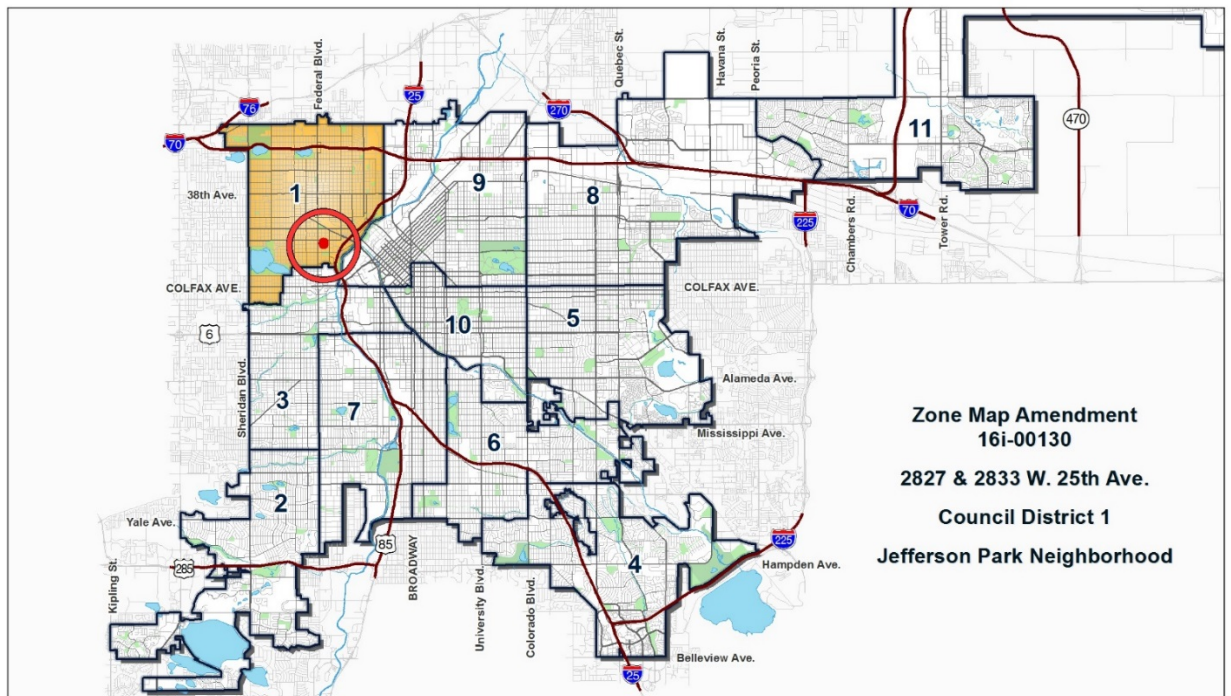
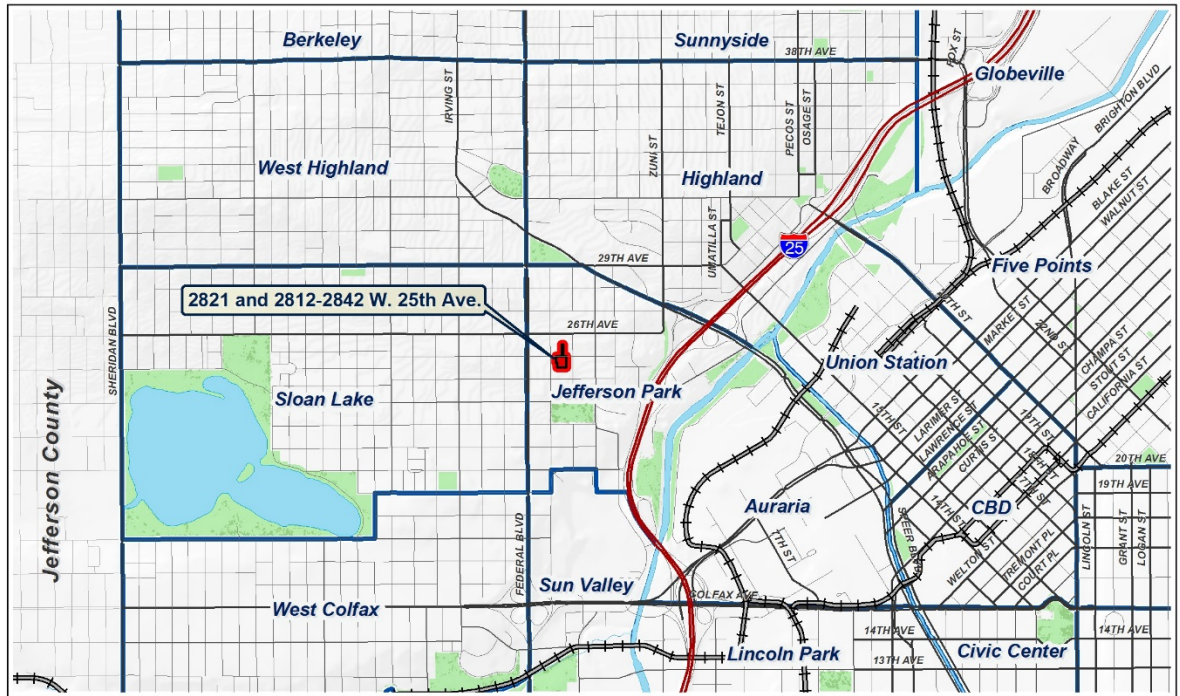
Addresses: 2812, 2814, 2816, 2821, 2828, 2830, 2836, 2840 and 2842 West 25th Avenue
Neighborhood/Council District: Jefferson Park / Council District 1
RNOs: Jefferson Park United Neighbors, United North Side Neighborhood, Federal Boulevard Corridor Improvement Partnership, Denver Neighborhood Association Inc., Denver Urban Resident Association, Inter-Neighborhood Cooperation (INC)
Area of Property: 38,652 square feet
Current Zoning: G-MU-3, UO-3
Proposed Zoning: G-MS-3 w/waivers
Property Owner(s): Multiple
Application Sponsor: City Councilman Rafael Espinoza

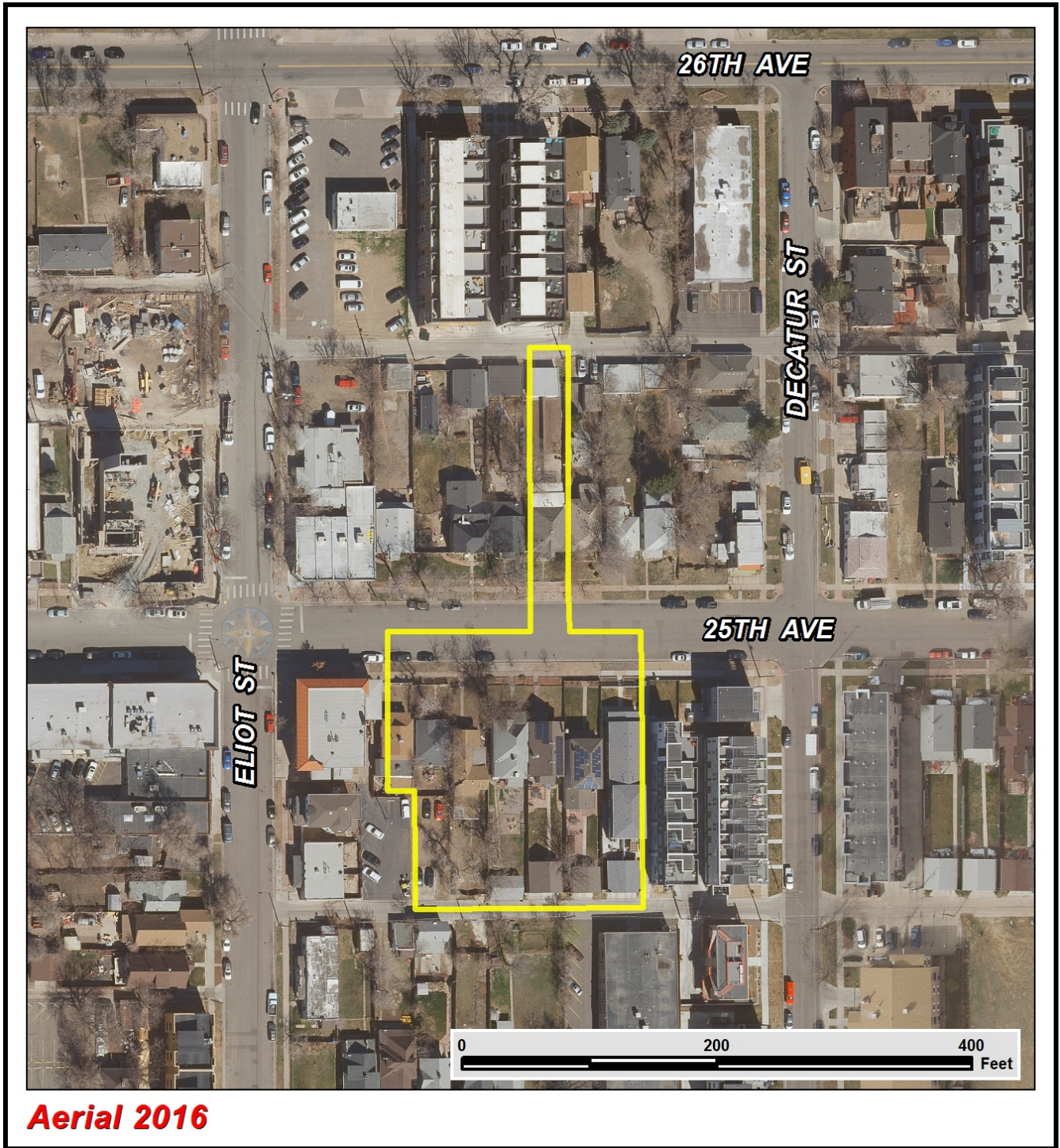
Summary of Rezoning Request

- The subject property is located on West 25th Avenue, just east of Eliot street in the Jefferson Park neighborhood.
- The properties to be rezoned consist of single family and two-family homes and detached accessory structures.
- The proposed rezoning will allow for the property owners to develop neighborhood serving mixed use that will expand upon the existing commercial node at 25th and Eliot.
- The **G-MS-3** (**G**eneral Urban, **M**ain Street, **3** story) zone district is intended for use in the General Urban Neighborhood Context is characterized by multi-unit, single-unit, and two-unit residential uses in a variety of building forms as well as low-scale commercial areas embedded within residential areas. Further details of the zone districts can be found in Article 6 of the Denver Zoning Code (DZC).
- The proposed waivers further restrict the uses allowed within the Street Level Active Use requirement area. This includes restricting residential uses within the Street Level Active Use

area as well as other uses that are less appropriate in low-scale, neighborhood serving commercial areas.

- The current Historic Structure Use Overlay District, UO-3, allows additional uses for Historic Structures. These additional uses are allowed in the proposed G-MS-3 zone district, and the structures are not Historic, so the UO-3 will be removed and will no longer apply if the property is rezoned.





Waivers

Section 12.4.10.6 of the Denver Zoning Code enables official map amendment applicants to request a waiver of certain rights or obligations under the proposed zone district. This application includes a request for a waiver of certain primary and accessory uses within the Street Level Active Use requirement area. A full list of these uses can be found on pages 4-6 of the attached application. The Street Level active use requirement is applicable in the G-MS-3 zone district to 100% of the portion of the building meeting the build-to, for a minimum depth of 15 feet, in the Shopfront building form. The proposed use waivers are only applicable in that portion, all uses are as otherwise allowed in the district for all other portions of the building.

Additionally, a waiver is requested to limit permitted building forms to be Shopfront, Urban House with uses limited to single-unit dwelling and permitted group living uses, and Duplex with uses limited to two-unit dwelling and permitted group living uses. This will allow the existing single-family homes and duplexes to remain conforming uses under the new zoning code. This allows the existing residential use to be continued, even if the structure is demolished voluntarily and replaced with an Urban House or Duplex form.

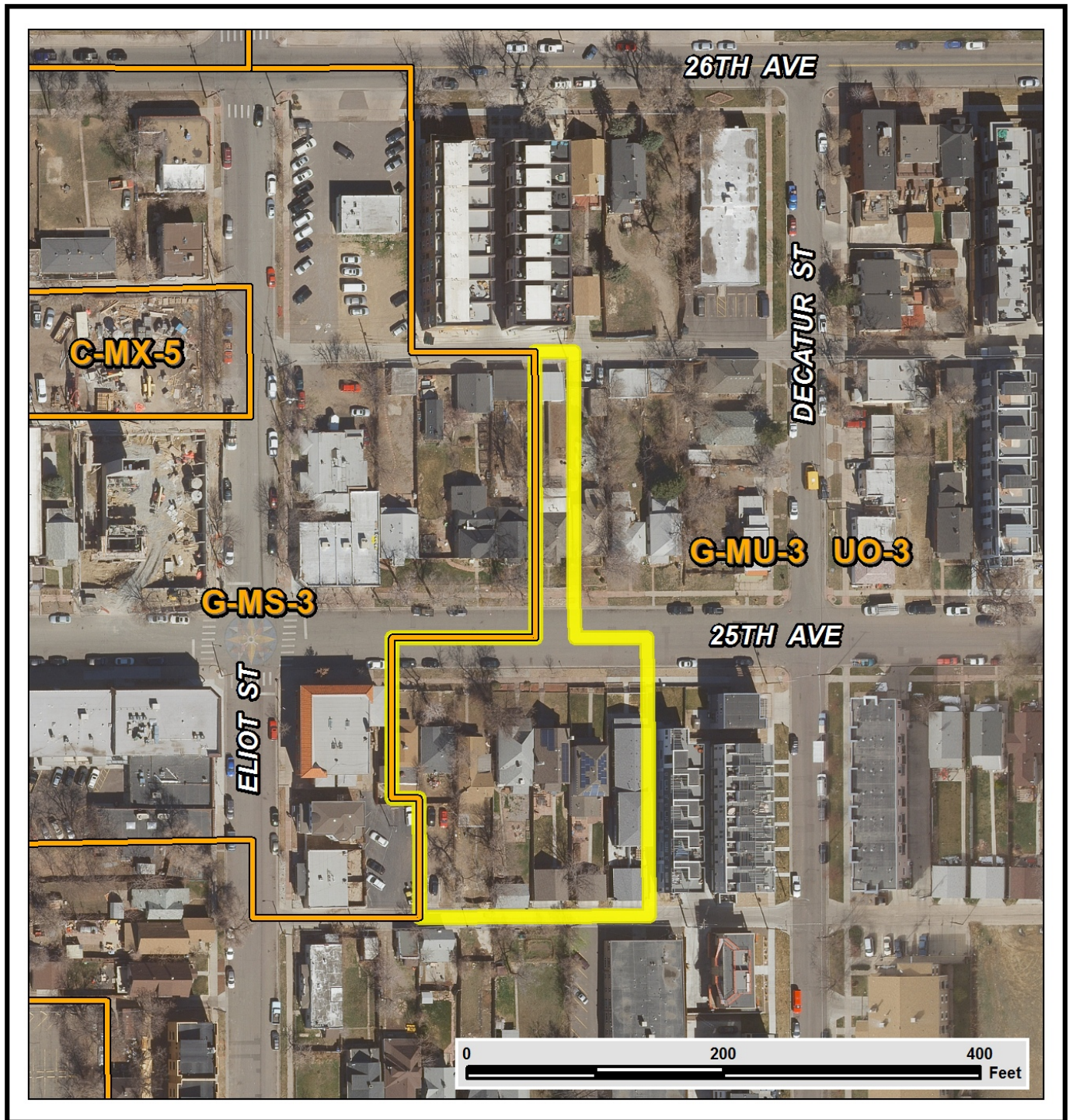
Existing Context

The Jefferson Park neighborhood primarily consists of a residential core, bounded by areas that transition to surrounding commercial and entertainment districts, as well as the large central park. It is generally consistent with the General Urban Neighborhood Context with small-scale neighborhood commercial areas embedded within or bordering residential areas. Located in central-western Jefferson Park, the property lies on the boundary of a neighborhood commercial node and the residential core. The subject property is 2 blocks east of the Federal Boulevard corridor, which provides access to high frequency transit services.

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

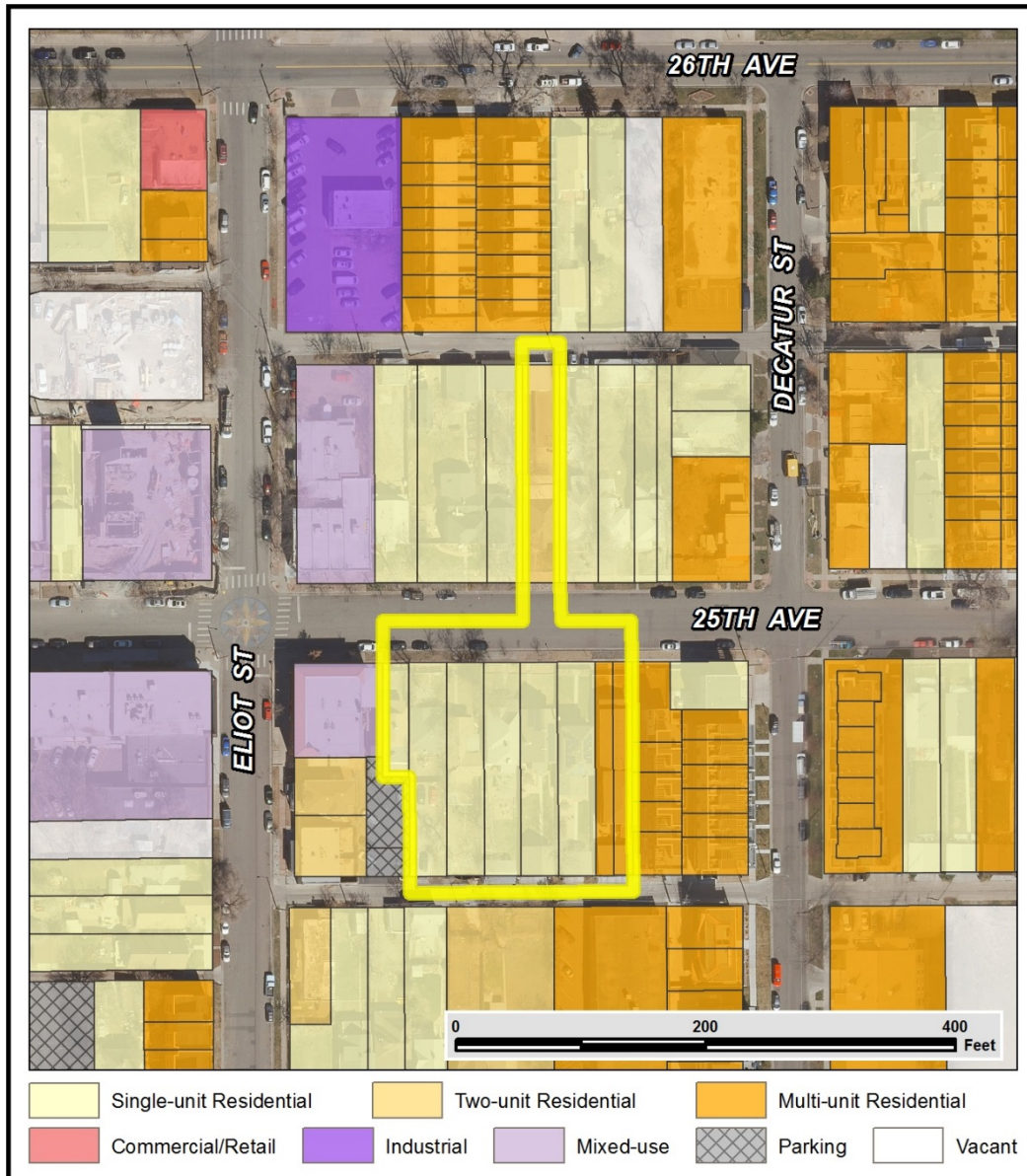
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	G-MU-3, UO-3	Single family residential, two-family residential	Single and two family houses with detached garages. 1-2 stories	Generally regular grid of streets; Block sizes and shapes are consistent and rectangular. Vehicle parking to the side or rear of buildings (alley access).
North	G-MU-3, UO-3	Multi-family residential	3 story inward facing multi-family residential, 0' setback from alley	
South	G-MU-3, UO-3	Single family residential	Single family houses, 1-2 stories	
East	G-MU-3, UO-3	Single family residential, multi-family residential	Single family houses, planned 3 story multi-family buildings	
West	G-MS-3	Mixed-use, restaurant, multi-family residential, single-family residential	Mixed use commercial buildings, newly constructed apartment building, 1-3 stories, 0' setbacks. Federal commercial corridor 2 blocks away.	

1. Existing Zoning

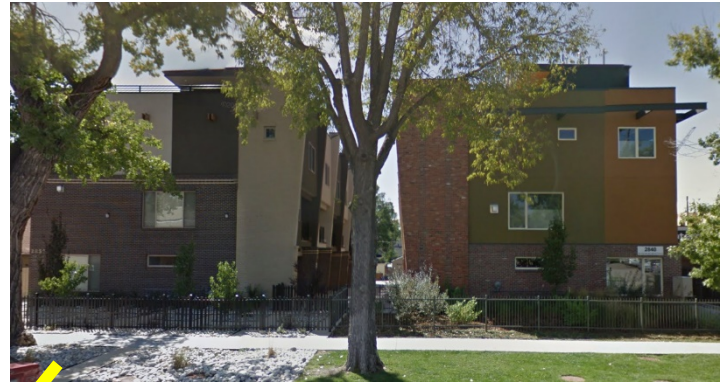


The current G-MU-3 is a multi-unit zone district allowing urban house, duplex, row house, garden court, and apartment building forms. It has a maximum building height of 3 stories and 40 feet. The zone district is a residential district, not allowing for new commercial uses to be established. It establishes additional standards for Garden Court and Apartment buildings forms that are adjacent to protected districts. For more details of the zone district, see DZC Article 6.

2. Existing Land Use Map



3. Existing Building Form and Scale
Photos from Google street view



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 Comments

Asset Management: Approved – No Comments

Denver Public Schools: Approved – No Comments

GIS: Approved – No Comments

Environmental Health (Dave Erickson): Approved - See Comments

Notes. The Denver Department of Environmental Health (DEH) concurs with the rezoning request, but has information indicating the presence of historical leaking underground petroleum fuel storage tank(s) near/potentially up gradient of the site, as well as possible historical dry cleaning process(es) near/potentially up gradient of the site. If encountered during construction, contaminated soils and groundwater should be properly managed and disposed off site. Also, because of the potential concern for subsurface vapor intrusion into completed new buildings, developers may wish to consider a vapor mitigation system, which would also accommodate concerns for naturally occurring radon gas.

General Notes: Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas intrusion into buildings, DEH suggests installation of a radon mitigation system in structures planned for human occupation or frequent use. It may be more cost effective to install a radon system during new construction rather than after construction is complete.

Denver's Noise Ordinance (Chapter 36–Noise Control, Denver Revised Municipal Code) identifies allowable levels of noise. Properties undergoing Re-Zoning may change the acoustic environment, but must maintain compliance with the Noise Ordinance. Compliance with the Noise Ordinance is based on the status of the receptor property (for example, adjacent Residential receptors), and not the status of the noise-generating property. Violations of the Noise Ordinance commonly result from, but are not limited to, the operation or improper placement of HV/AC units, generators, and loading docks. Construction noise is exempted from the Noise Ordinance during the following hours, 7am–9pm (Mon–Fri) and 8am–5pm (Sat & Sun). Variances for nighttime work are allowed, but the variance approval process requires 2 to 3 months. For variance requests or questions related to the Noise Ordinance, please contact Paul Riedesel, Denver Environmental Health (720-865-5410).

Scope & Limitations: DEH performed a limited search for information known to DEH regarding environmental conditions at the subject site. This review was not intended to conform to ASTM standard practice for Phase I site assessments, nor was it designed to identify all potential environmental conditions. In addition, the review was not intended to assess environmental conditions for any potential right-of-way or easement conveyance process. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

Parks and Recreation: Approved – No Comments

Public Works – ROW – Surveyor: Approved – No Comments

Public Works – Wastewater: Approved – See Comments

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

Development Services: Approved – No comments

Office of Economic Development: Approved – No Comments

City Attorney's Office: Approved – No Comments

Public Review Process

CPD informational notice of receipt of the rezoning application to all affected members of City Council and registered neighborhood organizations:	7/31/2017
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:	9/18/2017
Planning Board voted unanimously at the public hearing to recommend approval to City Council.	10/4/2017
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:	10/16/2017
Land Use, Transportation and Infrastructure Committee of the City Council:	10/31/2017
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:	11/20/2017
City Council Public Hearing:	12/11/2017

- Other Public Outreach and Input
 - **Registered Neighborhood Organizations (RNOs)**
 - Jefferson Park United Neighbors, a registered neighborhood organization, submitted a letter of support with the application. The letter states that additional retail is desired to support the neighborhood, and that the proposed rezoning is an appropriate use of the flexibility of subarea boundaries in the Jefferson Park Neighborhood Plan.
 - **Other Public Comment**
 As of the date of this staff report, no additional comments have been received.

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)
- Jefferson Park Neighborhood Plan (2005)

Denver Comprehensive Plan 2000

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

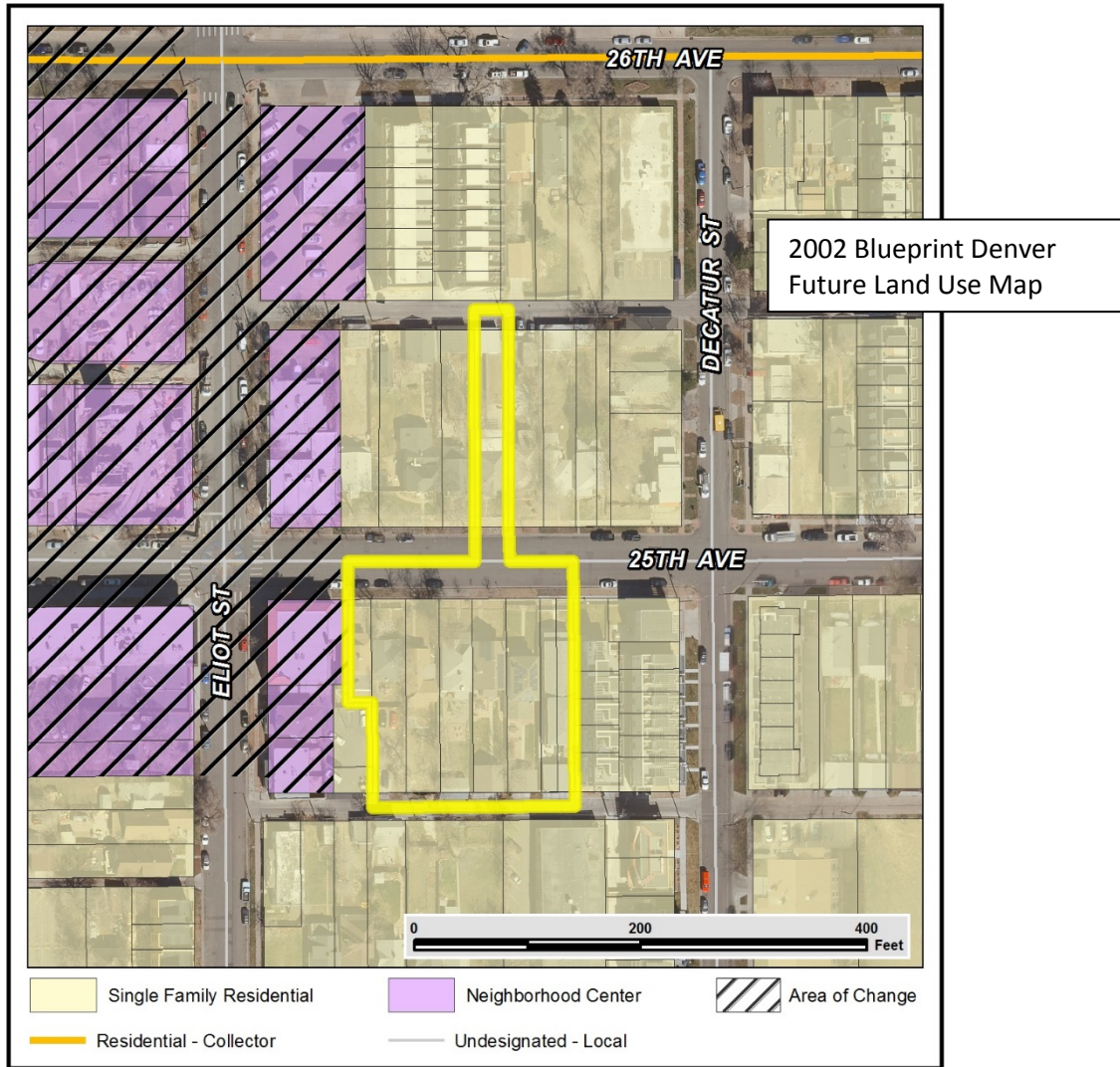
- Environmental Sustainability Strategy 2-F – *Conserve land by promoting infill development with Denver at sites where services and infrastructure are already in place; designing mixed use communities and reducing sprawl so that residents can live, work and play within their own neighborhoods.*
- Land 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.*
- Land Use Strategy 3-C – *Identify and enhance focal points in the neighborhoods, and encourage the development of such focal points where none exist.*
- Mobility Strategy 4-E – *Continue to promote mixed-use development, which enables people to live near work, retail and services.*
- Legacies 3-A – *Identify areas in which increased density and new uses are desirable and can be accommodated.*

The proposed map amendment will enable mixed-use development at an infill location where services and infrastructure are already in place. The G-MS zone districts broaden the variety of uses and encourages neighborhood-focused development, while the waivers prohibit uses at the Street Level that are inconsistent with lower-scale neighborhood focal points, such as the subject node at W 25th & Eliot. The rezoning is consistent with these plan recommendations.

Blueprint Denver

According to the 2002 Plan Map adopted in Blueprint Denver, this site has a concept land use of Single Family Residential and is located in an Area of Stability.

Future Land Use



Single Family Residential areas have single-family as the predominant residential type. They typically have densities fewer than 10 units per acre neighborhood-wide and the employment base is significantly smaller than the housing base. Although the proposed G-MS-3 zone district allows more than just residential uses, its limited application adjacent to a node already zoned G-MS-3 will not affect the overall character of the Single Family Residential designated area of Jefferson Park. Blueprint Denver calls for a small employment base. Additionally, the boundaries of the land use building blocks provided in the plan are not fixed; some areas are in a state of transition (p.38). Given that Blueprint Denver is a citywide plan and that the small area plan provides finer grained recommendations, the request is generally consistent with Blueprint Denver's land use building block recommendations.

Area of Change / Area of Stability

As noted, the site is in an Area of Stability. In general, “The goal for Areas of Stability is to identify and maintain the character of an area while accommodating some new development and redevelopment” (p. 127).

The rezoning application is consistent with the Blueprint Denver Area of Stability recommendations. The G-MS-3 zone district allows for limited development adjacent to an existing small-scale commercial node while also respecting the scale of the existing surrounding residential.

Street Classifications

Blueprint Denver classifies West 25th Avenue as an Undesignated Local street. According to Blueprint Denver, “local streets are influenced less by traffic volumes and are tailored more to providing local access.” The low-scale G-MS-3 zone district proposed is appropriate for the smaller scale neighborhood development intended along local streets.

In summary, the proposed map amendment to G-MS-3 will enable low-scale development in an area that Blueprint Denver identifies as appropriate for neighborhood access.

Waivers

Blueprint Denver provides the following policy guidance regarding the use of zoning conditions and waivers (p. 82):

“[W]aivers and conditions, which are not organized in the zoning code, further complicate Denver’s zoning situation. In addition, these conditions are written to address the construction of buildings and are not crafted broadly enough to address the ongoing regulation of the land after construction is completed. They remain enforceable for decades after, regardless of their effectiveness and applicability. The result is that the regulatory system does not deliver effective land-use regulation, but its administration absorbs a large amount of resources. It is difficult to envision how Blueprint Denver will be implemented by simply adding another layer of regulation on top of the current code. In fact, if the reforms mentioned in this chapter [regarding a new zoning code] are instituted, it may be appropriate to eliminate the practice of rezoning with conditions and waivers.”

Consistent with this adopted plan direction, CPD policy calls for the use of waivers only in situations where waivers help to solve an issue that CPD is committed to resolve through a future text amendment. In these cases, the waivers should reflect as closely as possible the future solution. While staff acknowledges that there should be further conversation about appropriate Street Level Active Use standards in lower scale, neighborhood-serving zone districts in certain contexts, it should be stressed that it is too early to know what the appropriate future solution may be.

CPD finds that the waiver request included in this application is consistent with this waiver policy because, although future changes to Street Level Active Uses are unknown, the applicant’s approach is rational and justified.

Small Area Plan: *Jefferson Park Neighborhood Plan*

The 2005 Jefferson Park Neighborhood Plan (JPNP) was adopted by City Council in July 2005, and applies to the subject property. The format of the JPNP includes framework plan recommendations that apply throughout the planning area and subarea recommendations that apply in smaller subareas.

JPNP Framework Plan Goals and Recommendations

- Maintain and enhance the character and identity of the historic Jefferson Park neighborhood (p. 25)
- “Create focal points within the neighborhood. The primary focal point is Jefferson Park, and a secondary focal point is the neighborhood commercial area at West 25th and Eliot” (p. 25).
- “Develop the potential of West 25th Avenue as the principal neighborhood corridor anchored at one end by the West 25th and Eliot neighborhood commercial area and at the other by redevelopment at Diamond Hill.” (p. 36)

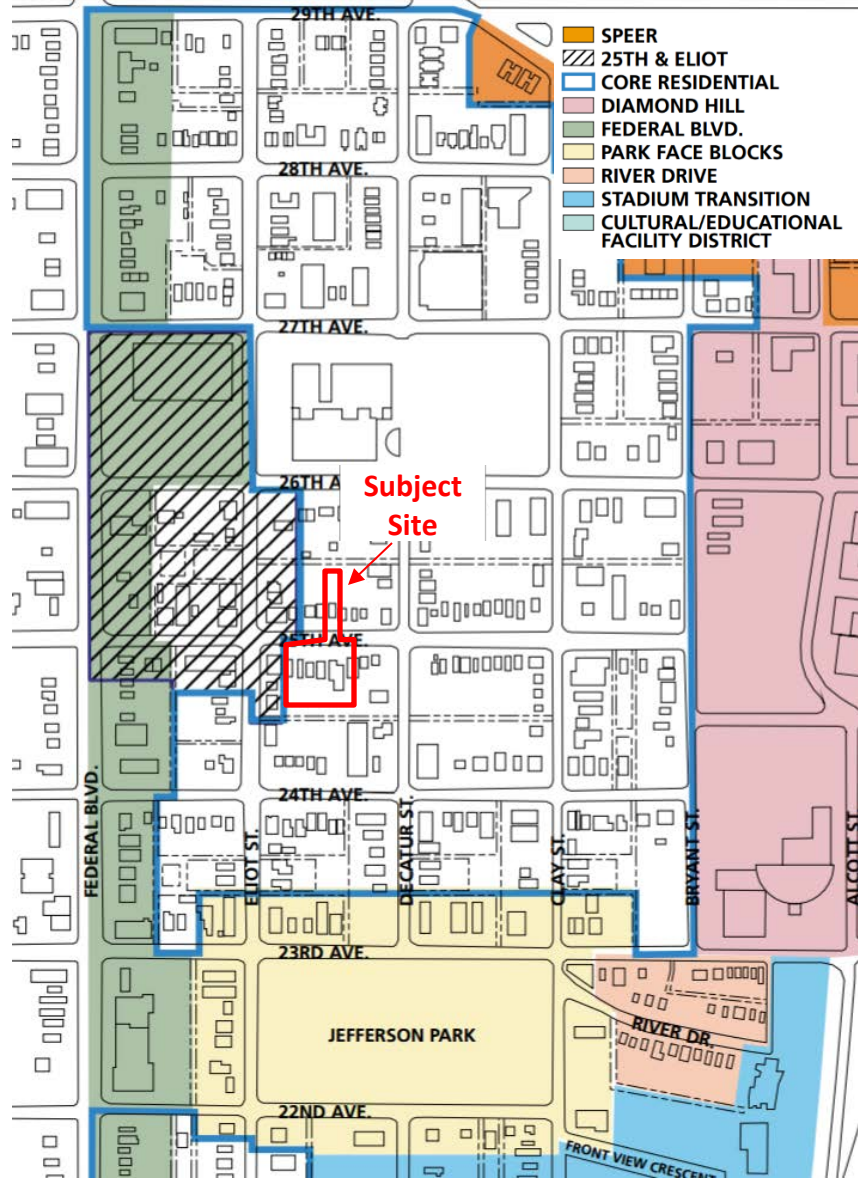
The proposed G-MS-3 zone district at this location will expand and enhance the commercial node at West 25th and Eliot. By expanding this neighborhood focal point to the proposed extent, West 25th will continue to be a principal neighborhood street, enhanced by the design and transparency requirements provided for in Main Street zone districts.

JPNP Subarea Goals and Recommendations

Although the plan maps the subject sites as part of the Core Residential subarea, they are directly adjacent to the 25th and Eliot subarea. The plan acknowledges that “boundaries between the sub-areas are not absolute and that characteristics overlap sub-area boundaries.” (p.38) In the attached comment letter, the Jefferson Park United Neighbors registered neighborhood organization reinforces this plan acknowledgment, stating that “expanding the commercial zone westward [*sic*] down 25th creates the commercial focal point that is the goal in the Plan.” Given the documented desire of the neighborhood to encourage the 25th and Eliot commercial node to expand further east on 25th Avenue, it is appropriate to evaluate the subject site under the desired goals of the 25th and Eliot subarea.

- “The vision for the neighborhood commercial subarea includes older buildings that will have been carefully restored and vacant lots developed in a manner that reinforces the historic character of this small neighborhood commercial district.” (p.48)
- “Strengthen the neighborhood retail center to support the neighborhood as a self-contained community with a healthy activity center.” (p.50)
- “Minimize impacts of new development, redevelopment, and new uses on the residential core of the neighborhood.” (p.50)
- “Encourage new construction to be mixed use with residential and retail.” (p.50)
- “New buildings in this area should be compatible in scale and character with the existing buildings.” (p.51)
- “Allow either residential or commercial use in existing residential properties.” (p.51)

Although no zone district requires a mix of uses, the proposed Main Street district does allow for a variety of uses to be mixed in a single structure. The standards for the Shopfront building form requiring 75% build-to, 60% primary street transparency, and pedestrian access from the primary street will ensure that new construction will be of a similar, pedestrian-friendly character of the existing mixed use buildings at 25th and Eliot. The 3 story height limit will provide appropriate transition into the adjacent residential area, which is also a 3 story zone district. The proposed G-MS-3 zone district is appropriate to achieve the character and goals of the 25th and Eliot subarea. Additionally, the proposed waivers will prohibit uses at the street level that are inconsistent with the character of a neighborhood-scale commercial node that promotes walkability.



2. Uniformity of District Regulations and Restrictions

The proposed map amendment will result in the uniform application of the G-MS-3 zone district building form, use and design regulations, with the exception of the requested waiver of certain uses within the Street Level Active Use requirement and limitations on allowed building forms. However, the waiver provides for smaller neighborhood node focus within the Street Level Active Use requirement, and is consistent with CPD policy to use waivers in situations where the waiver helps to solve an issue that CPD is committed to resolve through a future text amendment, as described above.

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 plans. Additionally, the proposed rezoning will allow redevelopment in a manner that will provide for an improved pedestrian experience and allow for the construction of neighborhood-serving amenities, which allows residents more opportunities to live, work, and plan within their neighborhood. Both contribute positively to the Public Health, Safety and General Welfare.

4. Justifying Circumstance

The application identifies several changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, "The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area." As discussed above, many adopted plan recommendations state that some redevelopment of the area is desired. Additionally, there has been a significant amount of residential redevelopment within the Jefferson Park neighborhood. The additional density created from the new units creates a need for additional neighborhood services for the new residents. This is an appropriate justifying circumstance for the expansion of the existing neighborhood commercial node that is proposed in this rezoning.

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, single-unit and two-unit residential as well as low-scale commercial areas embedded within residential areas (DZC, Division 6.1). The current zone district, G-MU-3, is also within the General Urban Neighborhood Context. The proposed rezoning to G-MS-3 is consistent with the neighborhood context description. Additionally, the proposed waivers are consistent with the purpose and intent of the zone district to be low-scale commercial, embedded in residential areas.

According to the zone district intent stated in the Denver Zoning Code, the G-MS-3 district "applies to primarily 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" (DZC Section 6.2.5.2.A). The street classifications and desired building heights in this area are consistent with the zone district purpose and intent statements.

Attachments

1. Application, including JPUN letter of support

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	See attached	Representative Name	Councilman Rafael Espinoza
Address	See attached	Address	1437 Bannock St. #451
City, State, Zip	See attached	City, State, Zip	Denver, CO, 80202
Telephone	See attached	Telephone	720-337-7701
Email	See attached	Email	rafael.espinoza@denvergov.org
<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):	See attached		
Assessor's Parcel Numbers:	See attached		
Area in Acres or Square Feet:	38,652 combined square feet		
Current Zone District(s):	G-MU-3, UO-3		
PROPOSAL			
Proposed Zone District:	G-MS-3 w/ Waivers		

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 Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <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:

<input checked="" type="checkbox"/>	Legal Description (required to be attached in Microsoft Word document format)
<input type="checkbox"/>	Proof of Ownership Document(s)
<input checked="" type="checkbox"/>	Review Criteria

ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

<input type="checkbox"/>	Written Authorization to Represent Property Owner(s)
<input type="checkbox"/>	Individual Authorization to Sign on Behalf of a Corporate Entity

Please list any additional attachments:

Letter of Support from Jefferson Park United Neighbors (RNO)
Proposed Waivers

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
Application initiated by a member of City Council. No owner authorization required per DZC 12.4.10.4.A.1.a						

Proposed Waivers

Per Section 12.4.10.6 (Waivers of Rights and Obligations and Approval of Reasonable Conditions) of the Denver Zoning Code, I, the undersigned applicant for the properties under application for the rezoning referenced herein, request that the zoning classification of the land described herein include the following waivers:

1. Waive the right to the standards contained in the Denver Zoning Code at Section **6.3.3.3**, and instead shall permit only the following permitted primary building forms:
 - a. The Shopfront building form per Section 6.3.3.4.I; and
 - b. The Urban House building form as permitted in the G-MU-3 zone district per Section 6.3.3.4.A, except that the Use Building Form Standards shall be replaced with the following:
 - i. For all Primary Structures, Primary Uses shall be limited to Single Unit Dwelling and permitted Group Living uses. See Division 6.4 Uses and Parking.
 - c. The Duplex building form as permitted in the G-MU-3 zone district per Section 6.3.3.4.B, except that the Use Building Form Standards shall be replaced with the following:
 - i. For all Primary Structures, Primary Uses shall be limited to Two Unit Dwelling and permitted Group Living uses. See Division 6.4 Uses and Parking.
2. Waive the right to the standards contained in the Denver Zoning Code at Section **6.3.5.3.C.1**, and instead shall be:

Street Level Active uses include all permitted primary uses except the following:

- a) Dwelling, Single Unit
- b) Dwelling, Two Unit
- c) Dwelling, Multi-Unit
- d) Dwelling, Live/Work
- e) Assisted Living Facility
- f) Community Corrections Facility
- g) Nursing Home, Hospice
- h) Residence for Older Adults
- i) Residential Care Use, Small or Large
- j) Rooming and Boarding House
- k) Shelter for the Homeless
- l) Student Housing
- m) Utility, Major Impact
- n) Utility, Minor Impact

- o) Postal Processing Center
 - p) Parking, Garage
 - q) Bed and Breakfast Lodging
 - r) Lodging Accommodations, All Others
 - s) Automobile Emissions Inspection Facility
 - t) Automobile Services, Light
 - u) Automobile Services, Heavy
 - v) Automobile/Motorcycle/Light Truck Sales, Rentals, Leasing; Pawn Lot or Vehicle Auctioneer
 - w) Heavy Vehicle/Equipment Sales, Rentals & Service
 - x) Antennas Not Attached to a Tower
 - y) Communication Services
 - z) Telecommunications Towers
 - aa) Telecommunications Tower-Alternative Structure
 - bb) Telecommunications Facilities-All Others
 - cc) Contractors, Special Trade-General
 - dd) Contractors, Special Trade-Heavy/Contractor Yard
 - ee) Food Preparation and Sales, Commercial
 - ff) Laboratory, Research, Development and Technological Services
 - gg) Service/Repair, Commercial
 - hh) Wind Energy Conversion Systems
 - ii) Helipad, Helistop, Heliport
 - jj) Railway Right-of-Way
 - kk) Terminal, Station or Service Facility for Passenger Transit System
 - ll) Wholesale Trade or Storage, Light
 - mm) Aquaculture
 - nn) Garden, Urban
 - oo) Husbandry, Animal
 - pp) Husbandry, Plant
 - qq) Plant Nursery
3. Waive the right to the standards contained in the Denver Zoning Code at Section **6.3.5.3.C.2**, and instead shall be:

Street Level active uses include all permitted accessory and temporary uses except the following:

- a) Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service and Repair uses
- b) Keeping of Animals

- c) Health Care Center
- d) Noncommercial Concrete Batching Plant
- e) Parking Lot Designated for a Special Event

The justification for such waivers is detailed in the attached Exhibit A.

These waivers shall apply to all our successors and assigns.

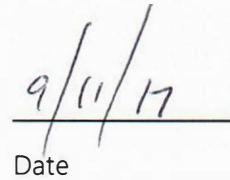
Agreed to by:



A handwritten signature in black ink, consisting of several loops and a long horizontal stroke, is written over a solid horizontal line.

Rafael Espinoza

City Councilmember, District 1



A handwritten date '9/11/17' is written in black ink over a solid horizontal line.

Date

Exhibit A: Waiver Justifications

Justification for described use waivers:

The intent of this waiver is to require a majority of the ground level street facing façade to be activated with non-residential, community serving uses. The base zone district G-MS-3 is intended to cover all general context citywide where 3 story forms are desired. The breadth of this district is incapable of addressing the diverse needs and desires of a community with respect to uses. The proposed area to be rezoned is a mature, historic, urban neighborhood and a former trolley route, commercial district, embedded in a walkable medium density, stable neighborhood, to allow any and all uses that were not available previously through a rezoning could have potential negative consequences. In order to preserve the character and meet the intent of neighborhood plan recommendation and community desires the underlying zone district uses and design standards are being amended so that the base zone district will conform with the needs and desires and the health and safety of this neighborhood serving Central Business District (CBD) of the lone CBD of Jefferson Park.

Dwelling, Single unit:

The intent of this zone district is to promote neighborhood serving commercial/retail and street level activation. This use does not serve the neighborhood at large.

Dwelling, Two unit:

The intent of this zone district is to promote neighborhood serving commercial/retail and street level activation. This use does not serve the neighborhood at large.

Dwelling, Multi-unit:

The intent of this zone district is to promote neighborhood serving commercial/retail and street level activation. This use does not serve the neighborhood at large.

Dwelling, Live/Work:

The intent of this zone district is to promote neighborhood serving commercial/retail and street level activation. There is no way to ensure these dwellings have or maintain a neighborhood serving commercial/retail component, which would defeat intent of moving the district.

Group Living, All Types:

The intent of this zone district is to promote neighborhood serving commercial/retail and street level activation. While this use can serve the neighborhood, the intent of the district isn't to increase residential development opportunity, but to extend the historic business district at the street level. This is not a non-residential use.

Basic Utilities, All Types:

The intent of this zone district is to promote neighborhood serving commercial/retail and street level activation. This use is of very little use, if any, by the general public and diminishes the character of street activation in a historic business district.

Postal Processing Center:

The intent of this zone district is to promote neighborhood serving commercial/retail and street level activation. This use is generally internal and industrial in nature and diminishes the character of street activation in a historic business district.

Parking Garage:

The intent of this zone district is to promote neighborhood serving commercial/retail and street level activation. This use diminishes the character of street activation in a historic business district.

Lodging Accommodations, All Types:

The intent of this zone district is to promote neighborhood serving commercial/retail and street level activation. While this use can serve the neighborhood, the intent of the district is to activate the street level with uses that serve more than individual households on the street level, regardless of whether the stay is permanent, or transient.

Firearms Sales:

The intent of this zone district is to promote neighborhood serving commercial/retail and street level activation in a manner consistent with the neighborhood context. This district serves as a transition into the 100% residential urban core, therefore it makes sense to drop this use which is not permitted in the G-RX-3 or G-MU-3 zone districts.

Vehicle/Equipment, All Types:

The intent of this zone district is to promote neighborhood serving commercial/retail and street level activation. This use diminishes the pedestrian character of street activation in a historic business district.

Communications and Information, All Types:

The intent of this zone district is to promote neighborhood serving commercial/retail and street level activation. These uses are of very little use, if any, by the general public and diminish the character of street activation in a historic business district.

Industrial Services, All Types:

The intent of this zone district is to promote neighborhood serving commercial/retail and street level activation. These uses are generally introverted and industrial in nature and diminish the character of street activation in a historic business district.

Wind Energy Conversion Systems:

The intent of this zone district is to promote neighborhood serving commercial/retail and street level activation. This use generally automated and industrial in nature and diminish the character of street activation in a historic business district.

Transportation Facilities, All Types:

The intent of this zone district is to promote neighborhood serving commercial/retail and street level activation. The physical constraints of the district make these uses impractical and should be excluded as options.

Wholesale Trade or Storage:

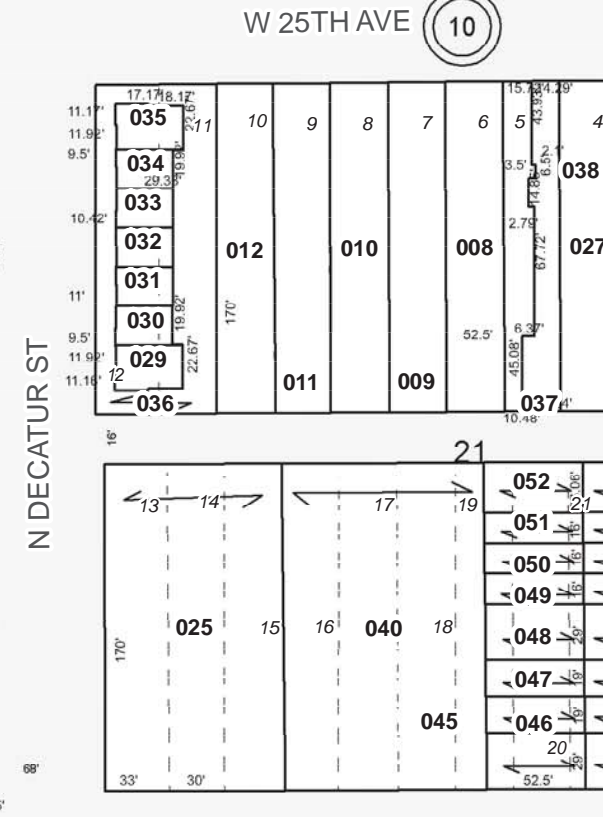
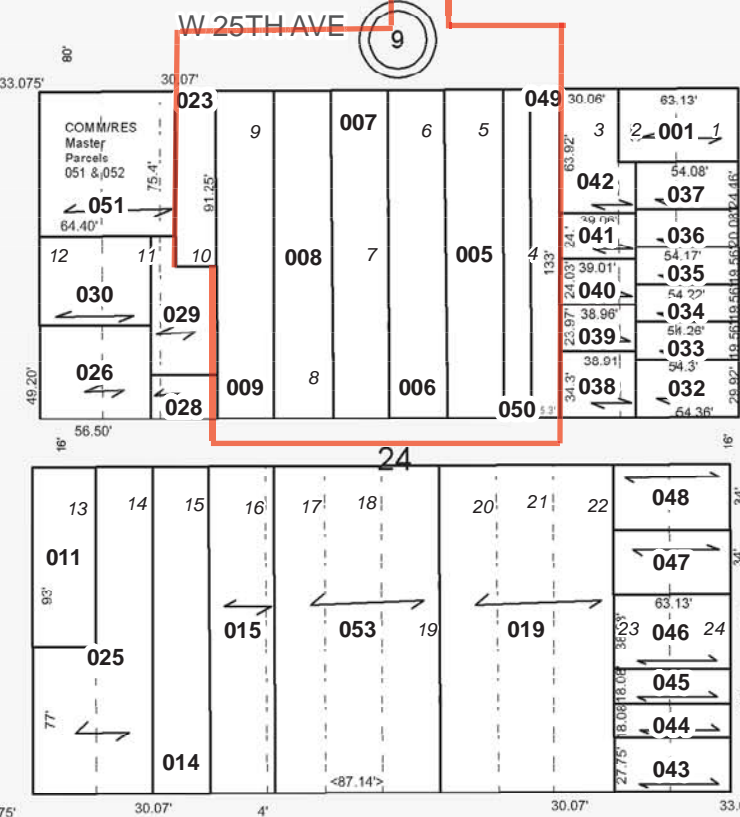
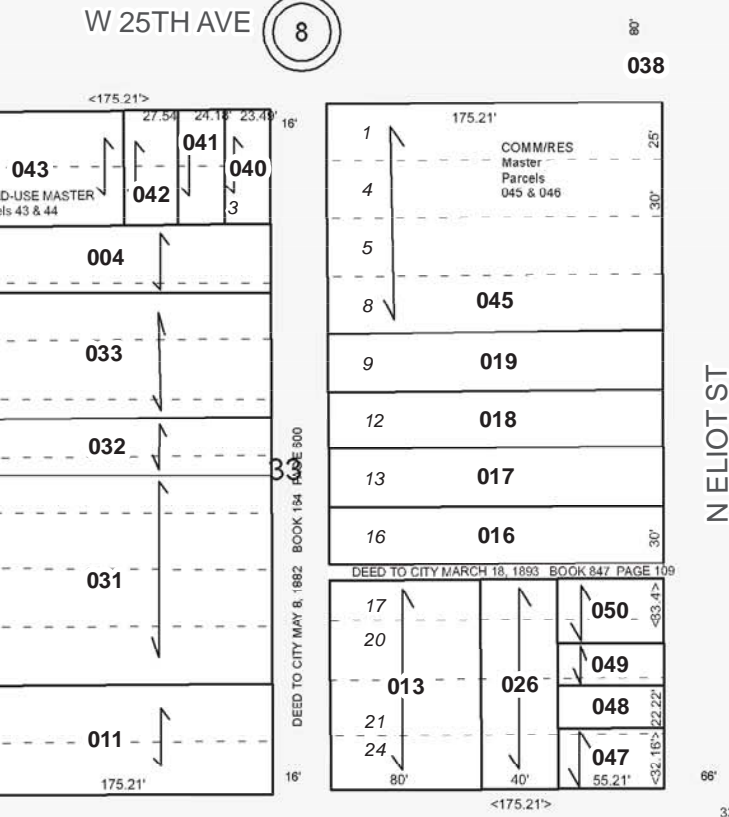
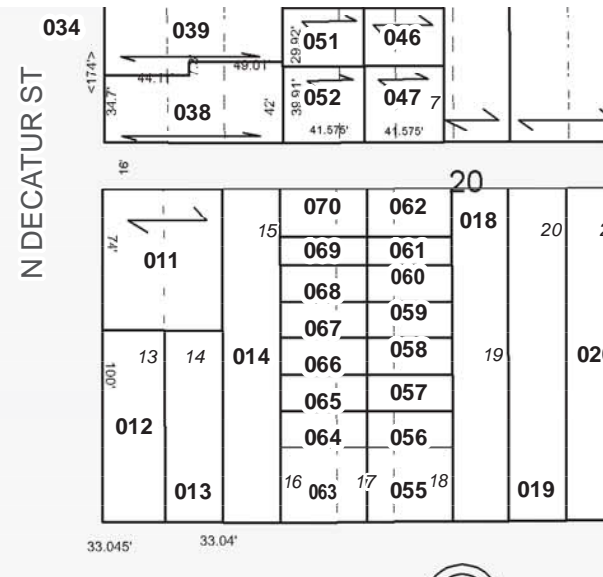
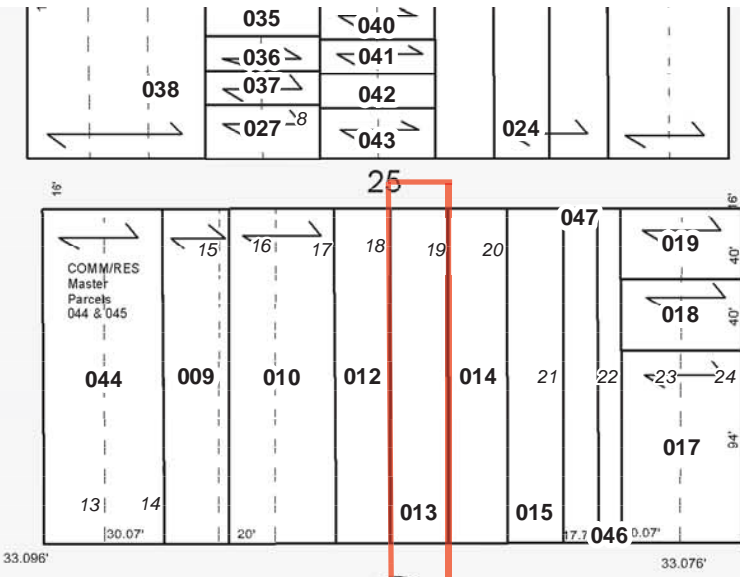
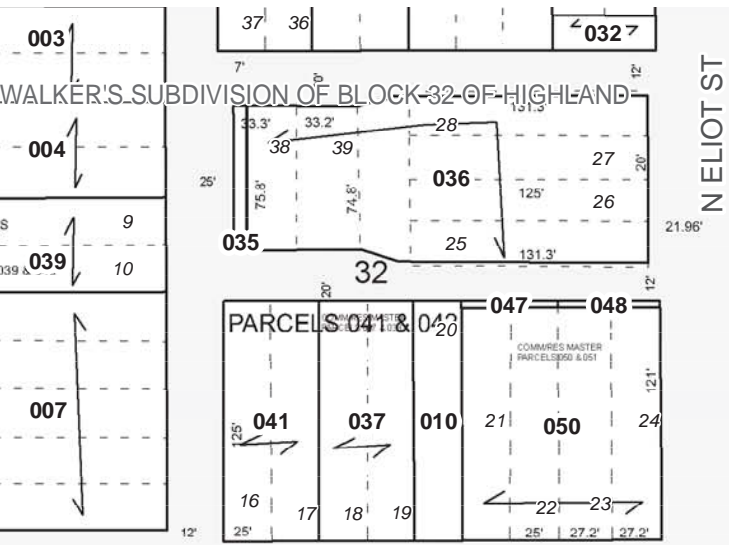
The intent of this zone district is to promote neighborhood serving commercial/retail and street level activation. This use generally unattended and not conducive to street activation and diminishes the desired character of street activation in a historic business district.

Agriculture, All Types:

The intent of this zone district is to promote neighborhood serving commercial/retail and street level activation. This use generally sparsely unattended and industrial in nature, therefore not conducive to street activation and diminishes the desired character of street activation in a historic business district.

PROPERTY LIST & OWNER INFORMATION

Schedule Number	Address	City	State	ZIP	Owner Name
0232106013000	2821 W 25TH AVE	DENVER	CO	80211	COLORADO LEHR INVESTMENT
0232109049000	2812 W 25TH AVE	DENVER	CO	80211	BROOKS, JESSE
0232109050000	2814 W 25TH AVE	DENVER	CO	80211	HALL, BRANDON
0232109005000	2816 W 25TH AVE	DENVER	CO	80211	PANAGOS, ALEXANDER
0232109006000	2828 W 25TH AVE	DENVER	CO	80211	THOMAS, JOSHUA A & STEFANI A
0232109007000	2830 W 25TH AVE	DENVER	CO	80211	WEIS, ERIC C
0232109008000	2836 W 25TH AVE	DENVER	CO	80211	NORTH, DAVID J
0232109009000	2840 W 25TH AVE	DENVER	CO	80211	DEPUMPO, TIMOTHY J & SARAH
0232109023000	2842 W 25TH AVE	DENVER	CO	80211	PEREZ,SERGIO & LOPEZ, RAMONA



REVIEW CRITERIA Page 1 of 2

Zone Map Amendment Request for 2812 to 2842 & 2821 W 25th Ave., Denver, 80211 From G-MU-3 to G-MS-3 w/ Waivers

The current G-MU-3 zoning allows for multi-unit residential development only and lacks any option for commercial mixed use, and like much of the Jefferson Park neighborhood, was rezoned to allow building forms that are inconsistent with the 2005 adopted small area plan. The proposed rezoning to G-MS-3 is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan. The proposed rezoning is intended to address the need for additional mixed use development adjacent to the historic neighborhood business center at W 25th & Eliot with appropriate Main Street-style Commercial/Retail forms facing W. 25th Ave, in addition to the residential development currently allowed.

The proposed zone map amendment consists of 9 parcels, situated adjacent to existing G-MS-3 zone districts, and the small area plan sub-area called the 25th and Elliot Neighborhood Commercial Area. While the property is situated on the transition from Blueprint identified area of Change to an Area of Stability, the failure of the 2010 legislative rezoning to honor the Blueprint and Jefferson Park Neighborhood Plan recommendations of single unit/duplex development has resulted in a dramatic densification of the Residential Core Sub-Area, whereby formerly single family parcels are being converted into townhomes perpendicular to the street utilizing the "Apartment" form allowed in the current G-MU-3 zone district. This radical departure from the adopted plan recommendations have resulted in the unanticipated community need that is in part the basis for this rezoning request.

Additionally, this request has the support of the Registered Neighborhood Organization, Jefferson Park United Neighbors (JPUN), and the business improvement district, Federal Boulevard Partnership. The support of residents and stakeholders is vital to this type of rezoning request and was anticipated by the 2005 adopted Jefferson Park Neighborhood plan with the following language:

"Developers and designers are expected to meet with neighborhood associations and with immediate neighbors to discuss their projects and to solicit input... The plan identifies nine sub-areas with relatively distinct characteristics. *It acknowledges that boundaries between the sub-areas are not absolute...*" (emphasis added, pgs 18 & 38, respectively)

The proposed zone map amendment is consistent with the City's adopted plans (Denver Comprehensive Plan 2000, Blueprint Denver 2002, and Jefferson Park Neighborhood Plan 2005) in the following ways:

Consistency with the Denver Comprehensive Plan 2000

The proposed rezoning will allow for a community desired expansion the existing Neighborhood Business Center which is consistent with the comp plan's goal to enable thriving neighborhood business centers that support both the creation and growth of neighborhood businesses that serve adjacent residential areas in existing neighborhoods. Additionally, it is consistent with the Neighborhood Business vision of Environmental Sustainability and local mobility, the proposed rezoning is readily bikeable and walkable for the entirety of the neighborhood.

Consistency with the Blueprint Denver 2002

While the proposed rezoning is currently a residential Land Use Building Block type, it directly abuts to a Neighborhood Center Building Block type at 25th Ave and Eliot. The Boundaries of Building Blocks are not fixed (ref. DBP page 38) and this proposed rezoning will alter the Neighborhood Center to address the community needed for additional mixed-use retail/commercial space. The existing neighborhood center is quaint but serves many everyday shopping, service and entertainment needs of the adjacent neighborhoods.

REVIEW CRITERIA Page 2 of 2

The proposed rezoning is at the transition between an Area of Stability and Area of Change, but mapped entirely in the Area of Stability side of the line. However, the 25th Ave facing zone lots outside of the proposed map amendment have recently or are currently being developed into multi-unit residential in a manner contrary to Blueprint plan recommendations for this area of stability. Similar contrary redevelopment has occurred throughout the neighborhood's Areas of Stability which have created greater demand for neighborhood serving commercial/retail. Given the degree of change that has been experienced in the Areas of Stability, the proposed rezoning is consistent with the Blueprint Key Concept that when growth occurs in stable residential areas, it should be focused in centers, in activity nodes and near transit routes (ref BP Guidebook pg 20).

Consistency with the Jefferson Park Neighborhood Plan 2005

The proposed rezoning is consistent with the Jefferson Park Neighborhood Plan Goals of creating focal points within the neighborhood – the retail core for the neighborhood at West 25th & Eliot – and enhancing residents' ability to work, shop and recreate within the neighborhood.

The proposed rezoning is consistent with the sub-area goal to “Strengthen the neighborhood retail center to support the neighborhood as a self-contained community with a healthy activity center” and consistent with the plan recommendation to “Encourage new construction to be mixed use with residential and retail.” (JPNP pg 49).

Rezoning Criteria for 25th Ave Map Amendment

2. Uniformity of District Regulations and Restrictions

The proposed rezoning from G-MU-3, UO-3 to G-MS-3 with Waviers will be complimentary to the adjoining G-MS-3 zone district to the west and north, and result in the uniform application of zone district building forms, uses and design regulations. Furthermore, the stated intent of the G-MS-3 with Waviers zone district will reinforce the needs of the community and the central business district.

3. Public Health, Safety and General Welfare

The proposed official map amendment maintains the public health and safety, and improves the general welfare of the City through implementation of the city's adopted land use plans as described earlier in this application.

4. Justifying Circumstance

This application identifies several changed and changing conditions as the justifying circumstances 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." While the property is situated on the transition from a Blueprint identified area of change to an Area of Stability, the failure of the 2010 legislative rezoning to honor the Blueprint and 2005 Jefferson Park Neighborhood Plan recommendations for single unit/duplex development, has resulted in a dramatic densification of the Core Residential Subarea, whereby formerly single family parcels are being converted into townhomes (via the apartment form) perpendicular to the street, allowed in the current multi-unit G-MU-3 zone district. This departure from adopted plan recommendations has resulted in the factors which create justifying circumstances appropriate for the proposed rezoning.

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

This requested rezoning from G-MU-3, UO-3 to G-MS-3 with Waviers is consistent with the Neighborhood Plan recommendation for 25th and Eliot Central Business District. The proposed G-MS-3 with Waviers zone district will allow forms and restrict uses in a manner that is consistent with the community serving central business district by allowing growth in a manner that accommodates the changing conditions and plan deviations that have resulted in higher density development in the core residential subarea.

LEGAL DESCRIPTION FOR PROPOSED MAP AMENDMENT

AN AREA CONSISTING OF THE FOLLOWING PARCELS:

TOWN OF HIGHLAND B25 L19EXC REAR 8FT TO CITY
TOWN OF HIGHLAND B24 L4 EXC W 15.30FT AND EXC REAR 8FT TO CITY
TOWN OF HIGHLAND B24 W 15.30FT OF L4 EXC REAR 8FT TO CITY
TOWN OF HIGHLAND B24 L5 EXC REAR 8FT TO CITY
TOWN OF HIGHLAND B24 L6 EXC REAR 8FT TO CITY
TOWN OF HIGHLAND B24 L7 EXC REAR 8FT TO CITY
TOWN OF HIGHLAND B24 L8 EXC REAR 8FT TO CITY
TOWN OF HIGHLAND B24 L9 EXC REAR 8FT TO CITY
TOWN OF HIGHLAND B24 E 28.815FT OF N 91.25FT OF L10

IN ADDITION TO THERETO THOSE PORTIONS OF ALL ABUTTING PUBLIC RIGHTS-OF-WAY, BUT ONLY TO THE CENTERLINE THEREOF, WHICH ARE IMMEDIATELY ADJACENT TO FORESAID SPECIFICALLY DESCRIBED AREA.

May 10, 2017

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



To Whom It May Concern:

Jefferson Park United Neighbors (“JPUN”) is the Registered Neighborhood Organization (RNO) for the Jefferson Park neighborhood. JPUN general membership meets monthly to discuss relevant issues and to provide information to the neighborhood. Our Land Use Committee (“LUC”) also meets monthly to review zoning, construction, traffic and other issues of immediate concern to the residents of our area. We have had multiple discussions regarding a potential rezone for three properties, 2828 W. 25th, 2830 W. 25th, and 2836 W. 25th Avenue (“Dublin Properties”) from a G-MU-3 zoning to a G-MS-3 zoning. In addition to discussing the potential rezone at multiple LUC meetings it has also been discussed at no less than two of our general membership meetings and multiple articles were included in our monthly newsletters. The vast majority of the feedback we have received to date has been positive, with only some small concerns regarding zoned allowed commercial uses which are addressed below.

We first met with developer of the Dublin Properties, Dublin Development, at our January LUC meeting. At this meeting, Dublin Development expressed that they were interested in a potential rezone, similar to that of the rezoning request that was in process (and was approved) on the north side of the street (2827 W. 25th and 2833 W. 25th Avenue). Dublin Development was looking to allow for some commercial use for the Dublin Properties. As such, an initial Memorandum of Understanding (“MOU”) was created with the understanding that JPUN would support a rezone, contingent upon a requirement that commercial space would be built in addition to residential. During the discussion of the MOU the Federal Boulevard Business Improvement District (“BID”) was brought in as a partner willing to sign the MOU and related restrictive covenant (“Covenant”). JPUN has since met with Dublin Development at three additional LUC meetings and they have been present at two or more general membership meetings. The initial MOU has been amended to include the two properties directly to the west of the lots in question, 2840 W. 25th, and 2842 W. 25th Avenue (“Western Properties”). The addition of the Western Properties will make the rezone (and zoning) contiguous on the south side of the West 25th Avenue. At JPUN’s March 14th general membership meeting the proposed rezone was discussed and was unanimously supported by membership (with some conditions as outlined below). JPUN supported the rezoning of the following properties, 2828 W. 25th, 2830 W. 25th, 2836 W. 25th, 2840 W. 25th, and 2842 W. 25th Avenue (“Original Approved Properties”). Each of the owners of the Original Approved Properties have agreed to be a part of the rezoning request and have agreed to an MOU.

In the various LUC meetings at which the Original Approved Properties were discussed, the LUC felt that additional commercial space would be beneficial to the neighborhood and that it fit within the neighborhood plan (“Plan”). The Plan expresses a desire to create “a secondary focal point in the neighborhood commercial area at West 25th Avenue and Eliot.” While originally envisioned along Elliot,

JPUN feels that the goal of the Plan was to allow some fluidity in the boundaries of the various sub-areas to expand/change as the neighborhood grows and changes. JPUN feels that expanding the commercial zone westward down West 25th Avenue creates the commercial focal point that is the goal in the Plan. However, due to the fact that the Western Properties were not part of the initial Dublin Properties' rezoning request, we stressed our desire to have the Western Properties join the rezoning request (and MOU/Covenant) so that the block and zoning would be contiguous. One concern of the potential rezone was some of the allowed uses of a G-MS-3 zoning. The LUC felt that using the property for an After-Hours Health Facility, Car Wash Bay, Drive Through Facility, Marijuana Facility, Pawn Shop, Rental or Sales of Adult Material, and Vehicle/Equipment Sales, Rentals, Service & Repair, or a leasing/sales office would not be desirable, but that all other allowed uses under the Commercial Sales, Services, & Repair Primary Use Classification would be. In addition to the restriction on commercial use, it was also desired that select (brick and glass) materials would be used along West 25th Avenue, with limited use of less desirable materials (stucco). Furthermore, the LUC felt that placing a restriction on the rezone requiring commercial use along West 25th Avenue would be necessary to bring benefit to the neighborhood. As a result, the LUC unanimously voted in favor of recommending a rezone of the Original Approved Properties from G-MU-3 to G-MS-3, with a requirement for commercial use along West 25th Avenue with the restrictions outlined previously to the general membership and contingent upon the Western Properties joining the initial Dublin Properties' rezone request, MOU, and Covenant. It was expressed during the LUC meeting by the Dublin Development that in their conversations with the Western Properties that they would be willing to join the rezone request. These conditions regarding use would be placed upon the each of the properties using the Covenant entered between the various property owners and the BID.

Subsequently an owner of two additional properties has requested to join the rezoning effort. The properties are 2821 W. 25th and 2825 W. 25th Avenue and are owned by Nathan Johnson and his partner ("Johnson Properties"). The Johnson Properties are on the north side of the West 25th Avenue and would extend the previously approved rezoning request. Nathan Johnson has come to multiple LUC and general membership meetings to learn about the rezoning process as well as the rezoning request by Dublin Development. Nathan Johnson asked to join the rezoning on April 6th. His request to join the rezoning effort was subsequently discussed at our April and May LUC meetings and recently at our May General Membership meeting.

At our April LUC meeting we were able to discuss the rezoning request for the Original Approved Properties with the owner of 2816 W. 25th Avenue, Alex. At this meeting, Alex expressed some reservations about the rezoning request, but was unable to state whether he was supportive of the rezoning request, potentially interested in adding his property to the rezoning effort, or not. He stated he needed additional time to think about it. At our May LUC meeting Alex determined that he was not supportive of the rezoning effort. With the help of Councilman Espinoza, we were able to get into contact with the two properties to his east, 2814 W. 25th, and 2812 W. 25th Avenue, and it was determined that they were ambivalent to the rezoning effort.

After our May LUC and prior to our May general membership meeting we published our monthly newsletter. This newsletter is distributed electronically and hand delivered in the neighborhood. In the

newsletter, we asked residents to come to the May general membership meeting to vote on 3 issues as outlined below.

Issue #1.

The JPUN membership approved supporting Dublin Development's rezoning application for its three properties on the south side of West 25th Avenue, which has the support of and includes the two property owners to the west of Dublin's property. Nathan Johnson owns the property at 2821 W. 25th and 2825 W. 25th Avenue, which is across West 25th Avenue, and immediately to the east of the property that was already successfully rezoned. Dublin and Mr. Johnson have agreed to add Mr. Johnson's property to the Dublin's rezone application. Should JPUN vote to support Councilman Espinoza submitting this re-zone?

The issue outlined above was voted on at our May general membership meeting and was unanimously approved (except for a handful of members abstaining due to conflicts of interest).

Issue #2

The three properties to the east of the Dublin Property could also be rezoned to G-MS-3, creating continuity of commercial/mixed use zoning along most the south side of West 25th Avenue. The owners have been contacted about joining in the rezoning. The property owner immediately to the east of Dublin's property does not support rezoning. The remaining two property owners are ambivalent. Should these three properties be added to Dublin's rezoning application?

The issue outlined above was voted on at our May general membership meeting and was unanimously approved (except for a handful of members abstaining due to conflicts of interest).

Issue #3

If Issue 2 is approved, should JPUN support Councilman Espinoza submitting the application to rezone these three properties G-MS-3? This was amended to include waivers that are similar to the restrictions on commercial use put into place with our MOU on the other properties in the re-zoning effort.

The issue outlined above was voted on at our May general membership meeting and was unanimously approved (except for a handful of members abstaining due to conflicts of interest).

As a result, JPUN is supporting a rezoning request of the following properties: 2828 W. 25th, 2830 W. 25th, 2836 W. 25th, 2840 W. 25th, 2842 W. 25th, 2821 W 25th, 2825 W. 25th, 2816 W. 25th, 2814 W. 25th, and 2812 W. 25th Avenue.

We hope that by making our wishes known to you regarding this rezoning request that they will be taken into consideration as part of the rezoning request.

Sincerely,



Justin Potter
LUC Chair



Michael Guiietz
JPUN President