

Planning Board Comments



Submitted on	29 October 2024, 9:27PM
Receipt number	713
Related form version	3

Your information

Name	Cody Sharma
Address or neighborhood	5504 E Custer
ZIP code	80246
Email	codysharma1@gmail.com

Agenda item you are commenting on

Rezoning

Rezoning

Address of rezoning	Washington Virginia Vale, Virginia Village
Case number	2024 -00104

Draft plan

Plan area or neighborhood

Proposed text amendment

Project name

Historic district application

Name of proposed historic district

Comprehensive Sign Plan

Address of comprehensive sign plan

Case number

DURA Renewal Plan

Address of renewal project

Name of project

Other

Name of project you would like to comment on

Submit your comments

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

Strong support

Your comment:

I fully support the rezoning of the various parcels to either S-MX-3A or S-MU-3A. Updating Denver's zoning to allow for greater mixed use will make our neighborhoods more economically vibrant and successful.

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

From: marybeth.susman@gmail.com
To: [Penafiel Vial, Maria F. - CPD CE2159 City Planner Principal](#)
Subject: FW: [EXTERNAL] Zoning for Near Southeast Area Plan
Date: Wednesday, October 30, 2024 10:47:04 AM

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Dear Councilmembers Sawyer, Kashmann, and Romero Campbell

Thank you and CPD for the excellent Near Southeast Area Plan and now for your pro-active follow-up in leading a re-zoning that will be consistent with the land use vision and goals of the plan. I am particularly pleased that the property at Alameda and Quebec, site of the former Watson Memorial company, now owned by the Moutzouris family, is included in the plan and this re-zoning effort. The Moutzouris have been a beloved neighborhood family who have owned and operated Pete's Market at Holly and Cedar Streets for over 40 years. This family business has been a cornerstone of our neighborhood identity. I am happy to hear that they are included in your zoning so that it conforms to the Area Plan, and I know they will continue to be the excellent and caring neighbors they have always been for us.

Best regards,

Mary Beth

Mary Beth Susman, Ph.D.

MB Susman LLC

Mobile: 720 382 4003

marybeth.susman@gmail.com

From: [Planning Services - CPD](#)
To: [Penafiel Vial, Maria F. - CPD CE2159 City Planner Principal](#)
Subject: FW: [EXTERNAL] Near SE Area plan
Date: Monday, October 28, 2024 1:11:55 PM

From: Aileen Burrell <aileenburrell@gmail.com>
Sent: Sunday, October 27, 2024 7:41 AM
To: Planning Services - CPD <PlanningServices@denvergov.org>
Subject: [EXTERNAL] Near SE Area plan

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Hello, I'm a homeowner in Indian Creek (Summerfield) but I won't be able to make the November 6 meeting, but I had a question. We live across from the recycling plant as well as a very large industrial area there. Are there any plans about changing that rezoning or moving the recycling plant?

In addition to that, I would say that cherry Creek South Road in between Evans and Quebec has definitely increased in traffic. I would recommend some pedestrian crossing areas, particularly at Jewel, South Cherry Creek and the Cherry Creek path. It's a very dangerous area in the morning as the path intersects with the road in middle of the intersection making it very dicey to get across!

Thank you.

Aileen Burrell
1821 S Spruce st.
Denver 80231
7203398038

From: [Rezoning - CPD](#)
To: [Penafiel Vial, Maria F. - CPD CE2159 City Planner Principal](#)
Subject: FW: [EXTERNAL] Rezoning application 24i-00104 submitted 9-9-2024
Date: Tuesday, October 1, 2024 1:08:32 PM

From: Patrick Good <wpgood@gmail.com>
Sent: Saturday, September 28, 2024 4:26 PM
To: Rezoning - CPD <Rezoning@denvergov.org>
Subject: [EXTERNAL] Rezoning application 24i-00104 submitted 9-9-2024

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I would like to register my objection to this application. This neighborhood already suffers from too much traffic and the block this application covers is already fully built out. If more density in this area is allowed it would only lead to more traffic and diminishment of existing home values.

None of these lots are good candidates for ADU's, and dropping the minimum lot size to only 3000 sq ft would only damage the existing character of the neighborhood.

Please keep this zoned R-1 and do not let this application move forward.

Sincerely,

William P Good
1550 S Krameria St
Denver, CO 80224

Residents of the 300 Block of S. Poplar St.
300 S Poplar St. Denver, CO 80224
GScottBartlett@gmail.com
303-888-8403
11/04/2024

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

Subject: Objection to Proposed Zoning Change at 365 S. Quebec St (SW corner of Alameda and Quebec St)

Case number 2024i-00104

Dear Denver City Council members,

We are writing to express our serious concerns and fervent opposition to the proposed addition of the property located at the SW corner of Alameda and Quebec St. (365 S. Quebec St) to the Near Southeast Rezoning Plan in the Washington Virginia Vale neighborhood. Changing zoning to allow mixed use (S-MX-2X) will create a serious public safety issue for all who pass through the intersection, it will drastically alter the character of our community and negatively impact the quality of life for area residents.

Reasons for Opposition

Increased Traffic Congestion:

Any additional development would significantly increase traffic at the already busy and dangerous intersection, posing a safety hazard for drivers and pedestrians. It will also add additional noise and cause significant disruption to the neighborhood.

Public Safety:

This intersection has repeatedly been identified as one of the most dangerous intersections in Metro Denver. In addition to frequent vehicle accidents, there are at least weekly motorcycle and ATV groups speeding down Alameda, paying little to no attention to traffic or pedestrians. The intersection is very busy with pedestrian traffic moving among multiple bus-stops on busy lines and high volume of families with young children on Shabbat. It is an extremely dangerous intersection and adding mixed-use on that corner will only increase the danger.

Negative Impact on Property Values:

The change in zoning will lead to a decline in property values for surrounding homes as the

character of the neighborhood would change with the introduction additional traffic and noise. Six-foot property fences will do little to nothing to shield us from the increased use.

Notification and visibility of requested change:

The sign notifying of a proposed zoning change is on a portion of the property that, since we live on a cul-de-sac, is rarely accessed by anyone in the neighborhood.

Request for Action

We strongly urge the Denver City Council to carefully consider the detrimental impacts this zoning change would have on our community and reject the proposed rezoning application. We believe the best interests of our neighborhood and anyone who travels through the Alameda and Quebec intersection would be served by maintaining the current zoning designation.

Please do not hesitate to contact us if you have any questions regarding our concerns.

Sincerely,

G. Scott Bartlett, Maria E. Hannon, Carlyn Parker, Alan Peryam, Gary Thomas, Larry Leeman

cc: Paul Kashman, Diana Romero Campbell and Amanda Sawyer

From: mrscolle@gmail.com
To: [Penafiel Vial, Maria F. - CPD CE2159 City Planner Principal](#)
Subject: [EXTERNAL] Do not let Watson's on Quebec and Alameda rezone to multi!
Date: Tuesday, October 29, 2024 6:58:49 PM

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I am demanding that the old Watsons Building on quebec and alameda in Denver not be included in the rezoning plan for Denver. Allowing them to do this would cause added noise, stress and less safety to our cul de sac that backs up to that land. It is already enough to allow a house of worship to be created on our cul de sac, with no rezoning restrictions, and now a possible business with parking that backs up to us!

We bought our homes here, most over 20 years ago, and put up with crazy noise on Alameda 24/7, wrecks on the corner almost daily and now this??? Please think about us too!


I am available to chat at most anytime. Thank you!

Judy Banjavic
330 South Poplar St
Denver. 80224
303-525-2160

Sent from my iPhone

**CITY AND COUNTY OF DENVER, COLORADO
REGISTERED NEIGHBORHOOD ORGANIZATION
POSITION STATEMENT**

Following a vote of the Registered Neighborhood Organization, please complete this form and email to rezoning@denvergov.org. You may save the form in *.pdf format if needed for future reference. Questions may be directed to planning staff at rezoning@denvergov.org or by telephone at 720-865-2974.

Application Number	2024i-00104
Location	Properties located within the Near Southeast Area per Application 
Registered Neighborhood Organization Name	Winston Downs Community Association
Registered Contact Name	Jeff Aldrich
Contact Address	WDCA PO Box 22594 Denver CO 80222
Contact E-Mail Address	info@winstondowns.org
Date Submitted	10/11/2024

As required by DRMC § 12-96, a meeting of the above-referenced Registered Neighborhood Organization

was held on , with members in attendance.

With a total of members voting,

voted to support (or to not oppose) the application;

voted to oppose the application; and

voted to abstain on the issue.

It is therefore resolved, with a total of members voting in aggregate:

The position of the above-referenced Registered Neighborhood Organization is that Denver City Council

Application # .

Comments: One attendee left the meeting prior to the vote on the above issue, so 21 attendees in total voted.
See attached comments from WDCA related to the application.

WINSTON DOWNS COMMUNITY ASSOCIATION

October 11, 2024

Community Planning and Development | City and County of Denver
Wellington E. Webb Municipal Office Building
201 W. Colfax Ave.
Denver, CO 80202

Esteemed Members of the Denver Planning Board:

The Winston Downs Community Association (WDCA) opposes the inclusion of 365 S. Quebec Street (parcel ID number 617100064000) in the legislative rezoning proposal entitled "Near Southeast Area Legislative Rezoning (case 2024i-00104).

As a registered neighborhood organization (RNO) and as Denver residents, we urge you to consider the following concerns that we have related to the proposal:

- 1) A one-size-fits-all rezoning strategy of the legislative rezoning proposal does not uniformly protect the character of the affected Denver neighborhoods. It might work for many parcels but it will result in negative unintended consequences for many others.
- 2) A case-by-case review of some parcels slated for rezoning based on the input of affected RNOs in this public hearing process is required. The proposed rezoning of the parcel (ID# 617100064000) on 365 S. Quebec Street is an example of one such case. Inclusion of this parcel in the proposal is WDCA's primary concern.
- 3) Traffic associated with many of the permitted uses in the proposed zoning designation would exacerbate congestion problems and worsen safety issues on one of the most dangerous intersections in the City of Denver. This parcel is right in front of the South-bound merge lane on S. Quebec St. During rush hour traffic can be very congested from drivers turning South onto S. Quebec St. from Alameda Avenue and other South-bound traffic.
- 4) The owner of this parcel has a history of proposing businesses (e.g., car wash and car parking structures) that are not consistent with our neighborhood's character and do not benefit residents. The property owner has received multiple citations for leaving illegal shipping containers on-site and failing to maintain vegetation or remove debris and waste from property. They sought and received permission from Denver Community Planning & Development to add "garden" as an accessory use for this parcel, a primary feature of which includes permanent installation of the shipping containers as storage. These shipping containers were the focus of prior use violations. Concurrently, the property owners submitted a redevelopment plan to build a car wash on the site which has numerous safety and other obvious problems. While the car wash may be mitigated by the proposed

WDCA PO Box 22594, Denver, CO 80222
info@winstondowns.org

rezoning, rezoning to S-MX-2A (or the more restrictive S-MX-2X designation) still provides inadequate guardrails to guide development of this parcel.

- 5) The range of uses permitted by the S-MX-2A and S-MX-2X zoning designations is too broad to meet the land use policy objectives in the Near Southeast Area Plan. There are few suitable redevelopment opportunities that support walkable businesses that benefit our neighborhood. Other auto-oriented opportunities permitted under these zoning designations would harm our residents. The property is located across the street from historic Fairmount Cemetery, which should be considered before rezoning the property to permit a wide range of residential and commercial uses.
- 6) The legislative rezoning proposal process did not permit adequate time for review. WDCA worked over the past year or more to review the draft Near Southeast Area Plan, only to be unable to obtain details of this legislative rezoning proposal over the past two months from our RNO representative at City Council Representative Amanda Sawyer's office. Details of the proposed zoning were not available until the release of the rezoning proposal in the final weeks before the October 16 hearing.
- 7) This is the first application of a legislative rezoning process in the City and County of Denver. The legality of the process as implemented and the authority of Community Planning & Development to rezone large numbers of parcels in this manner are not clear.
- 8) WDCA realizes that rezoning might be required to facilitate redevelopment of this parcel. We welcome rezoning this parcel for a narrow, targeted set of uses via a conventional rezoning application.

We urge you to vote NO on the rezoning proposal if it includes the above-referenced parcel. Changing the proposed rezoning of this parcel from S-MX-2A to an S-MX-2X designation does not change WDCA's position on the matter. If the parcel is excluded from the rezoning proposal, WDCA takes no position on the passage of the proposal.

As an overall comment, due to the significant impact of this rezoning proposal, the public input process should be slowed down to allow more RNO input on individual parcels.

December 30, 2024

LINDSAY K. LYDA
303 575 7545
LLYDA@OTTENJOHNSON.COM

Denver City Council
1437 Bannock Street, Room 451
Denver, Colorado 80202

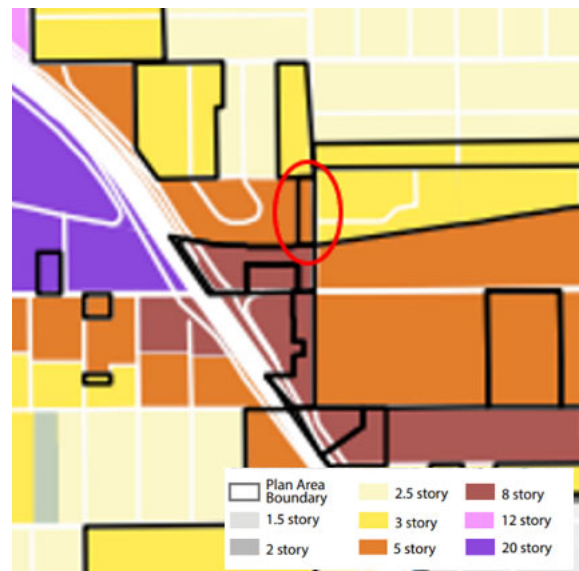
Re: Near Southeast Area Plan Legislative Rezoning (Official Zoning Map Amendment Proposal #2024I-00104); 2001 South Dahlia Street

Dear City Council:

On behalf of 2001 S Dahlia LLC (“**Owner**”), the property owner of 2001 South Dahlia Street (“**Property**”), I am writing to request that City Council consider rezoning the Property to the S-MX-5A zone district, rather than the S-MX-3A zone district, as part of the Near Southeast Area Plan Legislative Rezoning (“**Legislative Rezoning**”) on January 6, 2025.

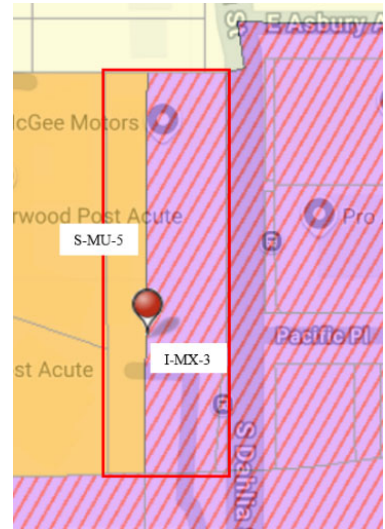
The Legislative Rezoning currently contemplates rezoning the Property to the S-MX-3A zone district. Owner requests that City Council rezone the Property to the S-MX-5A zone district to allow for a base building height of 5 stories, rather than the 3 stories afforded by the S-MX-3A zone district. Doing so not only furthers the Near Southeast Area Plan (“**Plan**”) guidance, it also allows for greater development potential on the Property, which is within a quarter mile of the I-25 and Evans Avenue interchange, a half mile from the RTD Colorado Station, and adjacent to an existing bus transit line and bus stop.

As shown on the future base height guidance map from the Near Southeast Area Plan (“**Plan**”), the recommended base building height for the Property is 5 stories without incentives. The Plan was adopted on May 22, 2023, and is intended to “play an important role in guiding rezoning decisions.” Plan, p. 10. During its November 6, 2024, public hearing on the Legislative Rezoning, several Planning Board members expressed support to rezone properties to 5 stories where the base height supported such recommendation in the Plan.



We understand that the Legislative Rezoning intentionally limits the Property, as well as several other properties, to a height of 3 stories due to the City’s desire for further infrastructure improvements and studies before permitting a base building height of 5 stories.

Despite these concerns, we would contend that the Property is uniquely situated such that it is appropriate to rezone the Property to 5 stories as part of the Legislative Rezoning. As noted above, the Property is in close proximity to a range of existing transit options. The Property currently consists of a split zoning (as shown on the image to the right) where the western portion of the site is zoned S-MU-5, which allows 5 stories, and the eastern portion is zoned I-MX-3, which limits height to 3 stories. The adjacent property to the west is also zoned within the S-MU-5 zone district. Therefore, zoning to allow 5 stories is consistent with a portion of the Property’s existing zoning, the zoning of the property to the west, and the Plan guidance.



Finally, rezoning the Property to the S-MX-5A zone district as part of the Legislative Rezoning eliminates the need for a future upzoning of the Property, thereby avoiding the additional City staff time and resources needed to process a future upzoning and allows for increased efficiencies.

Therefore, we respectfully request that City Council consider rezoning the Property to the S-MX-5A zone district as part of the Legislative Rezoning.

Sincerely,

Handwritten signature of Lindsay K. Lyda

Lindsay K. Lyda
For the Firm

LKL/alk