

From: [Bruce O'Donnell](#)
To: [Brooks, Albus - CC XA1404 Member Denver City Council](#); [Clark, Jolon M. - CC XA1405 President Denver City Council](#); [Black, Kendra A. - CC Member Denver City Cncl](#); [Herndon, Christopher J. - CC Member Denver City Cncl](#); [Kashmann, Paul J. - CC Member Denver City Cncl](#); [Ortega, Deborah L. - CC Member Denver City Cncl](#); [Susman, Mary Beth - CC Member Denver City Cncl](#); [Kniech, Robin L. - CC Member Denver City Cncl](#); [Lopez, Paul D. - CC Member Denver City Cncl](#); [Espinoza, Rafael G. - CC Member Denver City Cncl](#); [Gilmore, Stacie M. - CC Member Denver City Cncl](#); [New, Wayne C. - CC Member Denver City Cncl](#); [Montoya, Chy - CC Senior City Council Aide](#); [Thompson, Maggie M. - CC Senior City Council Aide](#); [Lara, Adriana - CC Senior City Council Aide](#); [dence - City Council](#); [Flynn, Kevin J. - CC Member Denver City Cncl](#); [Nola Miquel](#)
Cc: [Levingston, Courtney L. - CPD CE0429 City Planner Senior](#); [Thate, Melissa - OED CA2308 Administrator II](#); [Lindsey, Will M. - CPD CE0371 City Planner Associate](#); [Showalter, Sarah K. - CPD CE2777 Manager](#); [Brudzynski, Laura R. - OED CA2309 Administrator III](#); [Dalton, Kyle A. - CPD Principal City Planner](#); [Jennings Golich, Jill R. - CPD CA1769 Executive](#); [Aguilar, Irene - OED CA2309 Administrator III](#); [Hiraga, Eric S. - OED MA0054 Director of the Denver Office of E](#)
Subject: [EXTERNAL] UPDATE Re: **City Council First Reading TONIGHT** CB 19-0127 Rezoning 2535 E. 40th I-A to I-MX-3 2018I-00072
Date: Monday, March 11, 2019 4:14:03 PM

Members of Denver City Council:

CC: GES Coalition

Here is a quick update on the emails I sent earlier today regarding affordable housing opportunities at the 2535 E 40th redevelopment site. Under I-MX-3 zoning, in addition to the affordable housing commitments I mentioned in my earlier email that will be codified in a development agreement with OED and hopefully in a MOU with GES, I have now received the following information:

We are optimistic that, in addition to the deed restricted affordable units I mentioned this morning and which will be subject to our development agreement with OED; it now appears the capitalization of and financing arrangements we are pursuing for the redevelopment will allow us to deliver approximately 60 to 80 additional dwelling units that can be offered at below market rates. We anticipate these units will serve residents in the 60% to 80% AMI range and will be working diligently over the next few weeks in pursuit of this opportunity. We look forward to working with the community to positively integrate these dwelling units and the overall redevelopment of the former AT&T industrial property with the neighborhood.

Bruce C. O'Donnell



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On Mon, Mar 11, 2019 at 12:33 PM Bruce O'Donnell
<bodonnell@starboardrealtygroup.com> wrote:

March 11, 2019

Members of Denver City Council:

RE: CB 19-0127

This Council Bill, is for rezoning application 2018I-00072, rezoning 2535 E. 40th Ave from I-A to I-MX-3. It is at Council for First Reading tonight. I am writing you to request that CB 19-0127 not be called out and delayed and that our Public Hearing remain on schedule for April 8.

The individuals, Brooke and Tom Gordon, for this project are committed to immediately begin negotiations on and enter into a development agreement with the City that will provide assurances around the shared vision for and the redevelopment of the property concerning:

1. Provisions for the building of affordable housing on site at 60% AMI or lower, with advertising and first purchase opportunities targeted to teachers at the Bruce Randolph School and neighborhood residents.
2. The creation of public open space to include programming such as playgrounds, community gardens, trails and plazas.
3. Other possible community benefits related to the arts to include the donation of property for a non-profit performing arts complex and the development of live-work space for artists.

We are available to meet with City Staff anytime, including today, and in working with staff at CPD and OED look forward to identifying specific terms for such an

agreement immediately. We have also offered to work towards an agreement with the community through a Memorandum of Understanding with the GES Coalition.

The Gordons are not a large development company but a family that has a shared vision for this property. The financial burden of mortgage payments, maintenance, insurance and taxes on the 230,000 sq. ft. building, and all development costs are paid for out of their pocket. Any delay will necessitate a rethinking of the project.

Therefore it is important that this rezoning not be delayed and we respectfully request that our April 8 public hearing date be kept. There is plenty of time to work on an agreement that will memorialize our vision and commitments for the site (which are largely shared with the community) between now and April 8; and we are continuing our ongoing efforts to engage with the community, which we have been doing since July 22, 2018.

For your information, we directly and proactively contacted Elyria and Swansea ("ES") RNOs on July 22, 2018, October 16, 2018 and again on February 4, 2019 explaining the project, providing copies of the rezoning application and requesting the opportunity to meet with the ES RNOs. We never received a reply from an ES RNO on any of these repeated attempts to engage with them.

In addition, the City provided public notice via email to the RNOs on October 11, 2018, January 18, 2019 and again on February 11, 2019. As is required, the City also mailed 49 public notice postcards to property owners twice, on October 16 and again on January 22 for a total of 98 postcards.

Documentation on all of this applicant outreach and City notice is attached.

Again, all of these combined notifications resulted in no response or engagement efforts of any kind by these ES RNOs. Our proactive engagement and outreach did, however, result in positive community engagement with Clayton United and the Elyria Swansea Globeville Business Association who both responded to our same outreach.

Sufficient notice and requests to engage and solicit community input have been given and are ongoing. We are scheduled to meet with the community on March 18 at an Open House we are hosting at the site, and again in March 25 at the United North Denver RNO meeting.

Delay is not beneficial or needed as community engagement is ongoing and sufficient progress can be made on a development agreement with the City and the MOU with the community to create the assurances on development outcomes shared by the developer and the community between now and April 8.

We look forward to continuing work with the City and the community, and to having our public hearing on April 8 as scheduled.

Sincerely,



Bruce O'Donnell
STARBOARD Realty Group, LLC
Owner's Representative

Bruce C. O'Donnell



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