

As an organization with a 100% approval rating on rezoning applications, the neighborhood organization was eager to work with the prospective developer of one of the most prominent sites in Denver's Platte River Valley. JPUN takes pride in its grasp of the issues that have created and resulted in the current state of the community, and is committed to promoting development that is consistent with the vision in the neighborhood's newly adopted Neighborhood Plan, by capitalizing on the strengths of the neighborhood, while avoiding displacement and promoting sustainable growth.

For reasons unknown to the members of JPUN, the developer elected to engage the neighborhood both reluctantly and primarily through third-party representation. Consequently the developer failed to foster the kind of dialog that results in finding common ground needed to garner the neighborhood support previous developers had readily achieved from JPUN.

Despite hundreds of our volunteer hours put into this project on the developer's behalf, the PUD application filed on September 5, 2006 represents essentially the same project presented and soundly opposed by JPUN on January 3, 2006. The number of units has not changed; the only physical modification that separates this PUD from the original RMU-30 with waivers is the inclusion of a District Plan that shows five buildings in lieu of the original three. To wit, when the JPUN Land Use Committee expressed concern of the size of the structures on December 16, 2005, JPUN's first look at the project, the Developer (Jim Norman) responded that in their meeting with the City on December 15, 2005, the Fire Department also objected to the size of the masses and would be breaking them up.

The goals of JPUN, as generally stated in the Neighborhood Plan and restated and defined repeatedly in an attempt to nurture the development to one that respects the Neighborhood Plan which subsequently addresses the concerns of stakeholders and residents, have wholly been ignored in the submitted P.U.D. Application. JPUN applauds CPD's careful review of the application, and believes that staff comments are a welcome validation of the neighborhood's positions stated in "JPUN Identified Issues for Spanos Redevelopment" of September 19, 2006.

While there is a great amount of congruity between the Rezoning Application #4872 Review Comments provided to AGSpanos in a letter dated September 29, 2006 and JPUN's position, referenced above, the following areas continue to be of concern:

Comments on the rezoning application:

Item 5. P.U.D. SPECIFICATIONS

2 (a) i. Description of PUD

The JPUN request (Issue 1: Mixed Use Community) of 16,000 square feet of dedicated, purpose-built commercial use represents 50% of the existing commercial use in the proposed zone district. The minimum requested by the City Planner of 12,000 square feet represents a reasonable compromise. This 12,000 square-foot area shall be clearly stated in the P.U.D. as a minimum, not as a maximum, as currently proposed by the developer.

2 (a) ii. Live/Work

The definition of live/work space as commercial area has been repeatedly misrepresented or misinterpreted by the developer's team. The P.U.D. shall not classify the residential portion of the designated live/work units as part of the commercial square footage. To simplify the quantification, JPUN recommends that 50% of the area of Ground Floor Only live/work units be included in the recommended 12,000 square-feet of mixed uses. In the case of two-story live work units that have a level on the ground floor, 100% of the ground floor area may be used, provided that the ground floor level does not have a residential kitchen or sleeping quarters.

2 (b) Land Coverage by Buildings and Impervious Surfaces

See 2(e) Setbacks below for further information on “Land Coverage by Buildings.”

The P.U.D. shall require a minimum of 10% open area on each of the individual parcels comprising the zone lot. Therefore, the open area requirement shall not be calculated based on aggregate areas of the zone lot. Furthermore, a minimum of 25% of the open area on each parcel shall be landscaped or permeable area.

Aside from promoting reasonable separation and open space, the rationale is the underlying PRV zoning requires 6% minimum open area, while the adjacent R3 along River Drive requires 30%. In addition, the JPUN-supported rezoning of the former Hammonds Construction parcel, located at the southwest intersection of Bryant and Front View Crescent, modified their zone district to include 10% open space.

2 (c) Landscaped or Permeable Areas

See item 2(b) above.

2 (e) Setbacks

Prior to any approval or vote regarding application #4872, the District Plan shall include all related setbacks and building areas that are separated by dedicated no-build zones that shall be aligned with the view corridors noted below.

2 (e) Add View Corridors as Subsection to Setbacks

The District Plan should identify the “no-build” zones that align with the existing streets of Front View Crescent and River Drive. To reiterate, additional setbacks from those zones should reflect a right of way consistent with the right of way and setback requirements for the existing streets of Front View Crescent and River Drive. These no-build and related setback areas shall be included in the District Plan prior to a vote on approval of this rezoning.

2 (f) Maximum Height of Structures

The height definition in the review comments is consistent with JPUN’s understanding of the view corridor as it was presented in neighborhood open houses throughout the development of the Jefferson Park Neighborhood Plan.

. Bulk Plane Regulations

Please note that contrary to the review comments, Building 5 is not a mere 275 feet long, it is shown longer than 400 feet. This exceeds the 250-foot length by over 150 feet.

Regarding the reality of the placement and scale of residences on River Drive, though it is zoned R3, this historic fabric is in reality acting like R1/R2. This processes that lead to this over zoning never materialized nor should they given the uniqueness of this street to the city’s history. Proper R1/R2 zoning would trigger protection by Zoning Section 59-96 "Special Limitations on bulk planes and building heights". It states that any land within 175 feet of the protected district, bulk planes (including RMU30 zone lots), are limited to 45 degrees starting from 10' vertical (not 20) at the residential PL (or midpoint of street). This would effectively give existing residential homes good protection. This would apply mostly to any buildings fronting along the N-S alley at the east end of River Drive, and along the southerly alley south of River Drive. The P.U.D. shall include a requirement to treat existing residential R3 as R1/R2 under 59-96 for the purposes of bulk plane protection.

2 (j) Interior Street Drives, Parking Areas and Pedestrian Walkways

Vehicular site access shall be limited to one vehicular curb cut to every 225 lineal feet of curb.

2 (t) Transportation

JPUN has raised concerns about the traffic patterns and access to the site that have gone unaddressed. To address these concerns and possibly bolster the developer's own claims that this development would support the use of mass transit, the developer shall provide traffic studies that would inform all involved as to the impact the proposed development would have and request an RTD review for bus service.

The P.U.D. shall include a guideline to mitigate or eliminate development-related vehicular traffic on River Drive.

Lastly, somehow it should be noted, that within 180 days of an approved building permit on a for-rent residential development, the property owner shall be required to provide the registered neighborhood organization with documentation from the City, that the permitted addresses are barred from obtaining street parking permits for as long as the development remains a rental property. Due to the unique pressures this neighborhood endures during events and Invesco Field at Mile High, the prospect of a multitude of residential and temporary permits outlasting the lease agreements would exacerbate an already difficult parking situation.

4 Existing Conditions Map

In addition to the requirements stated, this map shall indicate and identify all existing residential structures within 100-feet of zone lot boundary to accurately illustrate affected adjacent structures.

Additional Issues for Consideration and Action

Design Standards

A physical definition of the project has been long-sought by JPUN. The neighborhood looks forward to a review of the developer's self-defined Design Standards that, at a minimum, reflect the "Exterior Design & Materials" standards defined in Issue 7 of the September 19th letter.