

**Jefferson Park United Neighbors (JPUN)
Land Use Committee (LUC)**

May 21, 2009

Zocalo Conference Room

Minutes by: Kari-elin Mock

<u>Attendees:</u>	<u>LUC Member</u>	<u>Presenter/Visitor</u>	<u>Project</u>
Fred Lai, Co-Chair	X		
David Solomon, Co-Chair	X		
Bill Seward	X		
Joe Boven	X		
Markus Byron	X		PURE
Brian Ray	X		PURE
Michael Guites		X	
Lauren Brockman		X	Allied
Cory Palmiero		X	Allied
Rafael Espinoza	X		
Ed Rovey	X		
Kari-elin Mock	X		

General:

1. The meeting was called to order at 7PM by Fred Lai, Co-Chair. A sign-in sheet and agenda were circulated.
2. Fred asked if there were any corrections to the April Meeting Minutes. None were suggested.
3. It was verified that a quorum of LUC members was present.

Old Business:

1. La Loma/Brinkerhoffs/Councilman Garcia follow-up letters from JPUN BOD:

- a) Fred had a hard copy of the letter to the Brinkerhoffs and the letter to Councilman Garcia written on behalf of the JPUN BOD by Tom Blythe, JPUN President. (The letters were written as a follow-up to the May 5 General Membership Meeting, where the rezoning vote passed.) The letters were passed around briefly.
- b) Kari mentioned that at the May 13 BOD meeting, a few members of the BOD volunteered to form a sub-committee and review the state of the current JPUN Bylaws, membership, and voting procedures. The subcommittee will research other Denver neighborhood organizations' bylaws and propose revisions for BOD and General Membership review.
- c) Some brief discussion ensued. Ed asked if there's one property with one physical address but multiple owners, how many votes are there?

2. Update on traffic study and Alcott vacation:

- a) Lauren said that he'd heard the traffic study was done and they should know next Thursday, which was originally supposed to be today. He understood the study was under final review of the management at the City.
- b) Lauren mentioned that they, like everybody else, are scrapping to get financing, but fortunately, they already own the land so they're not going anywhere. He commented that banks currently want 60% because they're still evaluating their toxic assets and it seems the stress test didn't help. He still thinks their site at 27th and Speer is a great one, though.
- c) Cory added that financing should be easier once the City approves the Site Plan.

Presentations/Discussions:

1. **La Loma/Brinkerhoffs:** (see Old Business, above)

2. **Allied Realty:** (see Old Business, above)

3. **Element 47 (formerly Pinnacle Station)/Spanos:** No update.

4. **Pure Townhomes:**

- a) Brian stated that he and Markus were back to present to LUC again due to a procedural problem with the LUC last year.
- a) Brian said that they are scheduled to present to City Council on June 3. He provided an overview of the issues and history with their site: There was a downzone (OD-9) that was passed last year for the area between 27-29th Ave. and Decatur to Federal. Pure requested to opt out of the downzone because they'd analyzed their property and the downzone would reduce their buildable area to a 15'-3" wide strip. Last year, the General Membership voted in support of the Pure rezone, on the condition that they would gain support from the OD-9 applicants for exclusion of their property. They gained that support and City Council granted them one year from September 15, 2008 to begin their project and remain excluded from OD-9.
- b) Brian said they were here at the LUC to ask for support again. He handed out some current marketing materials that represented the progress made since their last presentation.
- c) Rafael asked whether the OD-9 was approved by City Council and Brian confirmed it was approved with exclusions. In the case of Pure, he said the exclusion was allowed because their Site Plan and Traffic Engineering Plan had already been approved by the City. They are now planning to go back to City Council (June 3) and ask for an extension. In the meantime, they have done what they can to advance the project, developing the architectural drawings (have 23 so far) and interior layouts. They've also been meeting with Realtors and brokers to determine their listing agents. They are moving as if they will be able to start before September 15 this year, but they know that financing is questionable right now.
- d) Rafael stated that since the OD-9 was approved, that means that everyone else is bound to the setbacks and easements that go with it, but Pure only has about 5' setbacks from the adjacent properties. Brian responded that the same argument was made last year. He also stated that he believes many of the owners in the OD-9 affected area didn't fully understand the effects. Rafael said Pure could pursue their same project under R-3 with OD-9 by asking for a variance through the Review Board, similar to what he'd done for his own corner property.
- e) Bill asked whether City council had asked them to return. Brian responded that they had gotten some support at City Council, but Councilman Garcia said they should come back. The OD-9 applicants did support the Pure exclusion, but the Councilman did not want to change anything at the last minute with City Council. Brian reiterated that they were returning before the JPUN LUC and possibly the General Membership to verify support so it could be stated as such before Council.
- f) Bill asked whether there was a deed restriction. Brian responded no, but that the zoning restricted massing, height, as well as front, side, and rear setbacks.
- g) Rafael requested that the condensing units (air conditioning) be hidden from neighbor view. Brian responded yes, that was their intent.
- h) Joe motioned that the LUC recommend their support of the Pure Townhome rezone. David seconded. The number of voting members present was checked. Fred noted that due to the attendance rules of JPUN Standing Committees, Ed was not currently an LUC member able to vote. Ed expressed that he would like to regain membership and be able to vote. Rafael noted the challenges in attendance that the LUC has experienced and Ed committed to attend. As a result, Rafael motioned that Ed be reinstated as an LUC member and Joe seconded. By a show of hands, the vote was unanimous (8-0) to reinstate Ed's membership.
- i) Joe motioned again in favor of the Pure Townhomes rezone as excluded from the OD-9 in Jefferson Park at the corner of 27th and Decatur. David seconded. Brian and Markus excused themselves from the vote. By a show of hands, it was supported 5-2.

New Business:

1. No new items were introduced.

Meeting adjourned by Fred.