

BRUN		4/7/2020 ZAP Meeting	Minutes	Online conference call - 6:30pm	Date:	4/11/2020
				GOTOMeeting		
Roll Call:		10 OF 13 IN ATTENDANCE				
Present		Jeff Stine (JS); Bill Killam (BK); Michelle Frankel (MF); Eric Denardo (ED); Rober Schmid (RS); Jeff Laws (JL); Thad Tecza (TT); Marie Edgar (ME); Marc Cherveney (MC); Scott Danenhauer (SD)				
Absent:		Mike Nulty (MN); Steven Teitelbaum (ST); Thomas Mobley; Mycroft Smith (MS); Noel Copeland (NC)				
Guests:		Amanda Sandoval (AS); Naomi Grunditz (NG)				
AGENDA	Speaker					
ITEM						
1		Active Main Street Overlay - Progress and Final Review				
	JS	Introduction of topic. After two Town Hall meeting that took place in March, 2020, the city feels that they can move forward with the next steps of the approval process. Draft text for the Active Main Street Overlay/Rezoning - Proposal 1 have been circulated to the ZAP committee for review. CW Sandoval and her staff are present at this meeting to discuss.				
	NG	Discussion with Naomi Gunditz, staff. CW Sandoval was not yet present at the meeting.				
		Naomi described what she felt was the current consensus of the planning staff in the age of the COVID19 epidemic. Many are expecting a major shift in the speed of development. These are uncharted waters and a recession may be looming. Staff opinions on this rezone/overlay process have not changed. They still feel comfortable moving forward to the next steps provided they can receive final approval from BRUN on the Active Main Street Overlay/Rezoning - Proposal 1.				
	ALL	Several committee members expressed strong concern on proceeding without addressing the properties at the intersection of 44th & Lowell. In prior ZAP meetings, it was decided to hold on including the surrounding properties of 44th & Lowell. The SW corner of the intersection, referred to hence forward as the 'Safeway Site', is zoned MX-3. Because of the potential for major opposition to rezoning, it was decided to remove this area from the mapping. The thinking was that a rezone/overlay proposal would move more quickly through the city process if not included. The ZAP and later BRUN Board decision was to proceed with changes to less complicated MX-3 zoned areas (Tennyson St.) and address the more difficult 'Safeway Site' in Proposal 2 at a later date. Once an overlay was developed, adapted and approved, it may be easier to make amendments. Working through the process quickly may save the remaining undeveloped lots on our major commercial corridors from similar 100% residential, 'slot home' construction.				
	ME, TT, MC	Expressed concern about new development at the NW, NE & SE corners of 44th & Lowell. Why had they been removed from Proposal 1?				
	JS, JL	In earlier ZAP discussions it was decided to focus on the MX-3 zoned districts which allow 3 story construction within our RNO. MX zoned districts symbolize 'MIXED USE' development which would allow for both commercial and residential uses, however there is an exception in the zoning that allows for 100% of the ground floor to be residential. The intent of Proposal 1 was to change the MX-3 zoned properties to MS-3 zoning which would require retail and commercial space on the ground floor. At the time, MX-2 zoned properties were not the priority.				
	NG	Changing MX-2 zoning to MS-2 has NOT been modeled by city professional to identify problem areas that may result. Because these zone districts were not originally called out on early BRUN ZAP directives, modelling has not been ordered. It could be ordered but that will take some time with possible extension of time.				
	NG	Explained that mapping could potentially be modified through the next phases of the city process. She would need to check with the planning dept. and with CW Sandoval to confirm. She explained that the subject matter of the text was most important at this time.				
	JS	Discussed questions about the Overlay/Rezone text that were left unanswered at the Town Hall meetings.				
		1 - Suggestion of an amendment that would require ground floor building entries every 25-50' that face the street.				
		2 - Requested clarification of building height criteria for MS zoned properties. Are there exceptions that allow for increased building height for mechanical mezzanines, stair access to roofs or elevator overruns?				
	AS	CW Sandoval joins the meeting. A quick recap of what had been discussed is done.				
	NG	Item 1 about ground floor entries is a good idea. They have have internal discussions about adding this. This item was not in the original proposal that was approved by the BRUN board. Has been added to DRAFT Proposal 1.				
		BRUN board should approve this change if they want it to be included.				
		Item 2 about building height. Heather Noyes (HN) asked the question in the Town Hall meetings. CW Sandoval staff had direct email correspondence with HN to clarify the criteria and alleviate the concerns.				
	JS	Since HN is no longer participating in the BRUN ZAP committee, we request that the same information be sent to ZAP for review.				
	All	Further discussion on properties at 44th & Lowell with CW Sandoval.				
	AS	Confirms that properties around the intersection were taken out of the Overlay/Rezone Proposal 1 because of a memo where BRUN ZAP asked them to do so. This was done in part through guidance by CW Sandoval's office.				
	Background	Dave Marshall sent an email on 12/19/2019, after an online vote, that states: "Looks like we're good to move forward with starting on only areas 1-6 and identified as a first order effort." W 44th & Lowell was not one of the 6 areas indicated in the map sent. Noticeably, W50th and Lowell was added after this initial decision of which areas to begin with.				
	Background	Properties currently zoned MX-2 are located at the NW, NE & SE corners of the intersection of 44th & Lowell. 12-15 different properties. Properties currently zoned MX-3 are located at the SW corner of the intersection of 44th & Lowell. 'Safeway Site' - 5 different properties. 1) Property - Safeway and south parking lot, 2) Property - Strip Mall with DMV and restaurants - also includes most of the surface parking on site, 3) Property - Corner Gas Station, 4) BBQ restaurant & Accountant, 5) Doctor's Office				
	Consensus	Committee members stressed concerns that 'Safeway Site' is not included in the Proposal 1 package. Safeway Site' is made up of 5 separate ownerships. Each could be sold separate and developed as 100% residential with the current MX-3 zoning. Several committee members stressed concerns about the need to add MX-2 zoned areas to the Proposal 1 package. Asked that modelling for MS-2 zoning change be performed immediately.				
	AS	Dist. 1 office can assist in stakeholder outreach for MX-2 properties at the SW, SE & NE corners of the intersection. Can start modeling analysis for the areas. Warned that this could extend the overall approval process and date for City Council vote. Adds that they typically do not change draft proposals after public meetings are held.				
	Background	In earlier ZAP meetings NG noted that there are specific design guidelines that would need to be followed for larger properties like the 'Safeway Site'. It was suggested that the properties under current zoning could not be developed the same way that has been done on Tennyson.				
	NG	Confirmed that redevelopment of larger properties that exceed 5 acres would be required to go through a development review process.				
	Calculation	43,560sf = 1 acre	1) Safeway lot = 127,920sf	or 2.93 acre	Properties would go through development review only if the two properties were consolidated.	
			2) DMV lot = 139,276sf	or 3.19 acre		

AS	Stated that she would not feel comfortable moving forward with rezoning the 'Safeway Site' for several reasons. If zoning changed from MX to MS, all 5 of the existing structures would become non conforming. This would prevent existing facilities from making improvements without special consideration and process. Existing surface parking lots would be non conforming. Large corporate ownership may organize against Overlay/Rezone effort. There has been no outreach with current 'Safeway Site' property owners to build consensus. She would not be comfortable including the 'Safeway Site' in Proposal 1.							
	Also, she is unsure about including including other MX-2 properties at the intersection for reasons that have already been covered.							
	BRUN Board should confirm its position on adding the MX-2 properties to Proposal 1.							
	BRUN Board could ask that MX-2 properties be changed to MS zoning in a Proposal 2 after modelling is performed.							
JL	Explained that a MX-2 property is less desirable from a developers perspective than a MX-3 property that would may find on Tennyson. MX-2 allows 2 story construction whereas MX-3 allows 3 stories. There is a lesser amount of usable space that can be sold for profit. He stressed the urgent need to stay on track with Proposal 1 in order to prevent a 2-3 months delay in the overall process.							
	Also, he felt that the 100% residential development potential for the three properties located along Lowell with MX-3 zoning is very low. Its less desirable from a development perspective because of its exposure to intense vehicular uses like to Lowell to the east and the large parking lot behind them to the west.							
All	Discussion. Some on the committee rejected this analysis by JL							
	Discussion. Some felt it very important to address all corners in Proposal 1. Then asked question to CW Sandoval whether we could continue the fast pace of the process and potentially expand the mapping to include more properties in the near future.							
AS	Stressed that the city department currently have extreme constraints caused by the COVID19 health emergency. Any changes to the current proposal would likely result in a delay in the process.							
	BRUN Board to discuss their directive and prioritize elements they find most important. Modify directive as required.							
Committee Vote	9 of 9							
Consensus	Issue should be presented to the BRUN Board for further direction. The commercial district at the intersection of 44th & Lowell is very important to ALL neighborhoods within the BRUN RNO. Though there is extreme urgency to proceed with the current Overlay/Rezone process without an extended delay, it would be prudent to consider a modification.							
	In the event that the Overlay/Rezone - Proposal 1 mapping is not expanded to include properties at this intersection, the city analysis of ALL four corners should run parallel to the first order effort. Results of the city analysis should be used in consideration for a Proposal 2 package.							
ITEM								
2	Rezoning of Residential Properties: We have received the following notices of intent to rezone. Reason - New zoning allows ADU. Upcoming rezoning applications with review dates not yet set.							
	Description:	Proposed to change from U-SU-C to U-SU-C1				COMMITTEE		
	Address:	Case:	Status:	Review Date:	BRUN Action:	VOTE	Y / N	
	4846 Knox Ct	#2019I-00151	Official Notice of Rezone	None	None	JS	Y	
	4901 Green Ct	#2020I-00033	Official Notice of Rezone	None	None	BK	Y	
	5061 Perry St	#2019I-00054	Official Notice of Rezone	None	None	MF	**	
	4945 Julian St	n/a	NO Case Number	None	None	ED	*	
	4144 Hooker St	n/a	NO Case Number	None	None	RS	Y	
						JL	Y	
JS	Many properties are seeking to modify their zoning to allow ADU's. To follow up on prior ZAP meeting discussions, shall a public forum be planned to make neighbors aware of possible changes and the path that it requires. Shall a panel of experts including CPD, ADU advocates, and the construction industry be invited to this event.						TT	Y
						ME	Y	
						MC	Y	
						SD	Y	
All	Discussion. Positive and negative comments. There was general agreement that ADU's may not be widely accepted in all BRUN neighborhoods.						TALLY	Y = 8
							* No voting privileges	
TT	Had concerns that a forum such as this would only represent the PRO ADU side of the discussion. He suggested a more balanced approach that would include members of the community and industry that would object to ADU development. Education showing both sides rather than advertising one view.							
All	Discussion. Followed by general agreement to proceed with planning for a forum only with BRUN Board approval.							
ITEM								
3	2020-ZONE-0001280	4493 Zenobia St	Request for a Zoning Permit with Informational Notice (ZPIN) for a section of fence that exceeds the maximum height allowed by right in the Denver Zoning Code (DZC)			COMMITTEE		
						VOTE	Y / N	
						JS	Y	
						BK	Y	
All	Discussion on the matter						MF	**
	ZAP decision to write a letter in support of the proposed height increase.						ED	*
	Letter shall be written with specific intent to describe the location and unique conditions for support.						RS	Y
						JL	Y	
						TT	Y	
						ME	Y	
						MC	Y	
						SD	Y	
						TALLY	Y = 8	
							* No voting privileges	
							** Has left the room	

