

**South City Park Neighborhood Association Meeting**  
**January 21, 2015**  
**East High School Cafeteria**

Attendance:

SCPNA Officers: Bonita Lahey, President; C.J. Wera, Vice President; John Leahy, Treasurer; Terry Neyland, Secretary

Members: 53/ Non-members: 4

The meeting was called to order at 7:05 p.m.

- I. Denver Police Department report. Lieutenant Matt Canino (720-913-1049 or [matt.canino@denvergov.org](mailto:matt.canino@denvergov.org)) and Sergeant Jeff Hausner presented an update.
  - a. Lt. Canino said that our district is “looking really, really good” in terms of reductions in crime rates. The South City Park neighborhood continues to experience theft of items from motor vehicles. The officers stressed that this is a crime of opportunity which occurs primarily when people leave valuables visible in their cars. The officers also mentioned some thefts occurring when residents left their garage doors open.
  - b. The DPD districts track crime data and analyze it on a 28-day cycle to see patterns of crime. SCP is in District 2 – which the officers said looks great for the most recent cycle, and leads the city in crime reduction.
  - c. The officers encouraged residents to continue to call if they notice problems or have concerns. Following are appropriate numbers:
    - Non-emergency 720-913-2000
    - 911 emergency – when in doubt call 911
    - 311 is for non-police issues – general information
  - d. Resident Question & Answer period:
    - When asked to comment on crime in City Park & along Colfax – the officers said that crime in City Park is almost non-existent. A couple of incidences of sexual assault have occurred that were related to a facility (zoo or museum). There have been almost no auto break-ins at City Park. DPD has worked with the Zoo regarding the parking area – e.g., adding signage to encourage visitors to remove or hide valuables to reduce car break-ins. The officers asked all residents to hide valuables before you drive to the zoo, or don’t take valuables with you at all.

The officers commented that “Colfax is Colfax,” but this section of Colfax is much better and safer than East of Colorado.
    - Q: A resident was circulating a petition in front of Sprouts – and the Sprouts manager told him he had to move away from Sprouts’ private property – is this correct? Is the sidewalk in front of Sprouts controlled by Sprouts – or is it a public easement. Lt. Canino said that as long as a resident is not blocking the sidewalk, he/she should be able to circulate a petition on the sidewalk in front of Sprouts. The Lieutenant said if any residents have problems like this, they can call the police and ask for help sorting it out.

- Q: A resident asked who we should contact within the city for help with traffic issues – would like the light at Steele & 17<sup>th</sup> to be longer (currently a 12 second light), and to add a light or pedestrian crossing between Steel & Colorado Boulevard on 17<sup>th</sup>.

The officers said that street crossings and lights are an issue for Denver Public Works Engineering Division.

## II. East High RNO

- a. Jim Hannifin, President of the East High RNO spoke about why he started the new RNO. The boundaries of the East High RNO fall completely within those of SCPNA. East High RNO boundaries are: East=the alley between St. Paul & Milwaukee; West=Josephine; North=17<sup>th</sup> Avenue; South=Colfax.
- b. Jim said that he and his wife moved into the Pinnacle in the Spring of 2014, and attended the May SCPNA meeting. Tommy Kobayashi, owner of land encompassing the 1600 block of Fillmore, spoke about developing the property. Then-SCPNA President, Eric Clayman, talked about putting together a committee to assess issues with new building and development in the neighborhood, which would be headed by JJ (NAME?). Jim said he did not hear anything more about the committee for several months. Jim said that he spoke with Eric again at the groundbreaking for the new development at 16<sup>th</sup> Avenue and Milwaukee, and asked about forming a zoning committee within SCPNA. Jim also said he asked Eric to put a resolution before the SCPNA membership to vote to support the 2010 zoning plan, and against approving any variance from the existing 5-story zoning for the properties in the neighborhood. According to Jim, Eric said that the Pinnacle Home Owners' Association should email him a request to add the issue to an upcoming SCPNA meeting agenda. Jim said he had the HOA president send the request to Eric, but that Eric responded that the meeting agenda was already full.

Subsequently, Jim said that a city planner spoke with the Pinnacle HOA President and showed her a zoning "pre-app" that, according to Jim, requested zoning for a 20-story building. Jim held up a document from the City of Denver.

Jim commented that the area within the East High RNO boundaries houses over 600 households. The new development under construction at 16<sup>th</sup> & Milwaukee will add 180 households. The Pinnacle has 268 units, what he called a sizable and substantial group of residents which should be recognized by SCPNA. He expressed concern that that the Pinnacle residents and their objections to the potential new development at 1600 Fillmore were dismissed by SCPNA in 2014. Because of his "alarm" at the potential new high-rise development at 1600 Fillmore, and his perception that SCPNA was not taking a stand against that development, he and other residents formed the East High RNO and registered it with the city.

Jim said he believes the South City Park neighborhood should have a plan, present the plan to the city, and have it approved by the city, in order to garner additional protections against changes in the neighborhood. He expressed concern that the City of Denver is trying to make Colfax an entertainment area, such as LoDo, which he opposes. Jim described his view of appropriate

development in SCP as retail that supports neighborhood life, such as, ice cream shops, restaurants, neighborhood services, and NOT nightclubs.

Jim said that he participated in putting together a development plan for Congress Park and Capitol Hill in the past.

- c. Bonita asked Eric Clayman, 2014 SCPNA President, to respond to Jim Hannifin's presentation. Eric said that no 20-story rezoning application exists for the 1600 Fillmore property. The property owner, Tommy Kobayashi has attended SCPNA meetings and spoken with Eric and other neighborhood residents. Kobayashi has not, to date, hired a developer, nor made a decision about what he will build on the 1600 Fillmore property.

Eric says that at the time Jim Hannifin and the Pinnacle HOA President asked him to schedule a vote for SCPNA to pass a resolution in opposition to development at 1600 Fillmore, the neighborhood association had no facts or evidence indicating what Kobayashi had planned for the space. Eric argued that he was in favor of working with property owners and developers to ensure that the neighborhoods' interests are served, but that if SCPNA takes an aggressive stance, even before having any indication of what the issues are, and "draws a line in the sand," then we will create an antagonistic relationship and lose the opportunity to work successfully with property owners and developers. Eric argued that Hannifin's inflexible and antagonistic approach would endanger the neighborhood's opportunity to work together with the owner/ developer and have an open dialogue.

Eric offered Sprouts grocery store as an example of a project which would have never come to the neighborhood had SCPNA taken Jim Hannifin's approach. SCPNA successfully negotiated a Memorandum of Understanding at the outset of the Sprouts project.

- d. Resident Question & Answer period:

- Q: A resident asked why Jim was alarmed, and pointed out that the "pre-zoning" application was a common document that the City generated during the exploration phases of a development project which did not indicate specific plans on the part of the owner or developer.  
Jim seemed convinced that Tommy Kobayashi plans to build a 20-story building on the site. Jim argued that a 20-story building would be detrimental to the neighborhood, blocking sunlight (the Pinnacle pool is on the 7<sup>th</sup> story, above the current 5-story zoning of the 1600 Fillmore property). Jim also pointed to a citywide zoning plan done in 2010, that he said was presented to all of the communities in Denver. The city planners who presented that plan, said Jim, talked about certainty – providing certainty to developers and residents. Allowing a dramatic change to the 2010 zoning plan, said Jim, would inject doubt and uncertainty into the real estate market.
- Q: what evidence does Jim and East High RNO have that Kobayashi has definitive plans to build a 20-story building? And what about the public process that Denver requires for a developer to obtain this type of a re-zoning?  
Jim Hannifin said that the document he showed--the "pre-zoning application"--proved that Kobayashi plans to apply for re-zoning to accommodate a 20-story building. He expressed concern that SCPNA has not taken his side and

does not support the East High RNO residents' concerns about building another high rise in the neighborhood next to the Pinnacle.

- Q: Jim Hannifin seems rightly nervous about a new development across the street from the Pinnacle, but we need to listen to the owner's proposal.
- Jim Hannifin responded to Eric's statements by saying that if we do not draw a line in the sand we will have no negotiating position. Jim said he met with Tommy Kobayashi, his architect, et al, and told them that the residents want to work with him, but will oppose any proposal that exceeds 5-stories.

### III. SCPNA 2015 Strategy

Bonita told the residents that the new 2015 board has met and discussed the plan and direction for 2015.

- a. Committees—in the past SCPNA has formed ad hoc committees to address specific zoning applications or issues such as negotiating the Sprouts memorandum of understanding, and assessing the 16<sup>th</sup> street/ Milwaukee development. The 2015 board would like to form standing committees to address the key, ongoing issues of Zoning & Liquor license applications, Communications, and Membership. The board also has recognized the need to update the by-laws, and proposed creating an ad hoc committee for this purpose. Ahead of the meeting, Bonita sent out the SCPNA newsletter soliciting volunteers to join these committees. The board also had sign-up sheets at the front of the meeting room for members to volunteer.

- Zoning & Liquor Licenses: the committee will assess zoning applications, liquor license applications, cabaret license applications, and make recommendations to the general SCPNA membership based on their evaluation.

Volunteers include: Tom Morris, John Van Sciver, Mary Beth Clem, Wendy Router, Jordan and Megan Harrison, and Tony Vaida—Vice President of the East High RNO.

Immediate issue: change of use application for the property at 2822 E. 17<sup>th</sup> Avenue. This application is to repurpose the William Thatch studio (currently empty) for use as a yoga studio and café. The applicant has not sought Main Street zoning. The zoning meeting is scheduled for February 16<sup>th</sup>, before SCPNA's next meeting. The board will refer the application to the zoning committee for consideration and send a survey to members to gauge the neighborhood's support or opposition to this change.

- Communications: this committee will put together a plan to ensure communication via various channels to the SCPNA residents. The committee will have responsibility for the newsletter, Facebook page, website, etc. Bonita asked anyone interested in helping with communications to sign-up.
- Membership: Vice President, C.J. Wera, has volunteered to focus on increasing membership, providing greater support to the block captains, and raised the issue of implementing an internet survey method to poll membership about issues as they arise. Bonita asked for additional volunteers to help with membership.
- By-Laws: Terry Neyland and Dona Dodson volunteered to head up a committee to revamp the by-laws. David Lichtenstein, a SCP resident and

attorney also volunteered to help. The by-laws committee will consider issues such as: clarifying the definition of membership, more specifically defining members' voting rights, potentially offering remote voting via email or SurveyMonkey, and codifying decisions which have been voted on at past meetings but not included in the current by-laws. The committee will give an update at the March meeting.

IV. SCPNA 2015 Budget – Terry Neyland, Secretary, presented the proposed 2015 budget. In past years, SCPNA has voted on individual budget items throughout the year on an ad hoc basis. The 2015 board proposed to the membership that SCPNA begin the year with a budget, and asked the membership to approve the budget. This budget serves as a planning tool and takes into consideration known and expected expenses and income. Approval of the budget will not bar members from raising new expenses for the membership to consider and approve throughout the year.

a. Below is the proposed 2015 budget:

<b><u>Beginning Balance:</u></b>	
\$ 5,140	cash balance at end of 2014
<b><u>Income:</u></b>	
\$2,300	230 memberships @ \$10 each (2014 membership=221)
\$484	sponsorships/ donations
<b><u>\$2,784</u></b>	<b><u>Total Income</u></b>
<b><u>Expenses:</u></b>	
726	Newsletter, printing, communications (\$121x6)
750	Block Party
128	Meeting costs
80	SCPNA memberships (INC, CHUN)
300	Teller Backpack Friends donation
200	Other donations
350	Website, social media (website=\$100, survey/voting tool = \$250)
250	Miscellaneous
<b><u>\$2,784</u></b>	<b><u>Total Expenses</u></b>
<b><u>Ending Cash Balance: \$5,140</u></b>	

Terry pointed out the following ways that the 2015 budget differs from past budgets:

- Sponsorship donations – the board added an income item for donations and sponsorship. In 2014 the Bluebird Improvement District sponsored part of the cost of the newsletter printing and Councilman Albus Brooks sponsored part of the cost of the neighborhood party.

- Website/social media – this category has been increased to include the cost of using SurveyMonkey. C.J.Wera has evaluated SurveyMonkey to be used as a tool to survey SCPNA members, and to get quick feedback regarding issues which arise between bi-monthly meetings. This tool could also support remote voting (currently prohibited by the SCPNA by-laws) if the membership approves voting by this method.
- b. Objections/ discussion: One member objected to inclusion of specific donations such as the Teller Backpack Friends program. He opposed selecting a specific charity for inclusion in the budget without a proposal by the membership and more extensive debate. Two other members responded in support of using membership funds to donate to charities, and said they especially support the Teller Backpack Friends because of its mission, and the role that SPCNA members have played to develop this program.

The membership voted unanimously to approve the proposed budget

#### V. Capitol Hill United Neighborhoods (CHUN) News

CHUN is an umbrella organization encompassing 10 RNOs. Each of those RNOs have representation in CHUN. Dona Dodson is the SPCNA representative to CHUN, and presented updates.

- Annie’s Good Neighbor Agreement. Annie’s restaurant on Colfax has requested permission from the City to create a patio dining area on the West side of the restaurant in its current parking area. CHUN members (including Dona) met with Annie’s and negotiated a “Good Neighbor Agreement” outlining conditions under which CHUN would support Annie’s patio expansion. Dona presented the agreement to the membership and asked the membership to approve the agreement and allow SCPNA to become a signatory. The agreement is attached. The Congress Park RNO will not have a meeting in time to vote on support, and thus will not sign the agreement. But the Congress Park RNO has surveyed its membership and found little or no opposition.

- Resident questions:

Q: For the last 6 or 7 years Colfax business have hosted a Halloween event called Boo & Brew, that offers fun events for children in the afternoon, and for adults in the evening. The format includes live music, including East High School bands, local bands, etc. The resident expressed concern that the Good Neighbor Agreement bars Annie’s from hosting live music on the patio. Annie’s has had live music before.

Dona said that the owner of Annie’s did not object to this language in the agreement, and could potentially get a special permit or exception for special occasions.

Q: A resident asked if the neighbors bordering Annie’s had responded or objected. Dona said that with respect to the Congress Park survey, she was not sure if the RNO could distinguish the respondents’ specific location, but that the City allows residents within 500 feet to petition the city (for or against) on their own behalf.

Q: Another resident commented that she was glad to have a neighborhood committee negotiating agreements with businesses on behalf of residents.

The members voted unanimously to approve the Good Neighbor Agreement.

- b. Recognition of SCPNA members at CHUN: SCPNA members Dona Dodson, Sandy Parker, and Jim Shively will be recognized for their role in creating the Teller Elementary Backpack Program. This program provides backpacks packed with food to 80 elementary school children who are eligible for the free or reduced cost nutrition program at school. The backpacks ensure the children have access to food during weekends and holidays. Dona, Sandy, and Jim won the Neighborhood Star award from Denver Inter-Neighborhood Cooperation, "An award for those who have made a positive difference in their neighborhoods." Congratulations!!!!

#### VI. Open Mic:

Q: A Madison street resident complained that a row of dumpsters at City Park, and visible from her home, created an eyesore. She asked if SCPNA can ask the city to move them.

No one knew who to contact, but the board said they would look into the proper channel to ask the City about this. 311 is always a start. It would be Parks and Rec.

Q: The SCPNA Board held a planning meeting in January. A resident asked if the meetings from that meeting would be posted on the website?

Bonita answered yes.

Q: The City has agreed in the past not to issue permits for events 2 weekend days per month during the summer, but those days are not necessarily consecutive. A resident asked if SCPNA would hold a vote for the membership to pass a resolution to have those days be consecutive--a complete weekend each month with no events at City Park.

Q: Regarding the zoning change of use application for 2822 E. 17<sup>th</sup> Ave (the Yoga Studio), when is the zoning meeting? What parking is available?

The zoning hearing will be on February 16<sup>th</sup>. The current location is zoned G-MU-5. The application requests a change of use from its current commercial use to another commercial use. The site has 3 off-street parking spaces.

Q: What is the status of playground proposal for City Park which the SCPNA voted on and approved at the November meeting?

Bonita said that she has begun talking to the other RNOs surrounding City Park and asking for their agreement. She said that so far City Park Friends and Neighbors (CPFAN) has agreed to support the proposal to reinvigorate talks with the City to rebuild the Dustin Redd playground.

#### Decisions/ votes:

1. The SCPNA membership voted unanimously to approve the proposed 2015 budget.
2. The SCPNA membership voted unanimously to approve a CHUN-negotiated Good Neighborhood Agreement with Annie's restaurant.

The meeting was adjourned at 8:30 p.m.

The next general meeting of SCPNA will be held at the East High School Cafeteria on Wednesday, March 18<sup>th</sup>, from 7 to 8:30 p.m.