

All,

This Wednesday SCPNA will be holding a very important vote. It regards supporting or opposing the rezoning of 5 residential properties on the 1500 blocks of Monroe and Garfield for commercial use.

The current proposed plan calls for a Sunflower Market. Sunflower has agreed to an initial 5 year financial commitment to the site. After 5 years they can terminate the remainder of their lease but the rezoned property will stay commercial allowing for any uses of that property that are allowed under commercial zoning.

To mitigate the impact of the zoning change on the immediate neighbors and on the extended neighborhood periphery SCPNA has been involved in negotiations with Rosen Properties, Sunflower and Evergreen developments. This negotiation has been going on for approximately 3 months and has produced the attached MOU, (memorandum of understanding).

Many of us that have been involved in the negotiations feel that key areas of concern have not been addressed adequately or have been excluded from consideration. Below are some of the major points that are outstanding: (I have included some comments in blue that I believe to be worthy of consideration).

- Sunflower will not agree to any limitation on their hours of operation. In effect they retain the right to keep the grocery open 24/7. *Many of us on Garfield and Monroe are concerned about the clientele and traffic that will hit the neighborhood when the bars close if Sunflower expands their hours of operation. This is an urban environment with many bars, restaurants and the Bluebird theater. I think the prospect of a 24/7 operation is real.*
- The developers will not agree to limit any further intrusions into residential space, nor will they agree to any restrictions on development in the National Jewish Parking lot between Garfield and Jackson. *Obviously Sunflower is meant to be anchor tenant, we like to know what other types of businesses the market may anchor. Rosen Properties will not accept any limitations beyond Denver city code which is wide open for businesses fronting Colfax.*
- Traffic mitigation: Other than a no left turn sign when exiting onto Garfield or a no right turn sign when exiting onto Monroe, no serious traffic mitigation measures are included. The developers have told us that is **our issue**. They will not oppose anything we can get done but will not take ownership for this. *This dumps onto the neighborhood an important concern and makes traffic mitigation efforts our responsibility. It's troubling that they will work with the city to reroute an alleyway but they will not include curb cuts and other measures to keep market traffic out of the neighborhood. In effect Garfield, Monroe and to some extent Madison will be the major conduits for traffic to and from the market for their customers located north of the Market.*
- We have no detailed site plan to review. From construction materials to border walls to landscaping the MOU is deliberately vague on specifics despite numerous requests on our part for specifics. *How well will this be done is a major question mark that will affect the aesthetics of the neighborhood for a long time. Details belong in the MOU.*

- No measures for pest controls prior to demolition of the existing properties. Despite the relatively minor expense Rosen Properties/Evergreen will not agree to any inspection or extermination efforts prior to demo. This despite the fact that we can be reasonably sure that any nuisance animals, from mice to pigeons to bats will migrate from those properties to the adjoining residences. This issue is very indicative of the overall lack of concern for the immediate neighbors.
- Construction hours from 7am to 7pm daily with 8am to 3pm on Saturdays. Too disruptive and too long. Again in my view this represents a disregard for the neighbors.
- The 5 residential properties are being taken for parking. How many residences would need to go if Rosen/Sunflower would utilize their National Jewish lot for overflow parking? I hate the idea we are giving up residential zoning for parking spaces, especially when Rosen owned parking is plentiful across Garfield.

These are a few of the issues that irk the immediate neighbors that the developers have refused to consider or not satisfactory addressed in the attached MOU. At the end of the day the MOU is the neighborhood's only leverage on the design and operational aspects of this project. It is important that our concerns are included in that document and not subject to future consideration or vague promises.

I would ask all SCPNA members to consider those of us who border or live in close proximity to the proposed market and to attend Wednesday's meeting.

Thanks.

Jim Deffner
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