



Baker Historic Neighborhood
Association
P.O. Box 9171
Denver, CO 80223

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303-956-0450

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November 1, 2019

City and County of Denver
201 W Colfax Ave, Dept 201
Denver, CO 80202

Re: Rezoning of, and development plans for, 50 S. Kalamath St.

To: Members of Denver City Council, Denver Planning Board,
Community Planning and Development, Westside Investment Partners,
and others whom it may concern

Baker Historic Neighborhood Association (BHNA) supports the rezoning of the parcels known as 50 S. Kalamath St. (former Sports Authority warehouse and adjacent parcels) to I-MX from the current I-A and I-B zone districts. BHNA requests careful coordination of development plans for this property with the transportation infrastructure plans for the immediate area.

BHNA is a Denver Registered Neighborhood Organization representing the area from 6th Ave. to Mississippi Ave., and from the South Platte River to Lincoln St. Membership is open to all residents and real property owners within these boundaries. The neighborhood has approximately 6,136 residents.

At its regularly-scheduled general membership meeting on 10 September 2019, BHNA voted 27-0-5 to support the proposed rezoning and to request that the developers and the City of Denver address the infrastructure implications of existing plans (Valley Highway, Bicycle Master Plan etc.) including potential grade separation of the railroad, Bayaud bike bridge and connection to other bicycle/pedestrian facilities.

The process leading up to taking this position was as follows:

- in early July 2019, Westside Investment Partners informed BHNA that it had purchased the property in question and would like to work with BHNA for community input; Westside attended the regularly-scheduled 9 July 2019 BHNA general membership meeting and discussed with members what they hoped to see at 50 S. Kalamath
- at its regularly-scheduled 28 August 2019 meeting, the BHNA Zoning Committee met with Westside Investment Partners; after a detailed discussion of what would be permitted under I-MX-3 or I-MX-5 zoning, a committee motion to recommend the aforementioned position passed 3-0-1

- the Zoning Committee's recommendation was presented to the BHNA membership at its 10 September 2019 meeting; Westside Investment Partners was present and there was some discussion; as noted above, the BHNA membership approved the Zoning Committee's recommendation

Understanding that a development with a large residential component is a likely outcome of this rezoning, BHNA maintains a strong interest in how this parcel will connect to the rest of the neighborhood. We want residents at 50 S. Kalamath to benefit from the high walkability of the Baker neighborhood. We are encouraged that Westside has committed to a community process and want this process, as well as the the city's rezoning and site development planning processes, to carefully consider several existing and potential transportation plans.

In particular, BHNA has long advocated for some specific improvements in this area. City planners have concurred, as documented in various plans, with a vision for:

- pedestrian/bicycle access via Bayaud and a new bridge to the west side of the South Platte River
- a solution to the disruptive at-grade intersection of the Consolidated Main Line and Santa Fe and Kalamath Streets
- and general improvement in the pedestrian-friendliness of the area west of Santa Fe, which has been attracting increasing foot traffic.

You will find evidence of a consistent vision and planning effort for a Bayaud pedestrian/bicycle bridge in the following plans:

- Denver Bicycle Master Plan Update 2001 (page 22)
- Baker Neighborhood Plan 2003 (pages 71, 124, 132)
- Valley Highway Environmental Impact Statement 2005 (EIS; pages 7-5, 7-28 to 7-30, 7-32) and Record of Decision 2007 (ROD; map, page 4, pages 15, 21, 30)
- Alameda Station Area Plan 2009 (pages 21-23, 40)
- Denver Moves 2011 (map, page 40)

Plans for this bridge are not in isolation, as part of the planned bicycle network it would connect Baker, and the 50 S. Kalamath development, to the Platte River trail and neighborhoods west of the river as well as to light rail stations to the south and travel north via Galapago St.

Grade separation of Santa Fe & Kalamath from the Consolidated Mainline is included in phase 4 of the Valley Highway Plan EIS and ROD. The grade separation concept is integrated with and facilitates the Bayaud bicycle/pedestrian bridge and connections to the east. In particular see figure 7-9, page 7-29, of the EIS, which details a new routing for streets in the area: westbound Bayaud Ave. would cross above Santa Fe Dr., then would turn

north through a new street in the middle of the 50 S. Kalamath property to reach Ellsworth Ave. This would facilitate access to the bicycle/pedestrian bridge and also make access to the east safer and more attractive, since it would remove the unsignalized crossing of Santa Fe Dr. During the development of this plan, CDOT planners stated that the property at 50 S. Kalamath would be acquired to facilitate implementation of Phase 4.

We recognize that the I-25 Central Planning and Environmental Linkages (PEL) study is considering alternatives that may not require the grade separation at this location, however they would still have major impacts in the area. Under consideration are expansion of light rail from two tracks to four, moving the Consolidated Mainline heavy rail tracks to parallel the light rail alignment, and even moving I-25 to parallel the light-rail alignment. Any of these would imply significant property acquisition, and consideration of other transportation impacts. Further, the PEL is a “plan for a plan” and at this point nothing has formally superseded the Valley Highway EIS.

We may be waiting some time for implementation of bicycle network improvements, the grade separation, and/or additional infrastructure the PEL may recommend. Meanwhile, the potential for many new residents at 50 S. Kalamath calls for special attention to pedestrian safety at the intersection of Santa Fe & Bayaud Ave.

In short, while BHNA welcomes a creative redevelopment of 50 S. Kalamath, BHNA requests the decision makers — the Denver Planning Board, Denver Community Planning and Development, City Council and the potential developers — to carefully coordinate the plans to avoid disrupting the vision for major transportation improvements in the immediate area. We also feel that a residential project at this location will be most successful if there are safe, attractive bicycle/pedestrian links to the east.



Luchia A. Brown

LB:SH

From: [James Bertini](#)
To: [Levingston, Courtney L. - CPD City Planner Senior](#)
Cc: [Patrick Schmitz](#)
Subject: [EXTERNAL] Fw: 50 S Kalamath clarification
Date: Wednesday, June 24, 2020 12:09:02 PM

Courtney,

Patrick Schmitz asked me to forward this email to you regarding his company's rezoning application as you are the project planner.

He explained the context of Zoning Committee Chair Steve Harley's comments which I questioned, i.e. that they were informative only, and not inconsistent with the BHNA support for the rezoning.

He said he appreciated the historical information and thought you would, too. I have been a member of the BHNA Zoning Committee ever since I moved to the neighborhood in 1997.

James Bertini
423 Kalamath Street
303 572-3122

----- Forwarded Message -----

From: James Bertini <jamesbertini@yahoo.com>
To: Zoning Committee <zoning@bakerneighborhood.org>; steve harley <bhna-zoning@paper-ape.com>
Cc: BHNA Board <board@bakerneighborhood.org>
Sent: Wednesday, June 24, 2020, 07:53:35 AM MDT
Subject: 50 S Kalamath clarification

Steve,

Regarding 50 S Kalamath, I would like some clarification about comments you made at a meeting. As reported on P20 of the rezoning application:
"Additionally, in a Community Meeting held on February 5th, 2020, Steve Harley, the chairman of the Baker Zoning Committee, noted that during the neighborhood planning process, industrial owners did not want mixed use development because they were concerned about residential uses causing graffiti." The neighborhood planning process referred to occurred in ~2002 and 2003. Since I attended two of the meetings, I am aware that only one industrial owner attending the meetings for this planning process, and so if you stated "owners" in plural it would be inaccurate. Moreover, since I am acquainted with that particular owner I also know that his concern was with graffiti from gang-bangers, and not from the kind of people who would occupy new housing, such as the townhomes being built now in the corridor or the units that will be built at 50 S. Kalamath.

This comment must be taken in context with other statements on this page:
"Neighboring residents supported residential uses in the west of the RTD line, but as a compromise, agreed to label this sector as strictly industrial."

In fact, there was no such compromise from 2003. At a BHNA general membership meeting to approve the neighborhood plan, my motion to approve the plan albeit with a single change to have the Santa Fe-Kalamath corridor labeled as mixed use was approved overwhelmingly. However, then-president Adrian Brown - who told me before the meeting that he opposed my position - completely subverted the desires of the neighborhood **and reported to the City the exact opposite of the vote**, i.e. that Baker residents want this corridor to be kept industrial. This duplicitous subversion of democracy is mostly unknown, and indeed I did not find out about this until many months later and after the City had adopted the neighborhood plan when it was too late for me to speak up for the true voice of BHNA residents. Had Adrian Brown reported the actual vote to the City, it is possible that this rezoning application would never have been necessary because the 2010 citywide rezoning would have taken into consideration *the true desires* of Baker residents and rezoned this corridor mixed use.

The rezoning application continues:

"At our neighborhood meeting, everyone in attendance, including neighboring commercial owners and residents, supported residential uses at the Property and west of the RTD line in general. As further support, we received the attached letter from the Baker RNO (Exhibit B-4) which "supports the rezoning of the parcels known as 50 S. Kalamath St. (former Sports Authority warehouse and adjacent parcels) to I-MX from the current I-A and I-B zone districts"(Baker RNO Letter 11/1/19). We understand the Baker RNO does not represent the entire community, and we look forward to hosting, in conjunction with the City, a community meeting that may reach more community stakeholders."

Referring back to your first quote above, I don't know the context of your remarks about the development of the neighborhood plan in the early 2000s, but it seems that by raising them you were arguing *against* the decision of the Zoning Committee and of BHNA which supported the rezoning.

James

On Tuesday, June 23, 2020, 06:00:25 PM MDT, steve harley <bhna-zoning@paper-ape.com> wrote:

6:30 p.m. 24 June 2020, via Zoom, will send the invitation tomorrow afternoon

agenda to include the following (please reply with anything you feel should be added):

- * welcome new committee members
- * 329 Santa Fe — shipping container accessory building encroaching setback
- * 420 W Cedar — deficient loading space (initial notice)
- * 160 W Maple — second story deck addition (initial notice, no hearing date, no details)
- * Lincoln St transit project — position requested from BHNA
- * ADU overlay — should we do outreach on the concept or draft language before doing outreach?
- * 50 S Kalamath — understand purpose of "DO-7 overlay with waivers" on notice from Planning Board
- * 5G tower notifications — multiple new locations indicated on city mapping tool, but no notice; requested more information

updates:

- * I-25 PEL report issued
- * the L liquor license granted
- * Group Living Amendment

From: [Chris Saros](#)
To: [Levingston, Courtney L. - CPD City Planner Senior](#)
Cc: PSchmitz@westsideinv.com
Subject: [EXTERNAL] Westside Investment Partners Development Proposal
Date: Tuesday, April 21, 2020 6:01:08 PM

April 21, 2020

Courtney L. Levingston, AICP/ Senior City Planner
Community Planning and Development
City and County of Denver
courtney.levingston@denvergov.org

RE: Development Proposal Westside Investment Partners, Inc.
4100 East Mississippi Ave. Suite 500
Denver, Colorado 80246

Dear Courtney:

I have been the property owner of 1030 W. Ellsworth Ave. for 49 years. During these past years, we have not had what could be called “great” developments in the Baker District. I have been following Westside’s Development plans from its inception and I believe that this development would be an excellent project for Kalamath & West Ellsworth. Housing in this location would benefit small businesses in the Baker District and Central Denver. This location adjoining I-25 and West Alameda, served by RTD, provides easy access and close proximity to downtown Denver. Westside’s vision for this project serves several interests. They are providing housing for personnel working in the Baker District and the Central Business District. By developing this area they are making improvements to an area in need of redevelopment. Currently, there is a very serious problem affecting the homeless, wherein we are experiencing damage to the real estate, personal property and the welfare of the people employed in the district. I have tenants, specifically women, who have expressed concerns for their safety when working past 5pm. It is my understanding that this Development Proposal has been delayed until August. As a developer, I know firsthand how zoning delays create loss of highly valued sub-contractors and loss of “holds” on special materials. But more importantly, by postponing this project, the delay affects the community. I am asking you to move up the August hearing to be heard and judged at your earliest to get this property developed as quickly as possible.

Sincerely,

Chris M. Saros

Chris M. Saros
Principal Broker
cell: 303.912.4839/ office: 303-781-2244
e-mail: cmsaros@gmail.com
Saros & Associates, LLC
9275 S. Cedar Hill Way | Lone Tree | CO. | 80124
Sales | Leasing | Investment Brokerage | Development

To whom it may concern:

I am writing on behalf of the rezoning of the old Sports Authority Warehouse property of Kalamath and Ellsworth. I am the owner of the office building located at 1030 W Ellsworth Ave, practically across the street from the warehouse. I have been the owner of this building for multiple decades and have seen many tenants go in and out of the warehouse and think it is time for a change in the neighborhood. Although my building and many others around me, are used for a light industrial or office use, the vast size of that warehouse and amount of semi-truck traffic it produced did not fit in with the area and a lighter use would be appreciated. The area could benefit from a more mixed use zoning and bringing in residential, office, and retail. For these reasons, I would support a rezoning from the current industrial to a mixed use zoning.

Sincerely,


Chris Saros

July 27, 2020

Denver Planning Board
City & County of Denver, Colorado
1437 Bannock Street
Denver, CO 80202

Dear Planning Board,

This letter responds to the notice of an application for rezoning of 50 S. Kalamath St., application number 2019I-00045.

Our companies own the Rio Grande Co. and Santa Fe Shooting Star properties, which sit east across So Santa Fe Dr. from the site.

As an industrial user and employer in the neighborhood for many decades, we have concerns about the negative impact of such rezoning on our properties and operations, including without limitation, the traffic impacts along Bayaud and South Santa Fe Dr.

At the time of this notice, we have not been contacted by the applicant nor any of its consultants and we have not had the opportunity to review the applicant's full development proposal. So we cannot support the application at this time and reserve the right to raise further concerns. Below is my contact information as well as contact information for our counsel.

Bruce W. Peterson Rio Grande Co. Santa Fe Shooting Star, LLC 201 Santa Fe Dr. Denver, Co. 80223 720-253-6672 Cell 303-825-2211 Office bpeterson@riograndeco.com	Christopher Payne Ballard Spahr LLP 1225 17th Street, Suite 2300 Denver, CO 80202-5596 Direct 303.299.7345 paynec@ballardspahr.com
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Once we have reviewed the applicant's proposal in full, we will provide supplemental comments. Thank you for your consideration.

Bruce Peterson
CEO of Rio Grande Co.
Manager of Santa Fe Shooting Star, LLC

From: [Jep Seman](#)
To: [Levingston, Courtney L. - CPD City Planner Senior](#)
Cc: PSchmitz@westsideinv.com
Subject: [EXTERNAL] Proposed rezoning 50 S Kalamath St/Application No. 2019I-00045
Date: Monday, July 20, 2020 12:14:13 PM
Importance: High

Ms. Levingston:

I am the owner of property located at 23 S. Kalamath Street, Denver, CO. 80223.

I am writing to endorse and support the proposed rezoning application referenced in the subject line above. This area of South Kalamath Street has been long neglected resulting in a variety of urban problems and challenges for adjacent property owners, including myself. The Applicants exhibit a strong vision for the revival and reactivation of South Kalamath Street with needed housing and other amenities.

Please add my name to the list of supporters and endorsers of the proposed rezoning.

Happy to discuss.

Jep Seman
Attorney At Law
JPS Law Group
1700 N. Lincoln St., Suite 2430
Denver, CO. 80203
720-377-0703 (direct)
303-832-4818 (fax)
jseman@jps-law.net

The Sherman Agency, Inc.
910 W. 8th Avenue
Denver, Colorado 80204
303-572-8778
www.theshermanagencyinc.com

June 6, 2020

Patrick Schmitz
Westide Investment Partners
4100 East Mississippi Avenue, Suite 500
Denver, Colorado 80246

Dear Patrick,

Our company represents the ownerships of the adjacent property known as The Yard located at 900-924 W. 1st Avenue, Denver. We are very excited to see a change with respect to the zoning change for the outdated warehouse property previously occupied by Sports Authority to a new zoning of I-MX-5, to allow office, retail, multi-family, & some industrial uses. I think such uses will be a huge plus to the neighborhood as well as our property specifically since it will add new customers for our tenants. An updated property and such uses will be a great addition in a changing neighborhood. In addition, since the existing building goes up to the existing sidewalks I am excited to see the existing building be removed with a new structure which will have set-backs to allow improved visibility to our project and vehicles traveling along Santa Fe & Kalamath streets.

I was most interested in making sure there will be sufficient parking off-site for the residential units in particular so those residents will not be using our private parking which is meant for the our business tenants only. And I am also concerned about access to the parking garage which will be a part of the new development. I have been assured that the entrance for the parking garage will be on the south side of the project, off of W. Bayaud and I do believe the developer is listening to our concerns to improving the neighborhood. I definitely want their parking entrance to be on the south side of their project so the traffic in and out of the new development does not overwhelm the limited access on W. Ellsworth. I fully support the planned zoning change.

Sincerely,

THE SHERMAN AGENCY, INC.



Hal M. Naiman, President
hal@theshermanagwncyinc.com