



**TO:** Denver Planning Board, Joel Noble, Chair  
**FROM:** Theresa Lucero, Senior City Planner  
**DATE:** October 31, 2018  
**RE:** Official Zoning Map Amendment Application #2017I-00153

### *Staff Report and Recommendation*

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for application #2017I-00153.

### *Request for Rezoning*

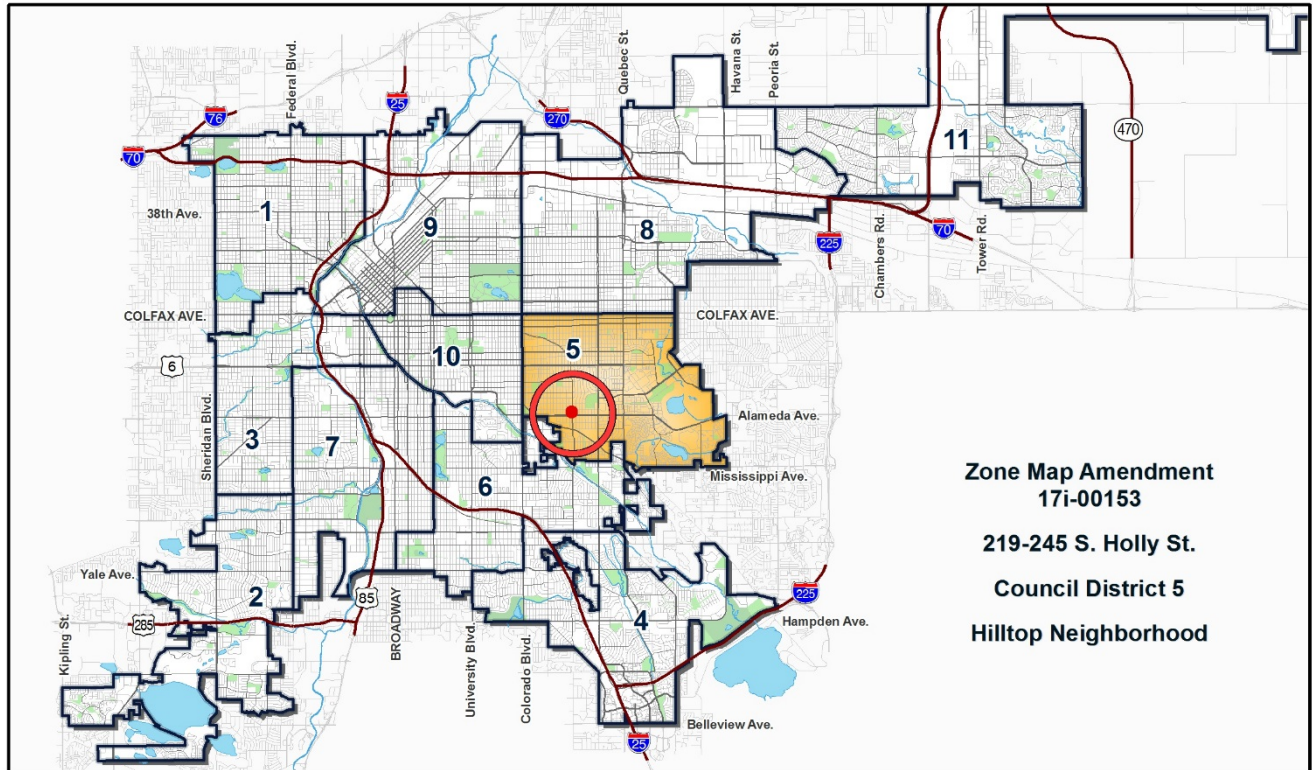
Address:	219, 221, 223, 225, 227, 235, and 245 South Holly Street
Neighborhood/Council District:	Hilltop Neighborhood / City Council District 5
RNOs:	Cranmer Park-Hilltop Civic Association; Crestmoor Park Neighborhood Association; Hilltop Heritage Association; Inter-Neighborhood Cooperation
Area of Property:	28,129 SF, 0.65 Acres
Current Zoning:	E-MU-2.5 and E-SU-Dx
Proposed Zoning:	E-MU-2.5 with a Waiver
Property Owners:	Anna DeWitt, Katherine Ferraro, Lori Jensen, Molly Anna Kull, Carmen Margala, Eric Press, Jennifer Preston
Applicant/Owner:	Anna DeWitt

### *Summary of Rezoning Request*

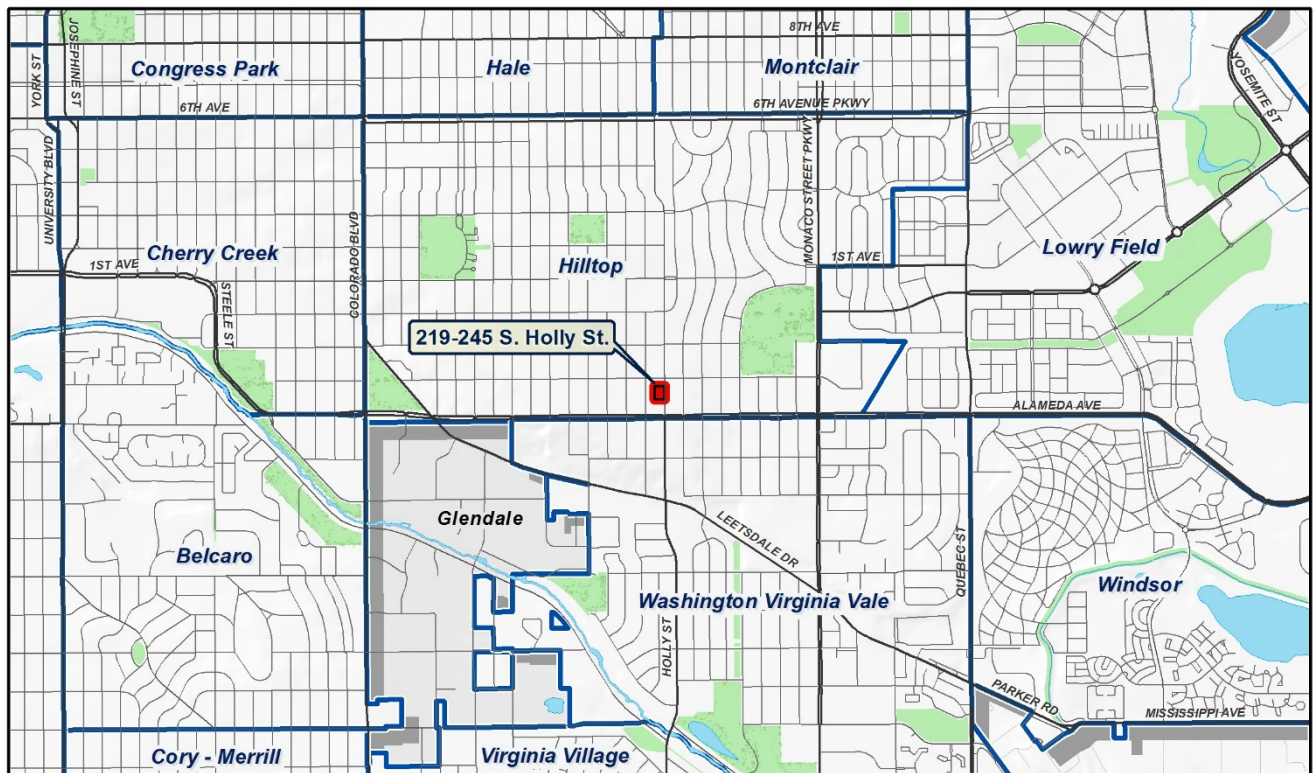
- The subject properties contain three one-story structures, two single-unit structures and one 5-unit structure. The structures were built between 1953 and 1957. The properties are located on South Holly Street north of East Alameda Avenue. The requested map amendment is being sought to allow the property owners to demolish the existing three structures and develop one multi-unit structure.
- An application to rezone the property was initially submitted in December 2017, requesting the S-MU-3 zone district. At a Planning Board public hearing on April 4, 2018 CPD staff recommended denial, and after hearing testimony and deliberating, the Planning Board voted 6-1 with one abstention to recommend denial.
- The applicant changed the application in April 2018 to request the E-MU-2.5 zone district with a waiver that changes the height limit for the Apartment building form from 2 to 2.5 stories. The effect of the waiver would be to allow a structure using the Apartment building form to attain a 3-story building height with reduced square footage on the 3<sup>rd</sup> story. All other E-MU-2.5 zoning standards would apply.
- The **E-MU-2.5**, Urban Edge, **M**ulti-unit, **2.5**-story (35 feet maximum building height), zone district is intended for use in the Urban Edge Neighborhood Context which is characterized by a mix of urban and suburban characteristics with primarily single and two-unit residential land uses, and small-scale multi-unit residential and commercial areas embedded in residential areas. Single-unit structures in the zone district are either Suburban or Urban House forms with allowed Tandem House forms, and allowed multi-unit building forms include Duplex, Garden Court, Town House and the Apartment form. Accessory dwelling units are also permitted. Further details of the zone district can be found in Article 4 of the Denver Zoning Code.

Planning Services  
Community Planning and Development  
201 W. Colfax Ave., Dept. 205 | Denver, CO 80202  
[www.denvergov.org/CPD](http://www.denvergov.org/CPD)  
p. 720.865.2983

### General Location



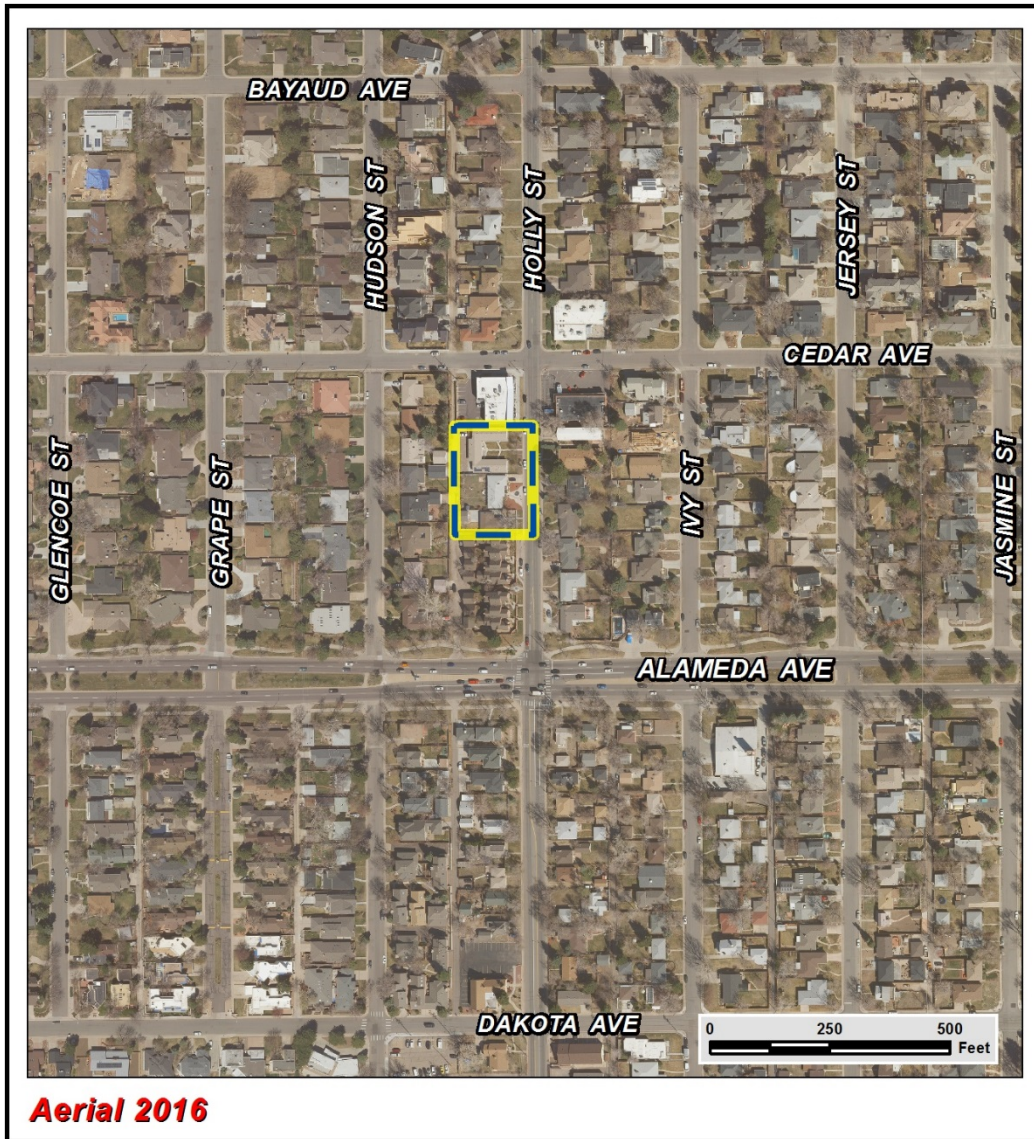
**Zone Map Amendment  
17i-00153  
219-245 S. Holly St.  
Council District 5  
Hilltop Neighborhood**





**Waiver Request**

Section 12.4.10.6 of the Denver Zoning Code enables applicants for an official map amendment to request a waiver of certain rights or obligations under the proposed zone district. This application includes one waiver request to waive the E-MU-2.5 maximum height of 2 stories for the Apartment building form and replace it with an allowed height of 2.5 stories. The effect of the waiver would be to allow a structure using the Apartment building form to attain a 3-story building height with reduced gross floor area on the 3<sup>rd</sup> floor. All other E-MU-2.5 zoning standards would apply.



**1. Existing Context**

The subject property is near the southern boundary of the Hilltop neighborhood. In the general vicinity are:

- Carson Elementary School, 3 blocks north,
- Alameda Avenue, 1/2 block south,
- Leetsdale Drive 2 blocks south,
- Crestmoor Park, 4 blocks east,
- Lowry Redevelopment, 8 blocks east,
- Robinson Park, 4 blocks northwest.

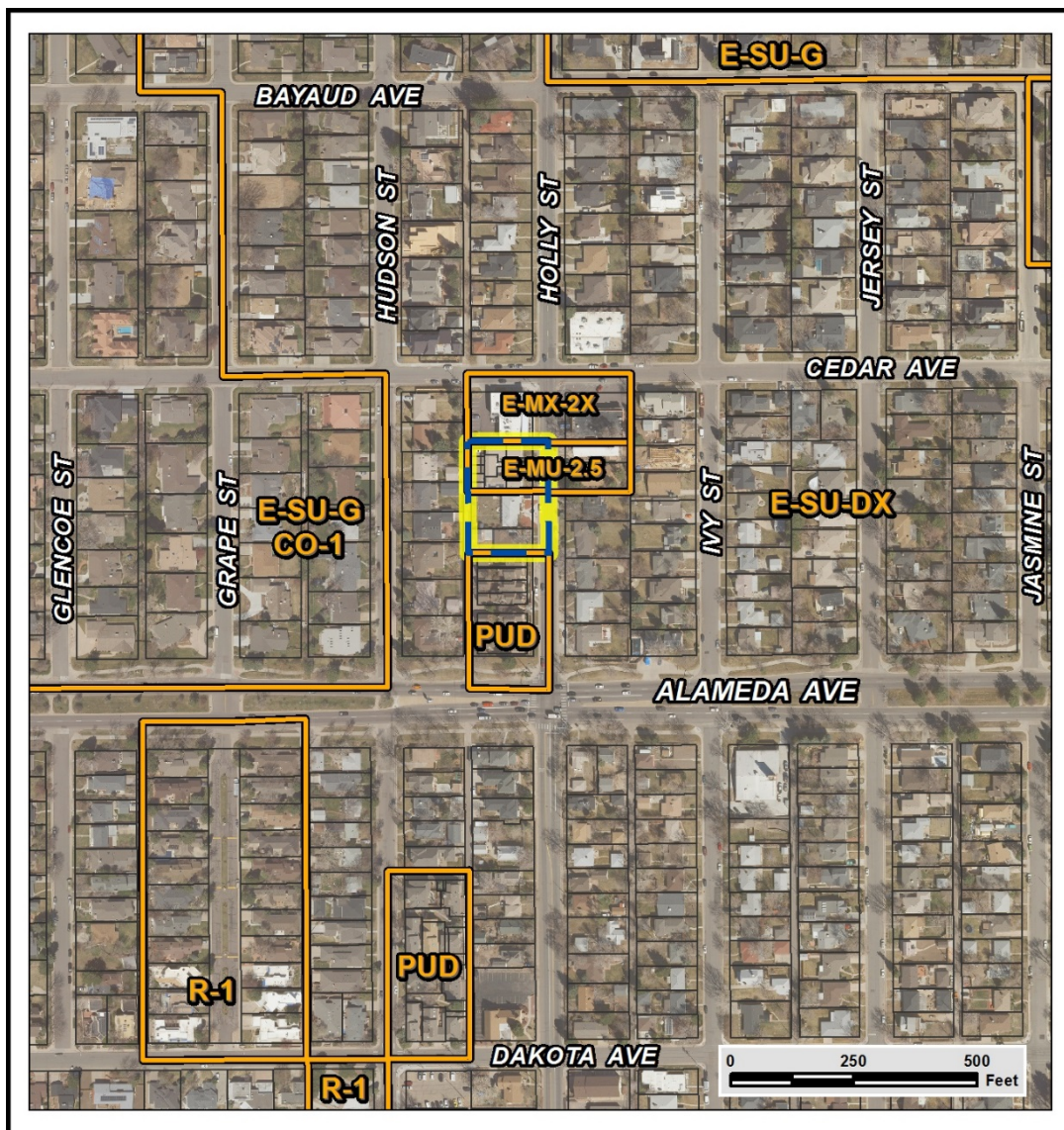
The subject property is located between a structure containing three restaurants on the north and a 2-story 7-townhome development on the south. To the east across Holly Street are two low-intensity multi-unit structures, and to the west across an alley are single-unit structures. Area building heights range from 1 to 2-stories.

The following table summarizes the existing context proximate to the subject site:

	<b>Existing Zoning</b>	<b>Existing Land Use</b>	<b>Existing Building Form, Scale</b>	<b>Existing Block, Lot, Street Pattern</b>
<b>Site</b>	E-MU-2.5 and E-SU-Dx	Single- & Multi-unit Residential	1-2 story Structures	Grid street patterns with some alleys and attached sidewalks. Regular pattern of rectilinear-shaped blocks.
<b>North</b>	E-MX-2x	Commercial	1-story Structure	
<b>South</b>	PUD #101	Multi-unit Residential	2-story Structures	
<b>West</b>	E-SU-Dx	Single-unit Residential	1-2-story Structures	
<b>East</b>	E-SU-Dx	Single- and Multi-unit Residential, Commercial	1-2-story Structures	



## 2. Existing Zoning



The current zoning of the subject property is E-MU-2.5 and E-SU-Dx. The E-SU-Dx zone district allows either a Suburban or Urban House building form on a minimum 6,000 square foot zone lot. Maximum building height for the Suburban House building form is 30-35 feet and 2.5 stories. Maximum height for the Urban House building form is 30-35 feet and 2.5 stories for the front 65% of the zone lot, and 17 feet and 1-story for the rear 35% of the zone lot depth.

In the E-MU-2.5 zone district all the allowed Primary residential building forms may attain a maximum height of 35 feet with increased lot widths. All Primary building forms allow up to 2.5 stories, which is 3 stories with a reduced gross floor area on the 3<sup>rd</sup> story, except the Apartment form. The Apartment building form in the E-MU-2.5 zone district allows the same maximum height in feet, but only 2 stories. Minimum zone lot sizes are 4,500 square feet for Urban House, Duplex and Tandem House building forms, and 6,000 square feet for Suburban House, Town House, Garden Court and Apartment building forms. As shown in the table below, the Urban Edge building forms have a lower building height in the rear 35% of the zone lot depth, except the Suburban House, which trades off a higher maximum building height in the rear for a lower, more restrictive bulk plane than the Urban House.

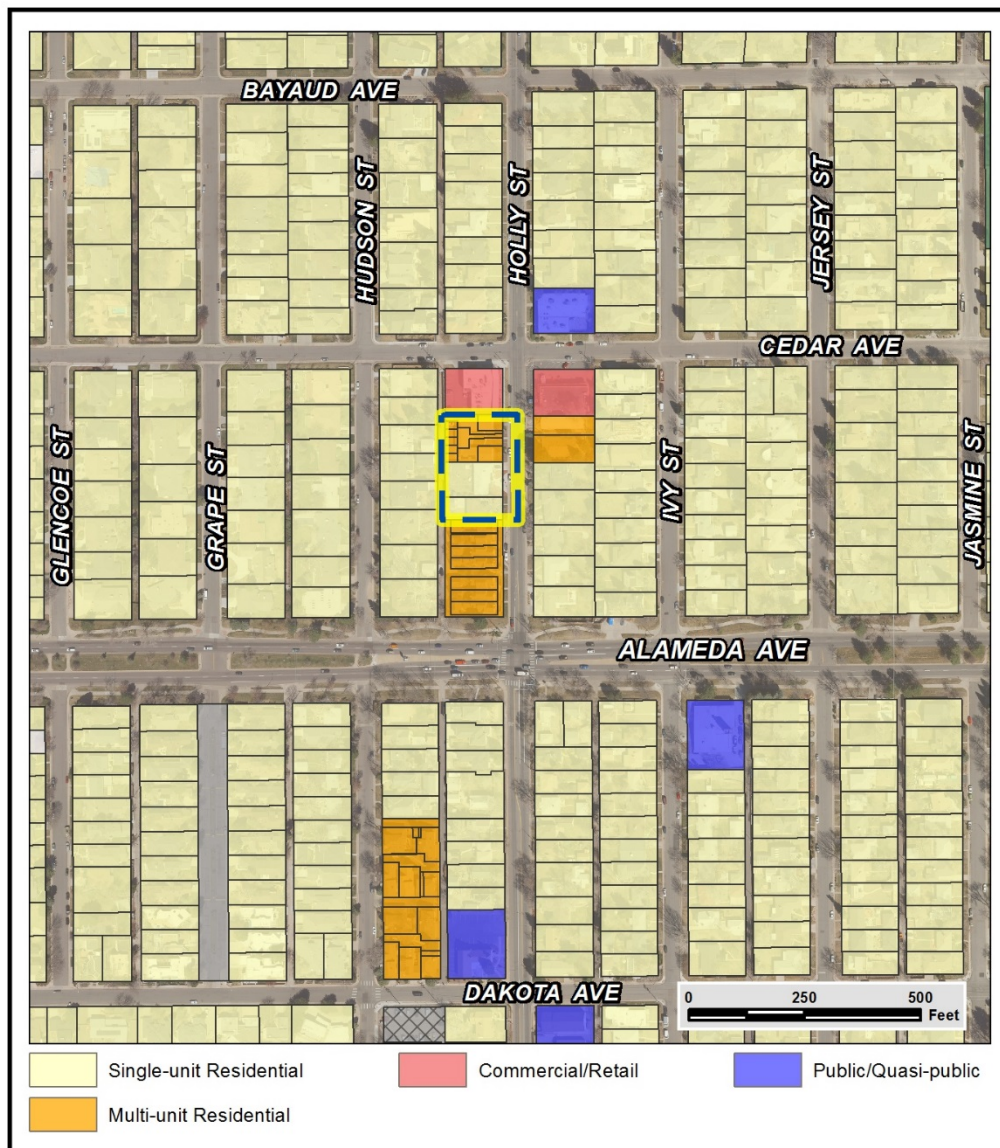
E-MU-2.5 Maximum Height	Front 65%	Rear 35%
Suburban House	30-35 feet/ 2.5 stories (limited by a more restrictive bulk plane than Urban House)	
Urban House	30-35 feet/ 2.5 stories	17 feet/ 1-story
Duplex	30-35 feet/ 2.5 stories	17 feet/1-story
Tandem House	30-35 feet/ 2.5 stories	24 feet
Town House	30-35 feet/ 2.5 stories	19 feet/1-story
Garden Court	30-35 feet/ 2.5 stories	19 feet/1-story
Apartment	30-35 feet/ 2 stories	19 feet/1-story

In the E-MU-2.5 zone district the Apartment building form requires an upper story side setback of 15 feet above 25 feet for structures with low-slope roofs. In addition, the Apartment form requires an upper story stepback of 10 feet for any portion of structure with a low-slope roof above 25 feet on the Primary Street side of the structure.

South of the subject property, PUD #101 was approved in 1983 and allows seven townhomes with a maximum height of 30 feet in the front of the lot. According to the PUD District Plan, the rear (western most) 24 feet of the PUD is restricted to a maximum height of 20 feet for garages.

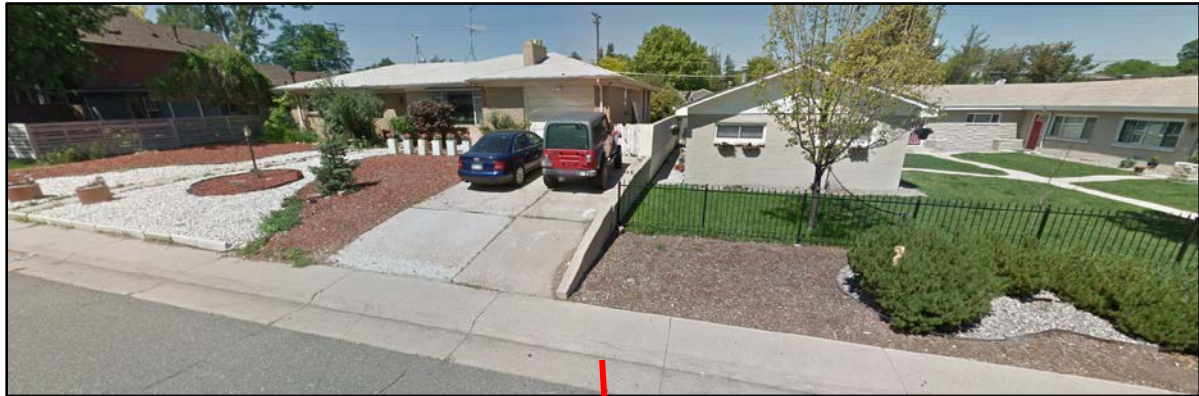
North of the subject property, the E-MX-2x zone district allows a maximum building height of 2 stories and 30 feet in the General and Shopfront building forms.

### 3. Existing Land Use





#### 4. Existing Building Form and Scale





***Summary of City Agency Referral Comments***

As part of the Denver Zoning Code review process, the rezoning application is referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

**Assessor:** No comments.

**Asset Management:** No comments.

**Denver Public Schools:** No comments.

**GIS:** No comments.

**Department of Environmental Health:** No comments.

**Parks and Recreation:** No comments.

**Plan Implementation:**

1. Continue to participate in mediation and update me on your progress.
2. Submit the site plan for your proposed building to Development Services for a Concept Review. This will identify any unforeseen issues with obtaining zoning and building permits. If your site plan is an issue being mediated, your site plan should be reviewed by Development Service prior to finalizing the mediated agreement.

**Public Works – ROW - City Surveyor:** Approved – No comments.

**Development Services - Transportation:** No comments.

**Development Services – Wastewater:** Approved – see comments below. DS Wastewater approves the subject zoning change. The applicant should note that redevelopment of this site may require additional engineering including preparation of drainage reports, construction documents, and erosion control plans. Redevelopment may require construction of water quality and detention basins, public and private sanitary and storm sewer mains, and other storm or sanitary sewer improvements. Redevelopment may also require other items such as conveyance of utility, construction, and maintenance easements. The extent of the required design, improvements and easements will be determined during the redevelopment process. Please note that no commitment for any new sewer service will be given prior to issuance of an approved SUDP from Development Services.

**Development Services – Project Coordination:** Approve Rezoning Only - Will require additional information at Site Plan Review.

**Development Services – Fire Prevention:** No comments.

**Public Review Process**

	<b>Date</b>
CPD informational notice of receipt of the initial rezoning application to all affected members of City Council and Registered Neighborhood Organizations:	<b>01/11/18</b>
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, Registered Neighborhood Organizations:	<b>02/19/18</b>
Planning Board public hearing at which this case was postponed at the applicant's request:	<b>03/07/18</b>
Planning Board public hearing on initial rezoning application where the Planning Board voted 6-1 with 1 abstention to recommend denial to City Council:	<b>04/04/18</b>
CPD informational notice of receipt of the amended rezoning application to all affected members of City Council and Registered Neighborhood Organizations:	<b>04/23/18</b>
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, Registered Neighborhood Organizations and property owners within 200 feet of the subject property:	<b>10/22/18</b>
Planning Board Public Hearing:	<b>11/07/18</b>
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and Registered Neighborhood Organizations, at least ten working days before the meeting:	<b>11/13/18 (tentative)</b>
Land Use, Transportation and Infrastructure Committee of the City Council:	<b>11/27/18 (tentative)</b>



Property legally posted for a period of 21 days and CPD written notice of the City Council public hearing sent to all affected members of City Council and Registered Neighborhood Organizations:	<b>12/16/18 (tentative)</b>
City Council Public Hearing:	<b>01/07/19 (tentative)</b>

***Mediation***

After the April 4, 2018, Planning Board hearing, the applicant and developer participated in two mediated discussions with representatives from the Cranmer Park – Hilltop Civic Association, the Crestmoor Park Neighborhood Association, and a representative of adjacent neighbors. The final report from the mediator lists eleven points of discussion including a reduction of the unit count, rooftop decks, rear setbacks, garages, parking, additional landscaping, lighting, traffic, parking of construction workers, the formation of a HOA to not allow short term rentals and impacts to existing property values. Per the report, as of the date of the final report the Cranmer Park – Hilltop Civic Association would not oppose the rezoning pending covenants that follow the mediated agreement, the immediate neighbors opposed the rezoning based upon density, and the Crestmoor Park Neighborhood Association opposed the rezoning based upon density, parking and safety issues. See the attached final mediation report.

***Registered Neighborhood Organizations***

To date, staff has received no comment letters from Registered Neighborhood Organizations.

***Other Public Comment***

To date, 11 other public comment letters have been received. Nine of the letters oppose the proposed rezoning citing Holly Street traffic congestion and safety concerns, lack of parking in the area, the belief that increased density is detrimental to the area, and concerns about details of the mediation process. Two letters support the rezoning based upon the need for affordable housing for families, stating that this is an appropriate location for increased density, stating the design and setbacks fit well and that Holly Street is already a mixed use corridor. See the attached letters for the full text of the comments.

***Criteria for Review / Staff Evaluation***

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7 and 12.4.10.8, as follows:

DZC Section 12.4.10.7

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and Welfare

DZC Section 12.4.10.8

1. Justifying Circumstances
2. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

## 1. Consistency with Adopted Plans

The criteria for review of this rezoning application include conformance with adopted regulations, and with the Comprehensive Plan and applicable supplements. Applicable documents are:

- *Denver Comprehensive Plan 2000*
- *Blueprint Denver (2002)*

### Denver Comprehensive Plan 2000

The proposal is consistent with and positively addresses many Denver Comprehensive Plan strategies, including:

- Environmental Sustainability Strategy 2-F to “*Conserve land by **promoting infill development** within Denver where services and infrastructure are already in place”* (p. 39).
- Land Use Strategy 1-H to “*Encourage development of **housing that meets the increasingly diverse needs of Denver’s present and future residents** in the Citywide Land Use and Transportation Plan”* (p. 58).
- Land Use Strategy 3-B to “*Encourage quality infill development that is consistent with the character of the surrounding neighborhood; **that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses**”* (p. 60).
- Legacies Strategy 2-A “*Establish development standards to encourage **positive change and diversity while protecting Denver’s traditional character**”* (p. 98).
- Legacies Strategy 3-A to “*Identify areas in which **increased density and new uses are desirable and can be accommodated**”* (p. 99)
- Housing Objective 1 “*Support Housing Development. Ensure that City policies and procedures **promote housing development and do not add unnecessary costs**”* (p. 113).
- Housing Objective 2 “*Preserve and Expand Existing Housing. Encourage preservation and modernization of Denver’s existing housing stock and established neighborhoods. **Support addition of housing in expansion and infill development**”* (p. 114).
- Housing Objective 4 “*Middle-Income Households. **Attract and retain middle-income households**”* (p. 116).

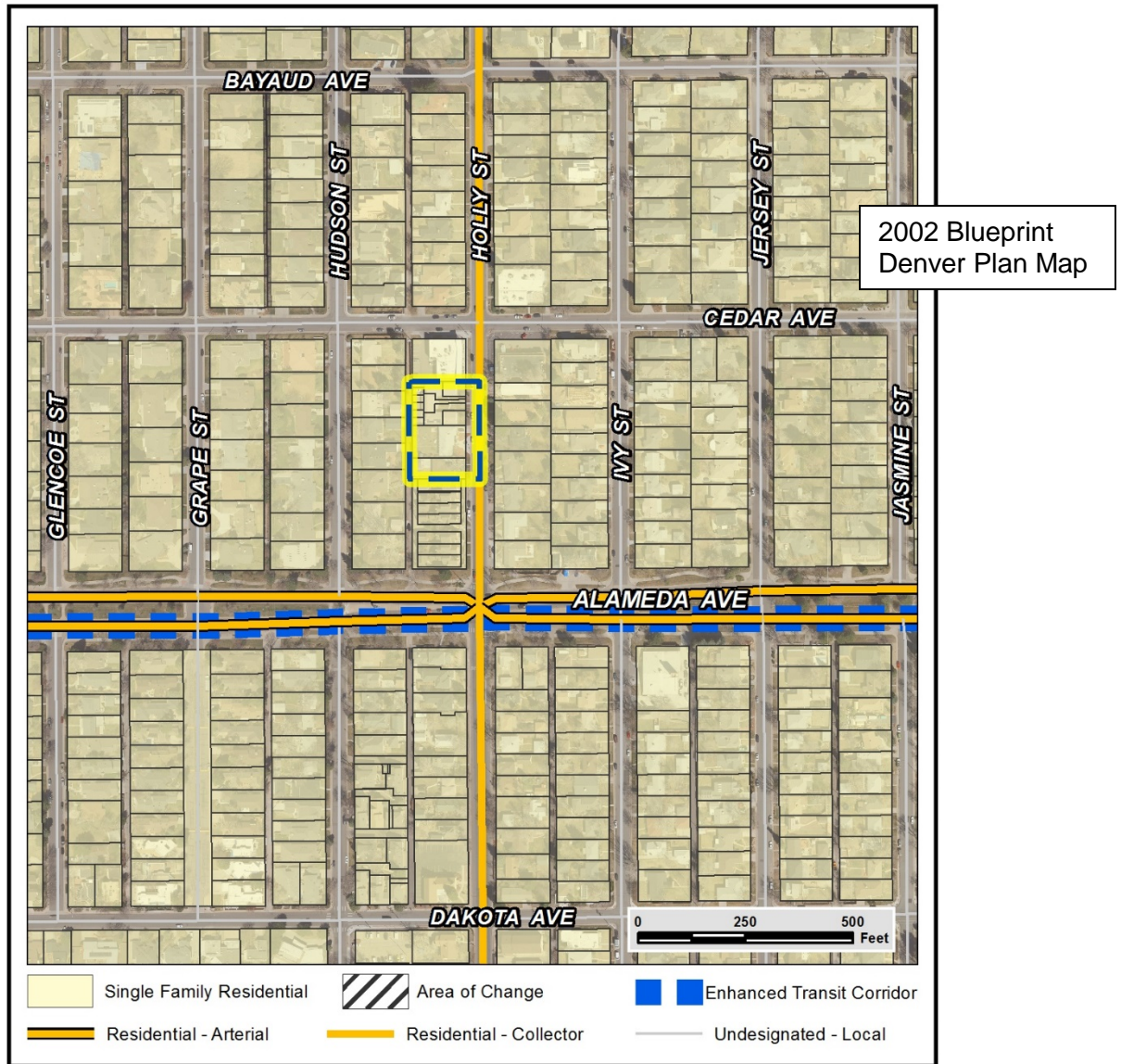
The proposed zone district will enable the development of a 2.5-story multi-unit residential structure in the Apartment building form. Under the proposed E-MU-2.5 zone district, the proposed structures would allow additional housing units in the area and promote infill where infrastructure already is in place. New units would diversify the housing choices in the area and increase density with a building form and scale compatible with the existing zoning entitlement in the area. Building heights allowed in the proposed E-MU-2.5 zone district are the same as those allowed in the surrounding E-SU-Dx zone district, up to 35 feet. The E-MU-2.5 zone district also reduces building mass in the rear 35% of the zone lot (as is the case in the surrounding E-SU-Dx zone district) and requires further reductions of the building mass with upper story side setbacks and upper story front setbacks. Extending the E-MU-2.5 zone district to the south could result in an increase in density at a scale compatible with the entitled scale of the surrounding neighborhood. This approach also would be consistent with Comprehensive Plan policies that emphasize encouraging development that is consistent with



the character of the neighborhood but offers increased opportunity for housing development and density.

**Blueprint Denver**

Blueprint Denver, the City’s Land Use and Transportation Plan, identifies the subject property as being within an Area of Stability with a land use recommendation of Single Family Residential.



**Future Land Use**

The Single Family Residential land use concept is described in Blueprint Denver as areas where “single-family homes are the predominate residential type... and the employment base is significantly smaller than the housing base” (p. 42). “A city should contain neighborhoods that offer a variety of housing types, as well as complementary land-use

*types such as stores, parks and schools that provide the basic needs of nearby residents...Neighborhoods are primarily residential but vary in density, size and adjacency of non-residential uses...There are several different types of residential areas, and neighborhoods often have more than one type within them*" (p. 41). The existing land uses adjacent to the subject property to the north are commercial and to the south and east are low-scale multi-unit residential land uses. The proposed E-MU-2.5 zone district will allow the addition of multi-family development to add to the variety of housing types available on the block and in the neighborhood. The E-MU-2.5 zone district will allow building heights in the redevelopment that are already allowed by the surrounding E-SU-Dx zone district and with the extension of the existing E-MU-2.5 district south, will introduce low-scale multi-unit development to the area at a level that is compatible with the existing block.

### **Area of Change / Area of Stability**

As noted, the subject site is in an Area of Stability. These are areas where *"preserving and revitalizing neighborhood character is the prevailing concern...Limiting overall development in the Areas of Stability helps achieve many growth management goals, while preserving the valued quality of life that is characteristic of Denver's neighborhoods"* (p. 23-25). The zoning standards within the E-MU-2.5 zone district will allow reinvestment in the property and they will keep new development to a compatible scale with the zoning entitlement of surrounding properties and the existing land uses on the block. Per Blueprint Denver *"limiting overall development in the Areas of Stability helps to achieve many growth management goals, while preserving the valued quality of life that is characteristic of Denver neighborhoods"* (p. 25). Some of the strategies for Areas of Stability include: Compatibility between existing and new development, and Diversity of housing types, size and cost.

### **Street Classifications**

The subject property is on South Holly Street, a Residential Collector Street. These street types *"provide balance between mobility and land access"* (p. 51). The E-MU-2.5 zone district standards are geared toward lower-scaled, less intense single and multi-unit residential land uses within neighborhoods. This is consistent with the street types surrounding the subject property.

### **Use of Waivers and Conditions**

Blueprint Denver provides the following policy guidance regarding the use of Waivers and conditions, or customized zoning (p. 82):

*"The unsatisfactory performance of the current regulations has led to the use of unique conditions and waivers applied to rezonings. These waivers and conditions, which are not organized in the zoning code, further complicate Denver's zoning situation. In addition, these conditions are written to address the construction of buildings and are not crafted broadly enough to address the ongoing regulation of the land after construction is completed. They remain enforceable for decades after, regardless of their effectiveness and applicability.*

*The result is that the regulatory system does not deliver effective land use regulation, but its administration absorbs a large amount of resources. It is difficult to envision how Blueprint Denver will be implemented by simply adding another layer of regulation on top of the current code. In fact, if the reforms mentioned in this chapter are instituted, it may be appropriate to eliminate the practice of rezoning with conditions and waivers."*



To implement this plan recommendation, CPD policy supports the use of waivers only in situations where the waiver helps to solve an issue that CPD is committed to resolve through a future text amendment to the Denver Zoning Code. The waiver request included in this application is consistent with this waiver policy because the department is committed to revising the 2 story maximum height for the Apartment building form in the E-MU-2.5 zone district. The current 2-story maximum height is confusing, and it is inconsistent with the allowed heights of all other allowed residential building forms in the Urban Edge Context. A similar waiver to increase the building height in stories for the Apartment building form in the E-MU-2.5 zone district has been previously approved in another rezoning.

The proposed waiver is consistent with a future Zoning Code text amendment that will bring the Apartment building form maximum height into agreement with all other multi-unit building forms in the Urban Edge Context. This use of a waiver is consistent with this Blueprint Denver plan direction.

**2. Uniformity of District Regulations and Restrictions:** Rezoning the site to E-MU-2.5 will further the uniform application of district regulations in the City. The same regulations will apply to the subject site as to all other areas zoned E-MU-2.5 in the city.

**3. Public Health, Safety and General Welfare:** The proposed official map amendment further the public health, safety, and general welfare of the City primarily by allowing the redevelopment of the property that is in character with the neighborhood in scale and design, and by supporting reinvestment that increases the variety of housing types in the existing neighborhood.

**4. Justifying Circumstances**

The applicable justifying circumstance is that since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. The applicant cites the changing character of the neighborhood and states that homes like hers are now out of character with the neighborhood as larger homes are replacing smaller homes. In addition to recognizing that the area is seeing some redevelopment under the Single Unit zone districts, recent new commercial and mixed-use development along Leetsdale Drive and in Lowry also has changed the character of the wider area with new civic, residential and commercial land uses. Recognizing the changed character of the area is an appropriate changed circumstance.

**5. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements**

The fifth review criterion in the Denver Zoning Code is that the proposed official map amendment must be consistent with the descriptions of the applicable neighborhood context, and with the stated purpose and intent of the proposed zone district. Overall, the proposed map amendment is consistent with the Urban Edge Neighborhood Context.

The Denver Zoning Code describes the Urban Edge Context as a mix of elements from both the Urban and Suburban Neighborhood Contexts with primarily single and two-unit residential uses. Small-scale multi-unit residential uses and commercial areas are also embedded in residential areas. Multi-unit building forms are typically the Row House,

Garden Court, Town House or Apartment forms. Multi-unit residential and commercial uses are located along local streets, arterials and main streets. Street and block patterns consist of a regular pattern of block shapes surrounded by a grid or modified grid street system, and a mixed presence of alleys. Block sizes are consistent and include attached, detached and non-existent sidewalks. The Urban Edge Context is characterized by low scale buildings except for some mid-rise commercial and mixed-use structures, particularly at nodes or along arterial streets. There is typically reliance on automobiles with low to medium access to the multi-modal transportation system. (Division 4.1)

The Urban Edge residential zone districts are intended to promote and protect residential neighborhoods within the character of the Urban Edge Neighborhood Context. They allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood. The zoning standards recognize common residential characteristics within the Urban Edge Neighborhood Context but accommodate variation by providing a variety of Residential Zone Districts. The regulations provide certainty to property owners, developers, and neighborhoods about the limits of what is allowed in a residentially-zoned area. These regulations are also intended to reinforce desired development patterns in existing neighborhoods while accommodating reinvestment. (Division 4.2)

The E-MU-2.5 zone district is a multi-unit zone district and allows the Suburban House, Urban House, Duplex, Tandem House, Garden Court, Town House and Apartment building forms are allowed primary building forms with maximum building heights up to 3 stories and up to 35 feet. With proposed waiver and the E-MU-2.5 zone district the maximum allowed height for the proposed Apartment is 35 feet and 3 stories in the front 65% of the zone lot depth.

This neighborhood contains an orthogonal grid of streets with a consistent block pattern, which are characteristic of the Urban Edge Neighborhood Context. By allowing a higher maximum building height that is the same as the entitlement in surrounding residential zone districts, by having reduced rear building heights that are characteristic of the surrounding residential zone districts, and by sculpting the top story with side and front stepbacks the proposed rezoning will allow a scale of development that is compatible with the existing neighborhood. The E-MU-2.5 zone district is consistent with both the general and specific purpose and intent of the Urban Edge Context and the E-MU-2.5 zone district description.

**Attachments:**

1. Application
2. Legal Description
3. Comment letters (11)
4. Mediation Report

**From:** [Rezoning - CPD](#)  
**To:** [Lucero, Theresa - CPD Sr City Planner](#)  
**Subject:** FW: Green Flats Project 10.17  
**Date:** Wednesday, August 01, 2018 8:51:02 AM

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Hey,

I think they are referencing the Holly rezoning that has been sitting for awhile but that is still active (according to my knowledge) so I'm sending this over to you.

Thanks,  
Heidi

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**From:** Douglas and Maria Tweed <tweed1@msn.com>  
**Sent:** Wednesday, August 01, 2018 8:14 AM  
**To:** Rezoning - CPD <Rezoning@denvergov.org>  
**Subject:** Green Flats Project 10.17

Dear Zoning

The traffic on Holly St is out of control now, Large Commercial Trucks, Excess Cars and Speeding the street cannot take any more traffic (have been in contact numerous times with the local city council).

Has anyone done a current traffic study?

It's not the look of the project its self that I'm objecting, it is what it will do to the neighborhood with more population and traffic.

This was created as a individual residential neighborhood and that's why people bought and moved here, please do not take that away from us!

Hilltop Home Owner



**From:** [Rezoning - CPD](#)  
**To:** [Lucero, Theresa - CPD Sr City Planner](#)  
**Subject:** FW: Green Flats Project South Holly Street  
**Date:** Wednesday, August 15, 2018 12:30:42 PM

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-----Original Message-----

From: Denice Reich <denice@callitsold.com>  
Sent: Wednesday, August 15, 2018 10:16 AM  
To: Rezoning - CPD <Rezoning@denvergov.org>  
Subject: Green Flats Project South Holly Street

I am stunned there is no traffic impact study when the city of Denver changes the zoning for a project. We were told that that is another department and has nothing to do with the zoning change. I travelled along Holly twice a day to work. It is a narrow street with parking on each side. There have been two accidents. The last one was on June 19th. It is ridiculous to jam this property with the density of the project. What the hell are you people thinking? You have had people and neighborhoods yelling at you and you have deaf ears to these massive changes in the zoning for the neighborhood. It is disgusting.

Denice Reich and Stephanie Goldammer  
Alliance Real Estate Services, LLC. d/b/a RE/MAX Alliance  
1873 S Bellaire Street Suite 700  
Denver, CO 80222  
O: 303-757-7474  
C: 303-886-0000  
F: 303-782-1622  
info@callitsold.com

Neighborhood concerns *over mediation - 9/13/18*

At the first meeting, the mediator took remarks from neighbors regarding the issues of density, traffic, zoning, property types, construction schedules, privacy issues, etc. Although some discussion about the intent of the rezone occurred, no effort was made to describe the updated plans in detail. While the applicant's developer took several phone calls, the applicant expressed uncertainty about some of the details and we learned later was unaware of some of the changes that had been made to the project. The developer seemed resistant to this process stating that the project they proposed was what they wanted to develop based on "green issues" and to make them affordable for some future property owners.

Nevertheless, a reduction in units was requested to reduce the number of cars using the alley (and road system) at this very busy intersection of Cedar and Holly reasoning that incremental change at this location benefits a larger area. When asked by the mediator, it was suggested that it be less than 20 units resulting in a request of a four unit reduction by the mediator. No actual plan revisions were provided at the following meeting but the developer reported that one bedroom units on the third floor could be combined to lower the unit count to 23 if the neighborhood granted approval of their plans. They acknowledged that this would have no affect on the number of total bedrooms. Both the CPRNO and a neighbor behind the project did not expect to receive the grant of approval on the basis of such an insignificant change.

Discussion at the first meeting included a second product type, (such as a townhome), along with stacked flats which was more agreeable to neighbors in this predominately single family neighborhood where that alternative exists and has been approved recently nearby. We need attached units for residents who can't afford a new \$2.0 million home but can afford to pay under a million. Some of the site is already zoned for this. Indeed, the applicant refers to the look of townhomes when referring to their project's façade. But by the second meeting, the applicant's developer refused to consider this based on revenues although he would not go so far as to admit it was not a feasible use. Cranmer's leadership appears divided with the RNO president expressing frustration that a different project would even be considered in mediation.

Loss of privacy and unfavorable views of the rear of the project seem to be allayed by two offers from the developer. First, an enhanced parapet wall on brick faced garages at the rear of the alley would rise to 17-feet to block views. Trees would also be planted in neighbor yards.

alley

City may request  
garbage pick-up be from alley side

225.0 feet  
combined

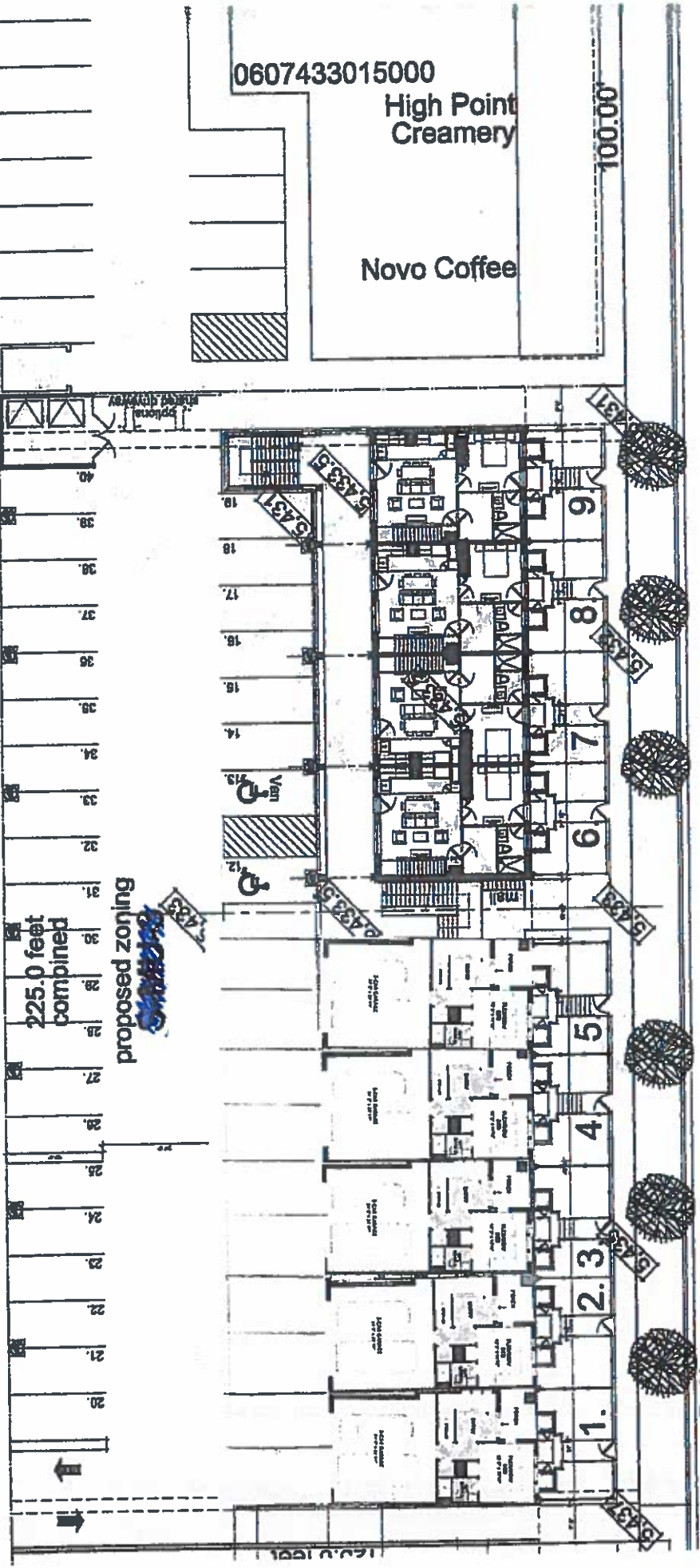
proposed zoning

0607433015000

High Point  
Creamery

Novo Coffee

100.00



Proposed Plan

23 condos

Crestmoor's Alternative Plan

5 THS and 12 condos = 17 units

No of units/  
Type

Bdrm ct

42

vs

60

Pkg / bdrm

~ 1/2 bdrm w/ guest pkg

0.65 / Bdrm



At the request of Theresa Lucero in Denver Community Planning and Development, Steve Charbonneau met with a group of neighbors in an attempt to reach agreement on a proposed rezoning of the above properties.

Steve met with a group of neighbors from both RNO's and immediate neighbors. Following this meeting a workgroup of six people were chosen. They are: Wende Reoch (President of Cranmer Park – Hilltop Civic Association), Tom Hart (Zoning chair of CPHCA), Lise Uhrich (representing adjacent neighbors), John DeRungs (representing Crestmoor Park Neighborhood Association), Pete Casillas (representing Crestmoor Park Neighborhood Association), Anna DeWitt (representing the property owners requesting the rezoning), and Jason Lewiston (developer).

It should be noted that while the property falls within the Cranmer Park-Hilltop Civic Association; in a spirit of collaboration, CPHCA invited two members of the Crestmoor Park Neighborhood Association to participate in the workgroup.

The intent of the workgroup was to use mediation as a way to honestly and openly discuss with the owner and developer possible issues, concerns, and to ultimately look for a reasonable rezoning solution that both the owner/developer and the neighborhoods would find acceptable; probably with neither side getting all they'd like but finding a solution that was agreeable.

Density! This was the most vocalized concern, along with things that accompany any discussion of density; traffic, pedestrians, safety, parking, signalization, etc. We also discussed design and form, height, access, number of units, number of bedrooms, balconies, visual barriers, landscaping, affordability and garages.

We met twice. We agreed that any agreement or summary would be taken back to the appropriate decision making group(s) within the neighborhoods for their approval. If the neighborhood groups are agreeable, then the points listed below will be memorialized in the appropriate manner to ensure adherence on everyone's part.

We discussed:

1. If Cranmer Park-Hilltop Civic Association and Crestmoor Park Neighborhood Association will agree to not oppose, or to write a letter supporting the rezoning from E-MU-2.5 and E-SU-Dx to all E-MU-2.5 with one waiver, that of allowing a third story, compliant with CPD's requirement; the applicant will reduce the number of units downward from 27 to 23. While this does not necessarily resolve all the density concerns of everyone present, it does provide a compromise.
2. Decks. Rooftop decks above the third floor, have been designed in such a way and coordinated with the garage and proposed landscaping so as to eliminate any visual sight line to the neighbors across the alley.
3. Setbacks. The proposed rear setback is considerably larger than that required by the zoning ordinance. Specifically, the rear setback, from the property line along the alley to the back of the building, will be no less than 40 feet. Additionally, the front set-back will be no less than 20 feet, and side set-backs will be no less than 7.5 feet. The conditioned/indoor living space will not start until approximately 70' back from the rear property line.

4. The garages are on the property line and 15 feet in height. The back of the garages, the wall facing the alley, will be brick with possible designs to enhance the ally.
5. Parking. There will be thirty-six (36) parking spaces for the residents, which is more than the City's required parking spaces.
6. Additional landscaping in the form of 2-3 two-inch trees will be provided for each of the properties directly across the alley from the proposed development.
7. For the majority of the time construction is taking place, parking on-site will be provided for the workers. City requirements for construction will be met.
8. All lighting will be downward facing and not spill into adjacent property.
9. The proposed development will commit to establishing a HOA and will not allow short-term rentals.
10. Traffic. Any addition traffic and congestion at Cedar and Holly compounds existing safety concerns from speeding cars along Holly, and the poor sight lines that exist at that intersection.
11. Impact to property values was brought up as a concern. However, there was no agreement or consensus on this point.

Enforcement. Some of the points we discussed and agreed upon will be enforced through the City's requirements. There are other points which will need to be contained in specific covenants that are signed by the owner/developer and the registered neighborhood organization.

As of August 14<sup>th</sup> –

- The Cranmer Park – Hilltop Civic Association has voted at its zoning committee and at its board to **not oppose the project**.
- The immediate neighbors have voted to oppose the project based upon "density issues".
- The Crestmoor Park Neighborhood Association elected to survey residents of their neighborhood and reported that 90% of those voting, voted against the proposed rezoning. The reasons I was given were density, inadequate parking and danger to pedestrians. **I cannot speak to the area the survey covered with respect to proximity to the rezoning, or the number of survey participants and their locations.**
- **There was an offer from both the immediate neighbors and Crestmoore Park to possibly support the rezoning if the density were very significantly reduced. This discussion didn't go anywhere.**

Thank you,  
Steve Charbonneau

JOHN F. DeRUNGS, MAI

John,

I sent an update or draft similar to the one I just sent you.

However, there were mistakes around some of the design pieces, it was a draft and I believe I've corrected the mistakes in the copy you have.

I talked with her about the one I sent her being a draft and that I was still working on the final.

Thanks, Steve

**Steve Charbonneau**, Executive Director

*"Helping People Talk to People"*

Community Mediation Concepts | Find Solutions

Providing conflict resolution, facilitation and mediation  
303.717.2167 | [Steve@FindSolutions.org](mailto:Steve@FindSolutions.org) | [SteveCharbonneau@outlook.com](mailto:SteveCharbonneau@outlook.com)

See what we do at - [www.FindSolutions.org](http://www.FindSolutions.org)

**From:** John Derungs <[John.derungs@avcvalue.com](mailto:John.derungs@avcvalue.com)>  
**Sent:** Sunday, September 9, 2018 3:31 PM  
**To:** [Steve@FindSolutions.org](mailto:Steve@FindSolutions.org)  
**Subject:** Re: Green Flats

I thought you said you sent an earlier draft - which one?

On 9/9/2018 3:29 PM, [Steve@FindSolutions.org](mailto:Steve@FindSolutions.org) wrote:

I just gave her an update on where we were at, as she was asking about our progress.

Steve

JOHN F. DeRUNGS, MAI

**Steve Charbonneau**, Executive Director

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See what we do at - [www.FindSolutions.org](http://www.FindSolutions.org)

**From:** John Derungs <[John.derungs@avcvalue.com](mailto:John.derungs@avcvalue.com)>

**Sent:** Sunday, September 9, 2018 3:28 PM

**To:** [Steve@FindSolutions.org](mailto:Steve@FindSolutions.org)

**Subject:** Re: Green Flats

Hang on - what did the "earlier" draft you sent to Theresa say (and why didn't participants have a look at it before you sent it to her)? Please send to me!

Thanks,

John

On 9/9/2018 11:45 AM, [Steve@FindSolutions.org](mailto:Steve@FindSolutions.org) wrote:

John,

I provided an earlier draft to Theresa, but it was a draft. Here is what I'm ready to submit.

Thanks, Steve

**Steve Charbonneau**, Executive Director

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See what we do at - [www.FindSolutions.org](http://www.FindSolutions.org)

**From:** John Derungs <[John.derungs@avcvalue.com](mailto:John.derungs@avcvalue.com)>



JOHN F. DeRUNGS, MAI

**Sent:** Friday, September 7, 2018 7:47 PM  
**To:** [Steve@FindSolutions.org](mailto:Steve@FindSolutions.org); Peter Casillas <[pcasillas@yahoo.com](mailto:pcasillas@yahoo.com)>  
**Subject:** Re: Green Flats

Steve,

Thought I'd learn if you had any luck and when we can expect a final draft for review.

John

On 8/26/2018 6:37 PM, [Steve@FindSolutions.org](mailto:Steve@FindSolutions.org) wrote:

John,

Thank you for the response. Let me see if there is any room for further negotiation on the owner's part.

Steve

*Steve Charbonneau*, Executive Director

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303.717.2167 | [Steve@FindSolutions.org](mailto:Steve@FindSolutions.org) | [SteveCharbonneau@outlook.com](mailto:SteveCharbonneau@outlook.com)

See what we do at - [www.FindSolutions.org](http://www.FindSolutions.org)

**From:** John Derungs <[John.derungs@avcvalue.com](mailto:John.derungs@avcvalue.com)>  
**Sent:** Sunday, August 26, 2018 5:59 PM  
**To:** [Steve@FindSolutions.org](mailto:Steve@FindSolutions.org)  
**Subject:** Re: Green Flats

Thanks for asking Steve!

Neighbors at my Crestmoor Filing 2 meeting in June favored a less dense project possibly with some single family attached units (THs) along the lines of what I described during mediation although no straw poll was taken. You may know that Filing 2 makes up the lion share of the homes on the east side of Holly south of 6th Avenue putting more people closer to the Green Flats project than even Crestmoor Park neighborhood. Retaining close to 40

JOHN F. DeRUNGS, MAI

parking spaces for a 17-18 unit project would also allay concerns about off-street parking. Of course, Lise's suggestion about removing the third story might also more practically accomplish with less design change.

Take care,

John

On 8/14/2018 1:33 PM, [Steve@FindSolutions.org](mailto:Steve@FindSolutions.org) wrote:

Peter and John,

Jason, the developer for the Green Flats lots asked what it would take to get Crestmoor to "not oppose" the rezoning request?

He also reminded me the current zoning allows for 20 units.

Any help or ideas?

Thanks, Steve

**Steve Charbonneau**, Executive Director

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See what we do at - [www.FindSolutions.org](http://www.FindSolutions.org)

Lise's copy.

3 drafts rev'd in  
6/15, 6/20, 6/25

Rezoning Request for 219, 221, 223, 225, 227, 235 and 245 South Holly Street  
August, 2018 - DRAFT

At the request of Theresa Lucero in Denver Community Planning and Development, Steve Charbonneau met with a group of neighbors in an attempt to reach agreement on a proposed rezoning of the above properties.

Steve met with a group of neighbors from both RNO's and immediate neighbors. Following this meeting a workgroup of six people were chosen. They are: Wende Reoch (President of Cranmer Park – Hilltop Civic Association), Tom Hart (Zoning chair of CPHCA), Lise Urich (representing adjacent neighbors), John DeRungs (representing Crestmoor Park Neighborhood Association), Pete Casillas (representing Crestmoor Park Neighborhood Association), Anna DeWitt (representing the property owners requesting the rezoning), and Jason Lewiston (developer).

It should be noted that while the property falls within the Cranmer Park-Hilltop Civic Association; in a spirit of collaboration, CPHCA invited two members of the Crestmoor Park Neighborhood Association to participate in the workgroup.

The intent of the workgroup was to use mediation as a way to honestly and openly discuss with the owner and developer possible issues, concerns, and to ultimately look for a reasonable rezoning solution that both the owner/developer and the neighborhoods would find acceptable; probably with neither side getting all they'd like, but finding a solution that was agreeable.

Density! This was the most vocalized concern, along with things that accompany any discussion of density; traffic, pedestrians, safety, parking, signalization, etc. We also discussed design and form, height, access, number of units, number of bedrooms, balconies, visual barriers, landscaping, affordability and garages.

We met twice. We agreed that any agreement or summary would be taken back to the appropriate decision making group(s) within the neighborhoods for their approval. If the neighborhood groups are agreeable, then the points listed below will be memorialized in the appropriate manner to ensure adherence on everyone's part.

We discussed and agreed:

1. If Cranmer Park-Hilltop Civic Association and Crestmoor Park Neighborhood Association will agree to not oppose, or to write a letter supporting the rezoning from E-MU-2.5 and E-SU-Dx to all E-MU-2.5 with one waiver, that of allowing a third story, compliant with CPD's requirement; the applicant will reduce the number of units downward from 27 to 23. While this does not necessarily resolve all the density concerns of everyone present, it does provide a compromise.
2. Decks. Rooftop decks above the third floor, have been designed in such a way and coordinated with the garage and proposed landscaping so as to eliminate any visual sight line to the neighbors across the alley.
3. Setbacks. The proposed rear setback is considerably larger than that required by the zoning ordinance. Specifically, the rear setback, from the property line along the alley to the back of the building, will be no less than 40 feet. Additionally, the front set-back will be no less than 20 feet, and side set-backs will be no less than 7.5 feet. The conditioned/indoor living space will not start until approximately 70' back from the rear property line.

4. The garages, per the Hudson residents request, are on the property line and 15 feet in height. The back of the garages, the wall facing the alley, will be brick with possible designs to enhance the ally.
5. Parking. There will be thirty-six (36) parking spaces for the residents, which is more than the City's required parking spaces.
6. Additional landscaping in the form of 2-3 two inch trees will be provided for each of the properties directly across the alley from the proposed development.
7. For the majority of the time construction is taking place, parking on-site will be provided for the workers. City requirements for construction will be met.
8. All lighting will be downward facing and not spill into adjacent property.
9. The proposed development will commit to establishing a HOA, and will not allow short-term rentals.
10. Traffic. Any addition traffic and congestion at Cedar and Holly compounds existing safety concerns from speeding cars along Holly, and the poor sight lines that exist at that intersection.
11. Impact to property values was brought up as a concern. However, there was no agreement or consensus on this point.

Enforcement. Some of the points we discussed and agreed upon will be enforced through the City's requirements. There are other points which will need to be contained in specific covenants that are signed by the owner/developer and the registered neighborhood organization.

As of August 14<sup>th</sup> –

- The Cranmer Park – Hilltop Civic Association has voted at its zoning committee and at its board to support the project.
- The immediate neighbors have voted to oppose the project based upon "density issues".
- The Crestmoor Park Neighborhood Association elected to survey residents of their neighborhood and reported that 90% of those voting, voted against the proposed rezoning. The reasons I was given were density, inadequate parking and danger to pedestrians. I cannot speak to the adequacy of the survey, only to the resultant vote.

Thank you,  
Steve Charbonneau





September 26, 2018

Planning Services  
Community Planning and Development  
201 W. Colfax Avenue, Dept 205  
Denver, CO 80202

Re: Rezoning/Waiver Application 2017I-00153 – Green Flats Project: 219, 221, 223, 225, 227, 235, 245 S Holly St.

To Whom It May Concern:

I am writing today to comment on the proposed Green Flats project located on Holly Street at Cedar in Hilltop. I am a resident of the Hilltop neighborhood where the development would be located. My husband and I also have three children who attend Carson Elementary School, which is located three blocks from the proposed project. In addition, our family regularly uses the commercial facilities immediately adjacent to the proposed Green Flats development, as well as the commercial property across the street.

Let me begin by saying that I appreciate the look of the proposed development, as well as its attempt to be as ecofriendly as possible. As I understand it, the developer has come up with a plan that is generous with regards to things like setbacks and the number of parking spaces provided, in an attempt to help the property keep with the character of the neighborhood. In another - less dense - location, this might be an excellent option for Hilltop. I believe we have a social responsibility to mitigate Denver's housing crisis and we want middle income earners like teachers, nurses and first-responders to be able to live in the neighborhoods in which they work. We also want places in the neighborhood where older residents can move when they are ready to leave their larger homes, and there simply aren't enough of them right now. It is obvious that Mr. Lewiston gave these issues a lot of credence when creating these plans. However, given the current density of the block and the size of the project, I do not believe it is a good fit for its proposed location. I believe that the city should deny the zoning waivers requested by the developer in order for this project to move forward for the following reasons:

**1. The Overall Density of the Block Makes a Project of This Size Inappropriate for This Location Because of its Effect on Neighborhood Traffic and Safety.**

This project does not make sense in the proposed location. The area of Holly street between Cedar and Alameda is extremely busy due to the commercial businesses located there. Parking for families trying to use those businesses is already difficult. Traffic is always backed up on Holly. Cars on Cedar that are trying to cross over Holly dart out into the

Sawyer for Denver City Council  
700 Colorado Blvd., Ste. 688  
Denver, CO 80206





intersection regularly. It is almost impossible to cross that intersection east-west due to the amount of traffic going north-south on Holly. The city has already recognized the concern for safety on that block, as evidenced by the fact that it added a lighted crosswalk at Holly and Cedar last year. Adding a 23 unit building with 35 parking spaces on that block will create even more traffic and parking issues.

**a. Adding Approximately 24 Vehicles to This Already Congested Location Will Cause Traffic Issues on Alameda Avenue and Cedar.**

As I understand it, after mediation, the development will provide for 35 parking spaces at the rear of the building, which will be accessed solely through the alley that runs from Alameda to Cedar. At most, there are eleven vehicles currently using that space. Adding 24 cars to that location will create an even more dangerous traffic situation on Alameda. Cars drive Alameda at extremely high speeds. According to neighbors, they already have to wait for a red light at Alameda and Holly before they can pull out of their alley because it is otherwise too dangerous. Their other option is to use the northern entrance to the alley at Cedar, which is usually an area filled with families and kids using the commercial properties on that block. Adding another 24 vehicles that have to use the alley as the only means of entering or leaving their property is simply not a good plan.

In addition, the cross at Holly and Cedar is already dangerous and adding more cross-traffic to the area creates an even larger safety hazard. As the city has acknowledged by installing a flashing crosswalk in this location, there is no logical way to add a stoplight at this intersection. It would create a bottleneck that would back up northbound traffic on Holly down onto Alameda and Leetsdale, which are both designated arterial streets. This means there is essentially no solution to an already-existing traffic problem at that intersection. Again, adding 24 more cars in that location will add to a situation that is already dangerous and overly-congested.

**b. This Project Will Create a Safety Issue for Neighborhood Kids.**

Because it is a two-lane road, Holly will be virtually unusable during the construction phase of this project, as workmen and trucks enter and exit the construction site. I understand that it would be temporary, but for those of us who use Holly as our main north-south thoroughfare every single day, it will impact our lives significantly and force us to use the neighborhood streets as our main north-south arteries. This will create a safety risk for the families in our neighborhood whose kids ride their bikes and play on those local streets. Please remember that this project is proposed three blocks from the playground of a Denver Public Elementary School which families with young children use every day to enter and exit the school grounds.

These are the same families who use the restaurants in this location regularly, and more cars on this block creates a safety hazard for the families using those businesses. There are always young kids running and biking up and down Cedar Street between



Hudson and Holly Streets. In fact, the businesses on Holly and Cedar offer amenities that are for the specific purpose of drawing families to the location. The bike racks for families to park their bikes are on Cedar. Park Burger puts out cornhole games on the sidewalk. These attract kids waiting to eat who want to run and play, and they are both located no more than twenty feet from the alley which this developer wants to use as the sole ingress and egress option for an additional 24 vehicles. These extra cars could tip the scales on an already dangerous situation.

**2. *Even at the Proposal Stage, This Property is Driving Out Neighbors Who Have Lived in Our Neighborhood for Years.***

In addition to traffic and safety, the proposed development has had the unfortunate effect of driving out the neighbors who own properties immediately adjacent to it. Some of these families are families that have lived in Hilltop for years, and who have raised their kids here. One neighbor has already moved to Cheyenne. The property immediately to the south of the proposed project is for sale as I write this letter. Other neighbors have stated to me that they intend to sell if the project is approved. I believe strongly that owners should have the right to improve their land. But it seems that in this case, even the beginning stages of this development have caused at least two long-time residents to leave the neighborhood, with the potential for more. And that is a shame.

**3. *The Attitude of the Developer Indicates an Unwillingness to Compromise with the People Who Live in Our Neighborhood.***

Finally, I have some concerns about whether this developer's willingness to compromise with our neighborhood is genuine. While researching this issue, I reached out to numerous parties to the mediation, including the developer and the neighbor who initiated this project, Anna DeWitt. Ms. DeWitt never responded to me at all. Mr. Lewiston responded to my email and said that he and Ms. DeWitt would meet with me to show me the post-mediation plans for the project. His email then explained how busy Ms. DeWitt was, and told me he would get back to me with meeting times that worked for them. To date, he has not followed up and we have not met. To me, this entire exchange indicates an intent to appear conciliatory without actually being conciliatory.

Apparently, I am not the only person who has experienced this issue with regards to The Green Flats Project. Several parties to the mediation told me that when the developer was presented with their concerns about the number of units proposed on the original plans, his concession was to lower the number of units in the building from 27 to 23. At first glance, this seems like a reasonable compromise. However, as I understand it, the developer simply combined units that were stand-alone on the original plans into larger units with more rooms, thus lowering the official density of the project without actually altering it. This is a



distinction without a difference. Because density is measured in number of units and not number of bedrooms, the developer can say that he lowered the project's density.

Again, I haven't seen the final plans and cannot comment on the truth of that story. But if it is true, then it seems to be another situation where the developer is saying the right things so he looks conciliatory, but he isn't actually being conciliatory. If this attitude is indicative of how Mr. Lewiston intends to behave toward the residents of our neighborhood as this development proceeds, I have serious concerns.

As I stated previously, I believe we have a social responsibility to help mitigate Denver's housing crisis. And we want to provide ways for the people who work in our community to also live in our community. And we want to create housing that allows our aging residents to stay in Hilltop when they are ready to sell their larger homes. But this project is simply not the answer to those problems, for the reasons I have stated above. I respectfully ask the Commission to NOT grant the rezoning waivers requested so that the Green Flats Development cannot go through. Thank you for your time.

Sincerely,

Amanda Sawyer

Candidate for Denver City Council, District 5

303-549-2949

[www.sawyerfordenvercitycouncil.org](http://www.sawyerfordenvercitycouncil.org)

@sawyerforfive



**From:** monicahmh@me.com  
**To:** [Lucero, Theresa - CPD Sr City Planner](#)  
**Cc:** [Wende Reoch](#); [Anna De Witt](#); [Susman, Mary Beth - CC Member Denver City Cncl](#)  
**Subject:** [EXTERNAL] Support for 227 S Holly Project  
**Date:** Friday, October 12, 2018 1:54:44 PM

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Use caution with attachments or links.

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Theresa,

I live at 35 Eudora Street in Hilltop and am writing in support of the rezoning of 227 S. Holly Street. I am an ardent supporter of increasing the supply of housing in Denver to address the acute affordable housing crisis affecting our city. In past few years, housing costs, both for sale and rental, have increased precipitously, far outpacing regional income growth. As a result, families, people of color and low and middle income residents have had to flee our city. As an example of this, the past couple years Denver Public Schools have experienced a reduced kindergarten entering class likely due to the fact that families are leaving the city. I believe the means to address this problem is to add density where feasible. The 227 S. Holly project is in my mind an appropriate location for increasing density. Holly Street is an arterial street that can appropriately absorb multi-family projects such as this one. In addition, this project is less than a block north of a major transit corridor, Alameda, and thus underscores its appropriateness for an up-zoning.

I would encourage the Denver Planning Board and Denver City Council to support this rezoning and allow for increased density at this project site as it is an appropriate location for increasing density and thus would assist in alleviating the Denver housing crisis.

Thank you,  
Monica Martinez

**From:** Jenny Bock  
**To:** [Lucero, Theresa - CPD Sr City Planner](#)  
**Subject:** [EXTERNAL] Re project on Holly Street between Cedar and Alameda  
**Date:** Tuesday, October 16, 2018 10:42:18 AM

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Use caution with attachments or links.

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I heard about the rezoning application for condos on Holly Street south of the Park Burger Restaurant. This is a terrible idea. Parking is already at a premium because of the restaurant. I travel through that area often. Alameda has become a congested freeway and Holly is a major thoroughfare for the neighborhood right now. I have lived in this neighborhood for most of my life. The idea of adding several more condos on the street is truly reprehensible. It's a scary narrow street and certainly doesn't need anymore traffic. Please don't allow this rezoning!

Janet Bock  
711 Forest St.  
Denver, CO 80220

Sent from my iPad

**From:** Seery Maggio  
**To:** [Lucero, Theresa - CPD Sr City Planner](#)  
**Cc:** [Brandon Fosbinder](#)  
**Subject:** [EXTERNAL] Rezoning Notice: Feedback for 219-245 S. Holly  
**Date:** Friday, October 19, 2018 5:14:16 PM

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**Use caution with attachments or links.**

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Ms. Lucero

It is our understanding that a multi-level condominium is being proposed on November 7th and rezoning is requested for 219-245 S Holly St. As residents and home owners in the Hilltop neighborhood, we are **vehemently opposed** to this rezoning / development effort.

- The streets around Holly, Cedar and Alameda are already too congested; adding an additional 20+ units will further increase the congestion. This will be true regardless of the "extra" parking they promise in their proposal.
- Additionally, the proposal to add a condominium complex, one that is proposed to be three (3) stories, simply does not aesthetically fit into the Hilltop or Crestmoor neighborhoods:
  - o There are no other housing developments which encompass so many units, and
  - o There are no other structures of this height.

We would appreciate you taking our comments into consideration when reviewing the rezoning proposal on Nov. 7th, and deny this development.

Sincere Regards,

Brandon Fosbinder  
Seery Maggio Fosbinder  
5253 E Bayaud Ave  
Denver CO 80246  
720-320-7965

**From:** Joanne Davidson  
**To:** [Lucero, Theresa - CPD Sr City Planner](#)  
**Subject:** [EXTERNAL] Proposed development on S. Holly  
**Date:** Friday, October 19, 2018 10:27:12 AM

---

**Use caution with attachments or links.**

---

Even though my husband and I do not live in the immediate neighborhood (we're at 509 Bellaire St., which is about a mile away) we have seen so much development in Hilltop over the past year or so that is not appropriate for what had been a quiet, single-family home neighborhood. The apartment/condo units alongside Crestmoor Park are just one example. And the mess at Boulevard One. Neighbors objected to both, and while our city council representative had indicated she would vote "no" on one of them, she sold us out by giving her approval.

We would hate to see another mixed-use or multi-occupancy structure erected in an already congested area. Please consider this a strong objection to this proposal.

Thank you,

Joanne Davidson  
303-394-3709

Sent from [Mail](#) for Windows 10



**From:** Anne B Ward  
**To:** [Lucero, Theresa - CPD Sr City Planner](#)  
**Subject:** [EXTERNAL] 219, 221, 223, 225, 227, 235, 245 S Holly St:  
**Date:** Thursday, October 18, 2018 10:54:44 PM

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Use caution with attachments or links.

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Hello:

My name is Dr Anne Bouise Ward, and I live at 151 S Eudora St. I'm writing to let you know my feelings about the rezoning of this property.

S Holly has only one lane of traffic going each way (1 Northbound, 1 Southbound). Right now, that particular block is already grid-locked with traffic, even during non-rush hour times. I cannot imagine what it will be like with an increase of 22 unit units over & above the already existing 5 units. It's inconceivable that the surrounding neighborhood is going to benefit in any way from this development. Only 2 days ago I witnessed a traffic accident just north of the corner of S Holly & E Cedar. Believe me when I tell you it was a mess, just trying to turn left (going west) onto E Cedar to avoid the pulled over cars & the police cars. If Holly were a street with more lanes, this might be more feasible, but as it exists now, with the grocery complex across the street and Park Burger complex next door, it will be an awfully crowded & unsafe area.

I believe it will hurt businesses, as more neighbors will find other places to shop & eat, with the dangers that corner will become.

I truly think you should visit the site, especially during morning rush hour, to evaluate for yourself what this development will do to this stretch of S Holly.

Thank you for reading my concerns.

Anne B Ward, MD

**From:** Ann Spoor  
**To:** [Lucero, Theresa - CPD Sr City Planner](#)  
**Subject:** [EXTERNAL] Fw: Green Flats project on Holly Street  
**Date:** Friday, October 26, 2018 10:36:44 AM

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**Use caution with attachments or links.**

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Hello- I sent the following email to the general address but also wanted to send it to you as the POC. thank you!

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**From:** Ann Spoor  
**Sent:** Friday, October 26, 2018 10:34 AM  
**To:** rezoning@denvergov.org  
**Subject:** Green Flats project on Holly Street

Hello- I live at 657 Bellaire Street, 80220.

I support this redevelopment in the neighborhood. I feel the design and setbacks that the developer has agreed to fit well within this area. I also feel that Holly street with it's mixed use commercial, retail, condos at 3rd and Holly and town homes at Alameda and Holly, work well with this project. The precedents have been set for Holly as a mixed use corridor.

Ann Spoor

	<p><b>Ann Spoor</b> / REALTOR® <a href="mailto:Ann@LiveInDenver.net">Ann@LiveInDenver.net</a></p> <hr/> <p><b>Berkshire Hathaway HomeServices</b> <b>Innovative Real Estate</b> Cell 720-231-2231 Office 303-289-7009 2460 W 26th Ave, Suite 120C Denver, CO 80211</p> <hr/>
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**From:** Jan Ankele  
**To:** [Lucero, Theresa - CPD Sr City Planner](#); [Susman, Mary Beth - CC Member Denver City Cncl](#)  
**Subject:** [EXTERNAL] Rezoning proposal on Holly  
**Date:** Monday, October 29, 2018 8:47:40 AM

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**Use caution with attachments or links.**

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Re: 219, 221, 223, 225, 227, 235, 245 S Holly St: 2017I-00153

Greetings –

As a resident of Crestmoor Park, I am writing to offer my concerns and opposition to the rezoning proposal referenced above. I have 3 main reasons for opposing.

1. The **traffic** on Holly and particularly that block, from Alameda to Cedar on Holly Street. Have you tried to access Holly at 8:30 am or 5:00 pm? It is already such a continual line of cars that we are forced to go south to 1<sup>st</sup> Avenue in order to turn left on Holly to go north. With the already planned development coming to Holly and Leetsdale, I offer that we cannot add one more dense housing unit so close to it.
2. Crestmoor Park and Hilltop are single family home neighborhoods. To fill in a block with the proposed stacked-up townhomes is an affront to the **integrity of the neighborhood**.
3. The corner of Holly and Cedar offers a delightful mix of eateries and markets. Kids play cornhole on the corner where Park Burger is located. The traffic there IS ALREADY **DANGEROUS for everyone, but especially for our young kids and our older, retired residents**. The worse the traffic gets, the worse people drive.

It has been a dream of mine to live in the area, a dream that came true four years ago. Now we talk about and plan where we will go when we cannot abide the changes that are ruining our dream.

Sincerely,

Jan Ankele  
Crestmoor Park

At the request of the Cranmer Park / Hilltop Neighborhood Association and Theresa Lucero in Denver Community Planning and Development, Steve Charbonneau met with a group of neighbors in an attempt to reach agreement on a proposed rezoning of the above properties.

Steve met with a group of neighbors from both RNO's and immediate neighbors. Following this meeting a workgroup of six people were chosen. They are: Wende Reoch (President of Cranmer Park – Hilltop Civic Association), Tom Hart (Zoning chair of CPHCA), Lise Urich (representing adjacent neighbors), John DeRungs (representing Crestmoor Park Neighborhood Association), Pete Casillas (representing Crestmoor Park Neighborhood Association), Anna DeWitt (representing the property owners requesting the rezoning), and Jason Lewiston (developer).

It should be noted that while the property falls within the Cranmer Park-Hilltop Civic Association; in a spirit of collaboration, CPHCA invited two members of the Crestmoor Park Neighborhood Association to participate in the workgroup.

The intent of the workgroup was to use mediation as a way to honestly and openly discuss with the owner and developer possible issues, concerns, and to ultimately look for a reasonable rezoning solution that both the owner/developer and the neighborhoods would find acceptable; probably with neither side getting all they'd like but finding a solution that was agreeable.

Density! This was the most vocalized concern, along with things that accompany any discussion of density; traffic, pedestrians, safety, parking, signalization, etc. We also discussed design and form, height, access, number of units, number of bedrooms, balconies, visual barriers, landscaping, affordability and garages.

We met twice. We agreed that any agreement or summary would be taken back to the appropriate decision making group(s) within the neighborhoods for their approval. If the neighborhood groups are agreeable, then the points listed below will be memorialized in the appropriate manner to ensure adherence on everyone's part.

We discussed:

1. If Cranmer Park-Hilltop Civic Association and Crestmoor Park Neighborhood Association will agree to not oppose, or to write a letter supporting the rezoning from E-MU-2.5 and E-SU-Dx to all E-MU-2.5 with one waiver, that of allowing a third story, compliant with CPD's requirement; the applicant will reduce the number of units downward from 27 to 23. While this does not necessarily resolve all the density concerns of everyone present, it does provide a compromise.
2. Decks. Rooftop decks above the third floor, have been designed in such a way and coordinated with the garage and proposed landscaping so as to eliminate any visual sight line to the neighbors across the alley.
3. Setbacks. The proposed rear setback is considerably larger than that required by the zoning ordinance. Specifically, the rear setback, from the property line along the alley to the back of the building, will be no less than 40 feet. Additionally, the front set-back will be no less than 20 feet, and side set-backs will be no less than 7.5 feet. The conditioned/indoor living space will not start until approximately 70' back from the rear property line.



4. The garages are on the property line and 15 feet in height. The back of the garages, the wall facing the alley, will be brick with possible designs to enhance the ally.
5. Parking. There will be thirty-six (36) parking spaces for the residents, which is more than the City's required parking spaces.
6. Additional landscaping in the form of 2-3 two-inch trees will be provided for each of the properties directly across the alley from the proposed development.
7. For the majority of the time construction is taking place, parking on-site will be provided for the workers. City requirements for construction will be met.
8. All lighting will be downward facing and not spill into adjacent property.
9. The proposed development will commit to establishing a HOA and will not allow short-term rentals.
10. Traffic. Any addition traffic and congestion at Cedar and Holly compounds existing safety concerns from speeding cars along Holly, and the poor sight lines that exist at that intersection.
11. Impact to property values was brought up as a concern. However, there was no agreement or consensus on this point.

Enforcement. Some of the points we discussed and agreed upon will be enforced through the City's requirements. There are other points which will need to be contained in specific covenants that are signed by the owner/developer and the registered neighborhood organization.

As of August 14<sup>th</sup> –

- The Cranmer Park – Hilltop Civic Association has voted at its zoning committee and at its board to not oppose the rezoning pending the approval of covenants that follow this mediation summary on the key points. The covenants will be signed by the owner/developer and the registered neighborhood organization which is the Cranmer Park / Hilltop Neighborhood Association.
- The immediate neighbors have voted to oppose the project based upon “density issues”.
- The Crestmoor Park Neighborhood Association opposed the rezoning based upon density, inadequate parking and danger to pedestrians.
- There was a suggestion from both the immediate neighbors and Crestmoor Park that they might support the rezoning if the density were very significantly reduced. This discussion didn't go anywhere.

Thank you,  
Steve Charbonneau