



DENVER
THE MILE HIGH CITY

TO: Land Use, Transportation & Infrastructure Committee
FROM: Kyle A. Dalton, AICP, Senior City Planner
DATE: November 21, 2012
RE: Zoning Map Amendment Application #20111-00038
245 Columbine Street
Rezoning from C-CCN to C-MX-8 with a condition

Staff Report and Recommendation

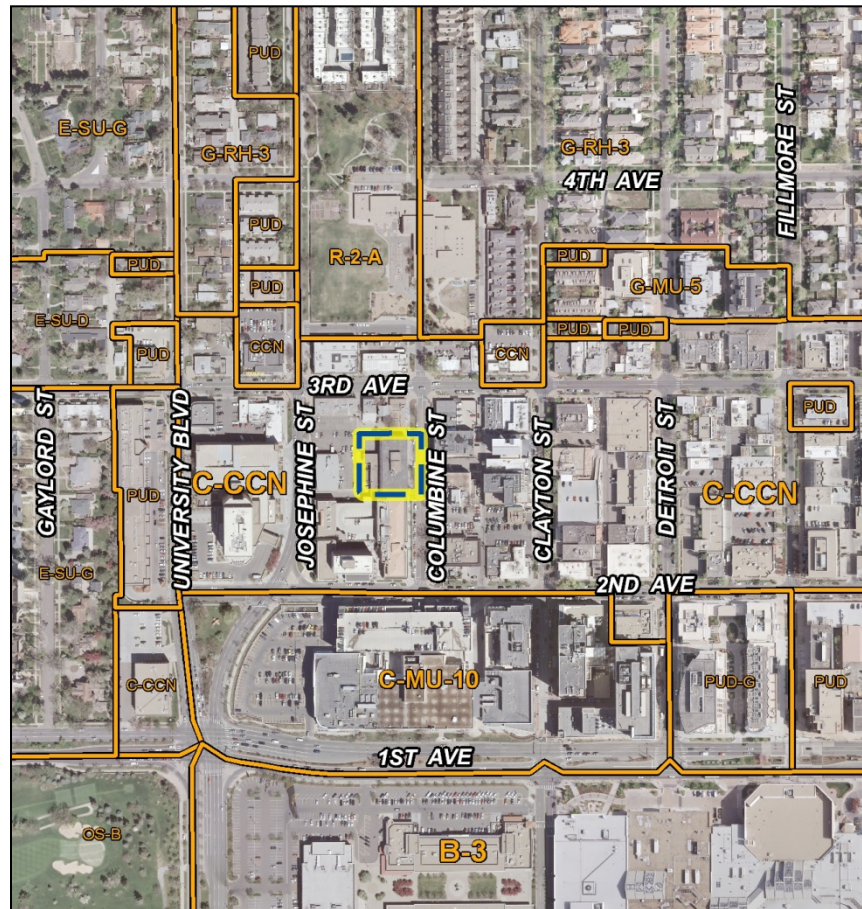
Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #20111-00038 for a rezoning from C-CCN to C-MX-8, with a condition.

I. Scope of Rezoning

Application:	#20111-00038
Address:	245 Columbine Street
Neighborhood/Council District:	Cherry Creek / Council District #10
RNOs:	Capitol Hill United Neighborhoods, Inc.; Cherry Creek North Business Improvement District; Cherry Creek North Neighborhood Association; Cherry Creek Steering Committee; Harman Neighborhood Association, Inc.; Inter-Neighborhood Cooperation; Neighborhood Advisory Committee to the Botanic Gardens.
Area of Property:	0.48 acres / 20,837 square feet
Current Zoning:	C-CCN
Proposed Zoning:	C-MX-8 with a condition
Applicant/Owners:	James F. Heimbecher
Contact Person:	Jim Sullivan

II. Summary of Proposal

The property proposed for rezoning is located mid-block on the west side of Columbine Street. At 245 Columbine Street there is an existing 3-story commercial building, which was formerly occupied by the U.S. Postal Service, but is currently vacant. The requested zone district, C-MX-8, is in the Urban Center Neighborhood Context (discussed further below). The district allows a wide mix of residential and commercial uses. Building forms have minimal setbacks, and significant build-to and ground-story activation requirements. The C-MX-8 zone district has a maximum building height of 8 stories. Further details of the zone district can be found in Article 7 of the Denver Zoning Code (DZC).



Current Zoning Map.

Summary of Proposed Condition: Mandatory Regulating Plan

The application proposes one condition: that a regulating plan shall be approved prior to approval of a site development plan. A regulating plan is an administrative procedure enabled in DZC Section 12.4.13. In most zone districts a regulating plan is an optional step, but the proposed condition would make a regulating plan mandatory for these properties. This would enable CPD to ensure that development on the property is consistent with adopted plans, since there is no existing standard zone district (including the current zone district) that can implement the recommendations of the recently adopted Cherry Creek Area Plan.

The regulating plan procedure was added to the DZC in Text Amendment 1 in 2010. Common to form-based codes, a regulating plan is used to apply allowed building forms, building form standards, and land uses to specific street frontages and/or lots within a zone district. It can also be used to designate primary streets and side streets. It is used to narrow the broad flexibility otherwise allowed in a zone district as site specific development proceeds. In the regulating plan procedure, a regulating plan document and project report are reviewed and approved by the Manager of CPD according to the following summarized review criteria:

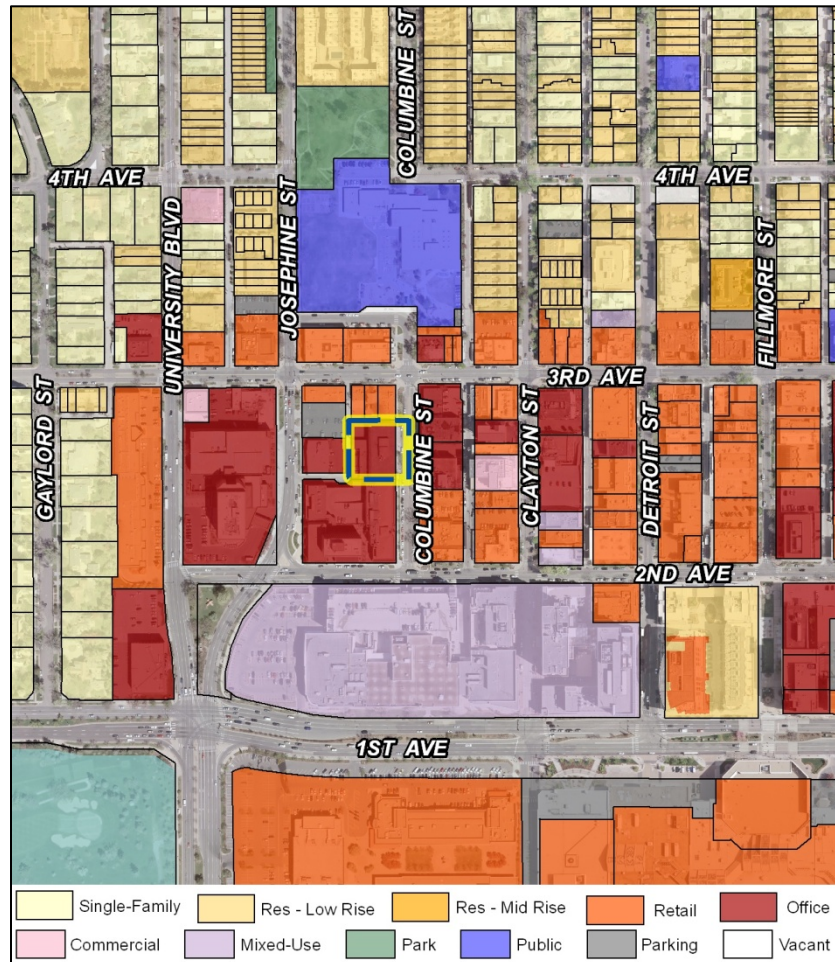
1. Consistency with adopted applicable plans;
2. Enabling the predictable development of building forms and heights and predictable establishment of land uses;

3. Design will respect existing adjacent neighborhood context and where applicable, creates an appropriate transition at the edges of the regulating plan.

Within Cherry Creek North, the recently adopted Cherry Creek Area Plan sets forth the policy guidance, but the existing zone districts and adopted design standards & guidelines predate the plan and cannot fully implement the plan recommendations as detailed below. In 2013, CPD's work program will include revisions to the zoning and design standards and guidelines in Cherry Creek North. However, this will be a months-long process involving extensive stakeholder and public outreach to draft new regulations. In the meantime, a regulating plan is one tool available to applicants that can serve to bridge the gap between adopted plans, the existing DZC zone districts, and design standards & guidelines until such time as the regulations can be updated. In this unique circumstance, staff recommends rezoning with a condition in order to ensure the adopted plan can be implemented through a mandatory regulating plan.

III. Existing Context

	Existing Zoning	Existing Land Use	Blueprint Denver
Site	C-CCN	Vacant office	Area of Change Pedestrian Shopping Corridor
North	C-CCN	Retail	Area of Change Pedestrian Shopping Corridor
South	C-CCN	Retail, commercial mixed use, restaurant	Area of Change Pedestrian Shopping Corridor
East	C-CCN	Mixed use retail, office, and restaurant	Area of Change Pedestrian Shopping Corridor
West	C-CCN	Retail and surface parking	Area of Change Pedestrian Shopping Corridor



Existing Land Use Map (2010)

The neighborhood context consists of a generally regular grid of streets; however, Columbine Street is interrupted north of 3rd Place by Bromwell Elementary School and south of 2nd Avenue by the existing Clayton Lane development. Block sizes and shapes are consistent and rectangular. Building setbacks on this street are typically shallow but varied at the street, with parking to the side or rear of buildings. Building heights typically range from one to four stories, though notable exceptions of six to eleven stories are found within one to two blocks to the west and southeast. In the immediate business district area, uses are typically retail, office, or mixed, with limited other uses including residential and other commercial.



Existing building at 245 Columbine Street as viewed from Columbine Street.



245 Columbine Street, showing existing 3-story structure to the south and 1-story structures to the north.

Summary of current C-CCN zone district

The current C-CCN zone district largely carried forward the former CCN zone district from the Former Chapter 59 zoning code. The C-CCN zone district has a maximum height of 55' with allowable encroachments. The zone district has a maximum floor area ratio (FAR) of 1.0, with premiums available for underground parking, open space, residential use, and affordable housing, up to a maximum total FAR of 1.5. Bulk plane requirements apply on all zone lot lines

and somewhat stricter bulk plane requirements further restrict bulk along the south side of 3rd Avenue. The minimum front setback is 5', and at least 33% of a building's front façade must be located along that setback line, with additional requirements for the location of the remainder of the façade behind the setback line. A variety of mixed residential and commercial uses are allowed, but use limitations restrict residential uses from being located on the ground story. Minimum parking requirements generally follow those in the Urban Center Neighborhood Context, except there are higher minimum parking requirements for office, retail, and residential uses. For additional details of the zone district, see DZC Section 7.2.5.

Summary of Design Standards and Guidelines for Cherry Creek North

The Design Standards and Guidelines for Cherry Creek North apply to development on this site. They provide a clear, comprehensive document articulating the level of design quality expected of improvements in Cherry Creek North. The document is concerned with site design, building design, signs, and streetscape, in the context of eight core values: pedestrian focus, authenticity, safety and security, connectivity, vitality, sustainability, economic vitality, and quality. The document also sets forth the required design review process for applicants, including review by the Cherry Creek North Design Advisory Board, which submits findings on proposed improvements to the Zoning Administrator. The Design Standards and Guidelines apply throughout a defined geographic area in Cherry Creek North. They will apply to this property regardless of whether this rezoning application is approved.

IV. Summary of Agency Referral Responses

This rezoning has been reviewed concurrently within the context of the DZC and other applicable City Codes as utilized by the referral agencies listed below.

Asset Management: "Approve – No comments."

Denver Fire Department: "Approve Rezoning Only – will require additional information at site plan review."

Development Services – Wastewater: "The rezoning is approved. However, the applicant should be aware that Development Services will not approve any development of this property without assurance that there is sufficient sanitary and storm sewer capacity available. A sanitary study and/or drainage study may be necessary. The results of these studies may require the developer to install major infrastructure improvements or to limit the size of the development. Any proposed development or improvements will be reviewed for compliance to specific wastewater criteria at the time of site plan and/or building permit submittal."

Public Works – City Surveyor: "Reviewed and approved by Survey."

V. Legal Notice, Public Process & Public Comment

A formal resubmitted application was received by CPD on March 27, 2012, and informational notice of receipt of the application was provided in accordance with the Denver Zoning Code to affected members of City Council and registered neighborhood organizations on March 28, 2012. Planning Board consideration of this application was delayed on several occasions at the

applicant's request. The application has been revised based on the recent adoption of the Cherry Creek Area Plan.

Written notice that this application will be considered at the November 27, 2012, Land Use, Transportation & Infrastructure Committee meeting was sent to the applicable councilmembers and registered neighborhood organizations on November 15, 2012.

The president of the Cherry Creek North Neighborhood Association, a registered neighborhood organization, submitted a letter in opposition to the application.

Additionally, 13 letters have been received expressing some degree of support for the application, and 30 letters have been received expressing some degree of opposition to the application. See the attached correspondence for the full text of these public comments.

VI. Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC Sections 12.4.10.13 and 12.4.10.14, as follows:

DZC 12.4.10.13

- A. Consistency with Adopted Plans
- B. Uniformity of District Regulations and Restrictions
- C. Public Health, Safety and General Welfare

DZC 12.4.10.14

- A. Justifying Circumstances
- B. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements.

A. Consistency with Adopted Plans

The following adopted plans apply to this property:

- *Denver Comprehensive Plan 2000*
- *Blueprint Denver (2002)*
- *Cherry Creek Area Plan (2012)*

1. Denver Comprehensive Plan 2000

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

- Environmental Sustainability Strategy 2-F – *Conserve land by promoting infill development with Denver at sites where services and infrastructure are already in place; designing mixed use communities and reducing sprawl so that residents can live, work and play within their own neighborhoods.*
- Land Use Strategy 3-B – *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.*
- Mobility Strategy 4-E – *Continue to promote mixed-use development, which enables people to live near work, retail and services.*

The proposed map amendment will enable mixed-use development at an infill location where services and infrastructure are already in place. The C-MX-8 zone district broadens the variety of uses. The rezoning is consistent with these plan recommendations.

One strategy specifically addresses the Cherry Creek North area:

- Economic Activity 4-B – *Enhance existing business centers and establish new business centers in a manner that offers a variety of high-quality uses that support Denver’s business environment, complements neighboring residential areas, generates public revenue, and creates jobs. Consider the following key strategies as top priorities:*
 - *Maintain the Cherry Creek Shopping Center, Cherry Creek North and other nearby areas as the premier retail destination in the Denver metro area and Rocky Mountain region. [...]*

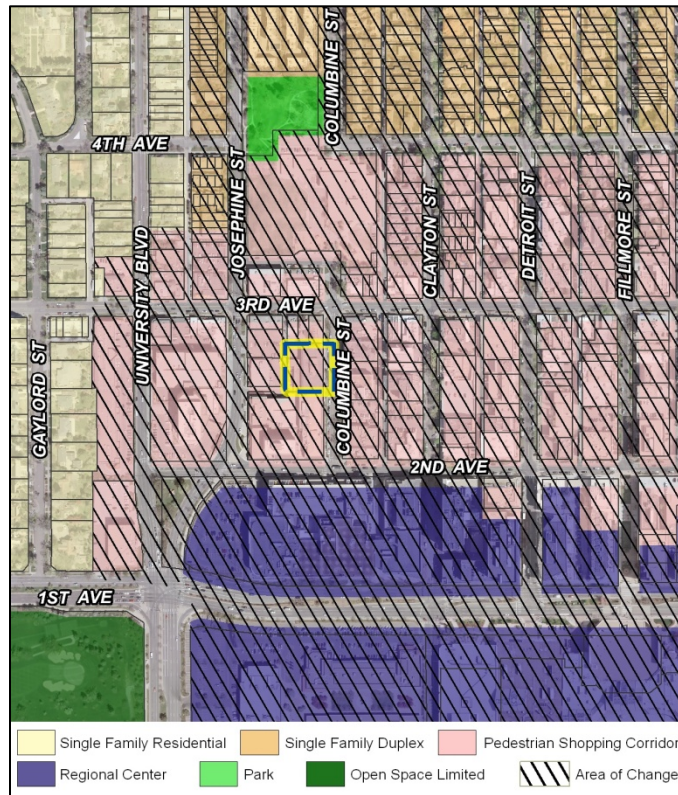
The proposed rezoning would enable mixed-use redevelopment within the Cherry Creek North area, enhancing an existing business center.

2. Blueprint Denver

According to the 2002 Plan Map adopted in Blueprint Denver, this site has a concept land use of Pedestrian Shopping Corridor (shown in pink in the map on the next page) and is located in an Area of Change (shown in black hatching in the map on the next page).

Future Land Use

A Pedestrian Shopping Corridor “exhibits the same land uses as a town center or neighborhood center, but it orients those uses in a linear rather than circular pattern. Many of the existing pedestrian shopping corridors in Denver grew from streetcar business districts. These corridors are scaled to be compatible with surrounding residential neighborhoods. Pedestrian shopping corridors have a continuous street frontage of buildings, wide sidewalks, on-street parking, and shared parking among businesses. These corridors provide pedestrian amenities and good transit service” (p. 45). The mix of uses should be “primarily small-scale, street-fronting commercial uses; residential uses also may be present” (p. 65).



2002 Blueprint Denver Plan Map.

The 2012 Cherry Creek Area Plan adopted a revised Future Land Use map that changed the land use classifications for this site (see below). The C-MX-8 zone district allows a mix of uses but does not guarantee that street-fronting uses will be commercial. To implement this plan recommendation, the regulating plan may restrict street-facing land uses on the ground story. The current C-CCN zone district uses a complicated standard to ensure buildings are built on or near the front setback. The C-MX-8 zone district has a 70% build-to requirement along primary streets and a 40% build-to requirement along side streets. The current C-CCN zone district does not have ground story transparency standards; transparency is only controlled by the Design Standards and Guidelines. The proposed C-MX-8 zone district has a 40% ground story activation transparency requirement along primary streets (this site fronts on only one street, which will be the primary street).

Area of Change

As noted, the site is in an Area of Change. In general, “The goal for Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips” (p. 127). Blueprint Denver provides additional specific guidance for the Cherry Creek Area of Change: “The neighborhood vision is to continue redeveloping the area in a manner that focuses on livability and produces a well-integrated blend of residential, regional and neighborhood retail, office, hotel, open space, and public uses in a pedestrian-friendly environment” (p. 134).

The rezoning application is consistent with the Blueprint Denver Area of Change recommendations. Access to jobs, housing, and services can improve in the mixed use

zone districts, and this site has access to multiple bus transit lines, as well as the benefit of an active transportation management association (TMA), Transportation Solutions.

Urban Design Review

Blueprint Denver also has a specific recommendation for urban design review in this area: "A few zone districts require review of building design based on adopted design standards and guidelines. This staff intensive review is appropriate for a few high visibility areas such as downtown and Cherry Creek North" (p. 80). The Design Standards & Guidelines and design review process will help to achieve this recommendation regardless of the adopted zoning.

Street Classifications

The site fronts on Columbine Street. Blueprint Denver classifies Columbine Street as an Undesignated Local Street, which Blueprint Denver says is "influenced less by traffic volumes and tailored more to providing local access. Mobility on local streets is typically incidental and involves relatively short trips at lower speeds to and from other streets." Columbine Street connects two designated collectors, 2nd and 3rd Avenue.

In summary, the proposed map amendment to C-MX-8 will enable growth in an area that Blueprint Denver identifies as appropriate for change and pedestrian shopping oriented uses along streets with high-intensity mixed uses.

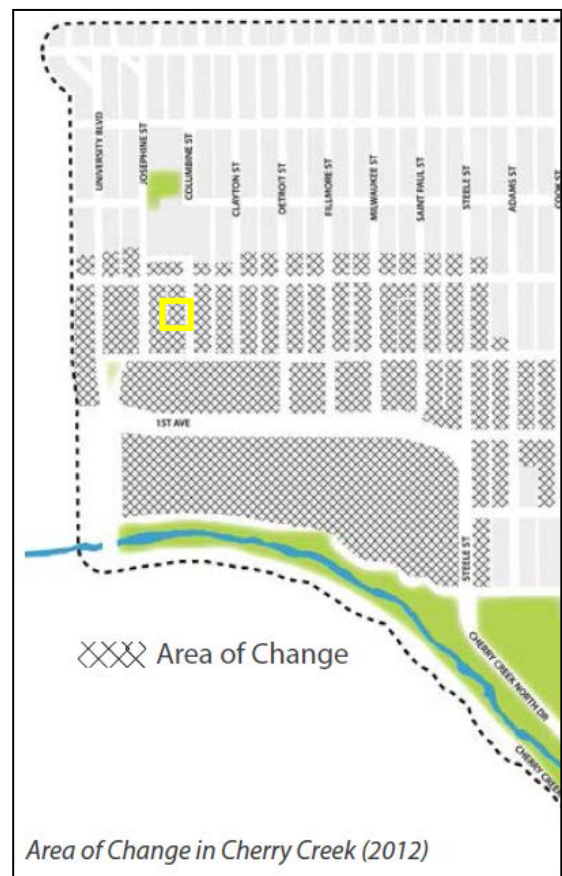
3. Small Area Plan: 2012 Cherry Creek Area Plan

At the time this application was originally submitted, the 2000 Cherry Creek Neighborhood Plan was in effect. The applicant postponed Planning Board consideration of the rezoning application until after the 2012 Cherry Creek Area Plan (CCAP) was adopted by City Council. The format of the CCAP includes framework plan recommendations that apply throughout the planning area, and subarea recommendations that apply in smaller subareas.

CCAP Framework Plan Recommendations

- *"Acknowledge that to remain prosperous, Cherry Creek must continue to grow and change. In order for this to occur in a way that reinforces the quality of life for Cherry Creek residents, the bulk of this growth should occur in these areas rather than stable neighborhoods." (p. 29)*

As indicated in the plan text and the adjacent plan map, and consistent with Blueprint Denver, this site remains in an area of change where growth is desirable.



- *“Orient buildings and entries toward the street using context sensitive setbacks” (p. 30).*
- *“Include design elements and details such as pedestrian scaled signage, transparent windows, storefronts, building entries, building articulation, patio seating, pedestrian plazas and courtyards.” (p. 30)*

The C-MX-8 zone district adds minimum ground story activation transparency standards that are not in the C-CCN zone district. However, all of these elements are addressed through Design Standards and Guidelines. The C-MX-8 zone district has 0' minimum setbacks, but setbacks can be adjusted through a Regulating Plan to be sensitive to the 5' front setback context in the C-CCN zone district.

- *“Study the use of upper story setbacks and height datum lines to maintain a comfortable pedestrian scale at the street and to allow sunlight to reach the street.” (p. 30)*

These are not required in the current C-CCN or the proposed C-MX-8 zone district. However, they can be required in a Regulating Plan.

- *“In mixed-use areas, promote the use of design elements that link the building directly to the street. Uses are horizontally and vertically mixed and include regional and neighborhood-serving retail, large and small scale office uses, specialized high-end boutiques, low and mid-rise multi-family, stacked flats, row house, duplex, single family and accessory dwelling units.” (p. 31)*

No DZC zone district requires a mix of uses, but all of these uses are allowed in both the current and proposed zone districts.

- *“Areas of Change which are not adjacent to the higher intensity locational criteria are appropriate for mid-rise buildings to accommodate continued growth.” [Note: this site is not adjacent to the higher intensity location criteria set forth.] (p. 32) Encourage mid-rise buildings to promote reinvestment and to help transition development intensity and buffer stable residential areas from higher intensity locations.” (p. 32) Orient taller mid-rise buildings along multi-modal corridors, existing or planned high intensity nodes, and adjacent to public open space not identified for higher intensity.” (p. 32)*

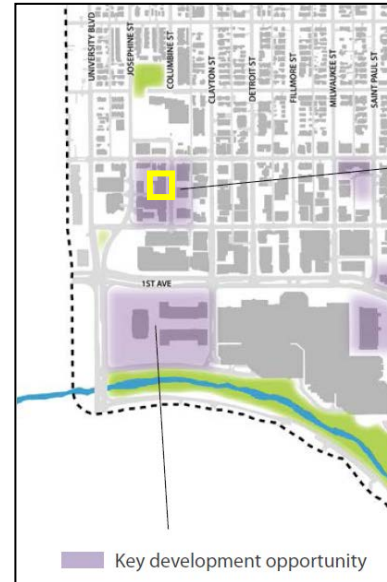
The proposed rezoning to C-MX-8 is consistent with the recommendation for mid-rise buildings (defined in plan goals identified below as “maximum of 5 or 8 stories”).

- *“Any new development should reinforce the pedestrian scale and character of Cherry Creek.” (p. 32)*

The build-to and ground story activation requirements in the C-MX districts help reinforce pedestrian scale and character; the Design Standards & Guidelines further this plan recommendation.

- *“Plan concepts and recommendations point to the benefit of attracting more people – residents, employees, and visitors – and reinvestment to areas of change, namely the Shopping District and Cherry Creek Triangle. ... Highly visible opportunities include Josephine / Columbine Street between 2nd and 3rd. As these sites and areas develop and redevelop over the next ten or twenty years, it will be essential to enhance the quality of design, relationship to surrounding buildings and neighborhoods, mix of uses, quality of the pedestrian experience and overall character of the Cherry Creek Area.” (p. 48)*

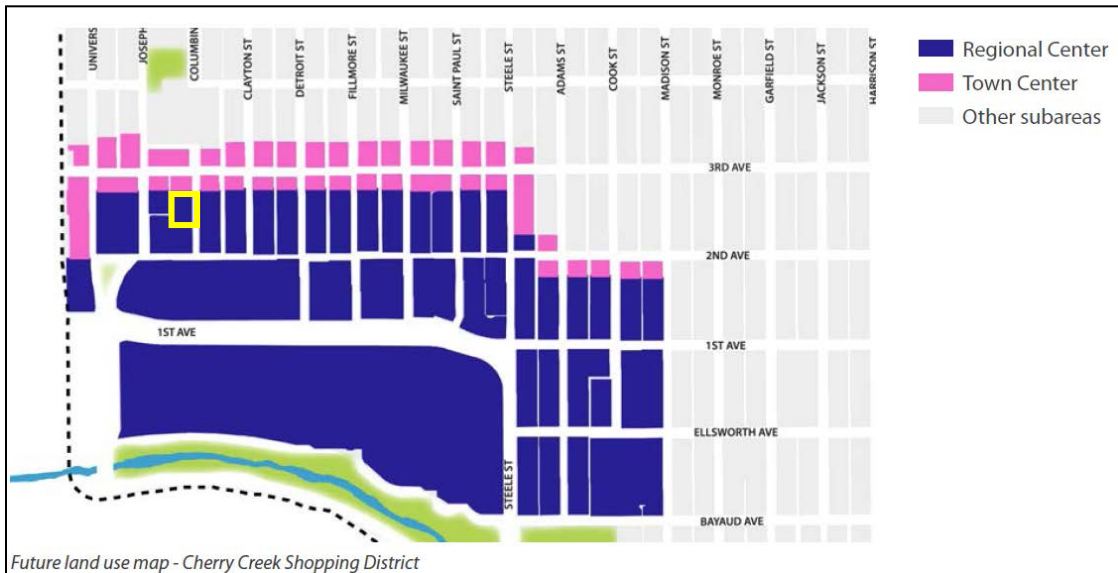
This site is specifically identified as a key development opportunity in the plan. Rezoning will allow additional development and reinvestment than can be achieved under the current C-CCN zoning.



CCAP Subarea Strategies – Entire Cherry Creek Shopping District Recommendations

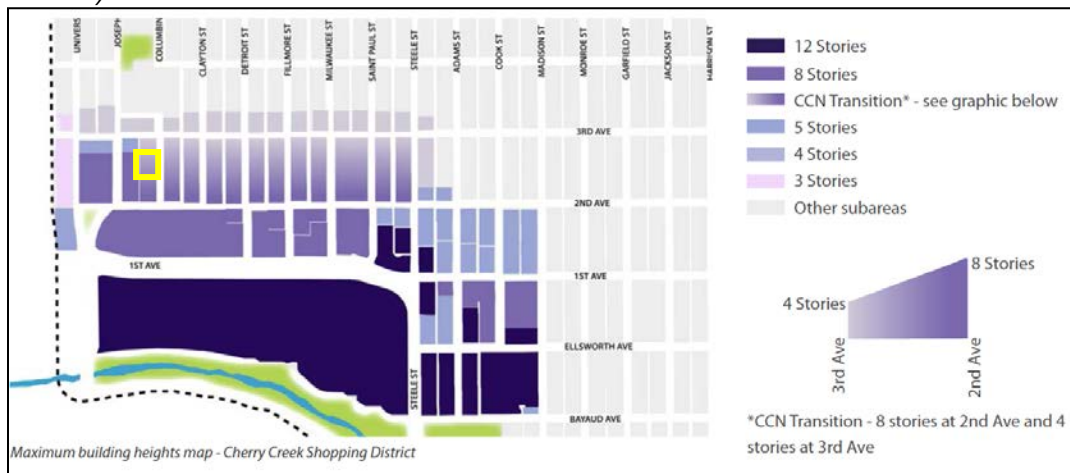
This site is located within the boundaries of the “Cherry Creek Shopping District” Subarea.

- *“Continue to support a mix of uses in the Regional Center including office, retail, commercial, multifamily residential and hotels. Support compact development patterns and an enhanced public realm including landscaping, wayfinding signage, pedestrian lighting, public art and inviting building entries. The Town Center areas act as an important transition between Regional Center and residential areas.” (p. 58)*



The CCAP Future Land Use Map designates the majority of this site as “Regional Center.” According to Blueprint Denver, “ideally, a Regional Center has a balance of retail, employment and residential uses.” It covers a large area of many acres and is dense enough to encompass both the dominant shopping center use and a wide variety of other uses attracting patrons from throughout the region. The proposed C-MX-8 zone district is consistent with this land use type.

- “Scale. Maximum building heights in the Shopping District should range from 4 to 12 stories, per the Maximum Building Heights Map. Building heights should be lowest adjacent to residential areas in Cherry Creek North and Country Club. Higher development intensity is encouraged along multi-modal streets and at key intersections. Mid rise buildings (maximum of 5 or 8 stories) are recommended as transitions between high intensity and low intensity residential neighborhoods.” (p. 58)



The CCAP Maximum Building Heights Map designates the site in the “CCN Transition” area with maximum heights tapering from 8 stories at 2nd Avenue to 4 stories at 3rd Avenue. The proposed C-MX-8 zone district roughly approximates this transition, but would allow more height than recommended. Through a regulating plan, maximum building heights can be restricted to lower heights on the north side of the property and mid-block to be consistent with this plan recommendation.

- *“Continue to attract shoppers: more residential, hotel and office development in Shopping District.” (pp. 58-9)*

The proposed zone district will allow additional mixed use development which can generate additional shoppers within the neighborhood.

- *“All new development should serve to enhance the pedestrian realm. Line streets with storefronts, windows and building entrances. Place active uses at the street and parking at the rear.” (p. 59)*

These goals can be achieved through both the Design Standards and Guidelines and through a regulating plan that can narrow the flexibility of ground-story street-facing uses.

CCAP Subarea Recommendations – CCN Business Improvement District

This site is located within the Cherry Creek North Business Improvement District.

- *“Revise land use regulation. Enact zoning and other land use regulatory tools for the C-CCN zone district to encourage rather than inhibit high quality redevelopment and reinvestment across all parcel sizes, large and small. Retain positive elements of current zoning including ground floor retail, design review, quality design and materials, interesting signage, and parking location. Reconsider height, FAR, building form, and parking requirements.” (p. 61)*

CPD will revise the C-CCN zone district through an open, public process with stakeholder involvement in the coming year. In the meantime, the proposed C-MX-8 zone district would encourage redevelopment and reinvestment by increasing allowable height and reducing minimum parking requirements consistent with this recommendation. The positive elements of current zoning identified are actually found in the Design Standards & Guidelines, which remain applicable to the subject property.

- *Goal #1 - Retain and enhance Cherry Creek North’s unique physical character. The high quality design of buildings, streetscape and public realm within Cherry Creek North are unique urban design attributes that distinguish the area within the city and region. Retaining and enhancing the high-quality architectural and public realm character is critical to the future success of the area. The design intent includes:*
 - *Variety of building sizes, heights and types on both named and numbered streets*
 - *High quality public realm: high level of pedestrian amenity, streetscaping and active storefronts*

- *High quality architectural design and building materials*
- *Evolving distinctiveness between 2nd and 3rd avenues*
- *Compact area with clear boundaries and attractive entry points*

Many of these goals will be achieved through application of the the Design Standards & Guidelines; the Regulating Plan can be used to ensure a variety of building heights and types.

- *Goal #2 - Make reinvestment economically viable in the entire district. Current zoning is insufficient to achieve the Plan's vision for a prosperous Cherry Creek and the need for reinvestment, redevelopment and sustained economic viability. Factors to be addressed include:*
 - *Height limit of 55 feet throughout the CCN district does not reflect emerging character differences of 2nd and 3rd avenues*
 - *FAR of 1 with a 0.5 premium is inadequate to achieve desired urban character*
 - *High parking requirements do not reinforce plan recommendations regarding parking management and alternative transportation. Furthermore, the current parking requirements are among the highest in the city and cannot be met economically on small lots and add substantial cost to development*

The C-MX-8 zone district addresses all of these recommendations by increasing the maximum heights, likely increasing the allowable floor area (note: F.A.R. is not a regulatory element in the DZC form-based code), and reducing the minimum parking requirements.

- *Goal #3 - Encourage small lot reinvestment. Multiple small lots fronting the named streets and 3rd Avenue are among the defining characteristics within the district. A variety of lot and building sizes reinforces the architectural variety and organic character of Cherry Creek North and reinvestment in a variety of small lots throughout the district is desired. Tools such as reduced parking and relaxed building form requirements can be used to encourage redevelopment of smaller parcels and reinvestment in smaller buildings.*

This parcel is of medium size, so this goal is not applicable to this site.

- *Goal #4 - Transition from higher buildings along 2nd to lower buildings along 3rd. Continue to evolve the distinct character of 2nd and 3rd avenues by distinguishing each street with a special character that supports the overall vision for the district. 2nd Avenue will support higher intensity due to its proximity and 1st Avenue and 3rd Avenue is envisioned a boutique street and a transition to the neighborhood. The block between 2nd and 3rd will transition from the greater height of 8 stories along 2nd Avenue to the 4-story height along 3rd Avenue. The transition should reinforce the variety of building heights and widths along the named streets.*

The C-MX-8 zone district would allow higher intensity, and a Regulating Plan can define maximum building heights along the street to further refine the transition from 2nd to 3rd Avenues consistent with this goal.

- *Goal #5 - Create height transition from the business district to adjacent residential. The Denver Zoning Code establishes protected and control districts to create height and form relationships between higher and lower intensity zone districts. These designations are appropriate for the transition between the business district and neighborhood.*

This goal does not apply because the site is not adjacent to the residential area north of 3rd Avenue.

- *Goal #6 - Retain sunlight on streets and views between buildings. Sun and sky exposure are among the attributes that make Cherry Creek North a highly walkable district. Building form tools such as breaks between buildings, upper story setbacks and solar bulk planes can be used to provide openness as building heights increase.*

The standard C-MX-8 zone district does not include these tools. However, a regulating plan can use reduced maximum building heights and upper story setbacks and stepbacks to achieve solar access and sky exposure between buildings, if necessary to achieve the plan goals.

- *Goal #7 - Prevent the creation of “walled” or monolithic streets. Reinforcing the attributes of Cherry Creek such as building size and height variety, breaks between buildings, and street level building articulation contribute to a pedestrian scale, thereby avoiding the sense of street canyons, especially for larger scale development.*

Building size and height variety and breaks between buildings can be addressed through a regulating plan; no standard zone district can implement these recommendations. Street level building articulation is addressed in the Design Standards & Guidelines.

- *Goal #8 - Active storefronts and ground floor uses. Cherry Creek North is best known as a retail district. Continuing the zoning requirement for ground floor retail and the storefront articulation provided in the Cherry Creek Design Standards and Guidelines is essential to its walkability and vitality.*

The current C-CCN zoning does not require ground floor retail, though residential uses are prohibited and the Design Standards & Guidelines seek to achieve pedestrian active uses on the ground story. The C-MX-8 zone district does not restrict ground story uses, but a regulating plan can be used to limit street-facing ground story uses to retail uses and those uses reasonably necessary to access other uses behind, above, and below.

- *Assure design quality. The Cherry Creek North Design Standards and Guidelines and Design Advisory Board have been successful and assure that new development engages the street and reinforces the quality of the pedestrian experience.*

Development on this site will continue to be subject to CCN Design Standards & Guidelines review by the Design Advisory Board.

- *Enhance 3rd Avenue charm and viability. Any revisions to the land use regulatory documents must both reinforce 3rd Avenue's characteristic rhythm of smaller storefronts and transition to the residential uses to the north.*

This site is not located along 3rd Avenue so this goal does not apply.

- *Manage parking. For many shoppers and visitors, parking is an impression that contributes to the overall experience, so providing parking choices that are intuitive and convenient is important for the retail area. Several strategies should be considered as described in the parking management strategy toolbox of the Strategic Parking Plan.*

The plan goals include marketing off-street parking lots, capitalizing on shared parking opportunities, employing a "park once and walk" strategy, and forming a private parking district, which are mostly beyond the scope of zoning. The DZC does include provisions for shared parking in all zone districts.

B. Uniformity of District Regulations and Restrictions

The proposed rezoning to C-MX-8 will result in the uniform application of zone district building form, use and design regulations.

C. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City.

D. Justifying Circumstance

The application identifies several changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.14.A.4, "The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area." As discussed above, many adopted plan recommendations state that redevelopment of the area is desired, and the recently adopted plan also recognized that the character of the area is changing. This is an appropriate justifying circumstance for the proposed rezoning.

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

1. The requested C-MX-8 zone district is within the Urban Center Neighborhood Context. The neighborhood context generally consists of multi-unit residential and mixed-use commercial strips and commercial centers (DZC Division 7.1). The current zone district, C-CCN, is also within the Urban Center Neighborhood Context. The Cherry Creek North business district area is the epitome of an Urban Center neighborhood as described above. The proposed rezoning to C-MX-8 is consistent with the neighborhood context description.

2. According to the zone district intent stated in the Denver Zoning Code, the C-MX-8 district “applies to areas or intersections primarily served by arterial streets where a building scale of 2 to 8 stories is desired” (DZC Section 7.2.2.2.C). The intersections nearest to this site are served by collector streets, but the property is in an area served by nearby arterial streets. The nearest arterial streets are one-half block west (Josephine Street), 1 ½ blocks west (University Blvd.) and 1 ½ blocks south (1st Avenue). The street classifications and desired building heights in this area are consistent with the zone district purpose and intent statements.

VIII. Planning Board Recommendation

The Denver Planning Board held a public hearing on this application at their regularly scheduled meeting on October 17, 2012. Planning Board recommended approval of this application by a vote of 8 in favor and 0 opposed.

IX. Staff Recommendation

Based on the criteria for review as defined above, Staff recommends **approval** for rezoning the property located at 245 Columbine Street (Application #2011I-00038) for C-MX-8 zoning, with the condition that an approved regulating plan be required prior to site development plan approval.

Attachments:

1. **Application**
2. **Public comment letters (1 RNO letter; 43 additional letters)**



DENVER
THE MILE HIGH CITY

Zone Map Amendment (Rezoning) - Application

1/26/12

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	James F. Heimbecher	Representative Name	James M. Sullivan
Address	c/o James Sullivan, 100 Jackson Street, Suite 102	Address	100 Jackson Street, Suite 102
City, State, Zip	Denver, CO 80206	City, State, Zip	Denver, CO 80206
Telephone	303 321 2700	Telephone	303 618 3222
Email		Email	jsullivan@sullivanrdgroup.com
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	245 Columbine Street		
Assessor's Parcel Numbers:	Parcel #0512223038000		
Legal Description: (Can be submitted as an attachment. If metes & bounds, a map is required.)	Plot 7 and North 2/3 of Plot 8, Block 63 of Harmans Subdivision		
Area in Acres or Square Feet:	.478 acres/20,833 SF		
Current Zone District(s):	C-CCN		
PROPOSAL			
Proposed Zone District:	C-MX-8 with Condition		



REVIEW CRITERIA

<p>General Review Criteria: The proposal must comply with all of the general review criteria</p> <p>DZC Sec. 12.4.10.13</p>	<input checked="" type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan
	<p>Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p>
	<input checked="" type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.

<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria</p> <p>DZC Sec. 12.4.10.14</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <input type="checkbox"/> The existing zoning of the land was the result of an error. <input type="checkbox"/> The existing zoning of the land was based on a mistake of fact. <input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage. <input checked="" type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that rezoning that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area <input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code.
	<p>Please provide an attachment describing the justifying circumstance.</p>
	<input type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District. <p>Please provide an attachment describing how the above criterion is met.</p>

ATTACHMENTS

Please check any attachments provided with this application:

- Authorization for Representative
- Proof of Ownership Document(s)
- Legal Description
- Review Criteria

Please list any additional attachments:

Regulating Plan Condition



DENVER
THE MILE HIGH CITY

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION

We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	NO
James F. Heimbecher	c/o James Sullivan, 100 Jackson Street, Suite 102 Denver, CO 80206 303 321 2700	100%	<i>James F. Heimbecher</i>	09/05/12	(C)	YES

www.denvergov.org/rezoning



Proposed Condition:

I, the undersigned owner of the property under application for the rezoning referenced above, do hereby agree to the following condition: A Regulating Plan shall be submitted and approved per Section 12.4.13 (Regulating Plan) of the Denver Zoning Code. The Regulating Plan shall be approved prior to approval of a site development plan.

This condition shall apply to all our successors and assigns.

Signature of Applicant



James F. Heimbecher



September 5, 2012

Kyle A. Dalton, Associate City Planner
Community Planning & Development
201 W. Colfax Ave., Dept. 205
Denver, Colorado 80202
via email: kyle.dalton@denvergov.org

Re: 245 Columbine Rezoning Application # 2011-00038

Dear Kyle,

The following report is a supplement to the Rezoning Application # 2011-00038 for the site at 245 Columbine. It is intended to illustrate in detail how the proposed rezoning of this site is consistent with specific policies and adopted plans of the City and County of Denver as described below:

BLUEPRINT DENVER

The proposed project contributes to Blueprint Denver's identification of Cherry Creek as a regional draw. The following is a summary of the specific areas of the project and how they relate to the policies and adopted plans of Blueprint Denver:

- **Retail:** Cherry Creek North (CCN) is a regional shopping destination. Currently CCN has a significant amount of retail in the district. The proposed project and associated regulating plan will reinforce this with the requirement of ground floor retail uses on Columbine Street. The existing building does not have retail or the attributes of a pedestrian friendly street environment. The proposed project will add retail that will bridge the gap between the two adjacent neighbors, both of which have vibrant retail street edges. The retail size and scale will be consistent with the neighboring retail spaces on Second and Third Avenues as well as the proposed project on the east side of Columbine Street.
- **Residential:** There has been a steady increase in residential properties in the district over the past decade. Market conditions at this time suggest the area is slightly oversaturated with new residential properties. Because of this oversaturation, we are proposing a modest amount of residential development to support Blueprint Denver's goal of enhancing what is already a vital mixed-use environment.
- **Commercial Office:** Currently there is very little Class A office space in Cherry Creek. This project will support the demand for high quality commercial office space in the district. Additional commercial office space supports Blueprint Denver's goal of enhancing the district as a vibrant commercial, retail and residential area by balancing out the significant quantity of retail and residential mixes.

- **Mixed-Use Destination:** Because of the mixed-use zoning, the propose project will support Blueprint Denver's emphasis on a variety of travel choices. The ample parking in the neighborhood, easy access to bicycle lanes and public transportation will help contribute to vibrant mixed-use destinations.

CHERRY CREEK AREA PLAN

The proposed project is consistent with the recently adopted Cherry Creek Area Plan in several key aspects:

- The Columbine corridor is identified as an area for redevelopment. With the current level of dis-investment, the corridor is acting more as a barrier between Second and Third avenue's retail shops.
- The particular property the development is seeking to refurbish currently contains a vacant building that emphasizes the dis-investment on this street. By removing the vacant building, the development will create connections rather than barriers.
- Columbine Street is adjacent to an existing office enclave on Josephine, which can build on the existing office synergy and provide a stronger connection to the retail community.
- Columbine Street is unique in Cherry Creek North as it is not a through street, therefore traffic will not directly impact the residential community. Further the parking for the proposed project is accessed from Josephine so no additional traffic is being added to the neighborhood as a result of this development.
- One major opportunity and improvement will be the ability to enhance the pedestrian realm with streetscape, clear entries and active building frontages, through the reinvestment of this property.

C-MX-8 ZONING

Summary:

Cherry creek as an urban center needs a balance of mixed uses and a density that can support those uses. The project site is adjacent to Josephine, a major thorough fare, and Second and Third Avenues that access the retail community. The development would infill positively, by improving the districts street edge with active retail and visual transparency that engages the pedestrian. The scale of the building would aid in the transition of the tall buildings of First Avenue and Josephine to the neighborhood on Third Avenue. The building is mixed-use consisting of retail, commercial office and residential spaces. The larger amount of commercial office space allows the development to encourage neighborhood live/work relationships. The development is also designed to be pedestrian-scaled with a design that breaks down the building massing, especially to the north to provide solar access to Third Avenue. This will encourage an active street which will promote a safe and friendly environment. The proposed rezoning project coincides with the goals and guidelines for C-MX-8 in several ways as described in detail below:

- **Neighborhood Context**

- This development will fall within the general character of C-MX-8 as a commercial building between two and eight stories with a ground level commercial retail uses as well as residential which provides the opportunity for live/work scenarios.
- The consistent block patterns of Second and Third avenues and Columbine and Josephine along with the detached sidewalks, tree lawns and street parking reinforce the urban center.
- The proposed development would maintain a consistent orientation with adjacent buildings by having shallow front setbacks and underground parking supporting C-MX-8's strategy for building placement and location and further reinforced by the Regulating Plan condition.
- This rezoning proposal at seven stories helps promote the values of *dense urban character*.

- **Intent**

- The proposed rezoning at seven stories fits within the intent of C-MX-8 where buildings ranging from two – eight stories are desired.

- **General Purpose**

- By infilling the site with a transparent commercial retail storefront at ground level, the site will create continuity between the adjacent buildings. This will promote a safe and active, human-scaled street edge.
- The combination of commercial office, commercial retail and residential uses will add to the diversity of shopping, dining, living and work opportunities within the Cherry Creek area thus contributing to its vitality.
- The mix of uses included in this proposal will contribute to the intent of creating mixed, diverse neighborhoods.

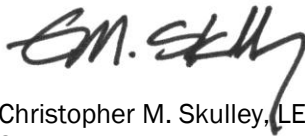
- **Relationship to Specific C-MX-8 Zoning**

- The proposed development would fall within the 110'-0" height limit for C-MX-8 and is not within 75' of a protected district.
- 100% of the street frontage is within the required build-to codes as defined in the Regulating Plan
- The current setbacks fall within the requirements of C-MX-8.
- Parking is located sub-grade, therefore meeting the zoning codes for parking.
- Retail is located along the full length of the primary street, therefore meeting the codes for *transparency* and *ground-level activation*.
- Pedestrian access is located off of the primary street reinforcing a safe and active street edge on Columbine.

Finally, as this revised application continues to evolve, the project team has met and will continue to meet with several neighborhood groups and concerned individuals. Along with meetings and coordination with representatives of the City and County of Denver Planning Department we have completed the following outreach:

CCN Neighborhood Association Board Meeting	October 13, 2011
CCN Neighborhood Meeting at the Daniels Building	November 15, 2011
Various meetings with Councilwoman Jeanne Robb	Last on August 20, 2012
CCN Neighborhood Association	September 10, 2012
CCHN Board	September 11, 2012
Cherry Creek North B.I.D.	September 17, 2012
Wayne New (CCN Neighborhood Association)	September 20, 2012
C.H.U.N. Zoning and Transportation Committee	October 10, 2012
C.C.N. Steering Committee	October 17, 2012

Sincerely,



Christopher M. Skulley, LEED BD+C
Senior Associate
klipp | a division of gkkworks

cc: Jim Sullivan, Columbine Development, Inc.
Brent Farber, Columbine Development, Inc.
Brian Klipp, klipp | a division of gkkworks
File

POWER OF ATTORNEY

I, **James F. Heimbecher**, owner of the property located at 245 Columbine Street, Denver, Colorado, hereby make, constitute, and appoint **James M. Sullivan ("Sullivan")** for and in my name, place, and stead, to file a rezoning application for **C-MX-8** zone district in the City and County of Denver, concerning the real property known as 245 Columbine Street, Denver, Colorado.

Giving and granting unto Sullivan full power and authority to do and perform all and every act and thing whatsoever requisite, necessary or appropriate to be done in and about the premises in the rezoning as fully to all intents and purposes as I might or could do if I personally made the application, hereby ratifying all that Sullivan shall lawfully do or cause to be done by virtue of these presents.

Owner:

James F. Heimbecher
James F. Heimbecher

2/20/12
Date

City + State of Colorado
County of Denver

The foregoing instrument was acknowledged before me this February 20, 2012 by James F. Heimbecher.

Diane Rowledge
Notary's Official Signature

August 31, 2014
Commission Expiration Date

DIANE ROWLEDGE
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 08/31/2014



Via Hand Delivery

October 5, 2012

Mr. Kyle Dalton
Mr. Chris Gleissner
Community Planning and Development Department
City and County of Denver
201 Colfax Avenue, Dept. 205
Denver, CO 80202

Re: **Application 2011I-00038: 245 Columbine Street
James F. Heimbecher, Applicant**

Dear Mr. Dalton and Mr. Gleissner,

This letter and supporting documents are submitted by the Cherry Creek North Neighborhood Association (CCNNA) as formal opposition to the approval of the above application and a request that a rezoning recommendation on this application be deferred by the Planning Board until the following important issues can be addressed.

(1) Improper Use of Regulating Plan – The applicant’s use of a regulating plan is improperly used for individual property spot rezoning as was not primarily intended in the City Zoning Code. The use of this provision without complying with the attached White Paper and without allowing the public, the Planning Board, or City Council the opportunity to review and provide input into its design is a gross misuse of City Planning authority and is viewed as biased towards over-development.

(2) White Paper Non-Compliance - The regulating plan significantly deviates from the White Paper zoning recommendations included as a widely supported appendix in the Cherry Creek Area Plan (CCAP), as specifically addressed on pages 5, 7, and 8. The lack of application will destroy the White Paper’s credibility and value to future rezoning proposals and in final CCN Zoning determination.

Even though the CCAP White Paper with its zoning recommendations is not legally approved by the City, its comprehensive use could be effectively applied in the development of regulating plans for property rezoning, such as this project. City Planning supported the development of the White Paper with significant resources and effort, led its development, published the document, and described its use to be the basis for final CCN District Zoning determination.

The White Paper was supported as an important appendix to the Cherry Creek Area Plan by the Cherry Creek Steering Committee (Steering Committee), the Cherry Creek North Neighborhood Association (CCNNA), the Country Club Historic Neighborhood Association (CCH), and the Capitol Hill United Neighborhoods (CHUN) and their residents.

Its lack of recognition and use in this significant property rezoning is an affront to the cooperative planning efforts of these supporting organization and, in particular, to the Cherry Creek North residents who will be affected most from the lack of traffic management analysis and mitigation planning.

(3) Public Review and Input - CCN stakeholders have been not allowed to review and offer any improvements to the regulation plan, which is contrary to the community-wide planning effort and support resident input and involvement in the recent Cherry Creek Area Plan and its endorsement of the White Paper. Most importantly, the lack of any notification and ability to review the conditional development specifics related to the regulating plan for this rezoning application does not respect the time-honored process and willingness to solicit and include resident input and comments on major rezoning projects within a registered neighborhood area. CCNNA is one of these registered neighborhood associations.

(4) Traffic Study - The applicant refused to conduct a formal traffic impact analysis, as provided by Western Development prior to its recent Columbine property rezoning Planning Board hearing. In addition to indicating specific and cumulative vehicular volume and flow impacts on the surrounding streets and the neighborhoods, this critical traffic study would allow:

- the overall and cumulative impact of the increased height, scale, density, vehicular traffic, and public safety for the west end of Cherry Creek North Business Improvement District (BID); and
- the traffic impact and any detrimental effects on the surrounding Cherry Creek North and Country Club Historic neighborhoods and the safety of students at the Bromwell School to be evaluated and minimized.

A baseline traffic count study will be initiated by City Public Works in the next several weeks, which will provide traffic data related this property as well as the other BID streets that will affect traffic related to this property. In addition to other recent Columbine traffic impact study information this data will give a more comprehensive traffic perspective on this area. This data will be instrumental in evaluating present, future, and cumulative traffic concerns.

If this rezoning deferral is not possible, then CCNNA and its residents will strongly oppose this rezoning application.

Executive Summary

The Cherry Creek Area Plan Update, which includes the White Paper and the Kenneth Ho Consulting Financial Analysis, is an essential economic development and service planning document providing guidance for the entire Cherry Creek community. Significant developments are being promoted and pursued that emphasize White Paper goals as justification for economic development but do utilize the critical White Paper zoning recommendations to guide and ensure a balanced development approach. Two area maps identifying proposed property rezoning and future potential areas of development in the CCAP are included as attachments.

With approval from the Mayor's Office, Councilwoman Jeanne Robb established an Urban Form Working Group to review key CCN Zoning and BID development issues and was tasked to recommend appropriate physical improvements to the Steering Committee and the CCAP. This group began its weekly meetings and discussions in March 2012 and published its White Paper with CCN District zoning recommendations in May.

The White Paper's goals and recommended building heights were included formally in the CCAP, and the complete White Paper was adopted as an important reference appendix in the CCAP. The CCAP on the condition that the White Paper be included as a reference document was supported by the Steering Committee, CCNNA, CCH, and CHUN. This inclusion of the White Paper by City Planning has given all Cherry Creek stakeholders the positive and supportive understanding that the White Paper zoning recommendations for the CCN business district would be used to promote orderly and balanced commercial development.

Ignoring the White Paper and its important design and zoning analyses and recommendations, if allowed to proceed, will impact the quality and respectability of this important community-wide planning effort and diminish the resources contributed to date by many stakeholders and residents, the true constituents of any planning process.

Most importantly, the following issues are paramount and are of immense concern to residents and are addressed clearly in this document. These issues have not been thoroughly discussed and resolved collaboratively to date.

- **Use of the "Regulating Plan" in the City Zoning Code**
- **CCAP and the White Paper**
- **Public Safety**
- **Traffic Growth and Flow through the Residential Neighborhoods**
- **Parking**
- **Changing Zoning for Development Return on Investment**
- **Economic Impact on Residential Property Values**

The Planning Board's By-Laws, Article II, "Duties and Responsibilities", Section I state that "*The Planning Board shall assist CPD in preparing the City's comprehensive plan including small area, corridor, neighborhood, district, and other plans, to promote the orderly growth and development of the city.*" Furthermore, Section IV of the same Article II states that "***The Planning Board shall undertake investigations, studies, reports and similar evaluations as may be requested by the Manager of CPD, and conduct public meetings, and advise the Manager as to policy options and proposed courses of action.***" Orderly planning for growth must be accompanied with adequate evaluations and studies on key issues that will impact the community. Some of these evaluations have only been initiated recently.

As stated in the 2000 Cherry Creek Area Plan, "Redevelopment, densification, and infrastructure improvements can provide opportunities for achieving and enhancing the desired character, the mixture of uses, and the livability of Cherry Creek, as well as enhancing the relationship with the surrounding neighborhoods. Unless change is carefully managed, however, redevelopment and densification can also threaten the qualities that make Cherry Creek desirable." The 2012 CCAP does not deviate from this profound urban planning principle.

Based on the By-Laws governing The Planning Board coupled with the reasons stated at the beginning of this document and the 2012 Cherry Creek Area Plan Update and its White Paper zoning recommendation reference appendix, the CCNNA Board of Directors respectfully requests the Planning Board defer or deny the application to rezone 245 Columbine Street. This delay should provide sufficient time to seek resolutions to the issues highlighted above.

Background

CCNNA is a Registered Neighborhood Organization authorized by the City and County of Denver, representing approximately 1,800 property owners in Cherry Creek North or approximately 4000 residents. The CCNNA neighborhood boundaries are 6th Avenue on the north, Colorado Boulevard on the east, 1st Avenue on the south, and University / York on the west. This area includes mixed use developments in the BID and along the northern border along 6th Avenue.

Cherry Creek North (CCN) is one of the most desirable Denver communities with a contiguous design of attractive residential homes and in excess of 250 small and national retail businesses within the CCN Business Improvement District. The quality of life presently enjoyed by our residents is greatly enhanced by the unique design combining low density (by most urban standards) residential, pedestrian orientation and the signature unique businesses of the BID. The ability of neighborhood residents and visitors to the neighborhood to be able to enjoy a pedestrian oriented design, enhanced by a diverse collection of galleries, specialty stores, and restaurants within the BID is a treasured commodity not readily found in post war cities similar in population and size of metropolitan Denver.

CCNNA believes that smart development and not over-development of the CCN area - commercial and residential - is important to the future of the City and County of Denver and Cherry Creek. In this regard, CCNNA has provided continued support to the economic development and vitality of the Business Improvement District. The association has supported the high rise, high density developments on the north-side of 1st Avenue related to the following projects: Clayton Lane and the JW Marriott; NorthCreek; Fillmore Plaza redevelopment; Fillmore Place; and the pending 1st Bank development.

In addition, CCNNA promotes and unconditionally supports BID businesses and is active in the leadership of enhanced arts and culture as evidenced by the creation of the Cherry Creek Theatre live professional theatre initiated by CCN residents for inside and outside of the CCN community.

The Cherry Creek Shopping District with its sales tax revenue generation is important to Denver, contributing to approximately 5% of the total City sales tax revenue. CCN residents provide over \$9 million in property tax support annually. CCNNA and its residents support the revitalization and redevelopment efforts in the BID and feel that the White Paper and its zoning recommendations will support its commercial success as long as the balance in development and quality of life is preserved.

Applicant's Rezoning Request and Facts

The Applicant's rezoning change from CCN District Zoning to C-MX-8 Zoning is requested to construct a building with the following characteristics and concerns:

1. Mixed Use Building - A building in excess of 100,000 square feet of seven (7) floors with first floor retail, five floors of Class A office space, and one floor with two residential units is proposed. The rezoning would allow 8 stories. The building would be 100 feet high or a height taller than half of the 1st Avenue buildings and without any FAR limitation. It is agreed upon by all parties that the present old post office structure site is in great need for redevelopment, which can be accomplished successfully with a much less dense building.
2. Parking Entry and Exit – An unusual and questionable parking arrangement is being proposed. The primary parking entry and exit to the building would be from University Boulevard, and no below grade parking access and egress is planned for Columbine Street. The number of parking spaces of approximately 100 below ground spaces is proposed, which would be a ratio of one (1) parking space per 1,000 square feet of development, which is totally inadequate when compared to the present parking requirement of 300 square feet per parking space.

The project also plans to utilize the paid underground parking spaces adjacent to this property, which it will not be able to control on a permanent basis. The primary entrance and exit to this parking lot is also from Josephine Street. The project also plans to utilize the alley between Columbine and Josephine for building resident and service traffic, attempting to exit onto 3rd Avenue and crossing pedestrian walk areas. The service space for the building will be limited, will require use of some alley space, and will not have a dedicated service elevator.

In addition, without a traffic study to confirm or adjust the supposition that traffic would not be a problem, it is prudent to expect the majority of departing traffic to attempt to cross over to the west lanes of Josephine then head west on 3rd to University, turn east on third back into the BID and neighborhood, or travel north on Josephine past the Bromwell School. In either turning option at 3rd Avenue, this traffic will be added to traffic coming from other new Columbine development to what is presently an extremely congested and marginally navigable intersection.

3. Floor Area Ratio - The proposed project will be most dense building in Cherry Creek, much greater than any present building on 1st Avenue. It also inappropriately assumes a FAR donation from the property immediately south of it to obtain the false 3.0 FAR designation that the applicant claims for the project. This adjacent property is not owned or controlled by the proposers, so its use in an FAR calculation is totally inappropriate. The actual FAR within their property lines is close to **5.0 to 1**. This FAR with a residential component significantly exceeds the (a) current CCN District Zoning of 1.5 to 1, (b) the White Paper proposed FAR of 3.0 to 1, and (c) the current 1st Avenue buildings of 2.0 – 3.3 to 1.0. This building would be over 3 times the density allowed by current zoning – a substantial financial return allowed by City Planning to the developer.

Although City Planning finds FAR to no longer be a valid metric and thereby undermines the White Paper, this proposal is embarrassing to the concept that form based zoning ameliorates the need to further define a building's overall size. This proposal which in fact with the exception of a minor regression on the north elevation is no more than a cube filling up the volume allowed by the CMX zone district. This proposal is a great illustration as to the inappropriate use of CMX in the BID because it allows a mass so incompatible with the neighborhood if approved it will assure an eventual loss of the neighborhood's scale.

CCNNA Reasons to Delay this Rezoning:

The following issues comprise the CCNNA's objections to the rezoning of this property that should support a decision to delay a rezoning decision.

1. **Regulating Plan**

The review process established in Section 12.4.13 for a "Regulating Plan" is intended to narrow the application of the allowed building forms, land uses, and building heights within a Zone District to specific geographic sites; and ensure that the implementation of the Zone District standards is consistent with the approved General Development Plan (GDP). According to two prominent members of the City Zoning Code Task Force who devoted several years to update the zoning code, this "regulating plan" was never discussed and was included by City Planning for reasons only coming to light now.

CCNNA objects strongly to use of the "regulating plan" for the following reasons:

(a) Avoiding the Planned Unit Development (PUD) Zoning Process – It was stated many times by City Planning staff in the CCAP process that PUD zoning would not be used, even though it was not prohibited in the City Zoning Code. It is quite clear from Councilwoman Robb and the City Planning Director that the "regulating plan" is considered a "PUD light" but does not have to be approved by City Council and the public. This "regulating plan" process will expedite zoning decisions by:

- Eliminating the extensive City Department review and approval process;
- Eliminating public notification on the development of a regulating plan;
- Eliminating the public review and comment requirements;
- Eliminating the traffic impact analysis prior to final zoning;
- Eliminating the review of the regulating plan by the Planning Board and LUTI; and
- Eliminating the approval of the regulating plan by City Council.

The PUD process has worked well in CCN with the high rise 1st Avenue developments, allowing significant public input and support to these projects. This project would establish a precedent for future BID Zoning changes with regulating plans, since CCNNA has not been allowed by City Planning or the applicant to review and provide input on this property's regulating plan. This is a great disservice to citizens and an affront to the City's desire for greater community involvement. City Planning has the flexibility to allow citizen input.

(b) Public Notification and Input – The conditions and requirements in a "regulating plan" does not have to be revealed to the public. As an example, the CCAP was developed over a two year planning period, and there was no mention of a "regulating plan" and its use in CCN zoning decisions. In fact, the Urban Form Working Group of CCN professionals and led by City Planning staff did not discuss and reference the "regulating plan" and its applicability to zoning prior to the determination of CCN District Zoning. CCNNA would not have found out about the first use of the "regulating plan" for the Western Development Columbine property rezoning, if it had not been disclosed by Western Development to CCNNA. Neither City Planning nor Councilwoman Robb informed CCNNA or the Steering Committee about the "regulating plan" and its use for Columbine rezoning.

(c) Unwillingness to Use White Paper Zoning Recommendations – Even though City Planning often refers to the White Paper goals in the CCAP, it refuses to use its zoning recommendations in regulating plan development prior to final CCN District zoning determination. As a specific White Paper example, the Urban Form Working Group (architects and Planning staff) discussed, deliberated, and finally agreed upon the use of floor area ratio (FAR) as one of the tools in the zoning process. City Planning stated clearly and demonstrated its unwillingness to use FAR in the zoning considerations of the Western Development property rezoning “regulating plan”. FAR is a major factor in maintaining the balance between commercial development and residential quality of life.

(d) Spot Zoning - As with the recent use of the “regulating plan” on the Western Development property rezoning, the applicant and their request for a property rezoning may invoke concerns of spot zoning. Spot zoning is a provision in a general zoning plan which benefits a single parcel of land by creating an allowed use for that parcel that is not allowed for the surrounding properties in the area. When spot zoning is evaluated, two issues have been considered: (1) fundamental fairness - no favoritism is involved; and (2) connection between land use planning and zoning - decision is based on good analysis, use of all zoning tools, and the study of desirable future land use and its impacts on the surrounding neighborhoods. Addressing this project individually using a regulation plan without citizen input clearly creates favoritism and bias concerns.

(e) Trust in City Government – Due to the significant effort and time spent by the Urban Form Working Group of volunteer professionals that should not be wasted, City Planning’s secrecy on the use of the “regulating plan” of the City Zoning Code, and its unwillingness to use the White Paper’s zoning recommendations, the trust that CCN residents have in City Government in fairly representing the interests of commercial developers and neighborhood residents is being questioned.

2. **CCAP and the White Paper**

The most recent version was approved by City Council in 2012, and the CCAP encourages a “balanced approach” between BID commercial development and quality of life in the adjoining CCN residential area. As mentioned earlier, an Urban Form Working Group was formed by Councilwoman Jeanne Robb and authorized by the City to evaluate design and zoning issues that may presently discourage CCN commercial development. These prominent CCN architects, professionals, and City staff devoted three months of effort and work that culminated in a White Paper and its zoning recommendations. The White Paper zoning recommendations agree with the findings in the Kenneth Ho Financial Analysis. After considerable discussion and effort, the White Paper and its zoning recommendations was included in the CCAP as an appendix document. The White Paper supports enhanced commercial success and promotes a balanced approach to development and protects the neighborhood from over development.

Specifically, the White Paper supports increased development, but the proposed rezoning building plan defers in the following ways:

1. Floor Area Ratio

- **Present CCN District Zoning** – 1.0 base with incentives to allow increase to 1.5
- **White Paper** – 2.5 base with incentives to allow increase to 3.0

- **Proposed Project** – 5.0; a 66% increase above the White Paper recommendation or a 233% increase above present zoning.

In addition, the White Paper allows .5 of the 3x lot area if that .5 is residential. This would mean a minimum of 10,417 square feet of residential space. The residential component is only 8,668 gross square feet, therefore is 1,749 square feet deficient.

2. Building Heights – Per the White Paper the fourth story should not exceed 57 feet, and the proposed building is at 58'-4 in height. The seventh story should not exceed 96 feet per White Paper, where the proposal is at 102'-4" in height.

3. Parking

- **Present CCN District Zoning** - 1 space / 300 feet for retail and office space and 2 spaces / residential unit
- **White Paper**
 - Retail – 3/1000 retail totaling 59 spaces for this project
 - Office – 2/1000 office totaling 141 spaces for this project
 - Residential – 1.5/1 for dwelling units totaling 3 spaces for this project
 - Total Parking – 203 space for this project – over a 100% deficiency.
- **Proposed Project** – 1 space / 1000 feet or 100 parking spaces; a significant decrease in parking as recommended by the White Paper.

4. Alley – The White Paper encourages alleys to be “more active-more attractive”. This proposal for 245 Columbine is without regard for the alley and, in fact as presently conceived, does not even widen the existing 15 or 16' wide alley, thereby assuring constrictions and blockages when the load from this proposed building is added.

5. Properly Scaled Architecture - The White Paper “Encourage[s] properly scaled (District wide scale and pedestrian scaled) massing and building composition to align with the character of the District”. The 245 Columbine proposal is a cube totaling 8 stories inclusive of the mechanical penthouses and its alignment with the District is questionable.

While the uses proposed by the applicant fit the overall context of the CCAP, the height, scale, design and lack of parking do not fit with the CCAP White Paper recommendations as described above. In addition the impact of higher-density on particular streets within the district in combination with the cumulative effects and impacts of other proposed major development projects will detrimentally affect due to the lack of cohesive connections and a present blockage in effective traffic flow.

Over several previous Cherry Creek Neighborhood Plans a common theme was stated. *“Redevelopment, densification, and infrastructure improvements can provide opportunities for achieving and enhancing the desired character, the mixture of uses, and the livability of Cherry Creek, as well as enhancing the relationship with the surrounding neighborhoods. **Unless change is carefully managed, however, redevelopment and densification can also threaten the qualities that make Cherry Creek desirable.**”* The White Paper is essential to continuing this important theme.

3. Public Safety

As with the proposed building heights on the east side of Columbine, if this 7 story building establishes this high rise precedent in defiance to the White Paper recommendations, there is great resident and stakeholder concern over future traffic volume and direction, impediments to traffic flow, and traffic effects on the surrounding neighborhoods and general public safety. This concern especially relates to the health, safety and welfare of the public concerning icy conditions created by high rise building shadowing and for children from Bromwell Elementary School and Cherry Creek Dance who frequent pedestrian oriented 3rd Avenue. To support this concern, the Bromwell School PTA Board has jointly signed the attached letter with CCNNA and Country Club Historic Neighborhood Association Boards to request Councilwoman Robb to allocate the traffic mitigation funds budgeted with the City for a CCN and Country neighborhood and CCN business traffic study. This traffic baseline study will be initiated within the next few weeks for streets within the BID and connecting to the CCN and Country Club Historic neighborhoods, and traffic data for this specific area will be included in the study.

From an important public safety perspective, the increased building height and scale of this project and its precedent set for future BID developments is a serious concern for public safety related to the shadowing effect of high rise buildings concerning snow and ice conditions on the narrow BID and CCN streets. An example is 2nd Avenue between Fillmore Street and St. Paul Street which is in shadow during the winter season and is considered the "skating rink of the BID".

This safety issue was experienced within the BID due to snow and ice build-up which was not adequately or timely addressed on 2nd and 3rd Avenues, alleys, and parking areas. The same dangerous condition is present in other areas of the district where sunlight is prevented from melting ice and snow due to the blockage of passive solar radiation due to building height. There has not been any discussion pertaining to shadowing and its impact concerning pedestrian and traffic safety for proposed Columbine Street development and other proposed high rise buildings.

4. Traffic Growth and Flow through the Residential Neighborhoods

The applicant has decided not to conduct a traffic impact analysis to determine the effect of traffic ingress and egress from its primary proposed parking entrance on Josephine. The intersections of Josephine, University, 2nd and 3rd Avenues are presently congested now, and the **cumulative effects** of increased traffic from this project and the planned development on the east side of Columbine will have detrimental effects on the Cherry Creek North and Country Club Historic neighborhoods. The extremely CCN residential narrow streets with parking on both sides will become unsafe and congested with the unplanned cumulative increase in traffic.

As mentioned earlier, City Public Works has engaged Felsburg, Holt, and Ullevig to conduct a traffic baseline study within the next few weeks for streets within the BID and connecting to the CCN and Country Club Historic neighborhoods, and traffic data for this property's area will be included in the study.

Since a traffic impact analysis for 245 Columbine has not been performed; a traffic count study will be initiated shortly and not available for use at this time; and this project's traffic will be combined with the proposed Western Development Columbine traffic, it is appropriate to present the findings of the Western Development Columbine project traffic analysis to illustrate the present and projected traffic impact. A copy of this WD traffic impact analysis is available in City Planning.

The cumulative increase in traffic from the 245 Columbine project along with other multiple developments onto Josephine and 3rd Avenue will have a maximum impact on traffic congestion, flow, and public safety. It is essential to proper planning practice that the projected BID development traffic impacts related to comprehensive BID planning as recommended in the CCAP should be discussed prior to the approval of this significant proposed Columbine Street redevelopment.

According to one of our residents with extensive traffic management experience and expertise, a number of key issues related to the Western Development traffic impact analysis that will impact this 245 Columbine project include but are not limited to:

- Peak Hour Analysis – The analysis provided to date is focused exclusively on the morning and afternoon peak hours (rush hours). The analysis does **not** examine the impact on traffic in CCN during non-peak hours. As the CCN business district is primarily retail and service oriented, the primary impact is likely to occur between 9:30 am and 5 pm—with significant impact in the vicinity of the proposed development during the lunchtime period due to the proximity of restaurants, shopping and traffic generating Whole Foods – an area that is presently heavily congested as is evidenced by the stacking and near accidents on 2nd Avenue between Josephine Street and Fillmore Street.

With the proposed development generating **66%** of its trips from the retail uses (Figure 7), most of the vehicular traffic generated from the project will be non-commuter occurring during the day. Of the total vehicle trips per day projected for the development, 265 are expected to occur in the morning peak and 406 in the after on peak—meaning that **83%** of all vehicle trips generated by the development are expected to occur in non-peak hours. The analysis should examine whether the greatest traffic impacts occur from commuters or those availing themselves of the retail/service nature of the CCN business district.

- Percentage Traffic Growth

On the important topic of traffic growth, it should be emphasized that the projected 3,885 vehicles per day generated by the proposed development represents a **259%** increase over existing conditions (page 17, 3885/1500 [high estimate of existing conditions]). This clearly illustrates traffic growth from this one project, so the question arises if the CCN business district street infrastructure can indeed facilitate the subsequent traffic growth.

While it might be helpful to the developer trying to sell the project, the inclusion of “Scenario 2- Existing Uses Fully Occupied and Thriving” in the *Analysis* is misleading and useless. The appropriate comparison is today’s conditions versus the proposed development.

A comprehensive traffic study of the entire BID area and surrounding neighborhoods may also be reasonable predicated upon CCN community-wide transportation development, which may not be available until after the 20-year planning period. Bus service may be marginally improved over the next several years, however RTD’s planning guidance does not anticipate an increase in transit levels or improvement sufficient to alter the modal split of visitors to the CCN BID. This level of improvement would not likely be implemented within the next 10 to 20 years.

- Intersection Traffic Flow Impediments and the Neighborhoods

Two key intersections that may significantly affect the flow of traffic from Columbine Street into the CCN neighborhood are 3rd Avenue and Josephine Street and 2nd Avenue and Josephine Street. These intersections due to design are a challenge concerning efficient traffic flow due to the short distances between traffic lights and the multiple signals that direct traffic north, south, and west in this relatively small geographic area.

The study uses Level of Service (LOS) analysis extensively, and indicates that LOS is a qualitative measure of average delay in which LOS A is minimal delay and LOS F is excessive congestion and delay. The study suggests that LOS levels of A, B, C, and D are “acceptable.” Although not specifically stated, that suggests that LOS E and F are “unacceptable.”

The upper limits of D are the same as the lower limits of E, so there is in fact very little distinction between D and E. The 1st and University intersection is currently operating at LOS F during peak hours, but the report suggests that this could be improved by retiming of other nearby signalized intersections but even that would only raise the intersection to LOS D. (Pages 7, 8)

Since traffic movement is presently challenged during peak and off-peak periods, the largest flow distribution percentages are related to University Boulevard and increased traffic will be generated by the Columbine Street development and other proposed developments (including but not limited to the seven story building proposed for the former Post Office site, a replacement of a 2-level mid-century commercial structure), traffic flow impediments may increase. The cumulative traffic volume will likely indicate a Level of Service change into the unacceptable service categories.

Most importantly, the westward flow impediments as evidenced above may encourage drivers to follow the path of least resistance, which would be eastbound on 2nd Avenue and east and west on 3rd Avenue. This eastbound flow would then encourage travel into and through the CCN neighborhood to reach 6th Avenue and Colorado Boulevard. The westward flow on 3rd Avenue would impact the Country Club neighborhood as cars strive to achieve an easier and faster access to 1st Avenue. These traffic patterns are presently experienced by these neighborhoods.

5. **Parking**

To add to previously addressed parking and traffic difficulty discussion and emphasize the importance of adequate parking recommended in the Kenneth Ho Financial Analysis, the present zoning requires allocation on the zone lot of one (1) parking space for every 300 square feet of building space. This proposed 245 Columbine Street project is significantly inadequate in its proposed parking allocation.

As described to CCNNA, the proposed parking spaces will equate to approximately one parking space per 1,000 square feet of development or only 30% of the parking spaces determined by the present 300 square feet per parking space requirement of CCN Zoning. The parking ratios do not account for the different parking ratios required by commercial, residential and office uses. Even in the pedestrian-oriented Cherry Creek North neighborhoods, the average household has in excess of two cars.

Even with access to the parking facility south of this property and at Clayton Lane, there is no long term guarantee that this leased parking will be available for this building. Parking will be a major issue as it is now in the BID, where customers search for street parking and would rather park in

the neighborhood versus a parking deck. No provision for this additional parking demand and additional parking provisions are addressed in the plan.

The only cities in which these low parking ratios have proven feasible are locations such as Portland Oregon, where low ratios were imposed as maximums, coupled with a very intensive transit program of rail and bus service to change the modal split of trips into the Portland Downtown and the Pearl District.

6. Changing Zoning for Development Return on Investment

Before the recent economic recession and with a full understanding of the current CCN Zoning height, density, and use limitations, some developers continued purchasing properties within the BID with the underlying practice of land-banking. In order to determine the effect on current zoning on institutional investment in Cherry Creek, City Planning engaged Kenneth Ho, a financial consultant and member of the Planning Board, to evaluate this effect.

The Kenneth Ho Financial Analysis found that the present CCN District Zoning did discourage institutional investment, which would require changes in building height, density, and parking in order to allow a 20+% return of investment to attract institutional investment. As directed by City Planning, the study did not address owner occupant investment, which normally allowed a lower return on investment.

As with the 200 Columbine assemblage, the City is being requested to revise the CCN zoning to provide a desired return on an institutional investment, allowing excessive building heights and scale in order to make projects economically viable (i.e. more profitable for developer interests). According to the Cherry Creek Steering Committee members who were also on the City's Zoning Update Task Force, the issue of changing zoning to achieve an investor's desired rate of return was never discussed or addressed in its many years of deliberation.

Del Hock, a well respected Denver community and business leader and CCN resident, addressed this issue well in his letter of opposition. *"In reviewing the CCAP, I note that it includes all of the appropriate platitudes regarding balance between neighborhood values and redevelopment. However, I have the distinct impression that the economic viability of the large land investments by some major entities is in fact the key consideration in evaluating the zoning requirements for Cherry Creek North. While return on investment is an appropriate factor in making any changes in zoning, it needs to be balanced with many other factors which will impact the neighborhood and residential property values. The objective should be an adequate return on investments rather than a maximum return regardless of the impact on the values of the neighborhood. Those who have made significant land purchases in Cherry Creek North were well aware of the zoning when they bought the land and to now say that they cannot make an adequate return on their investment is disingenuous at best. In addition, to now propose zoning exemptions for a specific project while ignoring the status of the CCAP which will comprehensively address the total impact of redevelopment is unacceptable."*

Government intervention to aid individuals or organizations that make risky business decisions is not a proper role of government and is not good public policy. The owners and speculators did their due diligence and should not assume an increase in allowable density would be provided by the City to justify their investment and achieve their desired rate of return.

7. Economic Impact on Residential Property Values

With unbalanced commercial development of this project, a negative impact on residential quality of life and property value would occur as predicted in the 2000 Cherry Creek Neighborhood Plan. Increased traffic without any effective mitigation tools and the inadequate parking provided by this project will only increase traffic and parking challenges in the neighborhood.

This negative externality of the project will discourage property sales, inhibit visitation to the neighborhood perceived as a parking nightmare and reduce property values for homes surrounding to the BID.

A balanced approach to development is essential to promote commercial development and preserve residential home values and quality of life. This concern of our residents is easily seen in the following resident opinion discussion.

Resident Opinions

In 2012 both Cherry Creek North and Country Club Historic residents were surveyed on their opinions concerning the detrimental impacts resulting from over-development related to increased building heights, density, traffic, and economic effects on property values. Even though residents understand and support developments to increase Cherry Creek economic viability and success, residents have grave concerns on over-development within the CCN BID. Over 80% of the approximate 300 households or over 600 residents participating in the survey expressed support for maintaining the same balance between commercial development and residential quality of life in future zoning as is presently found in CCN District Zoning.

At the October 2nd General Resident Meeting over 125 CCN residents expressed their strong support for the White Paper and its way to manage and preserve balanced commercial growth in Cherry Creek. Our residents believe deeply and fervently in balance to preserve the unique character of Cherry Creek North and support smart development but not over-development.

Summary

In the mid 1990s the majority of the CCN Area was considered an area of change (instability) in the Blueprint Denver Plan. The Denver Planning Department the 2012 CCAP has reclassified the residential areas surrounding the commercial district as an area of stability.

This stability in the residential areas has been achieved within the context of the balanced retail and commercial development allowed under the present CCN District Zoning. It is extremely likely that a significant increase in scale and density of development and the commensurate traffic and congestion district wide, similar to what this development proposes, will destabilize the balance that has been achieved over the past two decades with in the existing residential areas and will lead to a new wave of instability.

The Cherry Creek Area Plan is an essential economic development and service planning document for the entire Cherry Creek community. To address key CCN District Zoning issues, the CCAP's Urban Form Working Group produced and published its White Paper with design and zoning recommendations.

City Planning is now utilizing a previously unannounced process to use a “regulating plan” provision of the City Zoning Code to expedite zoning decisions without allowing public input, without using the White Paper zoning recommendation comprehensively, or without addressing final zoning changes to CCN District Zoning. When significant developments are pursued utilizing only the White Paper goals without its specific recommendations as justification for economic progress, it will affect the quality of this important community wide planning effort.

Therefore, the CCNNA Board respectfully requests that the Planning Board defers consideration of this 245 Columbine Street property rezoning application until the use of the “regulating plan” provision for individual property rezoning can be evaluated; White Paper zoning recommendations on this property can be reviewed; public review and comments on the “regulating plan” and the White Paper can be achieved; and the traffic count study can be conducted. If the deferral of this rezoning is not possible, then the CCNNA Board requests that the 245 Columbine Street property rezoning be denied.

The Board and CNN residents look forward to expressing our opposition to the proposed rezoning and answering any questions that you may have. If there is additional needed information, please do not hesitate in contacting me.

Sincerely,



Wayne New
President, Cherry Creek North Neighborhood Association

CC: Mayor Michael Hancock, City and County of Denver
Councilwoman Mary Beth Susman, President, Denver City Council
Councilwoman Jeanne Robb, Denver City Council District 10
Councilwoman Debbie Ortega, Denver City Council At Large Representative
Councilwoman Robin Kniech, Denver City Council At Large Representative
Brad Buchanan, Chairman, Denver City Planning Board
Michael Henry, Chairman, CHUN and INC Zoning Committees
William Murane, Vice President, Country Club Historic Neighborhood Association
Gregg Rippey, President, Bromwell Elementary School PTA Board
James Heimbecher, 100 Jackson Street, Suite 102
James Sullivan, 100 Jackson Street, Suite 102

Current Proposed Cherry Creek Developments

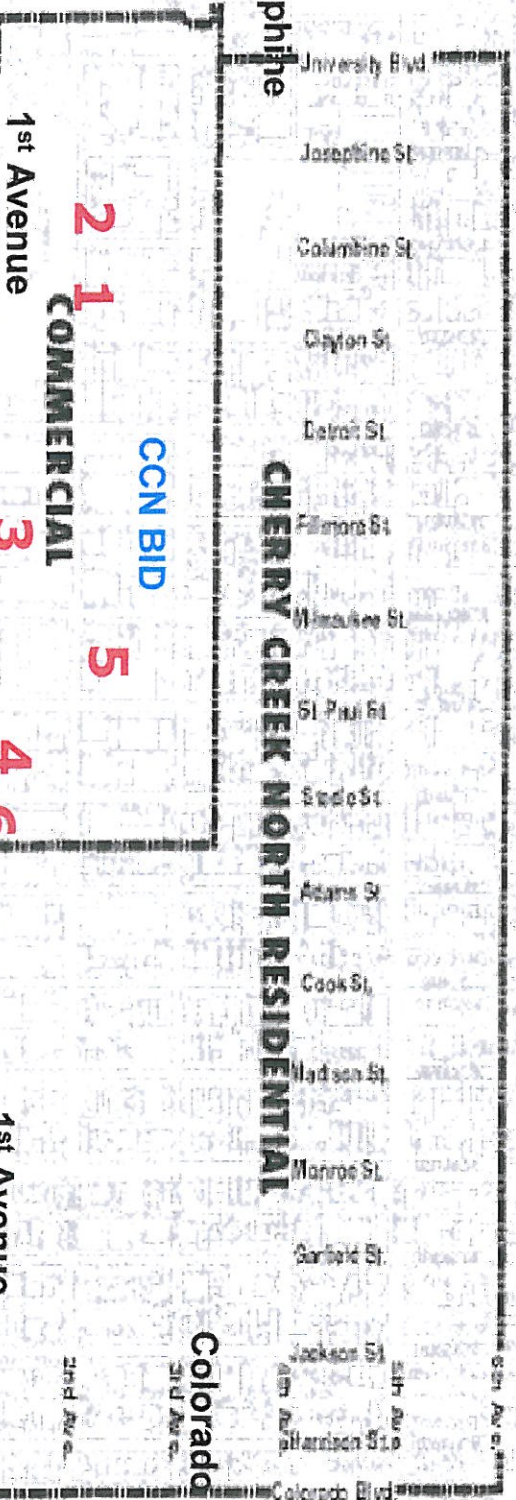
1. Columbine Street - East Side Between
2nd and 3rd Aves – 60%: 7 & 8 Stories
2. Old Post Office Site – 7 Stories
3. Fillmore Place Condo Expansion
4. 1st Bank (1st / St. Paul / Steele) – 8 Stories
5. Coors Foundation (St Paul / 2nd) – 4 Stories
6. 1st Ave / Steele (NE Corner) – 12 Stories
7. 1st Ave / Steele (SE Corner) – 12 Stories
8. CC Triangle (S of Alameda) – 8 Stories

6th Avenue

York / Josephine

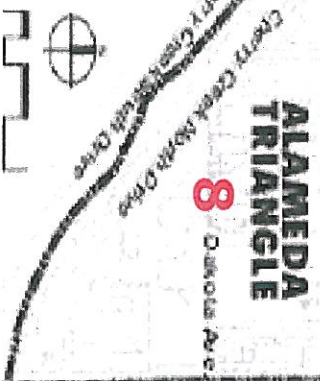
CHERRY CREEK NORTH RESIDENTIAL

Colorado Blvd



Proposed Developments

- 1. East Side of Columbine (WD)
- 2. Columbine (Old Post Office Site)
- 3. Fillmore Plaza Condos
- 4. 1st Bank Office
- 5. Coors Foundation Office
- 6. 1st / Steele (NE Corner)
- 7. 1st / Steele (SE Corner)
- 8. Cherry Creek (Alameda) Triangle



Additional Areas Identified for Development Opportunities

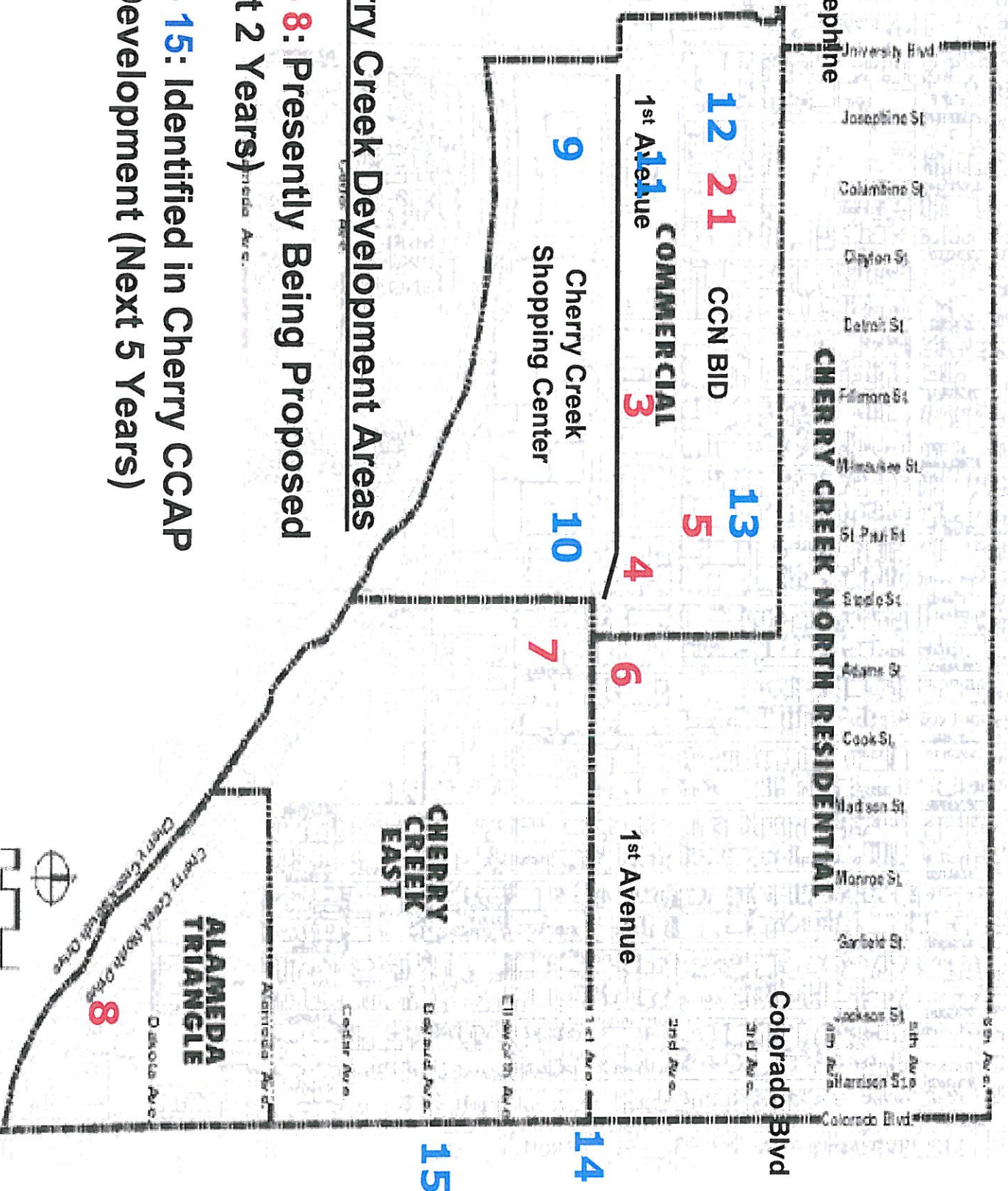
- 9.** West End of Shopping Center (2016)
- 10.** East End of Shopping Center (2016)
- 11.** Sears Property
- 12.** Cherry Creek Square (3rd Ave / St Paul / Milwaukee) – Possible Hotel Site
- 13.** East Side of Josephine Between 2nd and 3rd Avenues
- 14.** 1st Avenue / Colorado Gateway
- 15.** Bayaud Commercial

6th Avenue

York / Josephine

CHERRY CREEK NORTH RESIDENTIAL

Colorado Blvd



Cherry Creek Development Areas

1 – 8: Presently Being Proposed (Next 2 Years)

9 – 15: Identified in Cherry CCAP for Development (Next 5 Years)

Mix of Proposed and Future Fifteen Developments

- ❑ 4+ High Rise Office Buildings
- ❑ 100+ Condominiums
- ❑ High End Apartments – 905+ Units
 - NE 1st / Steele Corner – 175, 12 Stories
 - SE 1st / Steele Corner – 250, 12 Stories
 - Jackson / Cedar (CCE) – 190, 8 Stories
 - CC Triangle – 290, 8 Stories
- ❑ Shopping Center Retail Expansion
- ❑ 1+ Possible Hotels

Cherry Creek North Urban Form Study
Created by City of Denver Planning Development on behalf of the Urban Form Working Group
White Paper Findings and Recommendations May 2012

Urban Form Working Group Task Force:

Neighborhood and Business Participants:

Brian Klipp, Bob Mattucci, Jonathan Saiber, Pat Dawe, and Chris Dunn

CPD Staff:

Todd Wenskoski, Chris Gleissner, Ellen Ittelson, Steve Nalley

Introduction and Purpose

The Cherry Creek Area Plan process is nearing its conclusion after nearly two years of research, analysis and community outreach. A public draft of the plan was issued March 14, 2012 and the Planning Board draft on May 9, 2012. One of the major outstanding issues is the urban form for the C-CCN zoned portion of Cherry Creek North (CCN) and the finding that the plan vision cannot be achieved without public policy changes that encourage reinvestment and redevelopment consistent with neighborhood scale and BID character.

The Urban Form Working Group was formed and charged with identifying urban design, building form, height and design strategies that would reflect the plan vision for a prosperous, attractive and walkable Cherry Creek while respecting the cherished attributes of Cherry Creek North and its adjacent residential neighborhoods. The intent is to determine how appropriate urban form can help achieve a balance between commercial and mixed-use development and adjacent residential neighborhood scale. The group participants included Cherry Creek residents, representatives from Cherry Creek North Business Improvement District, local architects and planners.

The findings described in this white paper provided input for modification to the draft plan and will provide a framework for future discussion about development regulations for the area currently zoned C-CCN. This may include amendments to the CCN Design Standards & Guidelines, new zoning for the area and subsequent studies.

How do these findings get implemented?

The initial findings this white paper provides will require further study, review and discussion over the subsequent months before any final recommendations are determined. Once complete, the final recommendations will be implemented in three ways:

1. Revisions to CCAP Draft Plan.
2. Revised design standards and guidelines.
3. Revised zoning for C-CCN District based on framework outlined in this white paper.

Urban Form Working Group Process

The group met 12 times over the course of a 12 week period. The initial meetings were organized to address the urban form in CCN, specifically the urban design issues related to the barriers to retaining and enhancing the thriving and vibrant shopping district and neighborhood. Early on, the group agreed that change was vital and essential for the District's success and survival, monolithic blocks or walls of buildings were not desired, and that high quality design and pedestrian delight should be the standard.

As an initial step, the group reviewed the KHO Consulting Development Study, Denver Zoning Code regulations for similar areas, including regulatory mechanisms affecting urban form, and reviewed the current CCN Design Standards & Guidelines adopted in 2011. The team discussed the role and relationship between the area plan, zoning code and design standards & guidelines to further explain the regulatory tools available. The group discussed the importance of the Cherry Creek North Design Advisory Board to review projects and sustain high quality design, and the role it plays in sustaining a high quality district. The group also determined that building height and development intensity are not goals in and of themselves. They are among the means to achieve the plan vision and other public benefits.

As an initial finding, the group agreed on the following: 1) **Remove barriers for reinvestment** in the area and to **retain existing qualities** while allowing it to flourish. 2) **Retaining small property owners** in the district and discussing ways to eliminate current barriers for small property reinvestment. 3) **More detailed case studies and design tests were required** to analyze properties in CCN, including small, medium and large lots.

The group proceeded to focus on reviewing case studies, identifying barriers to reinvestment and determining urban form and design solutions that retain the quality of CCN. The case studies were selected based on the following criteria:

- 1) Sites most likely to redevelop in the next ten years
- 2) Lot size variety, including small, medium and large
- 3) Lots in various locations throughout the district, including 2nd Avenue, 3rd Avenue and different named streets

Given the unique character of CCN, the case studies exercise proved to be an essential tool in analyzing the urban form, reinvestment opportunities and overall character of the district. By studying a variety of lot sizes, the study was able to explore the overall impacts on specific properties while considering the broader implications for the entire area. The dual approach of site specific case studies and overall context analysis provided the basis for defining the overarching goals and suggested solutions. The case studies were developed using building assumptions based on the KHO Consulting Study and input from group members based on their professional knowledge and experience in the area.

Based on comparison projects and feedback from the group, the following building height assumptions were developed:

Building Heights Working Assumptions

- 18' ground floor (Average)
- 13' upper stories (Average)
(Note: the 18' ground floor and 13' upper story listed above result in the district-wide datum of 31')
- 3 story building height =44'
- 4 story building height =57'
- 5 story building height =70'
- 7 story building height = 96'
- 8 story building height =110'

It is acknowledged that story heights differ between residential and office uses. In addition to developing case studies, the group discussed other projects in the area to provide a comparative tool for analyzing the FAR and intensity of the case studies. The recommendations developed by the group also took into account the life safety code requirement which would be required for construction reaching 6 stories. It was acknowledged that this code requirement would add significant cost to construction of a project making it unlikely 6 story buildings would be constructed. Thus building height discussions anticipated a stepping of height from 70' (5 stories) to 96' (7 stories).

CCN FAR Project Comparisons

FAR provides a useful tool for comparing density among local CCN projects. The group reviewed the Floor Area Ratio* (FAR) of various developments in CCN. The developments reviewed include:

(*FAR=building square footage/land square footage)

C-CCN FAR (current)	1:1 with 0.5 premium available
JW Marriott FAR	3.98:1
Whole Foods FAR	0.86:1
Combined JW & Whole Foods	1.5:1
North Creek FAR	2.13:1
First Bank FAR	3.62:1
ANB FAR	1.47:1

Urban Form Ideas

The initial discussions by the group resulted in a variety of ideas related to urban form appropriate for CCN. The ideas provided a basis for the goals and regulatory examples developed by the group. A summary of design ideas brought forth by the group following the case study analysis and discussion includes:

- Higher buildings along north side of 2nd Avenue – up to a maximum of 8 stories
- Lower buildings along 3rd – 3-4 stories with 2nd story datum at 31' and set backs on the south side of 3rd.
- Medium height buildings in between – 5 to 7 stories
- Building datum line at the 2nd story (31')
- Stepbacks
 - Minor Stepback at 2nd story (31') and /or finish material change
 - Major Stepback at 5th story
- Floorplate size controls along north side of 2nd.
 - 13,750 SF maximum or percentage of overall site floorplate.

- Horizontal breaks and articulation at ground floor and upper levels to prevent walled or overly monolithic streets
- Protected district for north, east and west edge along CCN G-RH-3 zoning; i.e. solar access building angle.
- Promote mid-block east-west pedestrian connections
- Potential of alleys to be more active—more attractive
- Corner highlights with entries or additional building mass
- Parking underground or at rear; especially avoid surface parking at corners
- Balance urbanity (building height to street width) with view of sky and sun on north side of streets.

Urban Design/Urban Form Goals

The Urban Form Working Group identified eight goals as a result of group discussions, analysis and knowledge of the area and review of the detailed case study analysis. The goals, included below, represent the high level wants and desires, and provide a guide for subsequent findings or recommended solutions. Each goal listed below includes examples of means to achieve each goal. The goal statements are included in the plan; the “ways to achieve the goal” provides a framework for future discussion.

Goal #1 - Retain unique physical character.

Ways to achieve goal:

- Require high quality development character as outlined in the Design Standards & Guidelines (DS&G)
- Promote variation in building type, height and variety within the district (encourage a mixture of small and large lots).
- Four-sided architecture (especially for taller and corner buildings)
- Encourage properly scaled (District wide scale and pedestrian scaled) massing and building composition to align with the character of the District.

Goal #2 - Make reinvestment economically viable in the entire district.

Ways to achieve goal:

- The current FAR of 1.0 and 1.5, with bonuses, is insufficient for adequate reinvestment and sustained economic viability. FAR example tests conducted during the case study analysis ranged from 2.5 to 4.0 in an effort to identify FAR parameters and viable reinvestment opportunity thresholds consistent with good urban form practice. The KHO study recommended 2.5 as a minimum FAR for viable reinvestment opportunities. Building massing and height studies performed by the Working Group, and resulting in an FAR above 1.5, range from building heights of approximately 45’ along the south side of 3rd Avenue to 110’ along the north side of 2nd Avenue, with a range of 70’ to 90’ height in the midblock area. Retaining the 5’ setback was seen as important for pedestrian activation along the streets.
- The Urban Form Working Group determined that an FAR of 2.5 should be used as a basis for the intensity of development within CCN. A .5 bonus for additional residential use would be allowed. Although a specific FAR recommendation will not be included in the

CCAP, the group determined that the ranges described above should be used as a basis for future zoning code discussions.

- Encourage higher density which results in vibrant mixed-use developments to achieve complimentary and socially rich environments within the District. Mixed-use types which are encouraged are; retail, commercial, local neighborhood services, office and housing.

Goal #3 - Encourage small lot reinvestment.

Ways to achieve goal:

- Define small lot size based on analysis of current parcel configurations. The Working Group recommends the small lot definition to be less than 9,375 SF.
- Vary parking requirements from smaller lot sizes 9,375 SF to larger lot sizes. Similar to the existing C-CCN, allow a gradation of parking requirements from smaller lots to larger lots.
- While requiring parking standards on small lots, also allow small lots to develop shared parking arrangements with adjacent or surrounding properties in conjunction with their own on-site requirements. The flexibility in small lot parking approach is based on the understanding that there is additional parking capacity within the district due to underutilized parking structure spaces. While this is not preferable for retail and short term visitors to the District, this could serve as employee parking within the district.
- Simplify or eliminate stepback/bulk reduction requirements for small lot developments.

Goal #4 - Transition from higher buildings along 2nd to lower buildings along 3rd.

Ways to achieve goal:

- Building heights should transition from maximum of eight stories along 2nd Avenue to three and four stories along 3rd Avenue.
 - 2nd Avenue – Maximum 8 story on north side
 - Mid-block – 5-7 stories
 - 3rd Avenue – 4 story with bulk plane south side and 4 story north side of the street
 - Steel Street – Same neighborhood protection as the north side of 3rd Avenue.
 - University Boulevard – 8 story between street and mid-block alley east of University Boulevard.

Goal #5 - Create height transition from 3rd Avenue to adjacent residential.

Ways to achieve goal:

- Building mass along north side of 3rd Avenue should be required to comply with bulk plane standards that provide transitions to adjacent residential neighborhoods (protected and control district provisions of DZC between CCN and G-RH-3 or other protected districts)

Goal #6 - Retain solar exposure to allow adequate sunlight on streets and between buildings.

Ways to achieve goal:

- Solar exposure standard recommended providing sun to the north side of 3rd Avenue for the winter shopping season.
- A bulk plane standard applied to side property line of larger lots will allow for more adequate sunlight on smaller lots and help prevent 'walled' streets.

Goal #7 - Prevent the creation of 'walled' or overly monolithic streets.

Ways to achieve goal:

- Horizontal building massing breaks above the 31' datum required to prevent continuous walls along street edges for building frontages over a certain length.
- Horizontal street level fenestration, modulation and articulation to encourage pedestrian scaled streetscape environment.
- Height variation along north-south block length of 500 feet strongly encouraged

Goal #8 - Activate ground floor.

Ways to achieve goal:

- 2nd story datum to reinforce pedestrian and neighborhood scale
- Require active street level with more doors and 20'-25' wide façade modules (note: 25' relates better to existing lot widths)
- Retain the 5' ground level setback currently in the CCN zone district

*Note: The existing DS&G already cover most aspects of ground floor activation

CCN Urban Form Example Regulatory Requirements

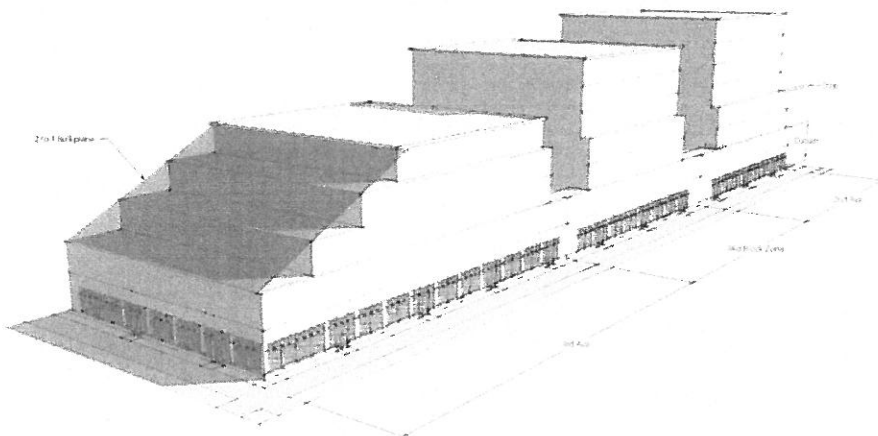
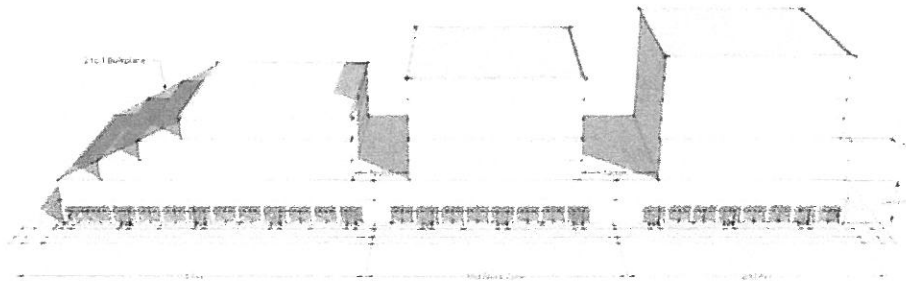
As a result of the goals and ideas created by the group, the following examples of standards and guidelines were developed to illustrate how the general goals developed by the Working Group can be translated into subsequent regulatory tools. This may include future regulatory instruments such as a new zoning for CCN, revised standards and guidelines or additional recommendations to the draft CCAP. This group was not charged with rewriting the new zoning code for CCN, and new code process will require an extended effort and require broad community involvement and input. These examples are intended to set the stage for future discussions and will require further testing before detailed zoning provisions can be finalized.

1. FAR: The FAR discussed by the group include:

- a. FAR Base 2.5
- b. FAR Incentives .5
 - i. .5 FAR premium is allowed if for additional residential uses above the 2.5 FAR base.

2. General Building heights Between 2nd and 3rd Avenue

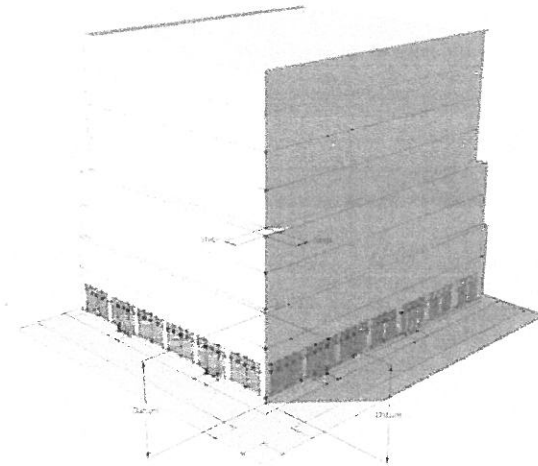
- a. 2nd Avenue - 8 story (approximately 110' maximum) along north side of 2nd Avenue to a depth of 150' (30% of block length) measured from the right of way line.
- b. Mid-Block - 5 to 7 story range (approximately 70' to 96' maximum) for mid block lots between 2nd and 3rd Avenue. 5 to 7 story buildings can be allowed from 150' north of 2nd Avenue to 200' south of 3rd Avenue. The distance should be measured from the north and south right of way lines.
- c. 3rd Avenue - to preserve solar access to the north side of street, a step backs with a 1:2.25 ratio, beginning at the 31' height, except for small lots (see Example Regulatory Requirement, item 5. C).
- d. 4 story along the north side of 3rd Avenue with bulk plane requirement next to adjacent residential along north side of 3rd Avenue (see Building Form, item d)



Illustrative Example: Potential building envelope for general building height and massing between 2nd Avenue and 3rd Avenue. (for illustrative purposes only) *Note: The illustrations above depict allowable building envelope only. This illustration does not illustrate buildings or architecture.

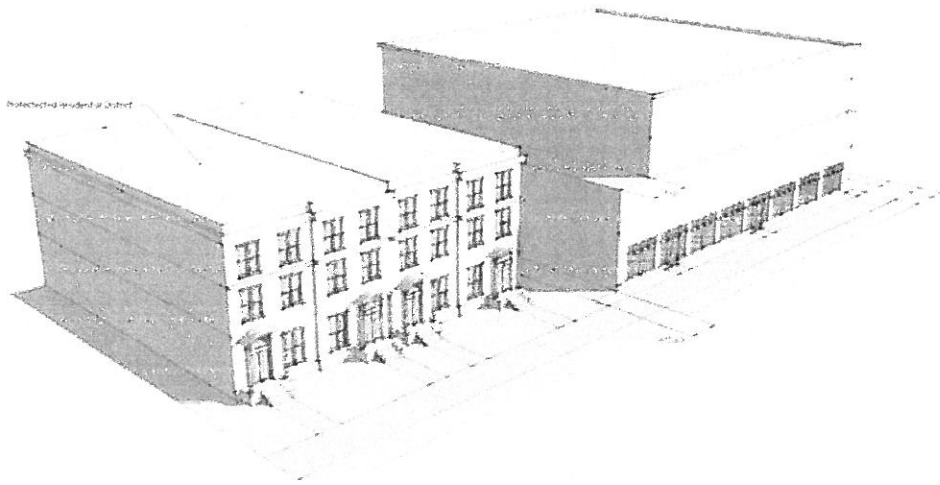
3. Building Form and Mass

- a. Datum - 2nd level (approx. 31') datum should be required throughout the district to break down building mass to neighborhood scale and provide architectural consistency. The datum will create a smooth transition between the residential areas to the north and the taller buildings south of 3rd Avenue. Portions of buildings beginning at the datum line, including balconies, should be set back a minimum of 12" for a minimum of two-thirds length of the building facing the street.
- b. 5th Story Setbacks - portions of buildings beginning at the 5th story, including balconies, should be set back a minimum of 5' for a minimum of two-thirds length of the building facing the street.
- c. Taller Buildings along 2nd Avenue
 - i. Taller buildings along the north side of 2nd Avenue should be located within the area immediately adjacent to 2nd Avenue, measured 150' from the property line along 2nd Avenue. Buildings are encouraged to provide a street-level setback for enhanced outdoor seating (sun pockets), café spaces and other activities that takes advantage of sun exposure on the north side of the street.
 - ii. Taller buildings along the north side of 2nd Avenue are allowed to have a maximum gross floor area per floor of 13,750 SF, including enclosed space within the building.



Illustrative Example: Taller building envelope along the north side of 2nd Avenue (for illustrative purposes only)

- d. **Buildings Adjacent to Residential Neighborhoods** - Although buildings can reach a maximum of 4 stories on the north side of 3rd Avenue, the building must insure it respects the residential neighborhood. Portions of the building immediately adjacent to residential properties should be no higher than the height of the adjoining building. This can be controlled through the protected district provisions of the DZC where CCN and G-RH-3 abut.



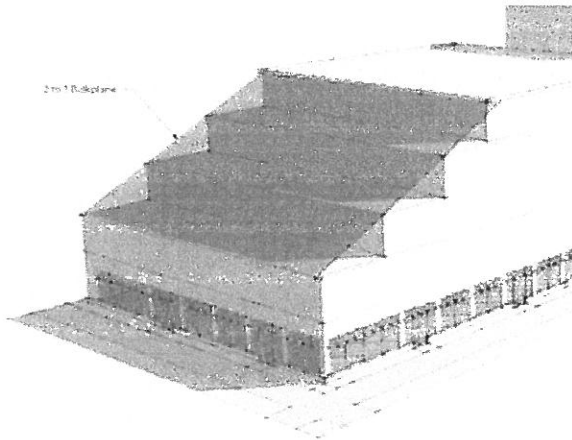
Illustrative Example: Adjacent residential transition along north side of 3rd Avenue (for illustrative purposes only)

4. Horizontal Building Length (Horizontal Mass and Scale)

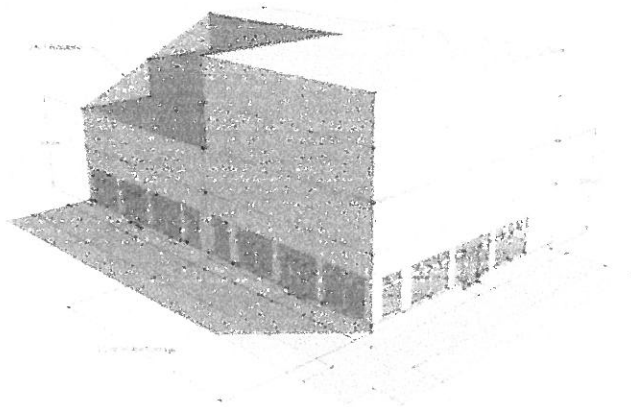
- a. Facades above 31' in height and longer than 150' in length and fronting a named street are required to provide an upper level notch to allow sun and exposure and to break up the building mass when viewed from a distance. The notch width should be approximately one third the height of the upper level building mass above 31'. This is intended to physically separate the upper level building massing into smaller volumes, or be designed to appear so. The aim to create identity, rhythm and variety.
- b. Individual building lengths that exceed 400' in length and fronting a named street are required to provide a mid-block pedestrian connection to the alley.
- c. Where the need for longer buildings can be demonstrated, consideration should be given to elements which break up the scale of building form.

5. Solar Exposure to Streets and Sidewalks

- a. Buildings along the south side of 3rd Avenue will be required to adhere to bulk limits which are defined by an imaginary plane beginning at the 31 foot height and set back 5 feet from the property line and extending up at a 1:2.25 ratio. This is to allow sun exposure on the northern sidewalk for the winter shopping season.
- b. Small Lot- to provide flexibility for properties along the south side of 3rd Avenue less than 9,375 SF, a maximum of 50% of the building frontage and resultant mass may intrude into the bulk plane.



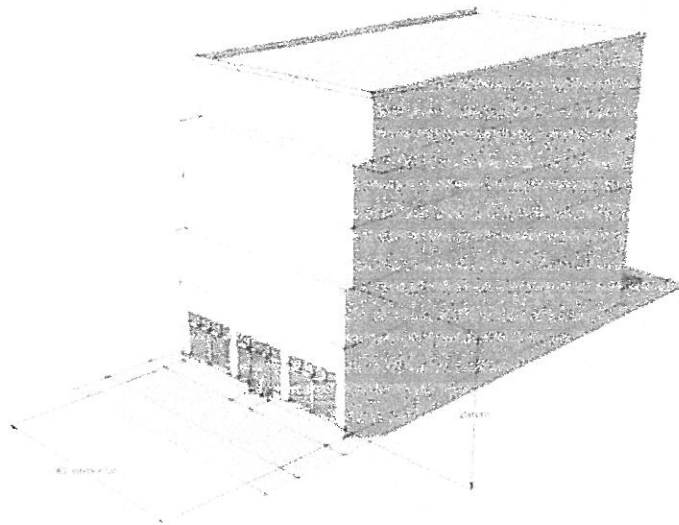
Illustrative Example: Solar exposure along the south side of 3rd Avenue (for illustrative purposes only)



Illustrative Example: Small lot along the south side of 3rd Avenue (for illustrative purposes only)

6. Small Lots

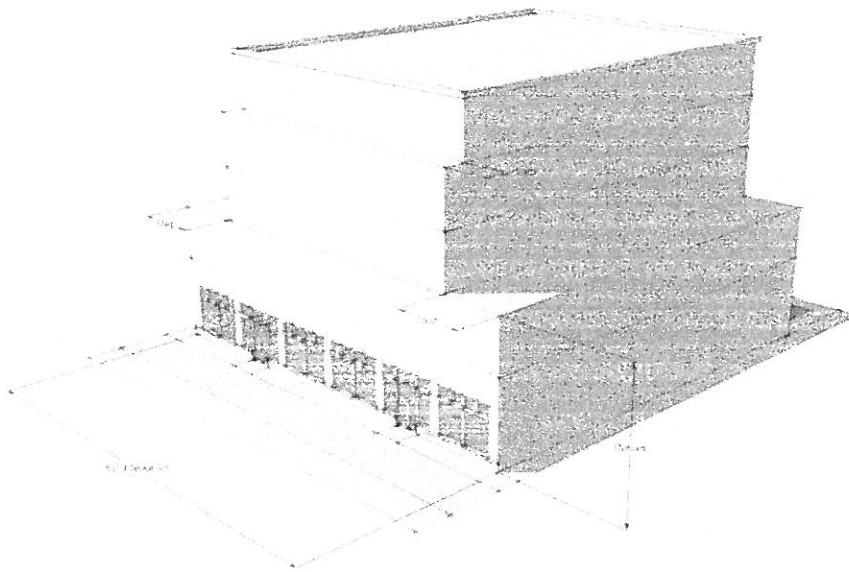
- a. Buildings on small lots (less than 9,375 SF) are too small to comply with the setbacks and bulk plane requirements. A building on such a site will not be required to adhere to setback or bulk plane requirements, but the 31' datum should be included as part of the building's architectural expression.
- b. Parking requirements on small lots should be reduced for non-residential use and residential use. 25% or some portion of the small lot parking requirement can also be achieved through shared parking agreements with adjacent properties or publicly accessible off-street parking within the district.



Illustrative Example: Small building envelope (for illustrative purposes only)

7. Large Lot Bulk Plane

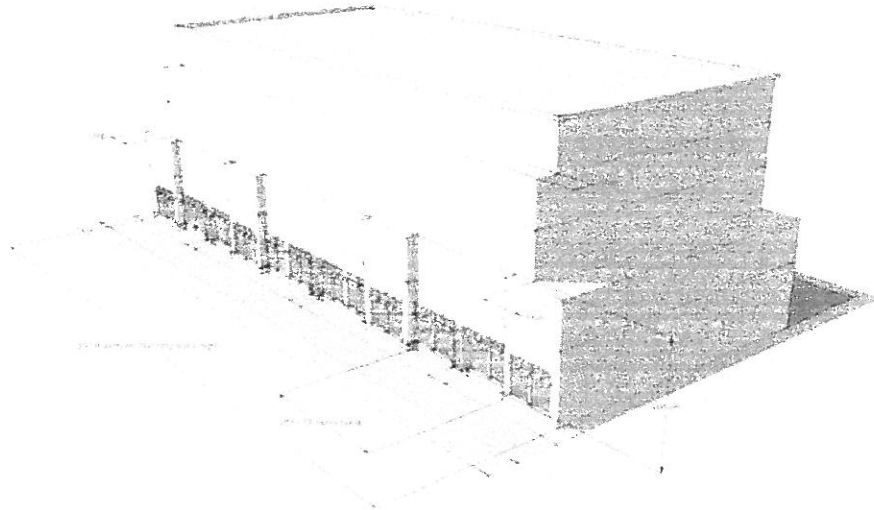
Lots that are 18,750 or larger (large lots) should comply with the setbacks and bulk plane requirements. A building on a large lot should be required to provide a side set back of 1:3, width to height ratio, beginning at the 31' height to allow sun and exposure to adjacent lots. The width of the side set back will be 1/3 the height of the building above the 31' datum level.



Illustrative Example: Large building envelope (for illustrative purposes only)

8. Building Base

- a. The building base below the datum will be designed to include human scale treatment of building mass, materials, texture and composition. Facades should be well articulated with interplay of rhythm between transparent glass and solid materials. Blank walls will be avoided and, if necessary must be well articulated. Air vents and mechanical equipment will not be located adjacent to the public realm or visible from the street level.



Illustrative Example: Horizontal breaks and modulation at street level (for illustrative purposes only)

9. Street Level or Surface Parking

- a. Surface parking shall only be allowed along the alley or at the rear of a site and no parking allowed above street level without a special review process.
- b. Street level parking garages shall be required to be buffered by street level commercial uses which are a minimum of 30' in depth along any public street.

Zoning Parking Requirement Comparison

The Denver Zoning Code sets minimum parking requirements for each use in each Neighborhood Context. Parking requirements are lower for more urban contexts. This table provides a comparison of these minimums for the C-CCN district with the Urban Center context (of which C-CCN is part) for the primary uses in Cherry Creek North. Parking requirements in C-CCN are higher than for the Suburban Context, which has the highest minimum parking.

Zone District/Context	Current C-CCN	Urban Center	Urban Form Working Group
Land Use			
Office	1/300 SF (3.33/1000)	1.25/1000 SF	Proposed 2/1000 SF
Retail	1/300 SF (3.33/1000)	1.25/1000 SF	Proposed 3/1000 SF
Residential	2/DU	.75/DU	Proposed 1.5 per unit

From: valerie cugini [<mailto:valeriec97@gmail.com>]

Sent: Saturday, August 18, 2012 11:53 AM

To: Robb, Jeanne - City Council Dist. #10

Cc: Hancock, Michael B. - Mayor's Office; Urbina, Molly A. - Community Planning and Development;

Susman, Mary Beth - City Council

Subject: Columbine Street Rezoning

Dear Ms. Robb,

I live in the CCN neighborhood and I fully support the rezoning efforts for Columbine Street and the old post office building. Working with the developers, city planners and a somewhat bullying, just say no neighborhood association has to be challenging. The CCNNA does not speak for all residents, their just say no to all change is part of the problem, not the solution.

I was part of the tiny neighborhood minority for Fillmore and I am happy and impressed with those changes & retailers. The city benefits from increased tax revenue and the area increases it "cache" with Jonathan Adler, Hermes, etc. Columbine can be just as vibrant and connect pedestrians safely to the south side of 1st Ave. I look forward to the overall Cherry Creek Connection plan that incorporates pedestrians, bikes and any trolleys, zips, or options from cars and Colorado Blvd.

Kind Regards,

Valerie Cugini
500 Garfield Street

From: [Urbina, Molly A. - Community Planning and Development](#)
To: [Burns, Andrea C - CPD Office of the Manager](#); [Dalton, Kyle A. - Community Planning and Development](#)
Cc: [Wenskoski, Todd T - CPD Planning Services](#); [Axelrad, Tina R. - Community Planning and Development](#); [Gordon, Steve D. - Community Planning and Development](#); [Brown, Carole A. - Community Planning and Development](#)
Subject: FW: Zoning in Cherry Creek North
Date: Monday, October 08, 2012 12:31:09 PM

Sincerely,

Molly A. Urbina

Interim Manager
Denver Community Planning and Development
201 W. Colfax, Dept. 205
Denver, CO 80202
720.865.2823 (phone)
720.865.3050 (fax)
molly.urbina@denvergov.org

Please take a moment to fill out our Customer Service Survey at
<http://www.DenverGov.Org/CPDSurvey>

From: Elyse Craig [mailto:cookiecraig7@gmail.com]
Sent: Sunday, October 07, 2012 5:52 PM
To: Urbina, Molly A. - Community Planning and Development
Subject: Fwd: Zoning in Cherry Creek North

Sent from my iPad

Begin forwarded message:

From: Elyse Craig <cookiecraig7@gmail.com>
Date: October 7, 2012, 5:39:04 PM MDT
To: "molly.urbine@denver.org" <molly.urbine@denver.org>
Subject: Fwd: Zoning in Cherry Creek North

Sent from my iPad

Begin forwarded message:

From: Elyse Craig <cookiecraig7@gmail.com>
Date: October 7, 2012, 5:35:07 PM MDT
To: "JeanneRobb@denvergov.org" <JeanneRobb@denvergov.org>
Subject: Zoning in Cherry Creek North

Sent from my iPad

Begin forwarded

October 7, 2012

Kyle and Elyse Craig
397 Clayton St

Denver, CO 80206

Dear Molly;

I am writing to express my opposition to the proposed rezoning application for the property at 245 Columbine Street in Cherry Creek North. This rezoning application will be considered at the October 17th Denver Planning Board meeting, and I urge you to also oppose this fragrant example of over-development.

My specific objections to the building proposed for this development between 2nd and 3rd Avenues are: the project does not comply with the agreed upon White Paper zoning and design recommendations; the size and density of this building are twice as large as 1st Avenue high rise buildings and out of character for Cherry Creek North; the proposed number of on-site parking spaces is totally inadequate; and the developer has refused to conduct a traffic impact analysis to estimate how project-generated traffic will affect surrounding neighborhoods.

I am especially upset and angry that the City is allowing the Planning Department to use a regulating plan provision on this project – a provision that will not allow important resident notification, review, and input on proposed building zoning and design issues. This regulating plan does not recognize and, in fact, ignores the use of the White Paper with its recommendations. The White Paper is the carefully constructed document that will maintain the critical balance between over-development and neighborhood quality of life... the document we Cherry Creek residents agreed to support.

Please help us save Cherry Creek from over-development by promoting smart development. Please oppose the rezoning at 245 Columbine Street. Please restore our faith in government.

Sincerely,

Kyle and Elyse Craig

Reply via web post	Reply to sender	Reply to group	Start a New Topic	Messages in this topic (1)
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From: [Urbina, Molly A. - Community Planning and Development](#)
To: [Burns, Andrea C - CPD Office of the Manager](#); [Dalton, Kyle A. - Community Planning and Development](#)
Cc: [Wenskoski, Todd T - CPD Planning Services](#); [Axelrad, Tina R. - Community Planning and Development](#); [Gordon, Steve D. - Community Planning and Development](#); [Brown, Carole A. - Community Planning and Development](#)
Subject: FW: CC Redevelopment
Date: Monday, October 08, 2012 12:30:45 PM

Sincerely,

Molly A. Urbina

Interim Manager
Denver Community Planning and Development
201 W. Colfax, Dept. 205
Denver, CO 80202
720.865.2823 (phone)
720.865.3050 (fax)
molly.urbina@denvergov.org

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From: Maris Riegel [mailto:rriegel@yahoo.com]
Sent: Sunday, October 07, 2012 3:01 PM
To: Urbina, Molly A. - Community Planning and Development
Subject: CC Redevelopment

Please stand behind the residents of CC in the proposed overdevelopment of the old PO site. The White Paper recommendations protect our neighborhood.

Even though the post office site surely needs redevelopment, its proposed overdevelopment in excess of the White Paper zoning recommendations will set a precedent and will detrimentally affect the quality of our neighborhood and our home property values. It is not known if the regulating plan for this project complies with the White Paper recommendations since CCNNA and CC residents are **not** allowed to review regulating plans. We would also like to see traffic studies, before approval.

Since White Paper recommendations and neighborhood input, so far, has been ignored by the Planning Committee and developers, our trust in City government is failing.

Sincerely

Bob and Maris Riegel

325 Cook Street

From: [Urbina, Molly A. - Community Planning and Development](#)
To: [Burns, Andrea C - CPD Office of the Manager](#); [Dalton, Kyle A. - Community Planning and Development](#)
Cc: [Wenskoski, Todd T - CPD Planning Services](#); [Axelrad, Tina R. - Community Planning and Development](#); [Gordon, Steve D. - Community Planning and Development](#); [Brown, Carole A. - Community Planning and Development](#)
Subject: FW: Opposition to 245 Columbine Rezoning and Development
Date: Monday, October 08, 2012 5:24:02 PM

Sincerely,

Molly A. Urbina

Interim Manager
Denver Community Planning and Development
201 W. Colfax, Dept. 205
Denver, CO 80202
720.865.2823 (phone)
720.865.3050 (fax)
molly.urbina@denvergov.org

Please take a moment to fill out our Customer Service Survey at
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From: Tierney Coburn [mailto:scoburn12@comcast.net]
Sent: Monday, October 08, 2012 2:51 PM
To: MileHighMayor - Mayor's Office; Robb, Jeanne - City Council Dist. #10; Urbina, Molly A. - Community Planning and Development; brad.buchanan@rnlidesign.com; Susman, Mary Beth - City Council
Subject: Opposition to 245 Columbine Rezoning and Development

October 8, 2012

Dear Mayor, Jeanne Robb, Marybeth Susman, Molly Urbina, Brad Buchanan,

We are writing to express our opposition to the proposed rezoning application for the property at 245 Columbine Street in Cherry Creek North. This rezoning application will be considered at the October 17th Denver Planning Board meeting, and we urge you to also oppose this flagrant example of over-development.

Specific objections to the building proposed for this development between 2nd and 3rd Avenues are: the project does not comply with the agreed upon White Paper zoning and design recommendations; the size and density of this building are **twice** as large as 1st Avenue high rise buildings and out of character for Cherry Creek North; the proposed number of on-site parking spaces is totally inadequate; and the developer has refused to conduct a traffic impact analysis to estimate how project-generated traffic will affect surrounding neighborhoods.

We are especially upset and angry that the City is allowing the Planning Department to use a regulating plan provision on this project – a provision that will not allow important resident notification, review, and input on proposed building zoning and design issues. This regulating plan does not recognize and, in fact, ignores the use of the White Paper with its recommendations. The White Paper is the carefully constructed document that will maintain the critical balance between over-development and neighborhood quality of life...the document we Cherry Creek residents agreed to support.

Please help us save Cherry Creek from over-development by promoting smart development. Please oppose the rezoning at 245 Columbine Street. Please keep our neighborhood the special place it is and not a highrise zone.

Sincerely,

Steve Coburn
Mary Tierney
445 Monroe St
Denver

From: [Urbina, Molly A. - Community Planning and Development](#)
To: [Burns, Andrea C - CPD Office of the Manager](#); [Dalton, Kyle A. - Community Planning and Development](#)
Cc: [Wenskoski, Todd T - CPD Planning Services](#); [Axelrad, Tina R. - Community Planning and Development](#); [Gordon, Steve D. - Community Planning and Development](#); [Brown, Carole A. - Community Planning and Development](#)
Subject: FW: Support FOR the Proposed Rezoning Application -245 Columbine - Cherry Creek North
Date: Monday, October 08, 2012 5:23:02 PM

Sincerely,

Molly A. Urbina

Interim Manager
Denver Community Planning and Development
201 W. Colfax, Dept. 205
Denver, CO 80202
720.865.2823 (phone)
720.865.3050 (fax)
molly.urbina@denvergov.org

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From: JAMES C BELOTE Owner [mailto:jaylin@q.com]
Sent: Monday, October 08, 2012 2:25 PM
To: Robb, Jeanne - City Council Dist. #10; MileHighMayor - Mayor's Office; Susman, Mary Beth - City Council; Urbina, Molly A. - Community Planning and Development; brad.buchanan@rnlidesign.com
Subject: Support FOR the Proposed Rezoning Application -245 Columbine - Cherry Creek North

To Whom It May Concern:

We are writing to express our support FOR the proposed rezoning application for the property at 245 Columbine in Cherry Creek North.

As property owners (542 Milwaukee St), we are growing increasingly disturbed by the CCNNA opposition to almost every project that is proposed for our dying community. We want the city leaders to recognize that there are residents who are supportive of growth and prosperity for our lovely neighborhood. The density issues/concerns, the "White Paper" recommendations, etc. etc. are certainly to be considered by any potential development, but they should not be overriding factors in determining redevelopment decisions.

The CCNNA seem to favor increasing the numbers of empty store fronts instead of a thriving, vibrant and prosperous residential/commercial community.

Please take our position, and that of other neighbors who share our position, but choose to remain silent, into consideration when making your final decision. We are extremely concerned that the continuing opposition to growth and change in the Cherry Creek North community will have a detrimental impact on our property values.

Thank you.

Sincerely,

James C. and Linda G. Belote

970-663-0006

From: [Urbina, Molly A. - Community Planning and Development](#)
To: [Burns, Andrea C - CPD Office of the Manager](#); [Dalton, Kyle A. - Community Planning and Development](#)
Cc: [Wenskoski, Todd T - CPD Planning Services](#); [Axelrad, Tina R. - Community Planning and Development](#); [Gordon, Steve D. - Community Planning and Development](#); [Brown, Carole A. - Community Planning and Development](#)
Subject: FW: 245 Columbine
Date: Monday, October 08, 2012 12:34:32 PM

Sincerely,

Molly A. Urbina

Interim Manager
Denver Community Planning and Development
201 W. Colfax, Dept. 205
Denver, CO 80202
720.865.2823 (phone)
720.865.3050 (fax)
molly.urbina@denvergov.org

Please take a moment to fill out our Customer Service Survey at
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From: Robb, Jeanne - City Council Dist. #10
Sent: Monday, October 08, 2012 10:39 AM
To: 'Donald Yale'
Cc: Urbina, Molly A. - Community Planning and Development
Subject: RE: 245 Columbine

Thank you for writing. I am copying the Planning Board who will be hearing about this rezoning next week.

Jeanne



Jeanne Robb
Denver City Council District 10
720-337-7710 Phone | 720-337-7717
Jeanne.Robb@denvergov.org

From: Donald Yale [mailto:donald.yale@gmail.com]
Sent: Monday, October 08, 2012 7:25 AM
To: Robb, Jeanne - City Council Dist. #10
Subject: 245 Columbine

I can't help but feel the redevelopment plans for 245 Columbine are being railroaded through the process without regard to the community and white paper. I agree with CCNA concerns about over development, parking and traffic issues. I am not against development, but the process needs to take into account more than the economic benefits to one developer. I live at 495 Cook.

--

Donald A. Yale
(h) 303-806-5191
(c) 303-809-2106

From: [Urbina, Molly A. - Community Planning and Development](#)
To: [Burns, Andrea C - CPD Office of the Manager](#); [Dalton, Kyle A. - Community Planning and Development](#)
Cc: [Wenskoski, Todd T - CPD Planning Services](#); [Axelrad, Tina R. - Community Planning and Development](#); [Gordon, Steve D. - Community Planning and Development](#); [Brown, Carole A. - Community Planning and Development](#)
Subject: FW: Rezoning Application 245 Columbine
Date: Monday, October 08, 2012 12:33:10 PM

Sincerely,

Molly A. Urbina

Interim Manager
Denver Community Planning and Development
201 W. Colfax, Dept. 205
Denver, CO 80202
720.865.2823 (phone)
720.865.3050 (fax)
molly.urbina@denvergov.org

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From: Paul Schrader [mailto:paulschrader@me.com]
Sent: Monday, October 08, 2012 9:57 AM
To: MileHighMayor - Mayor's Office; Robb, Jeanne - City Council Dist. #10; Urbina, Molly A. - Community Planning and Development; maryellen.susman@denvergov.org; brad.buchanan@rnl.design
Subject: Rezoning Application 245 Columbine

The proposed rezoning application at 245 Columbine does the following:

- Fails to comply with the White Paper zoning and design recommendations, which was so carefully and appropriately developed, with regard to size, density, parking sites and character with the neighborhood.
- Substitutes a regulating plan provision by the Planning Department that ignores residential views and represents arrogant abuse of power at the expense of our community

Please help us save Cherry Creek from over-development by promoting smart development that considers the community rather than the developers. Do your job and provide leadership by opposing the rezoning at 245 Columbine Street. Please restore our faith in each of you and in good government.

Paul and Carolyn Schrader
paulschrader@me.com
720-201-0716

From: [Urbina, Molly A. - Community Planning and Development](#)
To: [Burns, Andrea C - CPD Office of the Manager](#); [Dalton, Kyle A. - Community Planning and Development](#)
Cc: [Wenskoski, Todd T - CPD Planning Services](#); [Axelrad, Tina R. - Community Planning and Development](#); [Gordon, Steve D. - Community Planning and Development](#); [Brown, Carole A. - Community Planning and Development](#)
Subject: FW: 245 Columbine rezoning and development
Date: Monday, October 08, 2012 12:31:42 PM

Sincerely,

Molly A. Urbina

Interim Manager
Denver Community Planning and Development
201 W. Colfax, Dept. 205
Denver, CO 80202
720.865.2823 (phone)
720.865.3050 (fax)
molly.urbina@denvergov.org

Please take a moment to fill out our Customer Service Survey at
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From: Polly P. Reetz [mailto:reetzfam@juno.com]
Sent: Sunday, October 07, 2012 10:16 PM
To: Robb, Jeanne - City Council Dist. #10; maryellen.susman@denvergov.org
Cc: Urbina, Molly A. - Community Planning and Development; brad.buchanan@mldesign.com
Subject: 245 Columbine rezoning and development

Councilwoman Jeanne Robb
Councilwoman Mary Beth Susman
City and County of Denver
1437 Bannock St., Rm. 493
Denver, CO 8020

Dear Jeanne and Councilwoman Susman:

I am writing first, to thank you for opposing Tax Increment Financing for the Fuqua proposed development, including Walmart, at 9th and Colorado. I hope that discussions with the developer will be fruitful and that something different can be created at the old Health Sciences Center, that will still contribute to the life and vibrancy of the neighborhood and the city.

Second, I want to express our opposition to the proposed rezoning application for the old post office building at 245 Columbine Street. This development doesn't comply with the White Paper zoning and design recommendations that were put together at your behest, and that took three months of very hard work by CCN architects and City Planning staff to develop. It just doesn't make sense to do all that work, and get the White Paper attached to the Cherry Creek Master Plan, and then just ignore the document. The proposed development will be completely out of character with the rest of Cherry Creek north of 1st Avenue. The Master Plan contains a lot of language about preserving the character and ambience of Cherry Creek North. Is that all just talk?

Two other things that bother us about the 245 Columbine development are 1) impacts on

traffic. The developer has refused to conduct a traffic impact analysis to estimate how project-generated traffic will affect the surrounding neighborhoods. We already have traffic problems in Cherry Creek North! Too much traffic will make people reluctant to come to the area, and its tax generation properties will suffer. 2) the fact that the City is using a "regulating" plan provision for this project that will not allow resident notification, review and input on zoning and design issues. This suggests that the City isn't committed to listening to its residents or to promoting public input.

Certainly the old post office building needs to be demolished and the property redeveloped. But it should be done under the auspices of the White Paper that you and all the stakeholders agreed on some months ago and should promote appropriate development, not massive over-development that is out of character for Cherry Creek North.

Thank you very much for considering this matter.

Gene and Polly Reetz
470 CLayton St
Denver, CO 80206

From: [Urbina, Molly A. - Community Planning and Development](#)
To: [Burns, Andrea C - CPD Office of the Manager](#); [Dalton, Kyle A. - Community Planning and Development](#)
Cc: [Wenskoski, Todd T - CPD Planning Services](#); [Axelrad, Tina R. - Community Planning and Development](#); [Gordon, Steve D. - Community Planning and Development](#); [Brown, Carole A. - Community Planning and Development](#)
Subject: FW: rezoning application for 245 Columbine St. CC North (old post office building)
Date: Monday, October 08, 2012 12:33:33 PM

Sincerely,

Molly A. Urbina

Interim Manager
Denver Community Planning and Development
201 W. Colfax, Dept. 205
Denver, CO 80202
720.865.2823 (phone)
720.865.3050 (fax)
molly.urbina@denvergov.org

Please take a moment to fill out our Customer Service Survey at
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From: jfdurzo@aol.com [<mailto:jfdurzo@aol.com>]
Sent: Monday, October 08, 2012 10:31 AM
To: MileHighMayor - Mayor's Office; maryellen.susman@denvergov.org; Urbina, Molly A. - Community Planning and Development; brad.buchanan@rnldesign.com
Subject: rezoning application for 245 Columbine St. CC North (old post office building)

Dear Folks:

I am writing to express my opposition to the proposed rezoning application for the property at 245 Columbine Street in Cherry Creek North. This rezoning application will be considered at the October 17th Denver Planning Board meeting, and I urge you to also oppose this fragrant example of over-development.

My specific objections to the building proposed for this development between 2nd and 3rd Avenues are: the project does not comply with the agreed upon White Paper zoning and design recommendations; the size and density of this building are twice as large as 1st Avenue high rise buildings and out of character for Cherry Creek North; the proposed number of on-site parking spaces is totally inadequate; and the developer has refused to conduct a traffic impact analysis to estimate how project-generated traffic will affect surrounding neighborhoods.

I am especially upset and angry that the City is allowing the Planning Department to use a regulating plan provision on this project – a provision that will not allow important resident notification, review, and input on proposed building zoning and design issues. This regulating plan does not recognize and, in fact, ignores the use of the White Paper with its recommendations. The White Paper is the carefully constructed document that will maintain the critical balance between over-development and neighborhood quality of life...the document we Cherry Creek residents agreed to support.

Please help us save Cherry Creek from over-development by promoting smart development. Please oppose the rezoning at 245 Columbine Street. Please restore our faith in government.

Sincerely,

Judy Durzo

Judy Durzo

352 Jackson St.
Denver, CO 80206

From: [Urbina, Molly A. - Community Planning and Development](#)
To: [Burns, Andrea C - CPD Office of the Manager](#); [Dalton, Kyle A. - Community Planning and Development](#)
Cc: [Wenskoski, Todd T - CPD Planning Services](#); [Axelrad, Tina R. - Community Planning and Development](#); [Gordon, Steve D. - Community Planning and Development](#); [Brown, Carole A. - Community Planning and Development](#)
Subject: FW: WHAT IS WRONG WITH OUR ELECTED OFFICIALS??? WHO DO YOU SUPPORT? DEVELOPERS OR CONSTITUENTS?
Date: Monday, October 08, 2012 12:35:25 PM

Sincerely,

Molly A. Urbina

Interim Manager
Denver Community Planning and Development
201 W. Colfax, Dept. 205
Denver, CO 80202
720.865.2823 (phone)
720.865.3050 (fax)
molly.urbina@denvergov.org

Please take a moment to fill out our Customer Service Survey at
<http://www.DenverGov.Org/CPDSurvey>

From: Jetta Dailey [mailto:daileyjet@comcast.net]
Sent: Monday, October 08, 2012 11:25 AM
To: Urbina, Molly A. - Community Planning and Development
Subject: WHAT IS WRONG WITH OUR ELECTED OFFICIALS??? WHO DO YOU SUPPORT? DEVELOPERS OR CONSTITUENTS?

Dear Ms. Urbina,

I am writing to express my opposition to the proposed rezoning application for the property at 245 Columbine Street in Cherry Creek North. This rezoning application will be considered at the October 17th Denver Planning Board meeting, and I urge you to also oppose this flagrant example of over-development.

My specific objections to the building proposed for this development between 2nd and 3rd Avenues are: the project does not comply with the agreed upon White Paper zoning and design recommendations; the size and density of this building are twice as large as 1st Avenue high rise buildings and out of character for Cherry Creek North; the proposed number of on-site parking spaces is totally inadequate; and the developer has refused to conduct a traffic impact analysis to estimate how project-generated traffic will affect surrounding neighborhoods.

I am especially upset and angry that the City is allowing the Planning Department to use a regulating plan provision on this project – a provision that will not allow important resident notification, review, and input on proposed building zoning and design issues. This regulating plan does not recognize and, in fact, ignores the use of the White Paper with its recommendations. The White Paper is the carefully constructed document that will maintain the critical balance between over-development and neighborhood quality of life...the document we Cherry Creek

residents agreed to support.

Please help us save Cherry Creek from over-development by promoting smart development. Please oppose the rezoning at 245 Columbine Street. Please restore our faith in government.

Jetta Dailey daileyjet@comcast.net
552 Steele St.
Denver, CO 80206
303-947-6500 (cell)

From: [Urbina, Molly A. - Community Planning and Development](#)
To: [Burns, Andrea C - CPD Office of the Manager](#); [Dalton, Kyle A. - Community Planning and Development](#)
Cc: [Wenskoski, Todd T - CPD Planning Services](#); [Axelrad, Tina R. - Community Planning and Development](#); [Gordon, Steve D. - Community Planning and Development](#); [Brown, Carole A. - Community Planning and Development](#)
Subject: FW: Stop Cherry Creek overdevelopment
Date: Monday, October 08, 2012 1:26:07 PM

Sincerely,

Molly A. Urbina

Interim Manager
Denver Community Planning and Development
201 W. Colfax, Dept. 205
Denver, CO 80202
720.865.2823 (phone)
720.865.3050 (fax)
molly.urbina@denvergov.org

Please take a moment to fill out our Customer Service Survey at
<http://www.DenverGov.Org/CPDSurvey>

From: april connolly [mailto:msaprilc@gmail.com]
Sent: Monday, October 08, 2012 1:18 PM
To: Urbina, Molly A. - Community Planning and Development
Subject: Stop Cherry Creek overdevelopment

October 8, 2012

Dear Director Urbina,

I am writing to express my opposition to the proposed rezoning application for the property at 245 Columbine Street in Cherry Creek North. This rezoning application will be considered at the October 17th Denver Planning Board meeting, and I urge you to also oppose this fragrant example of over-development.

My specific objections to the building proposed for this development between 2nd and 3rd Avenues are: the project does not comply with the agreed upon White Paper zoning and design recommendations; the size and density of this building are twice as large as 1st Avenue high rise buildings and out of character for Cherry Creek North; the proposed number of on-site parking spaces is totally inadequate; and the developer has refused to conduct a traffic impact analysis to estimate how project-generated traffic will affect surrounding neighborhoods.

I am especially upset and angry that the City is allowing the Planning Department to use a regulating plan provision on this project – a provision that will not allow important resident notification, review, and input on proposed building zoning and design issues. This regulating plan does not recognize and, in fact, ignores the use of the White Paper with its recommendations. The White Paper is the carefully constructed document that will maintain the critical balance between over-development and neighborhood quality of life...the document we Cherry Creek

residents agreed to support.

Please help us **save Cherry Creek from over-development** by promoting **smartdevelopment**. Please oppose the rezoning at 245 Columbine Street. Please restore our faith in government.

Sincerely,
April Connolly
3603 E 2nd Ave
Denver, CO 80206

From: [Urbina, Molly A. - Community Planning and Development](#)
To: [Burns, Andrea C - CPD Office of the Manager](#); [Dalton, Kyle A. - Community Planning and Development](#)
Cc: [Wenskoski, Todd T - CPD Planning Services](#); [Axelrad, Tina R. - Community Planning and Development](#); [Gordon, Steve D. - Community Planning and Development](#); [Brown, Carole A. - Community Planning and Development](#)
Subject: FW: OPPOSITION to 245 Columbine Rezoning Application
Date: Monday, October 08, 2012 12:32:49 PM

Sincerely,

Molly A. Urbina

Interim Manager
Denver Community Planning and Development
201 W. Colfax, Dept. 205
Denver, CO 80202
720.865.2823 (phone)
720.865.3050 (fax)
molly.urbina@denvergov.org

Please take a moment to fill out our Customer Service Survey at
<http://www.DenverGov.Org/CPDSurvey>

From: Susan & Jon Bernhardt [mailto:jsbernhardt@gmail.com]
Sent: Monday, October 08, 2012 9:51 AM
To: Robb, Jeanne - City Council Dist. #10
Cc: brad.buchanan@rnlidesign.com; MileHighMayor - Mayor's Office; maryellen.susman@denvergov.org; Urbina, Molly A. - Community Planning and Development
Subject: OPPOSITION to 245 Columbine Rezoning Application

Dear Councilwoman Robb:

We are writing to express our strong opposition to the proposed rezoning application for the property at 245 Columbine Street in Cherry Creek North. This application is on the agenda for the October 17, 2012 Denver Planning Board meeting.

We have lived in Cherry Creek North for several years. Cherry Creek North is a unique neighborhood with an unrivaled mix of residential and commercial development. Much of the commercial building stock is dated and in need of replacement and redevelopment. To address this need, you, in conjunction with the Mayor's Office, set up a working group of Cherry Creek stakeholders to develop a broad-based plan. This working group listened to all points of view and, based on that wide input, developed a White Paper with a comprehensive plan for long-range development of the entire Cherry Creek neighborhood. The White Paper was the product of thoughtful compromise in an effort to recognize the needs of all Cherry Creek constituents, including businesses and residents. The White Paper provides for balanced density increases across the neighborhood.

The White Paper was included as an appendix to the new Cherry Creek Plan.

The proposed application ignores the White Paper and the Cherry Creek Plan. It would permit a very high density development of a single block. It would provide for inadequate parking. It would reward one entity – the developer. The cost of rewarding that single entity would be borne by the rest of the neighborhood. The neighborhood would suffer the increased traffic from the new development. The

neighborhood would suffer the increased demand for parking from that traffic. The neighborhood would suffer the aesthetic damage of a disproportionately large building adjacent to other development on a much more human scale.

The proposed application would also establish dangerous precedents. First, it would reward an individual developer who ignored the concerns and inputs of other neighborhood constituents and made a political end-run around the White Paper. Second, it would be cited by the next developer who wants to pursue a very high density development inconsistent with the White Paper and Cherry Creek Plan.

There is room in Cherry Creek for everybody. The applicant could develop this property consistent with the White Paper and with an adequate return on investment.

We urge you to oppose this application and send the applicant back to the drawing board with encouragement to propose a new application consistent with the White Paper and the Cherry Creek Plan.

Thank you very much.

Jon and Susan Bernhardt
122 Garfield St.
Denver, CO 80206

From: [Urbina, Molly A. - Community Planning and Development](#)
To: [Burns, Andrea C - CPD Office of the Manager](#); [Dalton, Kyle A. - Community Planning and Development](#)
Cc: [Wenskoski, Todd T - CPD Planning Services](#); [Axelrad, Tina R. - Community Planning and Development](#); [Gordon, Steve D. - Community Planning and Development](#); [Brown, Carole A. - Community Planning and Development](#)
Subject: FW: CCN development
Date: Monday, October 08, 2012 5:41:23 PM

Sincerely,

Molly A. Urbina

Interim Manager
Denver Community Planning and Development
201 W. Colfax, Dept. 205
Denver, CO 80202
720.865.2823 (phone)
720.865.3050 (fax)
molly.urbina@denvergov.org

Please take a moment to fill out our Customer Service Survey at
<http://www.DenverGov.Org/CPDSurvey>

From: Nancy Tucker [mailto:nantuck1@msn.com]
Sent: Monday, October 08, 2012 5:28 PM
To: Nancy Tucker
Subject: CCN development

I am writing to express my opposition to the proposed rezoning application for the property at 245 Columbine Street in Cherry Creek North. This rezoning application will be considered at the October 17th Denver Planning Board meeting, and I urge you to also oppose this flagrant example of over-development.

My specific objections to the building proposed for this development between 2nd and 3rd Avenues are: the project does not comply with the agreed upon White Paper zoning and design recommendations; the size and density of this building are twice as large as 1st Avenue high rise buildings and out of character for Cherry Creek North; the proposed number of on-site parking spaces is totally inadequate; and the developer has refused to conduct a traffic impact analysis to estimate how project-generated traffic will affect surrounding neighborhoods.

I am especially upset and angry that the City is allowing the Planning Department to use a regulating plan provision on this project – a provision that will not allow important resident notification, review, and input on proposed building zoning and design issues. This regulating plan does not recognize and, in fact, ignores the use of the White Paper with its recommendations. The White Paper is the carefully constructed document that will maintain the critical balance between over-development and neighborhood quality of life...the document we Cherry Creek residents agreed to support.

Please help us save Cherry Creek from over-development by promoting smart development. Please oppose the rezoning at 245 Columbine Street. Please restore our faith in government.

Sincerely,
Nancy Tucker
441 Garfield St.
Denver, CO 80206

From: [Urbina, Molly A. - Community Planning and Development](#)
To: [Burns, Andrea C - CPD Office of the Manager](#); [Dalton, Kyle A. - Community Planning and Development](#)
Cc: [Wenskoski, Todd T - CPD Planning Services](#); [Axelrad, Tina R. - Community Planning and Development](#); [Gordon, Steve D. - Community Planning and Development](#); [Brown, Carole A. - Community Planning and Development](#)
Subject: FW:
Date: Monday, October 08, 2012 5:06:44 PM

Sincerely,

Molly A. Urbina

Interim Manager
Denver Community Planning and Development
201 W. Colfax, Dept. 205
Denver, CO 80202
720.865.2823 (phone)
720.865.3050 (fax)
molly.urbina@denvergov.org

Please take a moment to fill out our Customer Service Survey at
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From: Dick Torrissi [mailto:dicktorrissi@comcast.net]
Sent: Monday, October 08, 2012 1:57 PM
To: Robb, Jeanne - City Council Dist. #10; MileHighMayor - Mayor's Office; maryellen.susman@denvergov.org; Urbina, Molly A. - Community Planning and Development; brad.buchanan@rnldesign.com
Cc: 'Wayne New'; Susman, Mary Beth - City Council
Subject: RE:

Thanks for your always prompt reply Jeanne.

I erred when I mentioned the Western project, although as an individual stakeholder I am not exactly in favor of their plan either, regardless of CCNNA. ***I had intended to address the 245 Columbine project (the old Post Office).*** That one is really reckless and irresponsible and I hope it is in your gun sights.

Dick

From: Robb, Jeanne - City Council Dist. #10 [mailto:Jeanne.Robb@denvergov.org]
Sent: Monday, October 08, 2012 10:36 AM
To: 'Dick Torrissi'; MileHighMayor - Mayor's Office; maryellen.susman@denvergov.org; Urbina, Molly A. - Community Planning and Development; brad.buchanan@rnldesign.com
Cc: Wayne New
Subject: RE:

Hi, Dick,

Thanks for writing I have heard that your neighborhood association no longer opposes the Western Development because the regulating plan indicates that they are very closely in sync with the White Paper recommendations.

You are right that we have worked long and hard. CCNNA also approved the Cherry Creek Area Plan with the recommendations along First Avenue.
But I know a lot of concern remains in the neighborhood.

Jeanne



Jeanne Robb
Denver City Council District 10
720-337-7710 Phone | 720-337-7717
Jeanne.Robb@denvergov.org

From: Dick Torrisi [mailto:dicktorrisi@comcast.net]
Sent: Monday, October 08, 2012 9:34 AM
To: MileHighMayor - Mayor's Office; Robb, Jeanne - City Council Dist. #10; maryellen.susman@denvergov.org; Urbina, Molly A. - Community Planning and Development; brad.buchanan@rnldesign.com
Cc: Wayne New
Subject:

An open letter to the leaders of the City I have loved, supported and helped to develop for more than half a century. –

The Business Improvement District (BID) of Cherry Creek is a 16 block island surrounded by the most desirable and most heavily taxed residential neighborhoods in Denver. The BID developed over the years to its present state largely due to its location within these neighborhoods and the support of those neighbors.

Because of the desirability of the BID to investor/developers and its supportive surrounding neighborhoods, Cherry Creek North is destined to be further developed and re-developed as its commercial real estate parcels change hands. While it is disappointing in many cases to see the business character of the BID changing from its smaller more personal nature to larger absentee operated stores, it is inevitable as growth occurs.

Your responsibility here and indeed your obligation to our City is to see to it that this development not only be *smart* but also that it be *responsible development*. Cherry Creek North is not an extension of downtown Denver. *It is an urban village*. It is a commercial and residential oasis. It is not adjacent to any industrial activity. It is nurtured by its surrounding neighborhoods. It does not stick out like a sore thumb. It is not an intrusion into the landscape.

Current requests for zoning to allow height and density increases, double those now

permitted, present a dangerous precedent for this nationally praised and highly coveted area. While Denver seems to be in a pro-development direction at this time, it is vital to ensure that desire for short term gain does not over rule its long term vision. This task is in your hands.

There has been considerable effort to assist you in this task. Three months of intensive effort involving CCN architects, City planning staff, the CC Steering Committee and the CCNNA produced a White Paper as an appendix to the Cherry Creek Plan. Please don't ignore it. The Western Development Plan for Columbine Street as currently submitted is an intrusion that must be modified, or the future of CCN will be forever compromised.

The responsibility lies within you, the Denver leadership. Please look before you leap. Thanks for your attention to this matter.

Dick Torrisi dicktorrisi@comcast.net

From: [Urbina, Molly A. - Community Planning and Development](#)
To: [Burns, Andrea C - CPD Office of the Manager](#); [Dalton, Kyle A. - Community Planning and Development](#)
Cc: [Wenskoski, Todd T - CPD Planning Services](#); [Axelrad, Tina R. - Community Planning and Development](#); [Gordon, Steve D. - Community Planning and Development](#); [Brown, Carole A. - Community Planning and Development](#)
Subject: FW: Opposition to 245 Columbine Rezoning and Development
Date: Monday, October 08, 2012 5:34:39 PM

Sincerely,

Molly A. Urbina

Interim Manager
Denver Community Planning and Development
201 W. Colfax, Dept. 205
Denver, CO 80202
720.865.2823 (phone)
720.865.3050 (fax)
molly.urbina@denvergov.org

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From: Robert Roper [mailto:roperlaw@comcast.net]
Sent: Monday, October 08, 2012 3:50 PM
To: Robb, Jeanne - City Council Dist. #10; MileHighMayor - Mayor's Office; maryellen.susman@denvergov.org; Urbina, Molly A. - Community Planning and Development; brad.buchanan@rnldesign.com
Cc: 'Lee Clayton Roper'
Subject: Opposition to 245 Columbine Rezoning and Development

Ladies & Gentlemen:

Please note our strong objection to the proposed rezoning application for the property at 245 Columbine Street in Cherry Creek North, which will be considered at the October 17th Denver Planning Board meeting. We urge you to reject this application as an extreme example of over-development in our neighborhood.

More particularly, we are concerned principally because the project does not comply with the agreed upon White Paper zoning and design recommendations, a carefully constructed plan designed to maintain the critical balance between over-development and neighborhood quality of life...the document we Cherry Creek residents agreed to support. In addition, the size and density of this building are twice as large as 1st Avenue high rise buildings, and are grossly out of character for Cherry Creek North; the proposed number of on-site parking spaces is totally inadequate; and the developer has refused to conduct a traffic impact analysis to estimate how project-generated traffic will affect surrounding neighborhoods.

We also oppose the City allowing the Planning Department to use a regulating plan provision on this project – a procedure that will prevent important resident notification, review, and input on proposed building zoning and design issues. This regulating plan does not recognize and, in fact, ignores the use of the White Paper with its recommendations.

We're counting on your help to save Cherry Creek from over-development by promoting smart development. Please oppose the rezoning at 245 Columbine Street.

Sincerely,

/Lee & Robert Roper/

209 Cook St.

From: [Urbina, Molly A. - Community Planning and Development](#)
To: [Burns, Andrea C - CPD Office of the Manager](#); [Dalton, Kyle A. - Community Planning and Development](#)
Cc: [Wenskoski, Todd T - CPD Planning Services](#); [Axelrad, Tina R. - Community Planning and Development](#); [Gordon, Steve D. - Community Planning and Development](#); [Brown, Carole A. - Community Planning and Development](#)
Subject: FW: 245 Columbine- Denver
Date: Tuesday, October 09, 2012 1:22:31 PM

Sincerely,

Molly A. Urbina

Interim Manager
Denver Community Planning and Development
201 W. Colfax, Dept. 205
Denver, CO 80202
720.865.2823 (phone)
720.865.3050 (fax)
molly.urbina@denvergov.org

Please take a moment to fill out our Customer Service Survey at
<http://www.DenverGov.Org/CPDSurvey>

From: Dwight Stenseth [mailto:dwight.stenseth@gmail.com]
Sent: Tuesday, October 09, 2012 10:17 AM
To: Urbina, Molly A. - Community Planning and Development
Subject: 245 Columbine- Denver

Dear Molly-

I am writing to express my opposition to the proposed rezoning application for the property at 245 Columbine Street in Cherry Creek North. This rezoning application will be considered at the October 17th Denver Planning Board meeting, and I urge you to oppose this flagrant example of over-development.

My specific objections to the building proposed for this development between 2nd and 3rd Avenues are as follows:

- the project does not comply with the agreed upon White Paper zoning and design recommendations
- the size and density of this building are twice as large as 1st Avenue high rise buildings and out of character for Cherry Creek North
- the proposed number of on-site parking spaces is totally inadequate
- the developer has refused to conduct a traffic impact analysis to estimate how project-generated traffic will affect surrounding neighborhoods

I am especially concerned that the City is allowing the Planning Department to use a regulating plan provision on this project. This provision will not allow important resident notification, review, and input on proposed building zoning and design issues. This regulating plan does not recognize and, in fact, ignores the use of the White Paper with its recommendations. The White Paper is the carefully constructed document that will maintain the critical balance between over-development and neighborhood quality of life...the

document we Cherry Creek residents agreed to support.

Please help us save Cherry Creek from over-development by promoting smart development. Please oppose the rezoning at 245 Columbine Street and help restore our faith in Denver city government.

Thank you for your attention to this matter.

Dwight Stenseth
287 Jackson Street
Denver, CO 80206
[303-517-8632](tel:303-517-8632)

From: [Urbina, Molly A. - Community Planning and Development](#)
To: [Burns, Andrea C - CPD Office of the Manager](#); [Dalton, Kyle A. - Community Planning and Development](#)
Cc: [Wenskoski, Todd T - CPD Planning Services](#); [Axelrad, Tina R. - Community Planning and Development](#); [Gordon, Steve D. - Community Planning and Development](#); [Brown, Carole A. - Community Planning and Development](#)
Subject: FW: 245 Columbine Rezoning Opposition
Date: Tuesday, October 09, 2012 1:18:25 PM

Sincerely,

Molly A. Urbina

Interim Manager
Denver Community Planning and Development
201 W. Colfax, Dept. 205
Denver, CO 80202
720.865.2823 (phone)
720.865.3050 (fax)
molly.urbina@denvergov.org

Please take a moment to fill out our Customer Service Survey at
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From: cgmurata@aol.com [mailto:cgmurata@aol.com]
Sent: Tuesday, October 09, 2012 1:14 PM
To: Urbina, Molly A. - Community Planning and Development
Subject: 245 Columbine Rezoning Opposition

October 9, 2012

Acting Planning Director Molly Urbina

201 W. Colfax Ave., 2nd Floor, Denver, CO 80202

Dear Planning Director Molly,

I am writing to express my opposition to the proposed rezoning application for the property at 245 Columbine Street in Cherry Creek North. This rezoning application will be considered at the October 17th Denver Planning Board meeting, and I urge you to also oppose this painful example of over-development.

My specific objections to the building proposed for this development between 2nd and 3rd Avenues are: the project does not comply with the agreed upon White Paper zoning and design recommendations; the size and density of this building are twice as large as 1st Avenue high rise buildings and out of character for Cherry Creek North; the proposed number of on-site parking spaces is totally inadequate; and the developer has refused to conduct a traffic impact analysis to estimate how project-generated traffic will affect surrounding neighborhoods.

I am especially upset and angry that the City is allowing the Planning Department to use a regulating plan provision on this project – a provision that will not allow important resident notification, review, and input on proposed building zoning and design issues. This regulating plan does not recognize and, in

fact, ignores the use of the White Paper with its recommendations. The White Paper is the carefully constructed document that will maintain the critical balance between over-development and neighborhood quality of life...the document we Cherry Creek residents agreed to support.

Please help us save Cherry Creek from over-development by promoting smart development. Please oppose the rezoning at 245 Columbine Street. Please restore our faith in government.

Sincerely,

Chris Murata – Cherry Creek North resident

From: [Urbina, Molly A. - Community Planning and Development](#)
To: [Dalton, Kyle A. - Community Planning and Development](#); [Burns, Andrea C - CPD Office of the Manager](#)
Cc: [Wenskoski, Todd T - CPD Planning Services](#); [Axelrad, Tina R. - Community Planning and Development](#); [Gordon, Steve D. - Community Planning and Development](#); [Brown, Carole A. - Community Planning and Development](#)
Subject: Fw: Opposition to current development plans for 245 Columbine, Cherry Creek North.
Date: Tuesday, October 09, 2012 4:48:00 PM

From: Geoff Cullen [mailto:geoffcullen@comcast.net]
Sent: Tuesday, October 09, 2012 02:19 PM
To: Urbina, Molly A. - Community Planning and Development
Subject: Opposition to current development plans for 245 Columbine, Cherry Creek North.

Dear Molly Urbina,
Acting Planning Director

I would like add my voice to neighbourhood opposition against the currently proposed plans for development of 245 Columbine Street in Cherry Creek North.

My main concerns are;

- 1) By apparently ignoring the neighbourhood White Paper that defines zoning and design recommendations, City Planning seems to disregard the express wishes of neighbourhood members, specifically, that the White Paper provisions be used to guide future development efforts.
- 2) Under the currently proposed plan, insufficient consideration seems to be given to the needs of user car parking. Sufficient onsite car parking arrangements ought to be a prerequisite condition for this kind of development project.

Given the apparent disregard by City Planners and project developers toward legitimate and thoughtful neighbourhood concerns, I would ask that you oppose the rezoning and current development plans for this site at the upcoming Denver Planning Board meeting.

Sincerely,
Geoffrey R Cullen

440 Adams Street
Denver, CO 80206
E-mail: geoffcullen@comcast.net

From: [Urbina, Molly A. - Community Planning and Development](#)
To: [Dalton, Kyle A. - Community Planning and Development](#); [Burns, Andrea C - CPD Office of the Manager](#)
Cc: [Wenskoski, Todd T - CPD Planning Services](#); [Axelrad, Tina R. - Community Planning and Development](#); [Gordon, Steve D. - Community Planning and Development](#); [Brown, Carole A. - Community Planning and Development](#)
Subject: Fw: 245 Columbine zoning application
Date: Wednesday, October 10, 2012 7:33:03 AM

From: David Baker [mailto:dhbaker6815@yahoo.com]
Sent: Wednesday, October 10, 2012 05:09 AM
To: Urbina, Molly A. - Community Planning and Development
Cc: brad.buchanan@rnldesign.com <brad.buchanan@rnldesign.com>
Subject: 245 Columbine zoning application

Dear Ms Urbina
Dear Mr Buchanan

We are David & Lornel Baker. Our residence is 358 Jackson Street and we have resided in the Cherry Creek North area since 2004. We are utilizing e-mail to contact you as we are currently out of the country and there is not sufficient time to reach you through regular US Postal mail service.

We want to express our strong opposition to the proposed zone change application for the property located at 245 Columbine Street in Cherry Creek North. The rezoning application will be considered at the October 17th meeting of the Denver Planning Board. We strongly urge you to oppose this flagrant example of improper development,

We understand that changes need to occur in the above area for the long term health and welfare of both the residents and businesses that operate in this area. Our specific objections to the proposed development at 245 Columbine are related to the fact that the development completely ignores the agreed upon white paper zoning and design guidelines and recommendations.

The size and design of the building is much larger than the current 1st Avenue high rise buildings and are out of character for the Cherry Creek North Neighborhood. The proposed number of on site parking spaces is completely inadequate. Perhaps one of the most egregious violations is that the developer has refused to conduct or release a traffic analysis estimating how the surrounding areas daily traffic flow will be altered by this development. Why does this developer get a free pass on this critical matter when others have had to comply?

We are particularly upset that the city has resorted to a regulating plan concept that apparently has never been used in Denver before. We are puzzled how this type plan represents reasonable government and encourages sound planning and discussion between governmental bodies and the people directly affected. We request that you oppose this rezoning request and help restore reasonable

discussion and planning between governmental bodies and directly affected citizens.

Thank you for your consideration -

David & Lornel Baker

James A. Swanson
370 St. Paul St.
Denver, CO 80206

October 10, 2012

Re: Cherry Creek Zoning

Dear Planning Board Chair Buchanan:

I am writing to express my opposition to the proposed rezoning application for the property at 245 Columbine St. in Cherry Creek North. I urge you to oppose this flagrant example of over-development.

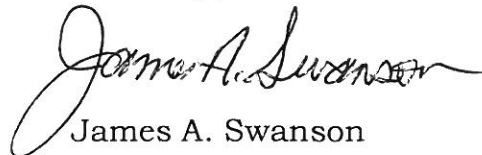
This proposed project ignores the items outlined in the White Paper that was prepared by CCN architects and other professionals led by the City Planning staff.

My specific objections: the size and density of this proposed building, inadequate on-site parking and the lack of a traffic impact analysis to estimate how project-generated traffic will affect the neighborhood to the north, east and west.

I am especially upset and angry that the City is allowing the Planning Department to use a regulating plan provision on this project – a provision that will not allow important resident notification, review and Input on proposed building zoning and design issues.

Please empower the While Paper prepared by the Cherry Creek residents as it is a carefully constructed document that will maintain the critical balance between over-development and neighborhood quality of life we Cherry Creek residents agreed to support.

Sincerely,


James A. Swanson

From: [Axelrad, Tina R. - Community Planning and Development](#)
To: [Axelrad, Tina R. - Community Planning and Development](#)
Subject: Christy Letter_Oppose_10/12/12
Date: Monday, October 15, 2012 1:52:26 PM

From: G335high@aol.com [mailto:G335high@aol.com]
Sent: Friday, October 12, 2012 4:49 PM
To: MileHighMayor - Mayor's Office
Cc: Robb, Jeanne - City Council Dist. #10; Susman, Mary Beth - City Council; Urbina, Molly A. - Community Planning and Development; brad.buchanan@rndesign.com
Subject: 245 Columbine Rezoning

The Honorable Mayor Hancock:

Since we moved to Denver in 1960 we have been proud to call ourselves Denver citizens. We have always believed that our city was governed by honest and fair people who listened to its citizens and acted in their best interests. For the first time we have a serious question about this.

We are writing to express our opposition to the proposed rezoning for the above property in Cherry Creek North (CCN), which will be considered at the October 17th Denver Planning Board meeting. We agree that the old post office site badly needs redevelopment, but the proposal that has been made is an outrageous violation of the current zoning, of the character of the CCN Business District and of the compromise proposed by a committee of citizens of CCN and members of your Planning Department. The committee was composed of several very knowledgeable and experienced architects and professional planners and community representatives. It was initiated with the approval of your office, and was formed by Councilwoman Jeanne Robb. These dedicated people worked for 3 months on what became known as the "White Paper, " and up to this point it has been completely ignored by the Planning Board. Rather than utilize the conscientious and thoughtful recommended compromise in the White Paper, we understand a "Regulating Plan" is being used with no input from the community.

Should this continue to be the case, your Honor, we are very concerned about several aspects of this proposed rezoning. The proposed building will be twice the density of even the high rise buildings on 1st Avenue and many times the density of the highest buildings in the CCN Business District. There will be far too little parking provided by the developers of this building! The block of 245 Columbine is dead-ended on both the south and north ends--it is just over one block of existing buildings, and the north end is blocked by a grade school with children and their parents coming and going at that location. No traffic analysis will be conducted by the developer, and that is a very serious flaw to this proposal. Traffic is major problem in CCN already, and it will be far worse under this plan. The result will be a very negative impact on the Business District and the residents both in CCN and the Denver Country Club area across University.

We're afraid, your Honor, that approval of this rezoning application will: (1) set an extremely bad precedent for the many other projects under consideration in CCN; (2) will lead to a significantly reduced collection of future sales taxes from the merchants in the Business District as its changed character, parking and traffic problems unfold; and (3) will finally lead to a significant reduction in the value of the beautiful homes in the residential area with the resultant reduction in property taxes. Is the Planning Department willing to "kill the goose that is laying the golden eggs" in Cherry Creek in hopes that short term cash generated by this new development will be so great?

There is just no good reason for this rezoning proposal. Please do what you can to see that it is defeated. We would very much like to remain loyal and proud citizens of this city, but we see growing evidence that the developers are in control of our government, and we do not appreciate that at all.

Sincerely,
Gary and Helen Christy, 390 St. Paul and residents of CCN and the Denver Country Club for 52 years

From: [Axelrad, Tina R. - Community Planning and Development](#)
To: [Axelrad, Tina R. - Community Planning and Development](#)
Subject: FW: 245 Columbine
Date: Friday, October 12, 2012 1:57:15 PM

From: Rene' Payne [mailto:renepayne@gmail.com]
Sent: Friday, October 12, 2012 9:27 AM
To: Urbina, Molly A. - Community Planning and Development
Subject: 245 Columbine

Dear Ms Urbina

I am writing to voice my opposition to a plan to develop an over-sized building in the Cherry Creek Neighborhood. While I am pro development I feel strongly it must proceed in a thoughtful and balanced way. This plan not only ignores the impact of a building this size no traffic studies were done to understand the impact of a building this size. Also, no one is addressing the inadequate parking.

I live on 3rd street and already it is not safe to walk dogs or push a stroller because of heavy traffic that speeds through the street.

All I request is adherence to the White Paper and Zoning recommendations created by a joint effort between neighborhood architects and other professionals led by City Planning staff.

Thank you for your attention to this matter,
René Payne
301 Harrison St. 80206

From: [Axelrad, Tina R. - Community Planning and Development](#)
To: [Axelrad, Tina R. - Community Planning and Development](#)
Subject: 11100038 - Email - Orkow - Oppose 10/12/12
Date: Tuesday, October 16, 2012 5:27:39 PM

From: Bonnie Orkow [mailto:Bonnie.Orkow@comcast.net]
Sent: Friday, October 12, 2012 2:36 PM
To: MileHighMayor - Mayor's Office; maryellen.susman@denvergov.org; Urbina, Molly A. - Community Planning and Development; brad.buchanan@rnl.design.com
Subject: Fw: 245 Columbine Rezoning

Dear Mayor Hancock, City Council President, Acting Planning Director, and Chairman of Denver Planning Board:

Please abide by your agreements, or tell the residents why you are changing the rules of the game at this point in time. You owe us that at least.

Dr. Bonnie M. Orkow
200 Adams Street
Denver, CO. 80206

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

From: [Bonnie Orkow](#)
To: Jeanne.robb@denvergov.org
Sent: Friday, October 12, 2012 2:25 PM
Subject: 245 Columbine Rezoning

Dear City Councilwoman Robb,

Please use the White Paper in considering rezoning of our neighborhood.

I welcome development that improves and enhances the BID but the proposal under current consideration is an outrageous example of over-development.

Sincerely,
Dr. Bonnie M. Orkow
200 Adams Street
Denver, CO. 80206

October 14, 2012

Molly Urbina
201 W. Colfax, 2nd Floor
Denver, Colorado

Via e-mail: molly.urbina@denvergov.org

Dear Planning Director Urbina:

I strongly oppose the proposed rezoning application for the property at 245 Columbine Street in Cherry Creek North. Cherry Creek North will not remain a vibrant and mix-used neighborhood if this type of over-development is allowed to continue.

To treat Cherry Creek North as a veritable “developers’ paradise” for whatever idea comes along is extremely unfair to the entire neighborhood and will change the character of one of Denver’s great neighborhoods.

My objections to the building proposed for this development include:

- The project fails to comply with the agreed upon White Paper zoning and design recommendations;
- The size and density of this building are twice as large as 1st Avenue high rise buildings and out of character for Cherry Creek North;
- The proposed number of on-site parking spaces is entirely inadequate; and
- The developer has refused to conduct a traffic impact analysis to estimate how project-generated traffic will affect surrounding neighborhoods.

In particular I am very irritated that the City is allowing the Planning Department to use a regulating plan provision on this project – a provision that will not allow important resident notification, review, and input on proposed building zoning and design issues. Surely this is not the reputation the City wants to convey to its citizens.

This regulating plan does not recognize and, in fact, ignores the use of the White Paper with its recommendations. The White Paper is the only currently existing and carefully developed document that maintains the critical balance between over-development and neighborhood quality of life...the document we Cherry Creek residents agreed to support.

I can appreciate that it is difficult for any city official to oppose the strong and well-financed vested interests that are promoting this matter. However, I urge you to stand with your constituents and help us save Cherry Creek from over-

development by promoting smart development.

In conclusion, I respectfully ask you to oppose the rezoning at 245 Columbine Street.

Sincerely,

Don C. Smith
251 Adams Street
Denver, CO 80206
Doncsmith2002@msn.com

From: [Axelrad, Tina R. - Community Planning and Development](#)
To: [Axelrad, Tina R. - Community Planning and Development](#)
Subject: Zaitz Letter_Support 10/14/12
Date: Monday, October 15, 2012 12:09:47 PM

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

From: samuelzaitz@gmail.com [<mailto:samuelzaitz@gmail.com>]

Sent: Sunday, October 14, 2012 9:24 PM

To: Urbina, Molly A. - Community Planning and Development; Robb, Jeanne - City Council Dist. #10

Subject: Support for 245 Columbine

Molly and Jeanne-

My name is Sam Zaitz and I live at 559 Madison Street. I am writing the two of you to express my support for the proposed project at 245 Columbine Street. For the past few years, I have walked by the vacant Post Office several times wondering why on earth Cherry Creek North would have a deteriorating building sitting there for this long. When I heard about the possible plan for mixed use development that would bring in new businesses and retail to the area, I was very excited not just for my family but for all of Cherry Creek. I believe any negatives that the CCNA has brought up are very short sighted and not doing what is best for everyone.

Thanks

Sam Zaitz

From: [Axelrad, Tina R. - Community Planning and Development](#)
To: [Axelrad, Tina R. - Community Planning and Development](#)
Subject: Schneider_Oppose_10/14/12
Date: Monday, October 15, 2012 12:10:26 PM

From: Frank S Schneider [mailto:Frank@consultscg.com]
Sent: Sunday, October 14, 2012 5:51 PM
To: MileHighMayor - Mayor's Office; Robb, Jeanne - City Council Dist. #10; Susman, Mary Beth - City Council; Urbina, Molly A. - Community Planning and Development; brad.buchanan@rnldesign.com
Subject: Re: 245 Columbine Street property rezoning

Dear Mayor Hancock, City Council President Susman, Councilwoman Robb, Acting Planning Director Urbina and Chairman Denver Planning Board Buchanan,

My wife, Dena, and I have lived in Cherry Creek North since 1989, with the last 21 years at 2801 E. 4th Avenue. Prior to that, the accounting and consulting firm in which I was a partner had its office in the early '60's at the northwest corner of second and Detroit Streets and in the mid-60's on the southwest corner of Madison and Bayaud. In 1969 we built our own office building on the southwest corner of 2nd and Cook Streets. And from 1992 to 2004, my consulting firm had its office at 50 South Steele Street. Obviously we have had some very strong, positive feelings about this area and the lifestyle that it provides to us. This, however, is the first time that I felt compelled to write a letter to any city official regarding what is happening in the neighborhood. I feel strongly that I need to express my opposition to the proposed rezoning application for the property at 245 Columbine Street. My understanding is that the rezoning application for that property will be considered at the October 17th Denver Planning Board meeting. I strongly urge you to also oppose this flagrant example of over-development.

My specific objections to the building proposed for this development on Columbine Street between 2nd and 3rd Avenues are:

1. The project does not comply with the agreed-upon White Paper zoning and design recommendations
2. The size and density of this building are twice as large as 1st Avenue high rise buildings and are out of character for Cherry Creek North
3. The proposed number of on-site parking spaces is totally inadequate
4. The developer has refused to conduct a traffic impact analysis to estimate how project-generated traffic will affect surrounding neighborhoods

Also I am especially upset and angry that the City is allowing the Planning Department to use a regulating plan provision on this project – a provision that will not allow important resident notification, review, and input on proposed building zoning and design issues. This regulating plan does not recognize and, in fact, ignores the use of the White Paper with its recommendations. The White Paper is the carefully constructed document that will maintain the critical balance between over-development and neighborhood quality of life ... the document we Cherry Creek residents agreed to support.

Please help us save Cherry Creek from over-development by promoting smart development, a major reason that I and my wife have always returned to work and live here. Please oppose the rezoning at 245 Columbine Street. Please restore our faith in government.

Sincerely,

Frank Schneider

The Schneider Consulting Group Inc.

2801 E. 4th Avenue

Denver, CO 80206

phone: 303-503-9597 Direct

email: Frank@ConsultSCG.com

www.ConsultSCG.com

From: [Axelrad, Tina R. - Community Planning and Development](#)
To: [Axelrad, Tina R. - Community Planning and Development](#)
Subject: Marsico_Support_10/14/12
Date: Monday, October 15, 2012 12:10:48 PM

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

From: Jonathan Marsico [<mailto:jam@marsicoenterprises.com>]
Sent: Sunday, October 14, 2012 3:16 PM
To: Urbina, Molly A. - Community Planning and Development; bbuchanan@rnldesign.com
Cc: Robb, Jeanne - City Council Dist. #10; maryellen.sussman@denvergov.org
Subject: 245 Columbine Support

To Whom It May Concern:

I live at 434 Jackson Street in Cherry Creek North. I want to let you know of my SUPPORT of the project at 245 Columbine. This building is vacant and is an eyesore for the neighborhood. We have an opportunity to support a great project that will bring new businesses and retail to a columbine street that is presently undesirable. I think this is only going to help home values in the neighborhood and the benefits far outweigh any negatives that the CCNA has raised which seem to be the case with any development in this market.

Regards,

Jonathan Marsico
Marsico Enterprises
303-883-8949
720-554-9702
Jam@marsicoenterprises.com

370 St. Paul Street

Denver, CO 80206

October 14, 2012

Dear Ms. Molly Urbina, Acting Planning Director,

This letter is my statement of opposition to the proposed re-zoning application for property at 245 Columbine Street, Cherry Creek North, which will be considered at the October Planning Board meeting on October 17th.

The proposed building does not comply with the White Paper zoning and design recommendations. The number of on-site parking spaces is inadequate , no traffic analysis to determine the neighborhood effect of this development has been implemented.

Please consider the consequences of over-development on our neighborhood quality of life. Please empower the White Paper, which will maintain the neighborhood quality of life while allowing for needed re-development of the business district.

Sincerely,

A handwritten signature in black ink that reads "Suzanne Swanson". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Suzanne Swanson

From: [Axelrad, Tina R. - Community Planning and Development](#)
To: [Axelrad, Tina R. - Community Planning and Development](#)
Subject: 11100038 - Email - Feiner Support 10/15/12
Date: Monday, October 15, 2012 3:23:04 PM

From: david feiner [mailto:djfeiner@gmail.com]
Sent: Monday, October 15, 2012 2:41 PM
To: Urbina, Molly A. - Community Planning and Development
Cc: Robb, Jeanne - City Council Dist. #10
Subject: 245 Columbine Support

To Whom It May Concern,

My name is David Feiner and I live at 57 Garfield Street in Cherry Creek North. I am writing to inform you of my support of the project at 245 Columbine Street. I think this project will provide great support for an area in desperate need of rejuvenation. The current structure has sat vacant for a very long time and adds a bad stigma to the Cherry Creek North area. The opportunity to redevelop this project and provide the community with new business, residence, and retail opportunities should not be bypassed. I think Cherry Creek North should be a desirable neighborhood for people to want to bring their families to live, dine, work, or shop. This project will drastically change the landscape and remove a negative aspect which has hindered CC historically. The negatives mentioned by the CCNA are minor in comparison to the major benefits the community will enjoy from this project.

I fully support the project at 245 Columbine Street.

Sincerely

David Feiner
BlackBox Logic, LLC
DJFeiner@gmail.com
303-819-2111

From: [Axelrad, Tina R. - Community Planning and Development](#)
To: [Axelrad, Tina R. - Community Planning and Development](#)
Subject: 11100038 - Email - Rest Support 10/15/12
Date: Monday, October 15, 2012 1:59:42 PM

From: Ricki Rest [mailto:rrest@bravadapartners.com]
Sent: Monday, October 15, 2012 1:48 PM
To: Urbina, Molly A. - Community Planning and Development; Robb, Jeanne - City Council Dist. #10
Subject: Project on Columbine

To Whom It May Concern,

I live at 417 Garfield Street in Cherry Creek North. I am in support of the project at 245 Columbine; the sight of the old post office. This vacant, rundown, undesirable building must be replaced with something beautiful and useful. I have been told that we, as residents in Cherry Creek have the opportunity to show support for this possibility of a great project that will bring new businesses and retail to 2nd and Columbine. I feel that having this revitalized development will significantly create value to the existing homes and businesses in that neighborhood. It strongly appears as though the benefits far outweigh any negatives about which the CCNA has raised concerns.

I appreciate your consideration.

Thank you,

Ricki Rest

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From: [Axelrad, Tina R. - Community Planning and Development](#)
To: [Axelrad, Tina R. - Community Planning and Development](#)
Subject: 11100038 - Email - Baumbusch Oppose 10/15/12
Date: Monday, October 15, 2012 2:00:22 PM

From: Dick Baumbusch [mailto:rbaumbusch@q.com]
Sent: Monday, October 15, 2012 1:10 PM
To: Urbina, Molly A. - Community Planning and Development
Subject: FW: rezoning of 245 Columbine St.

Dear Acting Planning Director Urbina;

I am writing to express my opposition to the proposed rezoning application for the property at 245 Columbine Street in Cherry Creek North. This rezoning application will be considered at the October 17th Denver Planning Board meeting, and I urge you to also oppose this flagrant example of over-development.

My specific objections to the building proposed for this development between 2nd and 3rd Avenues are:

1. the project does not comply with the agreed upon White Paper zoning and design recommendations;
2. the size and density of this building are twice as large as 1st Avenue high rise buildings and out of character for Cherry Creek North;
3. the proposed number of on-site parking spaces appears to be totally inadequate;
4. and the developer has refused to conduct a traffic impact analysis to estimate how project-generated traffic will affect surrounding neighborhoods.

I am especially upset and angry that the City is allowing the Planning Department to use a regulating plan provision on this project – a provision that will not allow important resident notification, review, and input on proposed building zoning and design issues. This regulating plan does not recognize and, in fact, ignores the use of the White Paper with its recommendations. The White Paper is the carefully constructed document that will maintain the critical balance between over-development and neighborhood quality of life...the document we Cherry Creek residents agreed to support.

Please help us save Cherry Creek from over-development by promoting smart development. Please oppose the rezoning at 245 Columbine Street. Please restore our faith in government.

Sincerely,
Richard Baumbusch
126 Garfield St.

From: [Axelrad, Tina R. - Community Planning and Development](#)
To: [Axelrad, Tina R. - Community Planning and Development](#)
Subject: Wynne Letter Oppose 10/15/12
Date: Monday, October 15, 2012 12:02:55 PM

From: Pat Wynne [mailto:patwynne1@gmail.com]
Sent: Monday, October 15, 2012 10:37 AM
To: Urbina, Molly A. - Community Planning and Development
Subject: Opposition to 245 Columbine Rezoning and Development
Opposition to 245 Columbine Rezoning and Development
October 15, 2012

Dear Ms Urbina:

I am writing to express my opposition to the proposed rezoning application for the property at 245 Columbine Street in Cherry Creek North. This rezoning application will be considered at the October 17th Denver Planning Board meeting, and I urge you to also oppose this flagrant example of over-development.

My specific objections to the building proposed for this development between 2nd and 3rd Avenues are: the project does not comply with the agreed upon White Paper zoning and design recommendations; the size and density of this building are twice as large as 1st Avenue high rise buildings and out of character for Cherry Creek North; the proposed number of on-site parking spaces is totally inadequate; and the developer has refused to conduct a traffic impact analysis to estimate how project-generated traffic will affect surrounding neighborhoods.

I am especially upset and angry that the City is allowing the Planning Department to use a regulating plan provision on this project – a provision that will not allow important resident notification, review, and input on proposed building zoning and design issues. This regulating plan does not recognize and, in fact, ignores the use of the White Paper with its recommendations. The White Paper is the carefully constructed document that will maintain the critical balance between over-development and neighborhood quality of life...the document we Cherry Creek residents agreed to support.

Please help us save Cherry Creek from over-development by promoting smart development. Please oppose the rezoning at 245 Columbine Street. Please restore our faith in government.

Sincerely,

Pat Wynne
264 Adams Street

From: [Axelrad, Tina R. - Community Planning and Development](#)
To: [Axelrad, Tina R. - Community Planning and Development](#)
Subject: Rapp Letter Support 10/15/12
Date: Monday, October 15, 2012 12:03:36 PM

From: Andy Rapp [mailto:andy@petrie.com]
Sent: Monday, October 15, 2012 10:44 AM
To: Urbina, Molly A. - Community Planning and Development; Robb, Jeanne - City Council Dist. #10
Subject: 245 Columbine Support

To Whom It May Concern:

I live at 727 Marion Street in North Country Club and office at 351 South Jackson Street in Cherry Creek North. I am writing to express my support of the proposed development at 245 Columbine. A new project in this vacant building would be an opportunity to add businesses and immediately improve the aesthetics of the surrounding neighborhood. As a Cherry Creek area business owner, resident and frequent retail/consumer/leisure patron, I believe that the benefits will outweigh any negatives that the CCNNA has raised.

Regards,

Andrew Rapp
Petrie Partners, LLC
351 South Jackson Street
Denver, Colorado 80209
303.953.6768 office
303.328.8663 mobile
andy@petrie.com

ExchangeDefender Message Security: [Check Authenticity](#)

October 15,2012

Acting Planning Director Molly Urbina
201 W. Colfax Ave. 2nd Floor
Denver, CO
80202

Dear Director Urbina ;

I am writing to express my opposition to the proposed rezoning application for the property at 245 Columbine Street in Cherry Creek North. This rezoning application will be considered at the October 17th Denver Planning Board meeting, and I urge you to also oppose this flagrant example of over-development.

My specific objections to the building proposed for this development between 2nd and 3rd Avenues are: the project does not comply with the agreed upon White Paper zoning and design recommendations; the size and density of this building are twice as large as 1st Avenue high rise buildings and out of character for Cherry Creek North; the proposed number of on-site parking spaces is totally inadequate; and the developer has refused to conduct a traffic impact analysis to estimate how project-generated traffic will affect surrounding neighborhoods.

I am especially upset and angry that the City is allowing the Planning Department to use a regulating plan provision on this project – a provision that will not allow important resident notification, review, and input on proposed building zoning and design issues. This regulating plan does not recognize and, in fact, ignores the use of the White Paper with its recommendations. The White Paper is the carefully constructed document that will maintain the critical balance between over-development and neighborhood quality of life...the document we Cherry Creek residents agreed to support.

Please help us save Cherry Creek from over-development by promoting smart development. Please oppose the rezoning at 245 Columbine Street. Please restore our faith in government.

Sincerely,



Daniel J. Berry
635 Clayton St.
Denver, CO
80206

From: [Axelrad, Tina R. - Community Planning and Development](#)
To: [Axelrad, Tina R. - Community Planning and Development](#)
Subject: 11100038 - Email - Brennan Oppose 101612
Date: Wednesday, October 17, 2012 9:08:06 AM

From: Joan Brennan [mailto:joan.brennan398@gmail.com]
Sent: Tuesday, October 16, 2012 11:15 AM
To: Urbina, Molly A. - Community Planning and Development
Subject: 245 Columbine Rezoning - Against Proposal

October 16,2012

Dear Acting Planning Director Urbina,

I am writing to express my opposition to the proposed rezoning application for the property at 245 Columbine Street in Cherry Creek North. This rezoning application will be considered at the October 17th Denver Planning Board meeting, and I urge you to also oppose this flagrant example of over-development.

My specific objections to the building proposed for this development between 2nd and 3rd Avenues are: the project does not comply with the agreed upon White Paper zoning and design recommendations; the size and density of this building are twice as large as 1st Avenue high rise buildings and out of character for Cherry Creek North; the proposed number of on-site parking spaces is totally inadequate; and the developer has refused to conduct a traffic impact analysis to estimate how project-generated traffic will affect surrounding neighborhoods.

I am especially upset and angry that the City is allowing the Planning Department to use a regulating plan provision on this project – a provision that will not allow important resident notification, review, and input on proposed building zoning and design issues. This regulating plan does not recognize and, in fact, ignores the use of the White Paper with its recommendations. The White Paper is the carefully constructed document that will maintain the critical balance between over-development and neighborhood quality of life...the document we Cherry Creek residents agreed to support.

Please help us save Cherry Creek from over-development by promoting smart development. Please oppose the rezoning at 245 Columbine Street. Please restore our faith in government.

Sincerely,
Joan Brennan
398 Steele St

--
Joan S Brennan
398 Steele St
Denver CO 80206
[303 331-6808](tel:3033316808)
[720 470-4710](tel:7204704710) cell

STEVEN C. ROBBINS

210 Monroe St
Denver, Colorado 80206

October 16, 2012

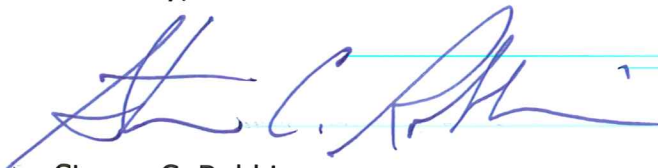
jeanne.robb@denvergov.org
marybeth.susman@denvergov.org
molly.urbina@denvergov.org
brad.buchanan@rnldesign.com

RE: 245 Columbine

Ladies and Gentlemen:

My name is Steve Robbins and I live at 210 Monroe St in Cherry Creek North. I am writing this letter to acknowledge my SUPPORT for the project currently proposed at 245 Columbine. I have reviewed the development plan for that property and conclude that it will be a great addition to that block and the overall Cherry Creek area. Currently there is a vacant building on the property and, as a result, Columbine is not a very pedestrian friendly street. This project will help cure the blight created by the empty building and add significantly to the desirability of Columbine Street. I think this is only going to help property values in the neighborhood and the benefits far outweigh any negatives that the CCNNA has raised. Planning Board and City Council approved a new Cherry Creek area plan this year and projects such as this one are an example of the type of development that is needed to keep the Cherry Creek area alive and vibrant.

Sincerely,



Steven C. Robbins

From: Ron Feldman [<mailto:ron@ronfeldmanhomes.com>]

Sent: Tuesday, October 16, 2012 11:33 PM

To: Robb, Jeanne - City Council Dist. #10; Urbina, Molly A. - Community Planning and Development

Subject: Old Post office in Cherry Creek

Jeanne and Molly,

I just wanted to write you this quick note to voice a positive opinion of the current re-development plan for the vacant post office building on Columbine Street in Cherry Creek North. Much of the discomfort from the neighborhood, I feel, is caused by a simple misunderstanding of what development in general means, and a fear, or concern, about the neighborhood changing to our detriment.

We all live in Cherry Creek, the geographic and demographic epicenter of Denver, because it's a true urban neighborhood, and we have anything that we need within walking distance. That requires the continued success of the local retailers, the mall, and the surrounding support of the office community. Retailers don't survive because we would like them to, they only thrive in the right environment that supports their specific type of business. For example, we lost Panera Bread and Einsteins as retailers because there wasn't enough daytime traffic to create the revenue necessary to support the Cherry Creek level of rent.

Cherry Creek has the potential to be one of the top retail/restaurant/entertainment environments anywhere in the country. Unfortunately, it is currently underperforming, has a number of vacancies, some declining buildings and businesses, and not a broad enough retail mix. The thoughtful development of the post office building would remove a current eyesore and replace it with a vibrant working environment supporting the retailers and residents of Cherry Creek.

Sincerely,

Ron Feldman

From: Matt Weiss [<mailto:weiss.mww@gmail.com>]

Sent: Tuesday, October 16, 2012 11:13 PM

To: Urbina, Molly A. - Community Planning and Development; Robb, Jeanne - City Council Dist. #10; brad.buchanan@rnl.design.com; Susman, Mary Beth - City Council

Subject: 245 Columbine Supporter

All,

I hope this email finds you well. I write this letter in support of the proposed project at the old post office building at 245 Columbine. As a resident of Cherry Creek North at 423 Detroit Street for the past three years, I have grown more and more concerned about the stifling obstruction to the much needed revitalization of this urban gem that exists in Colorado as we have watched other neighborhoods begin to thrive and prosper in the interim as they adjust and evolve.

As you are well aware, Cherry Creek North is a historically vital upscale artery for the city of Denver, which at one point was home to my father's first boutique female shoe business during the mid-1970's. This was the time when Cherry Creek North began to brand itself as a bustling area with renowned restaurants and unique, locally owned businesses. Significant time, effort and money have been invested by residents, businesses, government and stakeholders to maintain this neighborhoods character throughout the years, but now is a pivotal moment in this neighborhoods future to revitalize the neighborhood that we all have come to enjoy and experience.

I can't help but get frustrated by the obstruction to new development in this area, especially at an eye sore that was the former Post Office. With the signs going up about "Smart Development", I would argue that what is being proposed at 245 is exactly that, smart development by local developer's at the most pivotal time. As a resident, we should feel fortunate that there are developers who still have a vision for Cherry Creek North that would seek to meet the needs of residents while attracting visitors and business from other parts of the city.

A linchpin of Cherry Creek North's revitalization strategy needs to be focused on mixed use development, simply put, mixed use means that buildings function in a number of ways, they contain residences, offices (typically on the upper floors), and commercial space on the ground floor. Having a variety of uses ensures there are a number of people around at any given time of day, creating a vibrant streetscape, and creating safer areas than those that are either all commercial or residential. My wife and I didn't choose to live in Cherry Creek to have one or the other, we chose to live here to have both, and to enjoy something that is hard to find in Colorado.

The mixed use development proposal at 245 Columbine seeks to maintain the character of the neighborhood, while enabling the neighborhood to move in a much needed forward direction. Again, I am extremely concerned when I see all of these signs and listen to the attitude of the residents that seem to be saying "not in my backyard." Are these the same people who are complaining about jobs? Are these the same people that walk past "For Lease" signs littering the streets of Cherry Creek North? Are these the residents that moved to Cherry Creek North because of the access to an urban setting in an extremely safe residential environment? For these residents to meet proposals like the one at 245 with opposition saying that this would negatively impact their homes and the neighborhood are living in the past and need to embrace the future, before what once was is just that.

This attitude is detrimental to safe, vibrant urban living that we enjoy in Cherry Creek North. The benefits of mixed use projects can be seen today in Cherry Creek North on Fillmore, and 2nd and

Clayton, and it is likely the reason many current and new residents have chosen to move to our neighborhood

These opponents are not only saying no to new restaurants, offices, and residences, they are saying no to local entrepreneurs looking to grow their businesses and bring more business and people to this area at all times of the day. They are saying no to progress, and they are saying no to growing economic activity, increasing the tax base and creating new jobs for their neighbors. They are saying no to the types of businesses and people that have made Cherry Creek North what it is today and are needed to continue making our neighborhood as stable as it is (or was) and as desirable as it has become.

I understand these are not the first hurdles that the revitalization of Cherry Creek North has encountered, nor will they be the last, but for this neighborhood to continue to flourish, it needs to be dynamic and open to change. I believe with the collaborative work of the neighborhood, Cherry Creek North will continue to prosper and be a great place for all to live, work, and visit.

Sincerely,

Matt Weiss
423 Detroit Street
Denver, CO 80206

From: [Axelrad, Tina R. - Community Planning and Development](#)
To: [Axelrad, Tina R. - Community Planning and Development](#)
Subject: 11100038 - Email - Isenberg Support 101612
Date: Wednesday, October 17, 2012 9:09:36 AM
Attachments: [image001.png](#)

From: Walter Isenberg [mailto:Walter.Isenberg@SageHospitality.com]
Sent: Tuesday, October 16, 2012 01:09 PM
To: Robb, Jeanne - City Council Dist. #10; brad.buchanan@rnldesign.com
<brad.buchanan@rnldesign.com>; Urbina, Molly A. - Community Planning and Development; Susman, Mary Beth - City Council
Subject: Old Post office in Cherry Creek

Jeanne, Marybeth, Molly and Brad,

I wanted to drop you all a note indicating our strong support of the project at the old post office building at 245 Columbine in Cherry Creek. As you know, we have the JW Marriott and Second Home (and live just a half mile away) and are supportive of the revitalization of the neighborhood. Today, Cherry Creek is faced with failing retail, blighted buildings and even Medical marijuana facilities. The new zoning recently instituted should be aggressively supported to allow for appropriate density and complimentary uses. While there is a small vocal minority that wants to stop anything and everything, we should collectively stand up and do the right things for all the citizens of Denver. The development of the old post office takes a blighted unattractive site and will transform it into a vibrant retail, office and residential development. Creating jobs and new neighbors improving our tax base and helping to re-energize the neighborhood should be our goal, and that's what this project will do.

I welcome your feedback and support.

Walter Isenberg
President & CEO

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DENVER, CO 80202

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wisenberg@sagehospitality.com

Our vision is to be recognized by our customers as the best in our business.

From: Barry [<mailto:barry.abh@gmail.com>]
Sent: Wednesday, October 17, 2012 12:36 PM
To: Urbina, Molly A. - Community Planning and Development
Subject: 245 Columbine

Dear Councilwoman Urbina,

We want to voice our support of Brent Farber's project at 245 Columbine.

The first component that we think is critical to a development is adequate parking which will accommodate today's Cherry Creek North demands as well as the future growth of the area. 245 Columbine provides a good amount of on-site parking as well as access to that parking through the property adjacent to the south. As a result, building visitors/users have the ability to circulate in their cars via the edge of the district (in and out on Josephine).

Secondly, the mixed use nature of the property and the way the mass of the building is divided as the floors climb in elevation, create a structure that will enliven and not overwhelm. We are seeing a Cherry Creek North market wanting for more functional street level retail – this building will bring more of that to the area with its first floor retail. We also see a need for Class A office space in an intimate setting. The project brings that with its second through sixth floors. To cap it off, the seventh floor residential will bring more for-sale dwelling units to the area, further enlivening the district and making this a site that is very much reflective of the best of Cherry Creek North – a place where people live, work and play.

We have known the developer, Brent Farber, for many years and are comforted knowing that Brent will deliver a redevelopment solution to the old post office of which we will all be proud. After studying Brent's plans, we are pleased to voice our support of what we see as a fine addition to Denver's Cherry Creek North. Thank you.

Sincerely,

Barry and Hayden Hirschfeld
150 S. Bellaire Street
Denver, CO 80246
303-333-1110

From: Solveig Lawrence [<mailto:solveig@howardecker.com>]

Sent: Monday, October 22, 2012 10:06 AM

To: Urbina, Molly A. - Community Planning and Development; Robb, Jeanne - City Council Dist. #10; Susman, Mary Beth - City Council

Subject: 245 Columbine Support

To whom it may concern:

I have lived in Cherry Creek at 62 South Monroe for 5 years, and before that, at the Portico for 3 years. In the last couple years, things have started to turn around in Cherry Creek. The vacancies in both office and retail have dropped significantly, and there is a great energy. I STRONGLY SUPPORT the development at 245 Columbine, as it will only contribute positively to this energy. Not only will it add desirable office and retail space, but it will enhance the beauty of Cherry Creek, which will in turn help home values in the neighborhood.

Best regards,

solveig tschudi lawrence
managing director

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