

Zone Map Amendment (Rezoning) - Application

| PROPERTY OWNER INFORMATION* | | PROPERTY OWNER(S) REPRESENTATIVE** | |
|--|--|--|--|
| <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION | | <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION | |
| Property Owner Name | | Representative Name | |
| Address | | Address | |
| City, State, Zip | | City, State, Zip | |
| Telephone | | Telephone | |
| Email | | Email | |
| <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> <p>If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.</p> | | | |
| SUBJECT PROPERTY INFORMATION | | | |
| Location (address and/or boundary description): | | | |
| Assessor's Parcel Numbers: | | | |
| Area in Acres or Square Feet: | | | |
| Current Zone District(s): | | | |
| PROPOSAL | | | |
| Proposed Zone District: | | | |

| REVIEW CRITERIA | |
|---|--|
| <p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p> | <p><input 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> <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> <p><input 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> <p><input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p> |
| <p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p> | <p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><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.</p> <p><input type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area.</p> <p><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> <p>Please provide an attachment describing the justifying circumstance.</p> <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> <p>Please provide an attachment describing how the above criterion is met.</p> |

REQUIRED ATTACHMENTS

Please ensure the following required attachments are submitted with this application:

- Legal Description (required to be attached in Microsoft Word document format)
- Proof of Ownership Document(s)
- Review Criteria

ADDITIONAL ATTACHMENTS


Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)
- Individual Authorization to Sign on Behalf of a Corporate Entity

Please list any additional attachments:

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

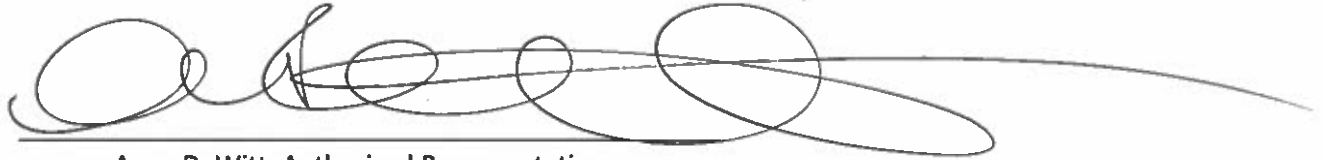
We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify 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 | 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 | Has the owner authorized a representative in writing? (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) | YES |
| | | |  | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

219, 221, 223, 225, 227, 235, 245 South Holly Street, App. #2017I-00153

Waiver

1. The undersigned owner representative of the properties hereby waives the right to a 2 story height in the front 65% of the zone lot in the Urban Edge Apartment building form, as referenced in the Denver Zoning Code Section 4.3.3.4.J, and instead the number of stories allowed in the front 65% of the zone lot in the Urban Edge Apartment building form shall be 2.5 stories.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Anna DeWitt, Authorized Representative

Anna DeWitt
227 S. Holly Street
Denver, CO 80246
dewitt.annamarie@gmail.com
251-635-8789

April 14, 2018

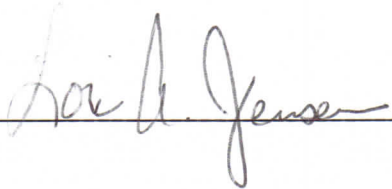
Denver Community Planning and Development
201 W. Colfax, Dept. 205
Denver, CO 80202

Re: Rezoning request 219, 221, 223, 225, 227, 235 and 245 S. Holly Street
.65 acres

Dear Sirs:

We the undersigned authorize Anna DeWitt to represent us regarding the rezoning of our property for the proposed 'Green Flats' development.


By:


 _____ for 219 S. Holly Lori Jensen

_____ for 221 S. Holly

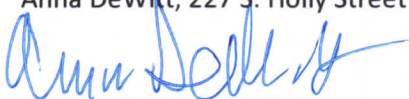
_____ for 223 S. Holly

_____ for 225 S. Holly

 _____ for 235 S. Holly Carmen Margala

 _____ for 245 S. Holly Scott Press Nicole Press

Anna DeWitt, 227 S. Holly Street



Anna DeWitt
227 S. Holly Street
Denver, CO 80246
dewitt.annamarie@gmail.com
251-635-8789

April 14, 2018

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

Re: Rezoning request 219, 221, 223, 225, 227, 235 and 245 S. Holly Street
.65 acres

Dear Sirs:

We the undersigned authorize Anna DeWitt to represent us regarding the rezoning of our property for the proposed 'Green Flats' development.

By:

_____ for 219 S. Holly

Kate Jones

_____ for 221 S. Holly

Katherine ~~Stout~~
Ferraro

Molly Kull

_____ for 223 S. Holly

Molly Kull

Mark Passman

Jennifer Preston

_____ for 225 S. Holly

Mark Passman,
Jennifer Preston

_____ for 235 S. Holly

_____ for 245 S. Holly

Anna DeWitt, 227 S. Holly Street

April 16, 2018

To: The City of Denver Community Planning and Development

Re: Rezoning request for:

| | | |
|-------------------------|-----------------------------------|-----------------------------------|
| 219 S. Holly St. | 0607433026000 | E-MU-2.5 to E-MU-2.5 with waivers |
| Rear | 0607433031000 | E-MU-2.5 to E-MU-2.5 with waivers |
| Owner | Lori Jensen | |
| 221 S. Holly St. | 0607433027000 | E-MU-2.5 to E-MU-2.5 with waivers |
| Rear | 0607433032000 | E-MU-2.5 to E-MU-2.5 with waivers |
| Owner | Katherine Ferraro | |
| 223 S. Holly St. | 0607433028000 | E-MU-2.5 to E-MU-2.5 with waivers |
| Rear | 0607433033000 | E-MU-2.5 to E-MU-2.5 with waivers |
| Owner | Molly Anna Kull | |
| 225 S. Holly St. | 0607433029000 | E-MU-2.5 to E-MU-2.5 with waivers |
| Rear | 0607433034000 | E-MU-2.5 to E-MU-2.5 with waivers |
| Owner | Jennifer Preston and Mark Passman | |
| 227 S. Holly St. | 0607433030000 | E-MU-2.5 to E-MU-2.5 with waivers |
| Rear | 0607433035000 | E-MU-2.5 to E-MU-2.5 with waivers |
| Owner | Anna M. Dewitt | |
| 235 S. Holly St. | 0607433016000 | E-SU-DX to E-MU-2.5 with waivers |
| Owner | Carmen Margala | |
| 245 S. Holly St. | 0607433005000 | E-SU-DX to E-MU-2.5 with waivers |
| Owner | Eric Press and Megan Nicole Press | |

- I am the owner of 227 S. Holly Street.
- I also represent the other land owners on this application.
- We collectively own all of the property from 219 S. Holly St. to 245 S. Holly St. (from Novo Coffee to the townhouses on the west side of S. Holly north of Alameda).
- We live on a busy street, designated 'arterial' by the City.
- We have designed buildings which looks like high end townhomes, highly appropriate for the neighborhood.
- The units are actually flats, smaller, and more affordable, for teachers like myself.
- Our buildings are actually far less square footage than what is allowed on the sites now.
- We are providing more off street parking than is required.
- Our units are highly energy efficient, in keeping with the 80x50 Plan.
- We will provide onsite solar, EV chargers, and be net zero energy use.
- We are less than ¼ mile from a bus stop on Alameda.

Anna DeWitt

My name is Anna DeWitt. I live with my daughter on Holly Street next to Park Burger, in one of five single story units (219, 221, 223, 225 and 227 S. Holly) built in 1957, on crawl spaces.

Our units now require significant work and they sit on land zoned multi-unit (E-MU-2.5). In brief, for our families, it makes much more sense for my neighbors and I to sell our land for re-development rather than pour money into our existing building.

We have spoken to our neighbors at 235 S. Holly and 245 S. Holly, and they are also interested in selling. Their lots are currently zoned single family, even though we are on a block with commercial zoning, multi family zoning, and a PUD (see attached), and on a busy street (20,000+ cars a day).

We have hired an architect to create a multi-family plan for all of the sites. It consists of moderate size units. However, this is not your average redevelopment plan for this area (which would normally 'max-out' the site).

With the help of our broker (Jason Lewiston) and architect (Jeff Dawkins), we have instead designed buildings which would create moderately-sized units for families, which teachers like myself could afford, and with proper on site parking.

The sites as zoned today would accommodate a 'by right' multi-family project of 20,000sf+ above grade (on the 219-227 S. Holly site alone), and two huge houses, 10,000sf+ above grade at 235 S. Holly, and 6,000sf+ at 245 S. Holly. This type of development would create more traffic and not be suitable for the area, even though it is currently all allowed 'by-right'.

Instead we are proposing buildings of about 16,000sf above grade total, comprising 25 modest size (therefore moderately priced) units, with 30+ off street parking spaces.

So we find ourselves in the very unusual position of asking for a rezoning on the lots to accommodate fewer units, far less square footage, and more parking than is allowed under the current zoning. We need the rezoning so that we can 'distribute' the square footage properly, rather than have an oversized building on just 219 – 227 S. Holly.

This part of Holly Street is not identified in the master plan as an 'area of change'. We submit to you that this proposal is exactly in keeping with that goal. It is far more appropriate to have all brick traditional City style townhouses with gardens, as we propose, rather than a massive building on half of the site.

We have also asked the architect to design units that are highly energy efficient, with double wythe insulated masonry walls, solar panels, and electric car chargers in the parking lot. It will be a 'net zero' energy use project, with more clean energy produced on site than the units consume.

The units are also a living example of the type of buildings that will have to be built if the "80x50 Plan" is to have any real meaning. Not to mention that we are building moderately sized / priced units for people with families, which are in great demand and limited supply, and which the City seeks. We want to live in our current neighborhood, at a price we can afford, and without polluting.

Every category of E-MU-2.5 (6 out of 7) allows for 2.5 stories, except 'Apartment' which is the only category that can be used to create truly affordable units.

Please approve our request.

The E-MU-2.5 zoning already covers about half the site (219, 221, 223, 225 and 227 S. Holly). We are asking to extending the E-MU-2.5 zoning to 235 and 245 S. Holly, and that 'Apartments' be allowed 2.5 stories, as all the other categories of E-MU-2.5 already are (rather than 2 stories) so that we can build moderate sized multi-family units.

1. Consistency with Adopted Plans:

Our development takes one story condos and replaces them with units that read as expensive City townhouses, which is highly appropriate for the area, which has seen many infill projects. The City has adopted plans seeking more energy efficient units and reasonably priced units.

2. Uniformity, and Public Health, Safety, General Welfare:

Our buildings are consistent with an elegant neighborhood. We are providing parking above the required amount. We have designed buildings which create as much energy onsite as they use. We will be providing housing opportunities for people who cannot afford \$1,000,000+ houses, such as teachers. The current buildings have lead paint, aging pipes, poor insulation, and will be replaced with safe, energy efficient units.

3. Justifying Circumstances:

Our buildings will actually be consistent with maintaining the area 'as is' since it is the existing buildings which are now completely out of character with the area. Further, as stated above, we are trying to avoid selling to a developer who would undoubtedly build a 'maxed-out' building on 219 to 227 S. Holly as allowed BY RIGHT today.

4. Consistency with Neighborhood Context:

The new buildings will be between a townhouse project and a commercial building, so they are highly consistent with the neighborhood context.

219 S HOLLY ST

| | | | | |
|--|------------------------|--|----------------------|---------------------|
| Owner | Schedule Number | Legal Description | Property Type | Tax District |
| JENSEN,LORI 219 S HOLLY ST DENVER, CO 80246-1105 | 0607433026000 | EAST CAPITOL HILL SUB #2 B5 E 53.69FT OF N 34FT OF L11 | RESIDENTIAL ROWHOUSE | DENV |

Property Description

| | | | |
|------------------------------|----------|----------------------------|-----|
| Style: | END UNIT | Building Sqr. Foot: | 809 |
| Bedrooms: | 2 | Baths Full/Half: | 1/0 |
| Mill Levy: | 81.547 | Basement/Finish: | 0/0 |
| Lot Size: | 1,825 | Zoned As: | EMU |
| Effective Year Built: | 1957 | Document Type: | WD |

Note: Valuation zoning may be different from City's new zoning code.

219 S HOLLY ST REAR

| | | | | |
|--|------------------------|--|----------------------|---------------------|
| Owner | Schedule Number | Legal Description | Property Type | Tax District |
| JENSEN,LORI 219 S HOLLY ST DENVER, CO 80246-1105 | 0607433031000 | EAST CAPITOL HILL SUB #2 B5 N 17.25FT OF S 86.61FT OF W 26.46FT OF L11 | RESIDENTIAL ROWHOUSE | DENV |

Property Description

| | | | |
|------------------------------|--------|----------------------------|-----|
| Style: | OTHER | Building Sqr. Foot: | 0 |
| Bedrooms: | | Baths Full/Half: | 0/0 |
| Mill Levy: | 81.547 | Basement/Finish: | 0/0 |
| Lot Size: | 456 | Zoned As: | EMU |
| Effective Year Built: | 0000 | Document Type: | WD |

Note: Valuation zoning may be different from City's new zoning code.

221 S HOLLY ST

Owner **Schedule Number** **Legal Description**

FERRARO,KATHERINE 0607433027000 EAST CAPITOL HILL SUB #2 B5 PT L11 BEG 34FT S OF NE COR L11 W 53.69FT N 34FT W 71.31FTS 13.39FT E 26.46FT S 14.80FT E 26.5FT S 13.82FT E 72.04FT N8FT TO POB
221 S HOLLY ST
DENVER, CO 80246-1105

Property Description

| | | | |
|------------------------------|-------------|----------------------------|-----|
| Style: | MIDDLE UNIT | Building Sqr. Foot: | 809 |
| Bedrooms: | 2 | Baths Full/Half: | 1/0 |
| Mill Levy: | 81.547 | Basement/Finish: | 0/0 |
| Lot Size: | 2,302 | Zoned As: | EMU |
| Effective Year Built: | 1957 | Document Type: | WD |

Note: Valuation zoning may be different from City's new zoning code.

221 S HOLLY ST REAR

| Owner | Schedule Number | Legal Description | Property Type | Tax District |
|---|-----------------|--|----------------------|--------------|
| FERRARO, KATHERINE 221 S HOLLY ST DENVER, CO 80246-1105 | 0607433032000 | EAST CAPITOL HILL SUB #2 B5 N 17.25FT OF S 69.39FT OF W 26.46FT OF L11 | RESIDENTIAL ROWHOUSE | DENV |

Property Description

| | | | |
|------------------------------|--------|----------------------------|-----|
| Style: | OTHER | Building Sqr. Foot: | 0 |
| Bedrooms: | | Baths Full/Half: | 0/0 |
| Mill Levy: | 81.547 | Basement/Finish: | 0/0 |
| Lot Size: | 456 | Zoned As: | EMU |
| Effective Year Built: | 0000 | Document Type: | WD |

Note: Valuation zoning may be different from City's new zoning code.

223 S HOLLY ST

| | | | |
|--|------------------------|--|---------------------|
| Owner | Schedule Number | Legal Description | Property Typ |
| KULL,MOLLY ANNA 223 S HOLLY ST DENVER, CO 80246-1105 | 0607433028000 | EAST CAPITOL HILL SUB #2 B5 PT L11 BEG 42FT S OF NE COR L11 W 72.04FT N 13.82FT W 26.5FT S 43.40FT E 26.50FT N 20.33FT E 72.04FT N 9.25FT TO POB | RESIDENTIAL |

Property Description

| | | | |
|------------------------------|-------------|----------------------------|-----|
| Style: | MIDDLE UNIT | Building Sqr. Foot: | 911 |
| Bedrooms: | 2 | Baths Full/Half: | 1/0 |
| Mill Levy: | 81.547 | Basement/Finish: | 0/0 |
| Lot Size: | 1,816 | Zoned As: | EMU |
| Effective Year Built: | 1957 | Document Type: | QC |

Note: Valuation zoning may be different from City's new zoning code.

223 S HOLLY ST REAR

| Owner | Schedule Number | Legal Description | Property Type | Tax District |
|--|-----------------|--|----------------------|--------------|
| KULL,MOLLY ANNA 223 S HOLLY ST DENVER, CO 80246-1105 | 0607433033000 | EAST CAPITOL HILL SUB #2 B5 N 17.25FT OF S 52.11FT OF W 26.46FT OF L11 | RESIDENTIAL ROWHOUSE | DENV |

Property Description

| | | | |
|------------------------------|--------|----------------------------|-----|
| Style: | OTHER | Building Sqr. Foot: | 0 |
| Bedrooms: | | Baths Full/Half: | 0/0 |
| Mill Levy: | 81.547 | Basement/Finish: | 0/0 |
| Lot Size: | 456 | Zoned As: | EMU |
| Effective Year Built: | 0000 | Document Type: | QC |

Note: Valuation zoning may be different from City's new zoning code.

225 S HOLLY ST

| | | | |
|--|------------------------|---|--------------------|
| Owner | Schedule Number | Legal Description | Property Ty |
| PRESTON,JENNIFER PASSMAN,MARK 225 S HOLLY ST DENVER , CO 80246-1105 | 0607433029000 | EAST CAPITOL HILL SUB #2 B5 PT L11 BEG 51.25FT S OF NE COR L11 W 72.04FT S 20.33FT W 26.5FT S 28.42FT E 44.85FT N 34FT E 53.69FT N 14.74FT TO POB | RESIDENTIAL |

Property Description

| | | | |
|------------------------------|-------------|----------------------------|-----|
| Style: | MIDDLE UNIT | Building Sqr. Foot: | 809 |
| Bedrooms: | 2 | Baths Full/Half: | 1/0 |
| Mill Levy: | 81.547 | Basement/Finish: | 0/0 |
| Lot Size: | 2,440 | Zoned As: | EMU |
| Effective Year Built: | 1957 | Document Type: | WD |

Note: Valuation zoning may be different from City's new zoning code.

225 S HOLLY ST REAR

| Owner | Schedule Number | Legal Description | Property Type | Tax District |
|--|-----------------|--|----------------------|--------------|
| PRESTON,JENNIFER PASSMAN,MARK 225 S HOLLY ST DENVER , CO 80246-1105 | 0607433034000 | EAST CAPITOL HILL SUB #2 B5 N 17.25FT OF S 34.86FT OF W 26.46FT OF L11 | RESIDENTIAL ROWHOUSE | DENV |

Property Description

| | | | |
|------------------------------|--------|----------------------------|-----|
| Style: | OTHER | Building Sqr. Foot: | 0 |
| Bedrooms: | | Baths Full/Half: | 0/0 |
| Mill Levy: | 81.547 | Basement/Finish: | 0/0 |
| Lot Size: | 456 | Zoned As: | EMU |
| Effective Year Built: | 0000 | Document Type: | WD |

Note: Valuation zoning may be different from City's new zoning code.

227 S HOLLY ST

| Owner | Schedule Number | Legal Description | Property Type | Tax District |
|--|-----------------|--|----------------------|--------------|
| DEWITT,ANNA M 227 S HOLLY ST DENVER, CO 80246-1105 | 0607433030000 | EAST CAPITOL HILL SUB #2 B5 E 53.69FT OF S 34FT OF L11 | RESIDENTIAL ROWHOUSE | DENV |

Property Description

| | | | |
|------------------------------|----------|----------------------------|-----|
| Style: | END UNIT | Building Sqr. Foot: | 809 |
| Bedrooms: | 2 | Baths Full/Half: | 1/0 |
| Mill Levy: | 81.547 | Basement/Finish: | 0/0 |
| Lot Size: | 1,826 | Zoned As: | EMU |
| Effective Year Built: | 1957 | Document Type: | WD |

Note: Valuation zoning may be different from City's new zoning code.

227 S HOLLY ST REAR

| Owner | Schedule Number | Legal Description | Property Type | Tax District |
|--|-----------------|---|----------------------|--------------|
| DEWITT,ANNA M 227 S HOLLY ST DENVER, CO 80246-1105 | 0607433035000 | EAST CAPITOL HILL SUB #2 B5 S 17.61FT OF W 26.46FT OF L11 | RESIDENTIAL ROWHOUSE | DENV |

Property Description

| | | | |
|------------------------------|--------|----------------------------|-----|
| Style: | OTHER | Building Sqr. Foot: | 0 |
| Bedrooms: | | Baths Full/Half: | 0/0 |
| Mill Levy: | 81.547 | Basement/Finish: | 0/0 |
| Lot Size: | 466 | Zoned As: | EMU |
| Effective Year Built: | 0000 | Document Type: | WD |

Note: Valuation zoning may be different from City's new zoning code.

235 S HOLLY ST

Owner MARGALA, CARMEN
235 S HOLLY ST
DENVER, CO 80246-1105

Schedule Number 0607433016000

Legal Description EAST CAPITOL HILL SUB #2 B5 L10 DIF BOOK 2270-395

Property Type RESIDENTIAL

Tax District DENV

Property Description

Style: ONE-STORY **Building Sqr. Foot:** 1394

Bedrooms: 2 **Baths Full/Half:** 1/1

Effective Year Built: 1953 **Basement/Finish:** 1394/1046

Lot Size: 9,380 **Zoned As:** E-SU-DX

Note: Valuation zoning may be different from City's new zoning code.

Current Year

Actual Assessed Exempt

245 S HOLLY ST

Owner PRESS,ERIC
PRESS,NICOLE
245 S HOLLY ST
DENVER , CO 80246-1105

Schedule Number 0607433005000

Legal Description EAST CAPITOL HILL SUB #2 B5 L9 & 10 DIF RCP# 0042743 RCD 11-15-84

Property Type RESIDENTIAL

Tax District DENV

Property Description

| | | | |
|------------------------------|-----------|----------------------------|---------|
| Style: | ONE-STORY | Building Sqr. Foot: | 1475 |
| Bedrooms: | 3 | Baths Full/Half: | 3/1 |
| Effective Year Built: | 1955 | Basement/Finish: | 766/600 |
| Lot Size: | 6,250 | Zoned As: | E-SU-DX |

Note: Valuation zoning may be different from City's new zoning code.

Current Year

Actual Assessed Exempt

LEGAL DESCRIPTION

PARCEL 1: NORTH 25 FEET OF PLOT 9 AND SOUTH 25 FEET OF PLOT 10, BLOCK 5, EAST CAPITOL HILL SUBDIVISION, SECOND FILING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL 2: LOT 10, EXCEPT THE SOUTH 25 FEET THEREOF, BLOCK 5, EAST CAPITOL HILL SUBDIVISION, SECOND FILING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL 3: INTENTIONALLY DELETED

PARCEL 4: LOT C, THAT PART OF LOT 11, BLOCK 5, EAST CAPITOL HILL SUBDIVISION, SECOND FILING, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF SAID LOT WHICH POINT IS 42.00 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT, THENCE WEST AND PARALLEL WITH THE NORTH LINE OF SAID LOT A DISTANCE OF 72.04 FEET; THENCE NORTH AND PARALLEL WITH THE EAST LINE OF SAID LOT A DISTANCE OF 14.80 FEET; THENCE SOUTH AND PARALLEL WITH THE EAST LINE OF SAID LOT A DISTANCE OF 43.40 FEET; THENCE EAST AND PARALLEL WITH THE NORTH LINE OF SAID LOT A DISTANCE OF 26.50 FEET; THENCE NORTH AND PARALLEL WITH THE EAST LINE OF SAID LOT A DISTANCE OF 20.33 FEET; THENCE SOUTH AND PARALLEL WITH THE EAST LINE OF SAID LOT A DISTANCE OF 26.50 FEET; THENCE WEST AND PARALLEL WITH THE NORTH LINE OF SAID LOT A DISTANCE OF 20.33 FEET; THENCE SOUTH AND PARALLEL WITH THE EAST LINE OF SAID LOT A DISTANCE OF 44.85 FEET; THENCE NORTH AND PARALLEL WITH THE EAST LINE OF SAID LOT A DISTANCE OF 34.00 FEET; THENCE EAST AND PARALLEL WITH THE SOUTH LINE OF SAID LOT A DISTANCE OF 53.69 FEET TO A POINT ON THE EAST LINE OF SAID LOT; THENCE NORTH ALONG SAID EAST LINE OF SAID LOT A DISTANCE OF 14.75 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL 5: THE NORTH 17.25 FEET OF THE SOUTH 52.41 FEET OF THE WEST 26.46 FEET OF LOT 11, BLOCK 5, EAST CAPITOL HILL SUBDIVISION, SECOND FILING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL 6: THAT PART OF LOT 11, BLOCK 5, EAST CAPITOL HILL SUBDIVISION, SECOND FILING, MORE PARTICULARLY BEGINNING AT A POINT ON THE EAST LINE OF SAID LOT WHICH POINT IS 34.00 FEET SOUTH OF THE NORTHEAST CORNER OF SAID LOT, THENCE WEST AND PARALLEL WITH THE NORTH LINE OF SAID LOT A DISTANCE OF 53.69 FEET; THENCE NORTH AND PARALLEL WITH THE EAST LINE OF SAID LOT A DISTANCE OF 34.00 FEET TO A POINT ON THE NORTH LINE OF SAID LOT; THENCE WEST ALONG SAID NORTH LINE A DISTANCE OF 71.31 FEET TO THE NORTHWEST CORNER OF SAID LOT; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT A DISTANCE OF 13.39 FEET; THENCE SOUTH AND PARALLEL WITH THE EAST LINE OF SAID LOT A DISTANCE OF 14.80 FEET; THENCE EAST AND PARALLEL WITH THE NORTH LINE OF SAID LOT A DISTANCE OF 26.50 FEET; THENCE SOUTH AND PARALLEL WITH THE EAST LINE OF SAID LOT A DISTANCE OF 13.82 FEET; THENCE EAST AND PARALLEL WITH THE WEST LINE OF SAID LOT A DISTANCE OF 20.34 FEET TO A POINT ON THE EAST LINE OF SAID LOT; THENCE NORTH ALONG SAID EAST LINE OF SAID LOT A DISTANCE OF 8.60 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL 7: THE NORTH 17.25 FEET OF THE SOUTH 68.39 FEET OF THE WEST 26.46 FEET OF LOT 11, BLOCK 5, EAST CAPITOL HILL SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL 8: PARCEL 1: THE EAST 53.69 FEET OF THE NORTH 34.00 FEET OF LOT 11, BLOCK 5, EAST CAPITOL HILL SUBDIVISION, SECOND FILING, CITY AND COUNTY OF DENVER, STATE OF COLORADO, ALSO KNOWN AS PARCEL E-1 OF SECOND FILING, CITY AND COUNTY OF DENVER, STATE OF COLORADO, ALSO KNOWN AS PARCEL E-1 OF IMPROVEMENT SURVEY PLAT RECORDED JANUARY 29, 1999 UNDER RECEPTION NO. 9900016559.

PARCEL 9: PARCEL 2: THE NORTH 17.25 FEET OF THE SOUTH 86.61 FEET OF THE WEST 26.46 FEET OF LOT 11, BLOCK 5, EAST CAPITOL HILL SUBDIVISION, SECOND FILING, CITY AND COUNTY OF DENVER, STATE OF COLORADO, ALSO KNOWN AS PARCEL E-1 OF IMPROVEMENT SURVEY PLAT RECORDED JANUARY 29, 1999 UNDER RECEPTION NO. 9900016559.

PARCEL 10: PARCEL A: THE EAST 53.69 FEET OF THE SOUTH 34.00 FEET OF LOT 11, BLOCK 5, EAST CAPITOL HILL SUBDIVISION, SECOND FILING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL 11: PARCEL B: THE SOUTH 17.61 FEET OF THE WEST 26.46 FEET OF LOT 11, BLOCK 5, EAST CAPITOL HILL SUBDIVISION, SECOND FILING, CITY AND COUNTY OF DENVER, STATE OF COLORADO, ALSO KNOWN AS PARCEL E-1 OF SECOND FILING, CITY AND COUNTY OF DENVER, STATE OF COLORADO, ALSO KNOWN AS PARCEL E-1 OF IMPROVEMENT SURVEY PLAT RECORDED JANUARY 29, 1999 UNDER RECEPTION NO. 9900016559.

PARCEL 12: SURVEYOR: MATHEW E. SELDERS DREXEL, BARRELL & CO. 800 SOUTH HOLLY STREET BOULDER, COLORADO 80301 (303) 442-4338

CERTIFIED TO: GREENUS, LLC FIRST AMERICAN TITLE INSURANCE COMPANY

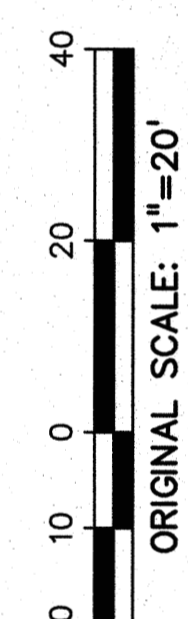
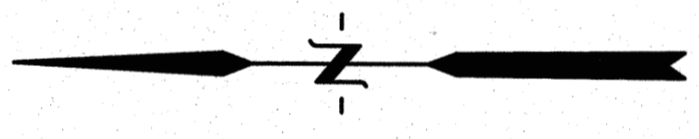
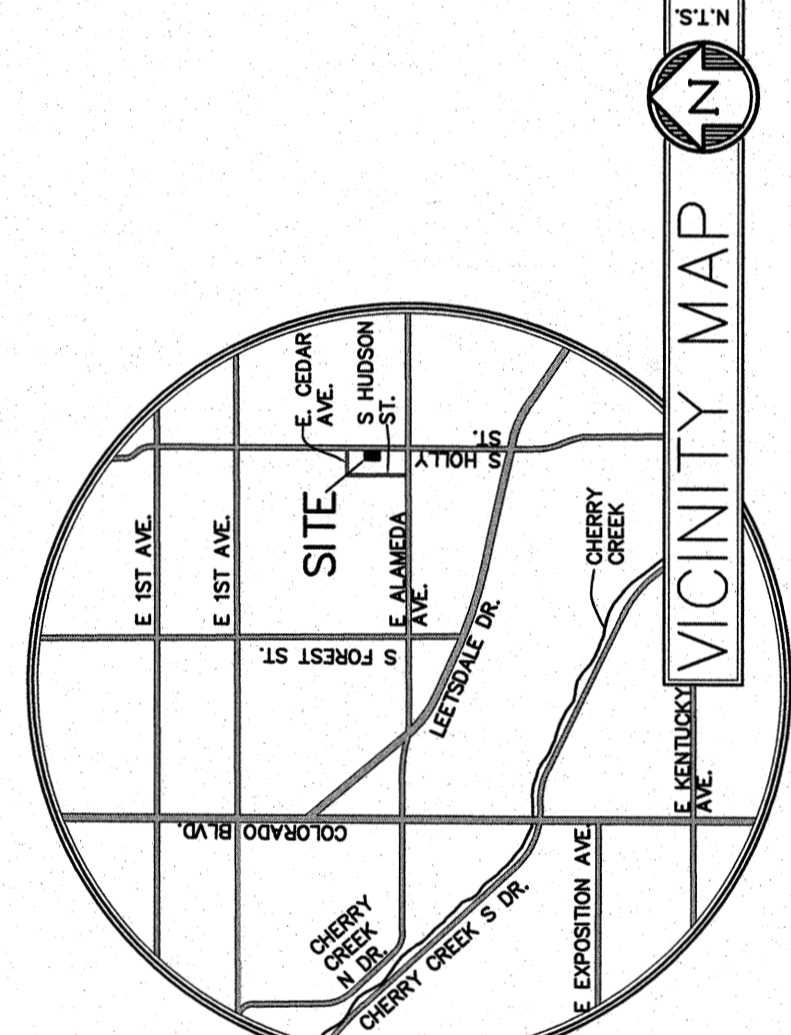
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR PROFESSIONAL LAND SURVEYING AND THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR PROFESSIONAL LAND SURVEYING AND THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR PROFESSIONAL LAND SURVEYING.

DATE OF PLAT OR MAP: 12/20/17

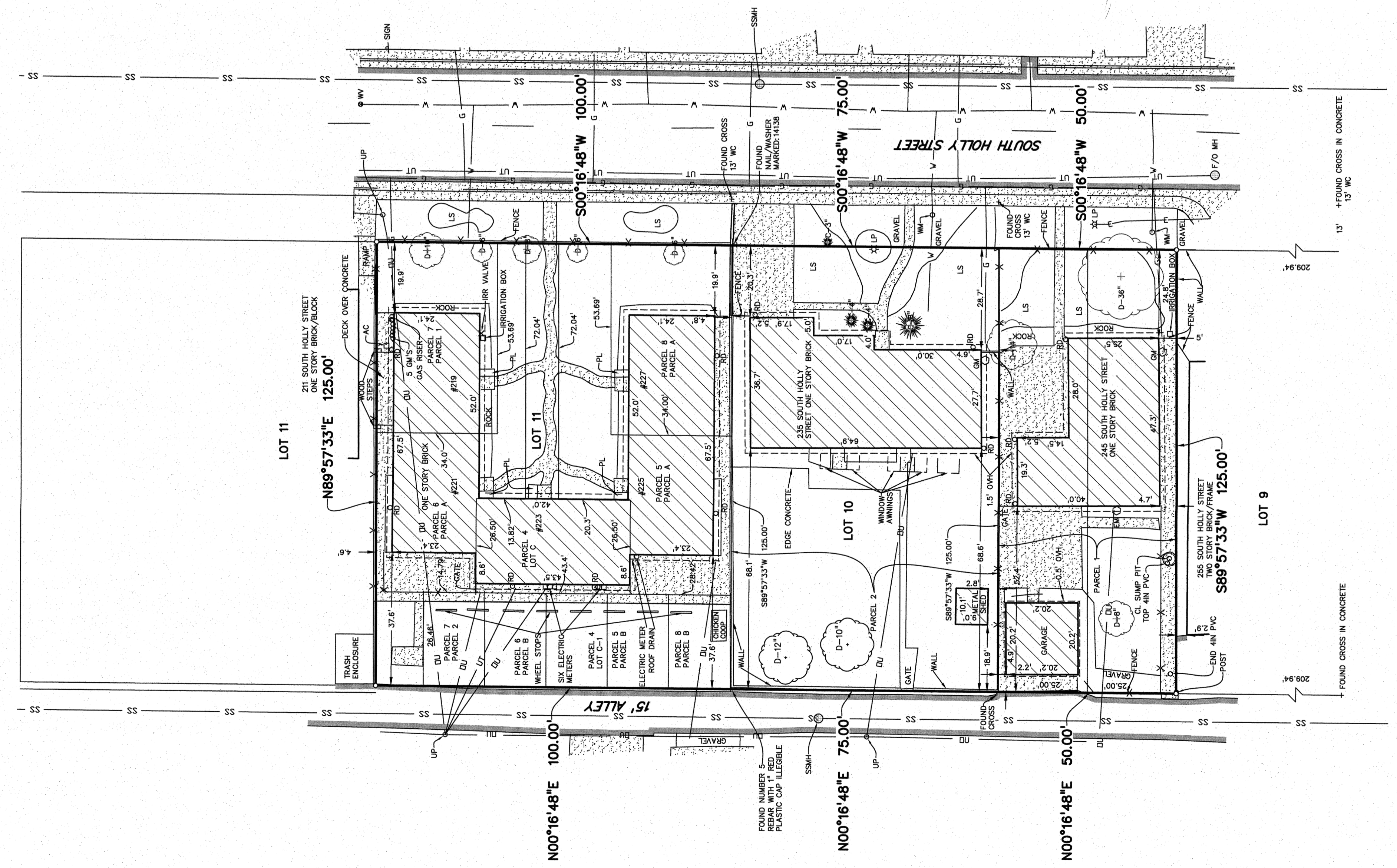
IN ACCORDANCE WITH THE STATE BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS RULE 6.2.2, THE UNDERSIGNED FURTHER CERTIFIES THAT THIS MAP OR PLAT REFLECTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY RESPONSIBLE CHARGE, IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

MATHEW E. SELDERS COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 27275

DATE: 12-20-17 DRAWN BY: RFB/AVD CHECKED BY: MES SCALE: 1" = 20' DRAWING NO.: B89-00



LEGEND table with symbols for AIR CONDITIONER, ELECTRIC METER, FIBER OPTIC, GAS METER, IRRIGATION, LANDSCAPE, MANHOLE, BUILDING OVERHANG, LANTERN, ROOF DRAIN, SANITARY MANHOLE, UTILITY POLE, WATER METER, WATER VALVE, UNDERGROUND ELECTRIC LINE MARKS, UNDERGROUND GAS LINE MARKS, OVERHEAD UTILITY LINE, SANITARY SEWER, UNDERGROUND TELEPHONE LINE MARKS, UNDERGROUND WATER LINE MARKS, FENCE, CONIFEROUS TREE W/TRUNK DIAMETER, DECIDUOUS TREE W/TRUNK DIAMETER.



GENERAL NOTES

- 1. THE BASIS OF BEARINGS IS THE EASTERN LINE OF THE SUBJECT PROPERTY AS SHOWN HEREON, WITH THE LINE ASSUMED TO BEAR 80°16'48"W.
2. SET 2" ALUMINUM CAPS STAMPED "DB & CO. LS 27275" AT ALL EXTERIOR BOUNDARY CORNERS OF THE SUBJECT PROPERTY UNLESS OTHERWISE NOTED.
3. DREXEL, BARRELL & CO. RELIED UPON TITLE COMMITMENT NO. 5509-2853782, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, WITH AN EFFECTIVE DATE OF OCTOBER 5, 2017 FOR ALL INFORMATION REGARDING THE LEGAL DESCRIPTION, EASEMENTS AND RIGHTS-OF-WAYS.
4. ALL REFERENCES TO BOOKS, PAGES, MAPS AND RECEPTION NUMBERS ARE PUBLIC DOCUMENTS ON FILE WITH THE CLERK AND RECORDER OF DENVER COUNTY, STATE OF COLORADO.
5. REFERENCES NOTED "PER RECORDED PLAT AS SHOWN HEREON ARE PER DENVER COUNTY RECORDS.
6. ALL TIES TO THE RECORD TITLE LINES FROM THE IMPROVEMENTS SHOWN HEREON ARE PERPENDICULAR TO THE RECORD TITLE LINES.
7. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMBATS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508 C.R.S.
8. BURIED UTILITIES AND/OR PIPE LINES ARE SHOWN PER VISUAL SURFACE EVIDENCE OR AS-BUILT DRAWINGS OF THE CONSTRUCTED UTILITY LINES. IF ANY UNDERGROUND UTILITY LOCATIONS ARE REQUIRED, THEY WILL HAVE TO BE VERIFIED BY FIELD PHOTOLOGING THE UTILITIES. DREXEL, BARRELL & CO. AND THE SURVEYOR OF RECORD SHALL NOT BE LIABLE FOR THE LOCATION OR FAILURE TO NOTE THE LOCATION OF NON-VISIBLE UTILITIES.
9. EASEMENTS AND PUBLIC DOCUMENTS SHOWN OR NOTED HEREON WERE RECORDED IN ACCORDANCE WITH THE RECORD TITLE LINES AND ARE SUBJECT TO RESERVATIONS, RESTRICTIONS, EXCLUSIONS, CONDITIONS, OBLIGATIONS, TERMS OR AS TO THE RIGHT TO GRANT THE SAME.
10. THE LINEAL UNITS SHOWN HEREON ARE US SURVEY FEET.
11. THE LAST FIELD INSPECTION OF THE SITE WAS ON DECEMBER 20, 2017.
12. THE SUBJECT PROPERTY CONTAINS 0.646 ACRES.

TITLE COMMITMENT NOTES

- 1. THE PROPERTY AS SHOWN HEREON IS SUBJECT TO THE FOLLOWING PER TITLE COMMITMENT NO. 5509-2853782, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, WITH AN EFFECTIVE DATE OF OCTOBER 5, 2017. ALL EXCEPTIONS CONTAINED WITHIN THIS TITLE COMMITMENT ARE NOTED BELOW AND NOT ALL THE EXCEPTIONS LISTED BELOW ARE SHOWN HEREON.
2. NOTES AND EASEMENTS AS SHOWN ON THE PLAT OF EAST CAPITOL HILL SUBDIVISION SECOND FILING RECORDED MARCH 24, 1987 IN PLAT BOOK 4 AT PAGE 22C.
3. TERMS, AGREEMENTS, PROVISIONS, CONDITIONS, OBLIGATIONS AND EASEMENTS, IF ANY, AS CONTAINED IN DECLARATION RECORDED JANUARY 29, 1999 AT RECEPTION NO. 9900016560 AND RE-RECORDED DECEMBER 18, 2002 AT RECEPTION NO. 2002241774 (LOT 11).
4. NOTES AND EASEMENTS AS SHOWN ON THE PLAT OF IMPROVEMENT SURVEY PLAT RECORDED JANUARY 29, 1999 AT RECEPTION NO. 9900016559 (LOT 11).
5. TERMS, AGREEMENTS, PROVISIONS, CONDITIONS, OBLIGATIONS AND EASEMENTS, IF ANY, AS CONTAINED IN DECLARATION RECORDED JANUARY 29, 1999 AT RECEPTION NO. 9900016560 AND RE-RECORDED DECEMBER 18, 2002 AT RECEPTION NO. 2002241774 (LOT 11).
6. ANY TAX, LIEN, FEE OR ASSESSMENT BY REASON OF INCLUSION IN THE EAST SIDE SANITARY SEWER DISTRICT NO. 5 AS EVIDENCED BY ORDINANCE, AS EVIDENCED BY INSTRUMENT RECORDED OCTOBER 20, 1950 IN BOOK 6616 AT PAGE 17.

ALTA/NSPS LAND TITLE SURVEY OF A PORTION OF BLOCK 5, EAST CAPITOL HILL SUBDIVISION SECOND FILING, LOCATED IN THE SW 1/4 OF SECTION 7, T4S, R67W OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO.

IN ACCORDANCE WITH CSR 13-260-106 NOTICE, ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. THE TIME FOR COMMENCING ANY LEGAL ACTION WILL BE DEEMED TO HAVE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

Drexel, Barrell & Co. 1840 98TH STREET BOULDER, COLORADO 80501 (303) 442-4338

Professional seal and title block for MatheW E. Selders, Colorado Licensed Professional Land Surveyor No. 27275. Includes drawing number B89-00 and scale 1"=20'.

Legal Description:

East Capitol Hill 2nd Filing, Block 5, the North 25 FT of Lot 9 and Lots 10 and 11

The
Cranmer Park / Hilltop
CIVIC ASSOCIATION

November 7, 2018

Anna DeWitt representing Lori Jensen, Katherine Ferraro, Molly Kull, Jennifer Preston, Mark Passman, Carmen Margala, Scott Press aka Eric Press and Megan Press.
227 So. Holly Street
Denver, CO 80220

Re: 219-245 S. Holly St., rezoning

Dear Ms. DeWitt, et al:

This letter is submitted on behalf of the Cranmer Park-Hilltop Civic Association ("CPHCA") in connection with the proposed re-zoning of 219-245 S. Holly Street, and the most recent plans you have shown to CPHCA and close-in neighbors for the development (attached), and the proposed Declaration of Restrictive Covenant for the property.

After mediation with representatives of close-in neighbors and the adjacent RNO, Crestmoor Park Neighborhood Association and discussion with CPHCA board members, we agree that it appears you and your developer Jason Lewiston of Greenius, LLC, are heading in the right direction for the project and we appreciate that you have offered adjustments to your earlier plans to respond to concerns voiced in mediation meetings.

Based on the revised concept you have submitted to the City and proposed to us, CPHCA will not oppose your application to revising the Zoning of the Property from E-MU-2.5 and E-SU-Dx to all E-MU-2.5 with waiver for apartment form.

The following points as agreed between you as Owners and CPHCA form the basis of our support of your revised concept and should be confirmed through the actual formal Site Plan submittal to the City and County of Denver once the re-zoning to E-MU-2.5 with waivers is confirmed.

1. Maximum permitted residential density is (23) twenty-three dwellings.
2. The maximum permitted height for each building situated on the property shall be 35 feet, 'height' is as defined by Article 13 of the City of Denver Zoning Code, as amended.. There shall be no rooftop decks above the 3rd story. Sight lines from all decks shall be minimized through use of features noted in the executed Declaration of Restrictive Covenants.

3. The building form for the site shall be limited to apartment, townhouse, suburban house and duplex form.
4. Materials: The exterior finish material on all sides for each building situated on the property shall be brick.
5. Residential Buildings Setbacks: The minimum permitted primary street setback for each building situated on the Property shall be 20' feet, the minimum rear setback for each residential building on the Property shall be 40', the minimum rear setback for the habitable space of each residential building on the Property shall be 65' minimum, and the minimum side interior setback for each residential building on the Property shall be 7.5', 'setback' as defined by Article 13 of the City of Denver Zoning Code, as amended. The 3rd story shall be set back 10' from the front of the building and 7.5' from the side of the building.
6. Garages shall be built along the west property line, and have a wall height along the west property line (alley) of no less than 17'. The garage wall shall be built out of brick. There will be 36 parking spaces.
7. Minimal Light Trespass: At 10 feet (3.0 m) beyond the property line the light at 5' above grade level shall not exceed 0.10 fc, except at drive entrances to the site.
8. Developer shall provide 2 to 3 2" diameter trees as desired for each of the properties directly across the alley that face Hudson Street.
9. As of the Effective Date, the Property shall not be used for rentals of less than 30 days or for Short Term Rentals as defined by Section 33-46(5) of the Denver Revised Municipal Code. This limitation shall be included in any future covenants and restrictions for development on the Property.
10. Developer shall utilize best efforts to provide on-site parking for the duration of construction.
11. A Restrictive Covenant has been negotiated between the Parties.

Please feel free to share this letter of support with both City Staff and City Council members as you move forward in the re-zoning process.

Very truly yours,
CRANMER PARK-HILLTOP CIVIC ASSOCIATION

Wende Sherwood Reoch
Acting President

Thomas A. Hart, A.I.A.
Zoning Committee Chair
Cranmer Park/Hilltop Civic Association

7 November 2018

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

Re: Rezoning Application – Case No: 2017I-00153
219 -245 South Holly Street, Denver, CO 80246

Summary: The Cranmer Park/Hilltop Civic Association **does not oppose the rezoning** based on an agreement to place restrictive covenants on the properties.

To Whom It May Concern;

The Cranmer Park/Hilltop Civic Association has been working with the residents, the developer and our neighborhood regarding the rezoning of 219-245 South Holly Street for many months.

We have held multiple public meetings and after a rezoning request was denied last April, we requested mediation. The mediation participants included me, our acting president Wende Reoch, a representative of the adjoining neighbors, a representative of the owners, the owner of the adjacent commercial property, and the developer. We also requested that representatives of adjacent RNOs participate as a courtesy to them.

Our goal was to get the best possible building for our neighborhood and have some control over what was built. We are aware that an apartment building could be built by right on the existing E-MU-2.5 property that could contain at least 20 units. We are also aware that the existing E-SU-Dx properties would then be vulnerable to rezoning and they could allow even more units. We also believe that these properties being located along a connector street, adjacent to a neighborhood center, adjacent to other multi-family properties, and along an edge of our neighborhood are an appropriate location for increased density that would provide more housing and that is more affordable than is currently available in Hilltop.

There were three mediation meetings held and the mediation was concluded with the mediator issuing a report that was based on agreement among the representatives. Our instructions were to take the report to our respective organizations for approval.

Our Zoning Committee met with the developer and the neighbor's representative. We voted to **not oppose the rezoning contingent on approval of covenants** that are based on the mediator's report. This position was subsequently endorsed by the full Board.

We have spent the last few months working on the covenants. These covenants include the following items from the mediator's final report:

- Limited to 23 units – a 15% reduction from the 27 units of the original proposal
- Limited to 35' tall – same as current zoning
- No rooftop decks will be allowed above the third story
- Sight lines from all decks are to be minimized to adjacent properties through additional features.
- Buildings are to meet City's setback requirements for Primary Street and Side yard
- Buildings are to have a rear setback of 40' min. to the building and 65' min. to habitable space. Zoning would require only a 12' rear setback.
- The back wall of garages along the alley is to be 17' tall to provide privacy for neighbors
- Onsite parking will be provided for 36 cars, plus bikes
- Trees will be provided for the neighbors across the alley
- Minimal light trespass onto neighbor's property
- No short term rentals will be allowed.

The covenants have been finalized and approved by our full Board. The approval will be binding upon the notarized signing of all parties. Of the 22 members of the Board; 16 voted to approve, 3 abstained, 1 opposed approving, and 2 did not reply. Upon approval of the rezoning by the City, the covenants will be recorded.

The Cranmer Park/Hilltop Civic Association is a non-profit, volunteer neighborhood association made up of residents within the area bounded by Colorado Blvd on the West, Alameda on the South, Holly Street on the East and 8th Avenue on the North. The mission of the association is to preserve, protect, and enhance the quality of life and existing character of the Cranmer Park/Hilltop neighborhood. There are approx. 2,500 households within our boundaries, all residents are members.

Respectfully submitted,

Thomas A. Hart, A.I.A.
Zoning Committee Chair
Cranmer Park/Hilltop Civic Association
tomh@hartstudio.net
303-388-9498

Cc:

Mary Beth Susman
Denver City Councilwoman – District 5

Wende Reoch
Acting President
Cranmer Park/Hilltop Civic Association

DECLARATION OF RESTRICTIVE COVENANT

THIS DECLARATION OF RESTRICTIVE COVENANT (this "Declaration") is made as of the Effective Date (as defined in Section 4 below) by Lori Jensen, Katherine Ferraro, Molly Kull, Jennifer Preston, Mark Passman, Anna Dewitt, Carmen Margala, Eric Press and Megan Nicole Press, as owners of the land on S. Holly Street, Denver, CO 80246 (together with their successors and assigns, "Declarants"), for the benefit of the CRANMER PARK - HILLTOP CIVIC ASSOCIATION, a Colorado nonprofit corporation (together with its successors and assigns, "Association") and/or its members as constituted from time to time ("Members").

Recitals

This Declaration is made with respect to the following facts:

A. Declarants are the Owners of certain real property located in the City and County of Denver, Colorado ("City"), as more particularly described on Exhibit A-1 attached hereto (the "Property") and as further shown on Exhibit A. Development of the Property as desired by Declarants necessitates City approval of a rezoning of the Property to the E-MU-2.5 zone district (with a waiver, in the form attached hereto as Exhibit B) under the City Zoning Code (the "Rezoning"). Upon rezoning, Declarants and their successors and assigns shall submit for approval of a development project in substantial compliance with the plans attached hereto as Exhibit C, subject to review and approval by the City.

B. The Association, is a registered neighborhood organization with the City, and the Property is included within the area served by the Association.

C. As consideration for such Association non-objection to the Rezoning, subject to and in accordance with the terms and provisions of this Declaration, Declarants desire to impose a restrictive covenant on the Property for the benefit of the Association and/or its Members as set forth herein.

Declaration

In consideration of the facts set forth in the Recitals and for other good and valuable consideration, the receipt and sufficiency of which are acknowledged by Declarants, Declarants hereby declare as follows:

1. Covenants Run with Land. Declarants, for themselves and their successors and assigns, hereby declare that the Property will, from and after the Effective Date, be owned, held, conveyed, encumbered, leased, improved, used, occupied and enjoyed subject to the covenants, reservations and other provisions set forth in this Declaration. This Declaration will: (a) run with the Declarant Property at law and as an equitable servitude; (b) bind any person having or acquiring any right, title or interest in any portion of the Property; and (c) inure to the benefit of, and be enforceable by, the Association and/or its Members.

2. Restrictive Covenants. Any development of the Property will comply with the following restrictive covenants:

(a) **Density**: The maximum permitted residential density is twenty-three (23) dwellings units.

(b) **Height**: The maximum permitted height for each building situated on the Property shall be 35 feet, 'height' is as defined by Article 13 of the City of Denver Zoning Code, as amended.

(c) There will be no rooftop decks above the 3rd story on the Property. Sight lines from all decks will be minimized through the use of features listed below in paragraphs (e), (f), (h), and (k).

(d) **Building Forms**: The building form of any dwellings constructed on the Property is limited to apartment, townhouse, suburban house and duplex as defined by Article 4.3 of the City of Denver Zoning Code, as amended. No other residential building forms are permitted. 'Slot Homes' also known as Garden Court homes, are therefore not permitted on the Property.

(e) **Residential Buildings Setbacks**: The minimum permitted primary street setback for each building situated on the Property shall be 20' feet, the minimum rear setback for each residential building on the Property shall be 40', the minimum rear setback for the habitable space of each residential building on the Property shall be 65' minimum, and the minimum side interior setback for each residential building on the Property shall be 7.5', 'setback' as defined by Article 13 of the City of Denver Zoning Code, as amended. The 3rd story shall be set back 10' from the front of the building and 7.5' from the sides of the buildings adjacent to the north and south property lines.

(f) **Garages**: Garages shall be built along the west property line, and have a wall height along the west property line (the alley) as tall as allowed (within inches) under the zoning code at the time of permitting. The garage wall, along the alley, shall be faced with brick. There will be 36 parking spaces, in the garages and parking lot, provided for the residents.

(g) **Materials**: The exterior finish material on all sides for each building situated on the property shall be brick.

(h) **Minimal Light Trespass**: At 10 feet (3.0 m) beyond the property line the light at 5' above grade level shall not exceed 0.10 fc. except at drive entrances to the site.

(i) **No Short Term Rentals Allowed**: As of the Effective Date, the Property shall not be used for rentals of less than 30 days or for Short Term Rentals as defined by Section 3346(5)

of the Denver Revised Municipal Code. This limitation shall be included in any future covenants and restrictions for development on the Property.

(j) Developer shall utilize best efforts to provide on-site parking for the duration of construction.

(k) Developer shall provide 2 to 3 2" diameter trees as desired for each of the properties directly across the alley that face Hudson Street.

3. Amendment. Declarant may not, without the prior written consent of the Association, amend or otherwise modify the terms, obligations, covenants and requirements of this Declaration, which consent will be attached to any such amendment or modification. Any amendment or modification so consented to by Association will be recorded in the real property records of the Clerk and Recorder for the City ("Records"). Upon such recording, the amendment or modification will be a covenant running with the land and burdening the Property for the benefit of the Association and/or its Members.

4. Effectiveness: Association Covenant Not to Oppose Development.

(a) The "Effective Date" and effectiveness of this Declaration will commence upon the City's approval of the Rezoning.

(b) In consideration of the Declarations and the covenants set forth herein, the Association hereby covenants that it will not oppose, object to and/or appeal Declarant's applications for Rezoning, building permits and/or other approvals necessary to develop the Property as permitted by the Rezoning, as restricted pursuant to the terms and conditions of this Declaration.

5. Captions. The captions and headings on this Declaration are for convenience only and will not be considered in construing any provisions of this Declaration.

6. Severability. Invalidation of any of the provisions contained in this Declaration, or of the application thereof to any person or entity, by judgment or court order, will in no way affect any of the other provisions of this Declaration or the application thereof to any other person, entity or circumstance, and the remainder of this Declaration will remain in effect.

7. Governing Laws. This Declaration will be governed by, and enforced in accordance with, the laws of the State of Colorado. In the event of any litigation hereunder, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs. Venue for any legal action shall be in the District Court for Denver County, Colorado.

JURY WAIVER. THE PARTIES DO HEREBY KNOWINGLY, VOLUNTARILY AND INTENTIONALLY WAIVE THEIR RIGHT TO A TRIAL BY JURY IN RESPECT OF ANY LITIGATION ARISING OUT OF, UNDER OR IN CONNECTION WITH THIS DECLARATION.

8. Represent and Warrant. The undersigned Declarants represent and warrant that they have full authority to encumber the Property and enter into this Declaration.

9. Mediation. Prior to the filing of any litigation by a party to this Declaration against another party to this Declaration, the parties shall participate in mediation in an attempt to resolve any conflict between the parties.

[Signature Page Follows This Page]

Pete Casillas
175 S. Jasmine Street
Denver, CO 80224
November 4, 2018

Denver Planning Board
201 W. Colfax Ave., Dept. 205
Denver, CO 80202

Re: Official Zoning Map Amendment Application #2017I-00153, 219, 221, 223, 225, 227, 235, and 245 South Holly Street

Dear Denver Planning Board:

I am writing on behalf of the Crestmoor Park Neighborhood Association (CPNA), where I serve as Vice President. The CPNA is the Registered Neighborhood Organization which shares a border (Holly Street) with the proposed re-zoning. We hold that our residents are as impacted by this proposed re-zoning as those of the Hilltop-Cranmer Park Civic Association, given our smaller relative size, and the closer geographic proximity of the entirety of our residents to the location. Holly Street is the gateway to our neighborhood.

Given our proximity to the site, we appreciated being included in the mediation effort that came out of the initial rejection of the re-zoning application. I represented our RNO in the mediation effort, which was ultimately unsuccessful. Why was that effort unsuccessful? Not because of any lack of good faith on the part of our neighbors; we were prepared to advance alternatives to the application, in support of the applicants stated objectives. What was clear to us from the first meeting was that the applicant and developer would not consider any real changes to their plan – no alternative building forms, no real changes to density, no proactive ideas to mitigate traffic and safety concerns.

Given the outcome of the mediation effort, our RNO decided the best approach to make our neighbors voices heard was to field a survey to all 187 homes in our neighborhood. Survey responses were solicited via hand delivered notices and via email to all the known emails of our residents. **We received responses from 47 individuals – a 25% response rate. Of those 47 responses, 43 oppose the re-zoning application (91%), 3 took no position, and 1 supported it.** Themes from the provided comments were, not surprisingly, concerns about traffic, safety, and development in general. We believe it is fair to say that our neighbors STRONGLY oppose the re-zoning application.

Nothing has truly changed from the initial application hearing. The proposed structure is still the same hulking apartment building, resulting in the same dramatic jump in density from 7 residences to something between 23 and 27 residences. The same dangerous access points to the structures' parking spaces, via Alameda by way of an alley, the same alley that exits to Cedar Street, where Park Burger patrons play as they wait. The traffic mitigation efforts on the chokepoint that is Holly between Alameda and Cedar are the same, and sorely insufficient. We would hope that the disposition of this application will be the same as before, not approved.

The CPNA is acutely aware of the need for Denver to house its growing population, through zoning that supports a variety of uses. We are aware that a portion of the property is already zoned for multi-unit residential, and that these units are part of the long-standing character of the neighborhood. What is NOT part of the character of our neighborhood is a large apartment-style building, plunked down on a tight collector road that serves as a key entry point to our community, which serves to exacerbate legitimate issues of traffic and safety.

This is a creative application, but it creates a problematic precedent for poor-fit development in the heart of existing communities. We ask that you reject the re-zoning application.

Sincerely,

Pete Casillas

From: [Katie McCrimmon](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: [EXTERNAL] Crestmoor Filing 2 survey results - please add for tomorrow's Planning Board meeting - Rezoning Application #20171-00153
Date: Tuesday, November 06, 2018 10:28:52 AM
Attachments: [Crestmoor Filings 2 survey results for Planning Board.docx](#)

Use caution with attachments or links.

Dear Ms. Lucero.

Please include the attached survey results from Crestmoor Filing 2 regarding the proposed Holly Street rezoning for the Planning Board for tomorrow's hearing.

Thank you.

Katie
katie.mccrimmon@gmail.com
mobile: 720-202-9921

Neighbors in Crestmoor and Hilltop closest to the proposed Holly Street rezoning overwhelmingly oppose the zoning change.

Nov. 6, 2018

Dear Planning Board members.

The Crestmoor and Hilltop neighborhoods have multiple RNOs.

To learn opinions from people in the neighborhoods most directly impacted by the proposed zoning changes on South Holly Street, we did online surveys in October, 2018 in three geographic areas: the Crestmoor Park Neighborhood (the RNO comprised of homes south and west of Crestmoor Park), Crestmoor Park Filings 2 (the homes north and west of Crestmoor Park) and the neighbors in Hilltop closest to the proposed development did their own survey as well.

In all cases, the surveys show that neighbors overwhelmingly oppose the proposed zoning change on South Holly Street. The opposition ranges from more than 80 percent to over 90 percent.

Pete Casillas has provided survey results for the Crestmoor Park Neighborhood RNO. Lise Urich has provided survey results from the Hilltop neighbors closest to Holly. And I am providing results for the survey in Crestmoor Filings 2.

John Sadwith, the RNO head for Filings 2, sent out the survey in his neighborhood via his email list. (Please see the survey language below.)

Survey results from Crestmoor Filings 2

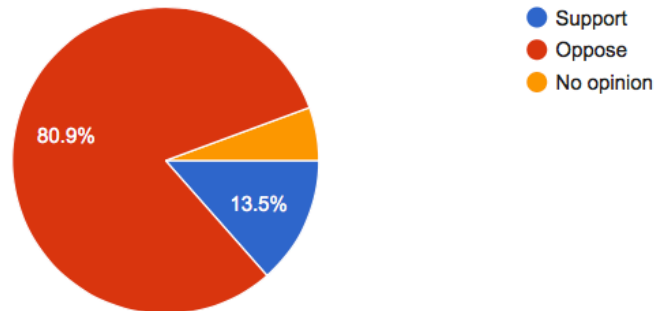
We received responses from 89 households (1 vote per household) among the 490 homes in Crestmoor Filing 2. That was about an 18 percent response rate, which is quite good for an online survey.

Of the 89 who responded, about 81 percent oppose the Holly project, while 13.5 percent support it and the remainder have no opinion.

Here's a graphic showing the responses from Crestmoor Filing 2.

Do you support, oppose or have no opinion on the proposed zoning change on South Holly Street?

89 responses



Below is the survey language and below that are the unedited comments we received from the Crestmoor Filings 2 residents who responded to the survey.

Language from online survey:

Summary of the proposed development:

Several property owners on the west side of South Holly Street, south of Park Burger between Cedar and Alameda, have asked the city for a zoning change that would allow a 3-story condo building on their properties.

We are seeking your input because the proposed zoning change is due to be considered on Nov. 7 at 3 p.m. before the Denver Planning Board and we want to share your opinions with Planning Board members.

The Planning Board considered and voted against this zoning change once before. The new proposal has changed slightly.

You may review the full application for the proposed zoning change on the Denver Community Planning and Development's zoning page:
https://www.denvergov.org/content/dam/denvergov/Portals/646/documents/Zoning/rezoning/17i/17I-00153_revisedapp_41718.pdf

The proposed zoning change would allow increased height and density over the current structures on seven properties located at: 219, 221, 223, 225, 227 235, and 245 S. Holly.

The homeowners and a developer are seeking to tear down the existing 5-unit multi-family building and two single family homes and build as many as 27 units on .65 of an acre. The development would include about 30 parking spaces. (If the zoning change goes through, the proposed designs are not guaranteed and it's unclear if condo owners could do short- or long-term rentals.)

One vote per household please.

The deadline to vote is 5 p.m. on Oct. 26. We need time in advance of the meeting to analyze and summarize your opinions so we can provide written comments in advance of the Planning Board hearing. If you wish to attend the Planning Board Meeting or submit comments, you can find more information here:

<https://www.denvergov.org/content/denvergov/en/community-planning-and-development/planning-and-design/planning-board.html>

If you wish to see information about the proposal from The Cranmer Park/Hilltop Civic Association, click here: <http://denverhilltop.com/zoning/greenflatsupdate/>

Thank you.

Comments (unedited) from Crestmoor Filings 2 survey on Holly development:

There is too much traffic and congestion now associated with the current homes and public establishments residing in this particular area. This existing traffic is already hazardous to members of all ages in the neighborhood. Adding a three story condo building will make this situation significantly worse and markedly lessen the sunlight entering on Holly thus increasing snow and ice hazards during the winter months.

There are already way too many multi family exceptions being made to zoning in our neighborhood. We don't have the infrastructure to support the increased density!

Enough is enough

There is already far too much high density development in the Hilltop and Crestmoor area between the commercial development on Holly and Cedar, the Crestmoor Heights property on Monaco & Cedar, the new Boulevard One across Monaco. These have all drastically increased traffic through the neighborhoods and increased risk of accidents especially considering the children in the park, at the pool, and the streets in the neighborhood in general. Just take a look at the parking situation on the streets surrounding Park Burger on a weekend night!

The area is already congested with traffic. Parking in the area is very overcrowded already. This is a heavily used pedestrian area. This area has a number of religious

and retail facilities that add to the charm and convenience of the neighborhood. The added high density of this project threatens the safety and usefulness of this neighborhood center.

Denver needs to keep the character of its residential neighborhoods. We moved into this neighborhood from Congress Park to escape the overdevelopment in that neighborhood. Adding to the congestion on Holly by building a condo complex with insufficient parking is a bad idea which benefits the developers and harms the neighborhood. If those property owners want to live in a large condo complex, they should feel free to move to another neighborhood where that kind of complex fits in with the character of the neighborhood and where there is the parking, adequate street size and public transportation to handle the density.

Increased density in the neighborhood is not desirable

This proposed development would, as with others to in this part of town that have already been built, would further destroy the character of our part of town- traffic, parking, density, personality. Please do not approve this or anything close to it. The property owners/developers need to go elsewhere and build their own sandbox and play in it in a way that their greed doesn't adversely affect so many others.

It is not in harmony with the neighborhood and should not be allowed. High density residential in a single family neighborhood is not compatible. It would have a high impact on traffic and parking and create increased dangers for pedestrians. This could also potentially increase stresses on the local public schools of Carson, Hill and George Washington High School.

There is a lot of traffic there already. The new units would create additional congestion making it even more unsafe for our children in the area.

a street light at Cedar and Holly should be installed if this goes through.

This change would be consistent with the rest of the block and the area in general. we believe that is much too much density at an already very congested and dangerous intersection

traffic concerns for the area, bad enough already

New property efficient use of space. Good for local business. The residential properties on that part of street needs improvement .

I believe the traffic we already have here in Crestmoor is more than enough and add more density will continue to elevate it even more.

We are against the height increase. The number of units in an already congested area for parking and driving is a safety risk

superbusy anyway let them do what they want alternative is worse

Proposed development does not fit in with the rest of the area. It will impact adversely our community adding even more traffic to already busy street, and result in more noise and dirt. We do not need yet another development in our community that will change us.

There is too much density in an already overcrowded area. There MUST be visitor parking within the development and not on the adjacent streets.

Not proper for the location

Too dense, too high. Holly is a narrow street. It is insanity to put this kind of density on such a small piece of property. The parking will be a nightmare.

The existing commercial developments at Cedar and Holly have already caused too much traffic and parking disruption for nearby homeowners. Allowing those was a poor decision. And the connection from Lowry Boulevard to Monaco is about to be opened up and will add much more traffic to the side streets in Crestmoor and Hilltop from drivers avoiding congested intersections like Monaco/Alameda. This new high density development does not fit with the existing residential neighborhoods on either side (in Crestmoor or Hilltop) and will aggravate existing traffic and parking problems in the area. A low density renovation of the buildings on this site would be a far better fit for the surrounding neighborhoods. There is no small area/neighborhood plan for Hilltop or Crestmoor that calls for high density development in this location. The time is long overdue for comprehensive city planning (not "DenverRight" [should be called DenverWrong], but a careful planning process that actually reflects the sentiments of residents instead of hired consultants. Denver should stop allowing ad hoc zoning changes like this proposed one at Cedar/Holly.

concerned about traffic

That corner and intersection is way too busy. Adding 20+ units will only make it worse

I grew up in hilltop and have seen a lot of changes in the neighborhood that frankly have made it less attractive in my opinion. Some would say it's been modernized. New, massive homes built on lots not suited for homes of that size in my opinion and taste. And here we consider whether someone in our community should be able to create a larger structure to accommodate many more people on this site than the massive homes in the neighborhood. In many ways, I'm torn about the development in question. Is Denver in need of more affordable housing, sure. But at the same time, part of the reason that my family moved to the neighborhood was to be in Denver while also being part of a quieter residential neighborhood. So while I really cannot stand the McMansions that are being slapped up in crestmoore and hilltop, it's the density and ultimately the resulting increase in traffic that give me pause and sway my opinion to oppose the development. I feel some sadness and guilt in my position but nonetheless want to keep as few cars from being added to our neighborhood as possible. I cannot imagine why we would want more. Growth is progress and the two should not be conflated. Progress should be strategic and reasoned which I do not see this rezoning being.

I am uncomfortable with a description of 'as many as 27 units ', I would like to know the definite number of proposed units to evaluate if they are planning proper parking for the neighborhood, not just what code might dictate. .

The City has already clogged Holly with too much development and not enough parking.

It would be nice if Denver had an answer for the traffic and public transportation issues that arise from so much development. There are a lot of these high density developments that are going in because developers want them and people can make quick money without adequate thought to Denver's needs for affordable housing and affordable housing ownership.

I do not know enough to have an opinion today.

The Holly corridor appears to have already exceeded capacity for traffic coming from 8th Avenue to Alameda. Any additional housing should include 2 parking spaces per unit and not add additional street parking in the way the new Crestmoor Condos have done on the street. Should a 27 unit condo be considered, entrance should come on Alameda and not further congest Holly.

Too much density in the neighborhood. We hope this does not get railroaded like the project at Bayaud and Monaco for Metropolitan Homes. This case was our city council doing it's best to undermine the unanimous vote of all the neighborhood associations to block the dense construction and add to the already enormous traffic problems along Monaco Parkway!

This is another high density project being jammed into an area that is already crowded. The Park Burger restaurant is a local hang out and is always busy. Alameda & Holly is always busy. Adding more people and cars makes NO sense.

My wife and I oppose the proposed development for all the reasons put forth by the Crestmoor Homeowners Association. In particular we are very concerned about the safety of pedestrians in and around Holly and Cedar that will be jeopardized by additional traffic. Further, the idea of building 23 or 27 units on .67 acres in an established neighborhood is ludicrous on its face and should never be allowed. Rod and Connie Smith 27 Jasmine St Denver 80202

There are enough large developments in our neighborhood and it is losing its charm. Also the increase in traffic cannot be supported

Holly Street is already a dangerous area due to lack of parking for the existing establishments, we do not need to exacerbate an already bad situation. Building 27 units and only offering 30 parking spaces will increase what is already chaos in that area. Do we really believe that households only have one car?

I conveyed my support for the intent to provide more affordable housing during the city-sponsored mediation process but because the applicant's would not even consider that a portion of the property be for single family attached housing that is better tailored to neighborhood goals, I must oppose.

I believe this proposal will add even more congestions and parking problems for this specific area which already has several commercial ventures which create congestion-even with their parking spaces. I can only imagine what another 27 units will do- as most units will definitely have more than one car. It might even create problems for the great family restaurants, coffee shop and market- driving away business. Additionally such a large development is not in character with the rest of the Neighborhood and is a BAD idea.

The area of Holly St. & E Cedar St. is already quite congested with several businesses. The business is great for the neighborhood but makes for a busy and tight traffic pattern especially in the evenings as Holly is rather narrow in this stretch. Added residential density and auto traffic will only make things worse at this bottleneck especially headed south on Holly just before Alameda.

Bad idea.

Holly and the surrounding areas are past capacity for surface traffic and parking. Limited development is better than the alternative.

Traffic on Holly is already awful and parking is already jammed. Don't need more traffic until Holly is upgraded.

Increase parking spaces please.

More over-development, in the same vein as that at Cedar and Monaco (west side) and just as objectionable. Once again, an attempt to ignore the city's own master plan designation of this area as an area of "stability," I believe the term was. What a joke! Strongly object!

That part of Holly is already clogged from 11AM. It was a mistake to allow the burger place and the other small business to be built.

Traffic on Holly is already a problem.

The proposed development is too tall and too dense for South Holly Street.

too disruptive to the walking community, will bring in too much traffic, noise, pose a danger to children on the sidewalks

Area is too dense as it is. Holly St. is already congested with flow of traffic. Where would so many new residents and visitors park?

My concern is still the excessive density. The current parcels have 7 units total which will become 23 units with the proposal--over 3X the current density. Holly may be a "collector" street but it is narrow and quite congested in that area without the new density.

Enough already!!!!

Traffic in that area is bad enough as it is.

Don't want to see anymore massive development in Denver

The neighborhood cannot support more development, as current overdevelopment is already clogging the roads and schools in the area and decreasing quality of life for residents.

Too much traffic and congestion in area

We appreciate the reduction in the number of units. However, for reasons of safety for the many pedestrians and vehicles who already regularly crowd Holly Street and adjacent streets, we would prefer that the number of units be reduced even further. This would reduce the additional traffic impact in an already overburdened area which will result from the new units. Additionally, it is difficult to take a position of support for the proposed development when a critical part of it, the covenants, are not yet available for review. Thank you for your consideration.

Thank you.

Katie McCrimmon

Katie.mccrimmon@gmail.com

From: [Molly Kull](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: [EXTERNAL] Holly Street Building
Date: Tuesday, November 06, 2018 11:20:12 PM

Use caution with attachments or links.

Hello,

I am the owner of 223 S. Holly Street. I am writing to you to encourage you to support our rezoning project on South Holly Street. I believe that Denver needs more moderately priced homes. I think that it is important that these planned homes are energy efficient and net zero like the ones that are planned for our plot of land. I live in this neighborhood and would love to continue to live here. I plan on buying a new unit so that I can stay in the Hilltop area. I am a teacher and moderately priced homes like these planned are the only way I can continue to live in the area of where I work. Please support our project.

Thank you,
Molly Kull

Lucero, Theresa - CPD Sr City Planner

From: Katherine Ferraro <katherine_ferraro@hotmail.com>
Sent: Tuesday, November 06, 2018 8:05 PM
To: Lucero, Theresa - CPD Sr City Planner
Subject: [EXTERNAL] Re: Rezoning request for 219-245 S. Holly St.

Use caution with attachments or links.

Theresa,

This email is regarding the rezoning request that is on the docket for tomorrow's meeting. Thank you for your time regarding this request, if you could please pass this along to the planning board however appropriate.

To the City of Denver Community Planning and Development,

My name is Katherine Ferraro, I am the owner of 221 S. Holly Street which is one of the units included in the rezoning request for 219-245 S. Holly Street. I am sending this letter of support to be able to express a couple of items as to why I am personally involved in this request. I am a Colorado native, and have greatly enjoyed my current home. I would like to remain living in the neighborhood, and feel that this request allows us to continue to have a building that is appropriate to the neighborhood, but also address further needs for the city. The presented building is planned to be energy efficient including solar panels, which can benefit the residents as well as the environment. The units are also moderately priced, allowing me to afford staying in the building, but also provides further housing options for other residents seeking more affordable housing than the higher-priced luxury options.

Thank you for your consideration on this matter.

Sincerely,
Katherine Ferraro

Lucero, Theresa - CPD Sr City Planner

From: monicahmh@me.com
Sent: Friday, October 12, 2018 1:55 PM
To: Lucero, Theresa - CPD Sr City Planner
Cc: Wende Reoch; Anna De Witt; Susman, Mary Beth - CC Member Denver City Cncl
Subject: [EXTERNAL] Support for 227 S Holly Project

Use caution with attachments or links.

Theresa,

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

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

Thank you,
Monica Martinez.

Lucero, Theresa - CPD Sr City Planner

From: Ann Spoor <ann@liveindenv.net>
Sent: Friday, October 26, 2018 10:37 AM
To: Lucero, Theresa - CPD Sr City Planner
Subject: [EXTERNAL] Fw: Green Flats project on Holly Street

Use caution with attachments or links.

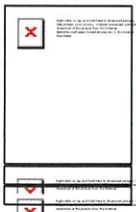
Hello- I sent the following email to the general address but also wanted to send it to you as the POC. thank you!

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

Hello- I live at 657 Bellaire Street, 80220.

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

Ann Spoor



Ann Spoor / REALTOR®
Ann@LiveInDenver.net

Berkshire Hathaway HomeServices
Innovative Real Estate

Cell 720-231-2231
Office 303-289-7009
2460 W 26th Ave, Suite 120C
Denver, CO 80211



© 2017 BHH Affiliates, LLC. An independently owned and operated franchisee of BHH Affiliates, LLC. Berkshire Hathaway HomeServices and the Berkshire Hathaway HomeServices symbol are registered service marks of HomeServices of America, Inc.® Equal Housing Opportunity.

Brianne Clanton
950 Forest St.
Denver, CO 80220

City of Denver Community and Planning Department
201 W. Colfax Avenue
Denver, CO 80202

November 6, 2018

Re: Rezoning Request – 219-245 S. Holly Street

To Whom It May Concern:

I am writing in support of my neighbors who propose rezoning to 219-245 S. Holly Street, in order to build new multi-unit homes there. I believe that their proposal to build these is quite reasonable, given the location along a main thoroughfare and next to small businesses. Hilltop/Mayfair have areas where changes have been made – 800 blocks of Elm and Fairfax, for example – from single family to multiunit, and although the homes are different from the older character of the neighborhood, they fit in with the many new homes built where others have been scraped. They also give people access to the wonderful location without the prohibitive cost of owning a single family home in this zip code.

I think it is imperative for Denver to approve more moderately priced housing, and this spot on Holly is a prime place to do so. There is already multi-unit housing there, and this will improve upon the current real estate. The proposal attempts to address nearby neighbors' concerns over setbacks, garages, and trees, while also bringing energy-efficiency into the project.

As someone who grew up on 5th and Albion in the 1980s, and has resided in Hilltop, Park Hill, Congress Park, and Mayfair for 28 of my 34 years, I can appreciate not wanting these idyllic neighborhoods to change. However, buildings have a life cycle and I see nothing wrong with some houses/townhouses being demolished and new builds coming in. Please count me as a supporter of this rezoning.

Thank you.

Sincerely,

Brianne Clanton
brianne.clanton@gmail.com
(720) 318-6896

November 7, 2018

To: The City of Denver Community Planning and Development

re: Re-zoning request for 219-245 S. Holly Street

Members of the Committee,

Please accept this letter in support of the project proposed by the owners of 219-245 S. Holly Street. My understanding is that Katie Ferraro and others on the current HOA at S. Holly are doing everything they can to propose re-zoning and new construction that will benefit the neighborhood, the environment, and the city of Denver.

Under the proposal, new construction will benefit the Hilltop neighborhood and the city. Holly Street has been a thriving commercial area with anchors like Aylerd's and Pete's in the past, and now the triple whammy of neighborhood dining with The Crumb, Park Burger, and High Point Creamery. Residents in Hilltop benefit from these businesses, which sit next to the property at 219-245 S. Holly. Furthermore, those types of business should serve not only the single family home demographic in Hilltop, but should serve all residents. The neighborhood will be more diverse and dynamic with moderately priced multi-unit real estate available. Ms. Ferraro and her HOA have gone through mediation with the neighborhood to adapt their construction proposal and make it suitable to Hilltop. This includes plans for larger setbacks, trees for privacy, and garages to match rich character of Hilltop.

As a Denver resident and someone who grew up in Hilltop (510 Albion and 5511 E Bayaud), I've watched the city transform in the last few decades. Hilltop homes have popped their tops, modern styles of construction have added luxury, and it has become more difficult for middle class residents to find affordable housing there. I think the project proposed at South Holly will help keep the character of the neighborhood by adding a modern high-end brick town home look, rather than slot homes or apartment style homes that take up a massive footprint. By re-zoning the two houses south of the property, you would maintain the curb appeal and tradition of the neighborhood by allowing the HOA's adapted proposal to move forward; at the same time, you'd make it more accessible to middle class residents.

Additionally, in an environmentally-conscious neighborhood and city, the proposed project would implement solar panels and prioritize trees on the property. Hilltop residents and Denverites should applaud construction that is energy efficient and good for the carbon footprint of our increasingly crowded city.

Please approve the re-zoning that will allow a beautiful, moderately priced, environmentally sound project to move forward in one of Denver's best neighborhoods.

Sincerely,

Nina C. McCaskill, Denver native

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

Hey,

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

Thanks,
Heidi

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

Dear Zoning

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

Has anyone done a current traffic study?

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

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

Hilltop Home Owner

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

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

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

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

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

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

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

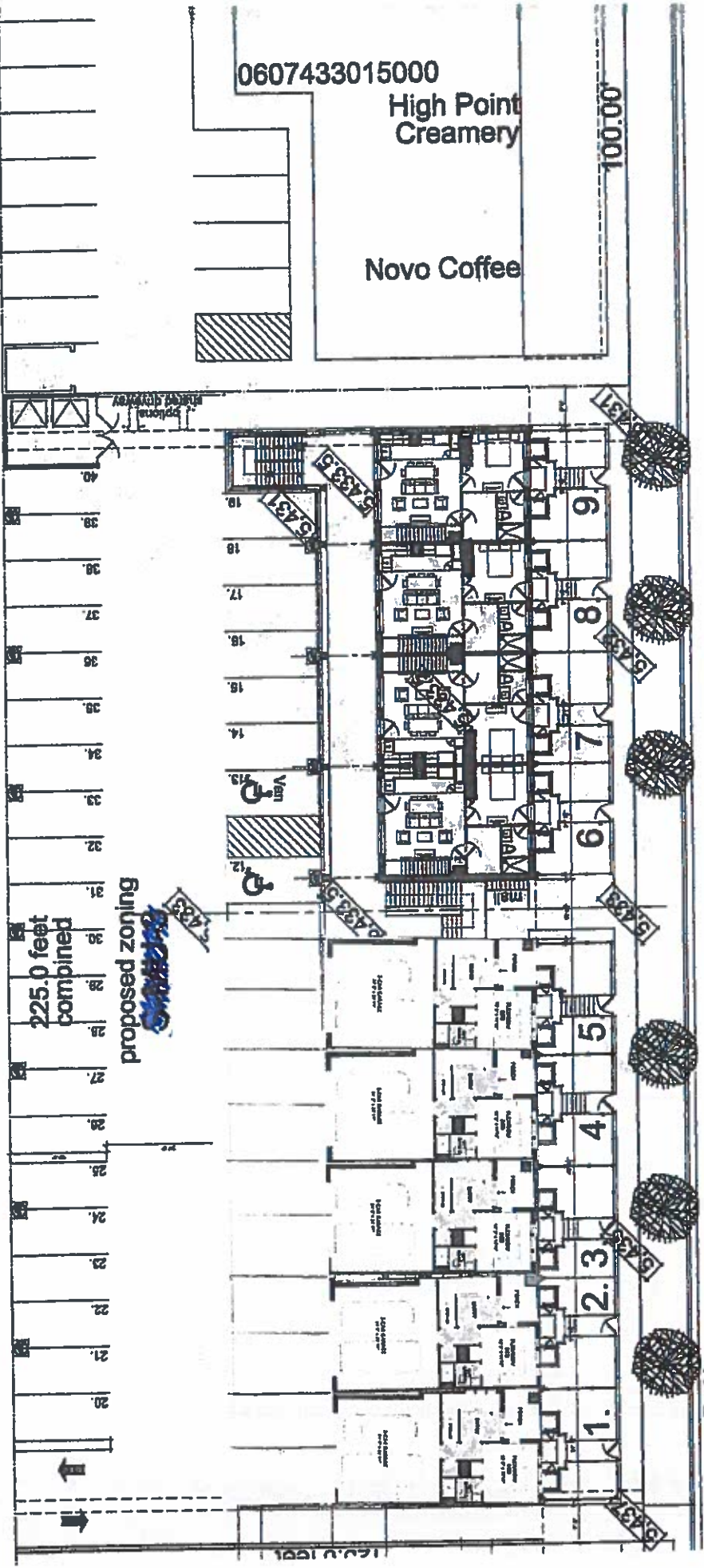
Nevertheless, a reduction in units was requested to reduce the number of cars using the alley (and road system) at this very busy intersection of Cedar and Holly reasoning that incremental change at this location benefits a larger area. When asked by the mediator, it was suggested that it be less than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

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

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

alley

City may request
garbage pick-up be from alley side



Proposed Plan

23 condos

Crestmoor's Alternative Plan

5 THS and 12 condos = 17 units

No of units/
Type

Bdrm ct

42

vs

60

Pkg / bdrm

~ 1/2 bdrm w/ guest pkg

0.65 / Bdrm

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

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

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

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

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

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

We discussed:

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

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

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

As of August 14th –

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

Thank you,
Steve Charbonneau

JOHN F. DeRUNGS, MAI

John,

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

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

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

Thanks, Steve

Steve Charbonneau, Executive Director

"Helping People Talk to People"

Community Mediation Concepts | Find Solutions

Providing conflict resolution, facilitation and mediation
303.717.2167 | Steve@FindSolutions.org | SteveCharbonneau@outlook.com

See what we do at - www.FindSolutions.org

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

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

On 9/9/2018 3:29 PM, Steve@FindSolutions.org wrote:

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

Steve

JOHN F. DeRUNGS, MAI

Steve Charbonneau, Executive Director

"Helping People Talk to People"

Community Mediation Concepts | Find Solutions

Providing conflict resolution, facilitation and mediation
303.717.2167 | Steve@FindSolutions.org | SteveCharbonneau@outlook.com

See what we do at - www.FindSolutions.org

From: John Derungs <John.derungs@avcvalue.com>

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

To: Steve@FindSolutions.org

Subject: Re: Green Flats

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

Thanks,

John

On 9/9/2018 11:45 AM, Steve@FindSolutions.org wrote:

John,

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

Thanks, Steve

Steve Charbonneau, Executive Director

"Helping People Talk to People"

Community Mediation Concepts | Find Solutions

Providing conflict resolution, facilitation and mediation
303.717.2167 | Steve@FindSolutions.org | SteveCharbonneau@outlook.com

See what we do at - www.FindSolutions.org

From: John Derungs <John.derungs@avcvalue.com>

JOHN F. DeRUNGS, MAI

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

Steve,

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

John

On 8/26/2018 6:37 PM, Steve@FindSolutions.org wrote:

John,

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

Steve

Steve Charbonneau, Executive Director

"Helping People Talk to People"

Community Mediation Concepts | Find Solutions

Providing conflict resolution, facilitation and mediation
303.717.2167 | Steve@FindSolutions.org | SteveCharbonneau@outlook.com

See what we do at - www.FindSolutions.org

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

Thanks for asking Steve!

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

JOHN F. DeRUNGS, MAI

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

Take care,

John

On 8/14/2018 1:33 PM, Steve@FindSolutions.org wrote:

Peter and John,

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

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

Any help or ideas?

Thanks, Steve

Steve Charbonneau, Executive Director

"Helping People Talk to People"

Community Mediation Concepts | Find Solutions

Providing conflict resolution, facilitation and mediation
303.717.2167 | Steve@FindSolutions.org | SteveCharbonneau@outlook.com

See what we do at - www.FindSolutions.org

Lise's copy.

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

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

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

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

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

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

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

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

We discussed and agreed:

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

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

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

As of August 14th –

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

Thank you,
Steve Charbonneau



September 26, 2018

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

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

To Whom It May Concern:

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

Sincerely,

Amanda Sawyer

Candidate for Denver City Council, District 5

303-549-2949

www.sawyerfordenvercitycouncil.org

@sawyerforfive

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

Use caution with attachments or links.

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

Janet Bock
711 Forest St.
Denver, CO 80220

Sent from my iPad

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

Use caution with attachments or links.

Ms. Lucero

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

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

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

Sincere Regards,

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

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

Use caution with attachments or links.

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

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

Thank you,

Joanne Davidson

303-394-3709

Sent from [Mail](#) for Windows 10

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

Use caution with attachments or links.

Hello:

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

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

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

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

Thank you for reading my concerns.

Anne B Ward, MD

From: Jan Ankele
To: [Lucero, Theresa - CPD Sr City Planner](#); [Susman, Mary Beth - CC Member Denver City Cncl](#)
Subject: [EXTERNAL] Rezoning proposal on Holly
Date: Monday, October 29, 2018 8:47:40 AM

Use caution with attachments or links.

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

Greetings –

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

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

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

Sincerely,

Jan Ankele
Crestmoor Park

Lucero, Theresa - CPD Sr City Planner

From: Lise Uhrich <lruheich@aol.com>
Sent: Friday, November 02, 2018 4:07 PM
To: Lucero, Theresa - CPD Sr City Planner
Cc: john.derungs@avcvalue.com; pcasillas@yahoo.com
Subject: [EXTERNAL] Rezoning Application #20171-00153
Attachments: Nov. 7 letter.docx; Survey sent 1014-1025.pdf; Comments from online survey.docx

Use caution with attachments or links.

Dear Ms. Lucero,

Please include my comments in your packet to the planning board regarding the Green Flats rezoning hearing scheduled for Nov. 7, 2018.

(RE: Rezoning Application #20171-00153
219, 221, 223, 225, 227, 235, 245 S Holly Street)

I attach my comments here, along with a copy of the survey I conducted of the closest neighbors on the west side of Holly, and with results and comments collected from that survey. I ask that all three attachments be provided to the planning board.

Thank you,

Lise Uhrich

Lise Uhrich
230 S Hudson
Denver CO 80246

Nov. 3, 2018

Denver Planning Board
RE: Rezoning Application #20171-00153
219, 221, 223, 225, 227, 235, 245 S Holly Street

My house is at 230 S. Hudson, directly across the alley from the proposed project. This is the alley that is the only access to our garage. I participated in the mediation, as a representative of roughly 10 immediate neighbors. In my opinion, the mediation did address some of the privacy issues. But the issues related to the density of the project are not ameliorated by the proposed reduction of units from 27 to 23. And in the end, my neighbors could not get behind the mediated offer because of that.

Justifying Circumstances

It should be pointed out that the existing homes are viable, lived-in properties. We are not talking about boarded up buildings with rats running through them. These homes, like all homes, require upkeep and updating. Yes, the immediate neighborhood has changed since the increased retail activity. So does that justify increasing activity more?

The applicants say they want housing that is moderately priced. They have it. They are living in it. The developer says the proposed condominium units will sell for an average of \$400,000. Well, the latest existing condominium sold less than three years ago for \$262,000. Even with appreciation and repairs, the existing units are more affordable than the new ones will be.

Design

The city staff report quotes Legacies Strategy 2-A: a desire for “positive change and diversity while protecting Denver’s traditional character.” Well there’s the rub. If you wedge a multi-unit apartment style building into this space, you are definitely NOT protecting Denver’s and Hilltop’s traditional character. And these proposed units are not an attractive form of diversity. Have you looked at the floorplans?

- 300 square feet for a studio. That’s 3/4 the size of your average two-car garage.
- 465 square feet for a 1-bedroom. That’s a garage and a half.
- 541 square feet for two bedrooms.
- 1,085 square feet for a 3-bedroom condo, with 44% of that below grade.

There are condominiums for sale less than half a mile away, on Crestmoor Park—brand new condominiums where you can get the following:

- 735 square feet for a 1-bedroom for \$395,000
- 1,014 square feet 2-bedroom, 2-bath for \$420,000

So not only do I question the need for these tiny units, I question whether they will sell. How long will people live in such a tiny space? *If* they sell, it’s a good bet they will become rentals when their owners decide to move out. And we already have plenty of rentals just blocks away

in Glendale. But the point is, that this size of unit is not compatible with the neighborhood. This is the type of living space you would expect in a downtown area, not an urban edge on a two-lane road.

I think it is a real question whether the developer can get funding for these units. So will we be stuck with rezoned properties which will then sell to another developer for some other project? Or, worse, will they be built or partially built and then remain unsold and empty? Now you will have traded living, viable housing for something unmarketable.

It would make sense to replace those seven homes with townhomes similar to the existing ones south of the site. They would allow for renovation without changing the character of the neighborhood.

Waivers

No one has been willing to tell me why the current code limits the height on apartment-style housing, nor why the city should grant a waiver. I have to believe that the reason for the height limit on the 2.5 multi-unit apartment style housing was to avoid blocky, high-density buildings. So now that's not a concern? Reading between the lines, I see the planning department staff is advocating for a waiver that will comply with what they hope the future Denver plan will provide. It is unfair and unwise to grant a variance—or waiver—to the current code. Play by the rules as they are now.

Safety

Concerns about traffic safety in and out of our alley and along Cedar, Holly, Hudson, and Alameda Streets have not been addressed. Park Burger and other businesses at Cedar and Holly have brought a great number of families, in and out of cars, to the north end of the alley. It's dangerous now— and difficult — to egress from the alley at either end. It will only be made worse by tripling the number of people accessing the alley to reach these condominiums. It is disingenuous to say that the traffic impact will be negligible.

Area of Stability

The staff report states that our neighborhood “is in an Area of Stability...where *‘Limiting overall development helps achieve many growth management goals, while preserving the valued quality of life that is characteristic of Denver’s neighborhoods.’*”

I assert that the quality of life on my block will not be preserved. It will be worsened. This proposed “infill” project is actually an attempt to shoe-horn more people into an area incapable of supporting them. I urge you to deny the rezoning application, and the proposed waivers to our existing rules.

Lise Uhrich
303/547-4040
l Uhrich@aol.com

SURVEY RESULTS October 14-25, 2018

I delivered flyers to every house from Alameda to 3rd Avenue and Holly, west to Glencoe St, inviting them to take part in a survey regarding the proposed rezoning for 219, 221, 223, 225, 227, 235, and 245 S. Holly St. That is about 260 homes. It included the applicants for rezoning. We got responses from about 17% of those homeowners. Of those who responded, more than 90% were opposed.

Lise Uhrich 230 S. Hudson St.

Here are their comments from the online survey and from letters mailed to me:

1. "Too much density in an already congested area. Not congruent with established existing neighborhood."
2. "Too much traffic on Holly Too close to school Carson."
3. "Please complete as soon as possible."
4. "It will increase traffic, make it dangerous for kids walking to school, and lower property values for surrounding homes. It is not in line with the character of the neighborhood."
5. "The number of units is totally inappropriate for the location. Traffic on Holly, Cedar, and nearby streets will increase unmanageably. Cross-alley residents will suffer from noise, congestion, and parking. This is a bad idea. This is a peaceful neighborhood. Let's do our best to keep it that way."
6. "Don't want increased traffic and dense housing for the neighborhood."
7. "The rezoning is too dense for the area and will dramatically increase safety issues at two of the most dangerous intersections in the area."
8. "The use of the small alley for all those cars, residents and guests, will be horrible. You can be sure there will be accidents on both the north and south end (Alameda) as they edge out into traffic. A very bad idea."
9. "The density of the traffic is already too much; dangerous. NO! It's inappropriate and lowers property values."
10. "Outrageously poor proposal. We own properties at 231 S. Hudson, 237 S. Hudson, and 210 S. Hudson. [Also at 5425 E. Bayaud]. Owners are Sharon Ann Heldt and John A. Pratt and we together vote an emphatic NO on the rezoning."
11. "Just another greed centered idea to assist get-rich developers."
12. "Too much density resulting in more traffic on Holly which is not what Hilltop/Cranmer should be."
13. "this intersection is a mess and already dangerous (I already keep my kids away from here and drive elsewhere if possible). This doesn't fit the neighborhood in any way. These units are overpriced high density closet size spaces. Buikd more of what already exists. Current owners are using this to better their own properties at no cost or sell their single family houses at an intersection tough to sell."
14. "This rezoning is out of character with the surrounding area and represents excessive density."
15. "Absolutely against rezoning due to concerns regarding increased traffic and destruction of the architectural integrity of the neighborhood."

16. "still need more parking spaces with 23 units."
17. "I am opposed to rezoning only because Holly street is already too congested. I live at 245 North Holly Street and during high traffic periods two entire blocks are filled with cars. The streets are even more congested when I go shop at Pete's Groceries or the businesses on the other side of the street. I am also concerned that these will be slot type homes."
18. "Thursday 11th October 2018 To whom it may concern: I am a close neighbor to the proposed rezoning of 219-245 S Holly aka 'Green Flats'. I would like to express my interest in the lowest density development of these properties that Denver Planning Board zoning parameters allow for Hilltop/S Holly. I am also in total support of green building. It is my understanding that the Green Flat proposal would support lower density than would occur with other competitive open market proposals. If this is incorrect, I would like to refer to my preference stated above. If my understanding is correct, however, then I am in complete support of the Green Flat proposal. I would support it, assuming that other proposals would provide even greater density and because (1) the Green Building approach is desirable and responsible (2) the added traffic of approximately 10-20 cars driving down the alley twice daily could be absorbed (I would like speed bumps). (3) The Green Flat proposal would have lower buildings (<35') than allowed in the proposed zoning (<40'). (4) The proposal would make room for trees and hopefully native shrubs which are sorely needed. I have lived in this neighborhood since 1999 and have contributed to Cornell University Institute of Ornithology Feederwatch program. Due to very poor landscaping design and management by all the neighborhood and increased construction, the native bird population has decreased by 57% since 1999. (5) I am somewhat concerned about the dangers imposed by increased parking on S Holly, Cedar, and the entrance to our alley. We are very much impacted by the businesses at the end of our block and entrance to our alley is pretty hairy (narrow) and often blocked. I would hope that signage would distribute the impact of parking along Cedar and S Holly by marking allowable parking spots. Thank you for a thoughtful consideration of this proposal. Sincerely, Christine C K Ringleb, PhD."
19. "Holly, at that location, will not bear the increased permanent traffic. There is inadequate infrastructure to support a large increase in dwellings. City Water mainlines have repeatedly burst during the past several years within the surrounding quarter mile. The intersections at Holly & Cedar and Holly & Alameda are maxed."
20. "Too high density."
21. "too much traffic, too much noise for our neighborhood."
22. "My husband and I are vehemently opposed to this zoning change. The proposal to add a complex, one that is proposed to be three (3) stories, simply does not aesthetically fit into the Hilltop or Crestmoor neighborhoods: o There are no other housing developments which encompass so many units, and o There are no other structures of this height. The owners have previously stated they cannot afford to fix the cracked sewer pipe and make other repairs, and now have no other option but to "sell out". If you can't afford to upkeep your home, you should not buy one in the first place. Further, we are disturbed by the threats made by the broker/developer, Jason

KLewiston, as noted in the Glendale Cherry Creek Chronicle:.....'If we get rejected on April 4th, watch what I submit on April 5th' said Lewiston. 'If you think this is bad, see what I'm allowed to do by law. You think you're upset now? Waait until April 5th comes.' (<http://glendalecherrycreek.com/2018/03/hilltop-neighbors-upset-proposed-27-unit-condominium-project-holly-street/>) It appears that Mr. Lewiston, does not consider the views of the actual neighbors who do not want this development and chooses to do only what he wants."

23. "This will devalue all the properties in the area. The parking overflow will be a nightmare."
24. "This area has been besieged by changes for the last 10 years and is now totally destabilized."
25. "Density, traffic increase, property values of existing homes disrupting a true blue print Denver neighborhood".
26. "The vehicular traffic in the 200 block of South Holly Street is terrible as the properties exist today. If any additional units, of any type are added, the street and area will be an even worse disaster for everyone. There is not enough parking for residents, business, and worshipers in this area now. Ever [sic] with the addition of crosswalk lights, the area is a danger to everyone. The businesses draw families with children and all aged adults, as well as the Synagogue. With added housing, the number of people in the area will increase substantially. The chance for accident will also increase substantially. This 200 block of South Holly is NOT the place for any additional construction of any type and/or any Rezoning."
27. "Traffic if they want to build condos than start doing something about the traffic on Holly!!!! Also people constantly speed and run red light."
28. "I have read rezoning application and it is untruthful. The development would significantly degrade the neighborhood."
29. "I oppose the proposed rezoning. That block has already been ruined with the past rezoning."

I received interest in taking the survey from people outside the survey area but in the Hilltop/Cranmer neighborhood. I did not send them links to the survey but include some of their comments here:

1. This is Sarah Franklin 456 Dahlia Street

I am opposed to the proposed condo development. There seems the City planners are not considering the Denver citizens but just want to please developers.

- 2.

We strongly oppose more new development in our neighborhood. At the same time, we recognize that Holly St. can afford to have some small-scale businesses but only IF they provide parking. The clog-ups now occurring on Holly due to the new restaurant and

new coffee place are unacceptable. Unacceptable too will be three level housing. Our vote is against this proposed rezoning.

Joan and Neiel Baronberg

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

Janet Bock
711 Forest St.
Denver, CO 80220

From: [Kathy Brown](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: [EXTERNAL] green flats
Date: Sunday, November 04, 2018 12:33:54 PM

Use caution with attachments or links.

To Theresa Lucero and her drones, My husband and I have been residents of Hilltop for 30 plus years. we are seeing our neighborhood and quality of life destroyed by city employees who want their way...We have never been notified, voted or even asked if Green Flats is something we'd like or might improve the neighborhood???? WOULD THAT BE A STRANGE REQUEST? to be part of a process in the neighborhood that we thought we were a part of??? You say affordable Housing!!! What's wrong with Castle Rock or Longmont; that's how we started??? You've already forced 800 more units at Lowry; and more than 100 at 1st and Monaco on us!!! What's the hurry on Holly? Why don't you wait until those projects are occupied and 1000's of cars are cluttering our streets; then ask for a vote and a permit... But this was probably set in stone years ago by some crony..... we are waiting for a person to honestly say that they can see good coming from this project for the WHOLE neighborhood. This doesn't spesk to half of the traffic problems.... We are sickened, saddened, and disgusted...Larry and Kathy Brown, 324 Dahlia St.

From: [Bety Ziman](#)
To: [Lucero, Theresa - CPD Sr City Planner](#); john.derungs@avcvalue.com; "[pcasillas](#)"; "[Lise Uhrich](#)"
Subject: [EXTERNAL] Application number: 20171-00153
Date: Monday, November 05, 2018 8:42:49 AM
Importance: High

Use caution with attachments or links.

Good morning

I'm writing to you to express my strong opposition to the proposed zoning change related to the above captioned application.

I reside on 255 S. Holly St.

As I have stated before, my neighborhood exemplifies "Blueprint Denver"

Our community is comprised of longtime residents, immigrants, different socioeconomic levels and much more

We all are contributing members of this society and this community.

The reasoning behind the development of these units has evolved over time and we are now at the point where we all know that this is a financial venture and it has nothing to do with offering affordable housing in the neighborhood.

Actually, the new structure will get rid of at least 5 affordable houses in our block

We, the residents have faced enormous opposition to our position; we did not know about certain datelines and decisions regarding our interests were made without our participation. We have all odds stacked against us. We deserve better.

I understand that the members of the planning board like this idea, I was present when they told the developer what he needed to do to get this approved.

My neighborhood representatives, also like the idea.

Honestly I don't know what is criteria to like or not to like a building like that in the middle of my block.

I have a question

When are we, the owners, or renters on that street, going to be important, when are we going to count, when is someone going to say, "we need to listen to them"?

Unfortunately, I'm abroad and won't be able to be there in person, please convey this communication to whomever needs to receive it.

BTW I needed to put my home up for sale, the few people who have seen it, have zero interest, because my street is now known as "the street where a 3 story building is coming up, right in the middle of the street"

That "thing" that so many people like, has already have a negative impact in my life.

Respectfully

Bety Ziman



*Dedicated to the science and art
of translation and interpretation*

Bety Ziman

(303) 483-5882

bety@zimantranslation.com

www.zimantranslation.com

From: [Eric Sung](#)
To: [Lucero, Theresa - CPD Sr City Planner](#); [Rezoning - CPD](#)
Cc: [Regina Sung](#)
Subject: [EXTERNAL] Comment Letter - S Holly St: 2017I-00153
Date: Tuesday, November 06, 2018 3:45:07 PM

Use caution with attachments or links.

Denver Planning Board,

Unfortunately, we are not able to attend the hearing scheduled for tomorrow on November 7, 2018, so I am writing this email, hoping that you take our feedback into consideration.

I am writing to voice my family's concern regarding the proposed rezoning on South Holly St. We currently reside and are first-time homeowners on S Holly Street. We recently moved into this neighborhood because of the appeal of its parks, friendly neighborhood, and yes, even due to some of the mixed use development a block south on S Holly.

Our main concern with the rezoning is traffic congestion and density on S Holly Street particularly at the intersection of Cedar and S Holly and that this development would only worsen current conditions. The plan, concept, and idea is great for Denver, but not at this specific location. I would argue that this plan may even work further north on Holly St. itself.

In the Official Zoning Map Amendment Application #2017I-00153 Report dated October 31, 2018, it notes the following:

Street Classifications:

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

This paragraph on page 14 of the report notes that S Holly is a Residential Collector Street as defined by the City. However, during rush hours and school hours, this portion of South Holly is crowded and at times dangerous. The street types surrounding the subject property are indeed consistent with the zoning standards referenced, but I would urge all Denver Planning Board members to sit in front of this particular location on S Holly during rush hour and witness the chaos that ensues. With this in mind, I would like to understand and hear back on the following:

- If the Denver Planning Board approves this rezoning, will you commit to putting a stop sign at Cedar and S Holly?
- If the Denver Planning Board approves this rezoning, will you put a police officer/traffic enforcement on S Holly to monitor people that enter lanes of oncoming traffic to bypass the line of cars that are at the poorly managed stop light at Alameda and S Holly?
- If the Denver Planning Board approves this rezoning, will you commit to monitoring and enforcing the speeding that occurs on a daily basis down S Holly, often resulting in near misses of pedestrians at Cedar and S Holly, including my family trying to enjoy a walk in the neighborhood?
- Have you or your city counterparts in other city agencies completed a traffic study and

is this not part of the Denver Planning Board process?

- Has the developer committed to setting aside funds for infrastructure improvement to address the above concerns?

I would think that the future residents of this apartment complex will be quite perplexed to see they will be challenged on a daily basis to get out of their parking garage due to this traffic congestion and chaos between Alameda and Cedar/Bayaud. It's unfortunate to see a lack of investment in a traffic study and investment in infrastructure if this project were to continue.

If this study has in fact been performed, could you please release your findings?

On paper, I would agree that as a Residential Collector Street, this development on S Holly makes sense, but have any of the Denver Planning Board members visited the site in person and witnessed the congestion? There are a total of 5 lines dedicated in your report on traffic congestion, as quoted above, and the current report would indicate that no official study or diligence on this matter has been performed by the City. This is also the number one concern of neighborhood associations and letters you've received thus far.

We, as a family, enjoy seeing Denver evolve and grow and it's part of the reason we moved to Denver a little over a year ago, recently living in a major city in Europe and Los Angeles. I can appreciate urban development, housing affordability and growing the city in the right ways. However, I'm afraid the city is too focused on land use in this particular case and not on the cause and effect this creates for existing, tax-paying residents in this neighborhood. Regarding these concerns, I would sincerely and respectfully urge the Denver Planning Board to work within your means or with other city agencies to remedy the intersection at Cedar and S Holly, the traffic light at S Holly and Alameda and thoroughly think through and research the impact this kind of density, in this specific location, has on the existing residents who use S Holly on a daily basis as their "Residential Collector Street". If you are to approve this rezoning without any commitment to addressing the deteriorating traffic conditions on S Holly that would only be made worse by this specific development, then I cannot say I support this rezoning.

I look forward to a response to our concerns and questions and appreciate your time and consideration.

Respectfully,

Eric Sung

From: Claudia Moore
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: [EXTERNAL] Application # 20171-00153
Date: Friday, November 02, 2018 3:56:02 PM

Use caution with attachments or links.

I am an owner of 287 S. Holly St. which will be effected by this rezoning. I would like to know if there has been a traffic impact study on this application??? If so, I would like a copy of such. I know there is a hearing on NOV. 7 at 3p.m. I intent to be there and would like to have an answer to take with me.
Thank you,
Claudia Moore

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

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

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

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

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

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

We discussed:

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

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

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

As of August 14th –

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

Thank you,
Steve Charbonneau