



TO: Denver City Council
FROM: Theresa Lucero, Senior City Planner
DATE: January 3, 2019
RE: Official Zoning Map Amendment Application #2017I-00153

Staff Report and Recommendation

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

Request for Rezoning

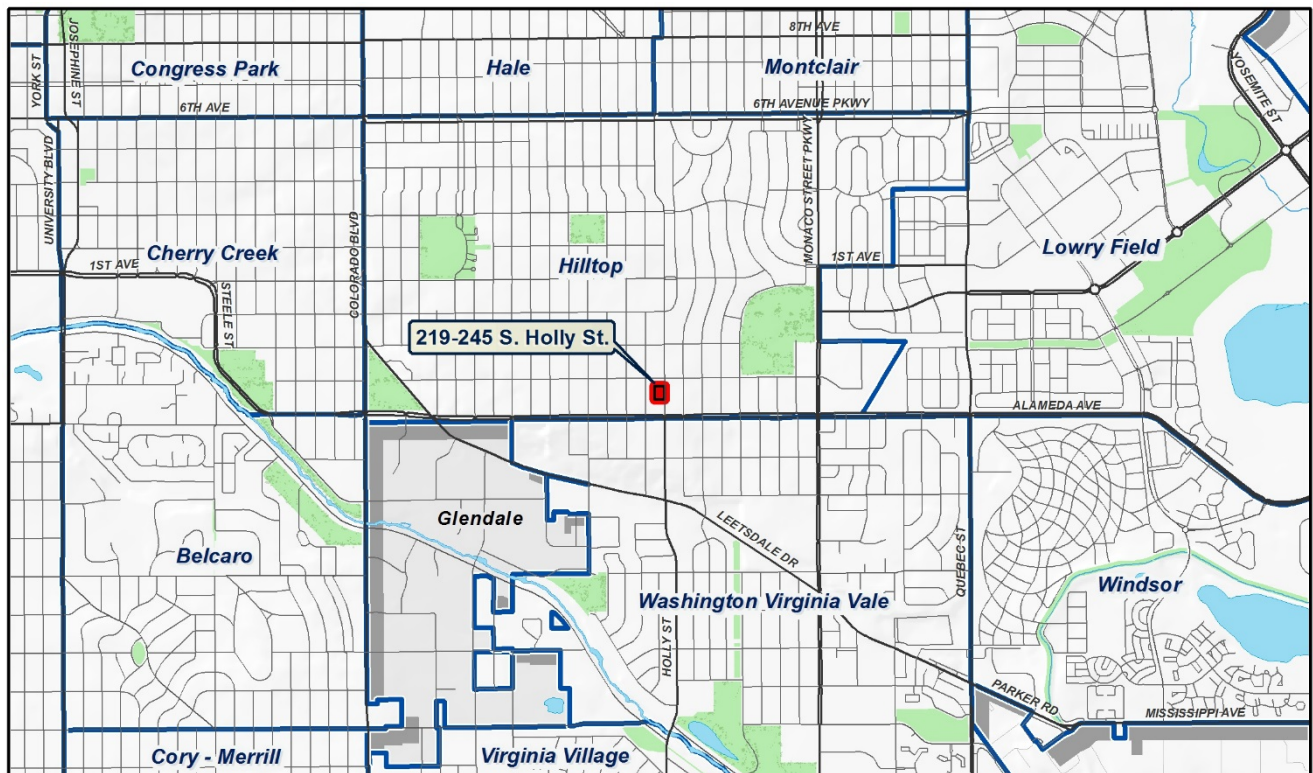
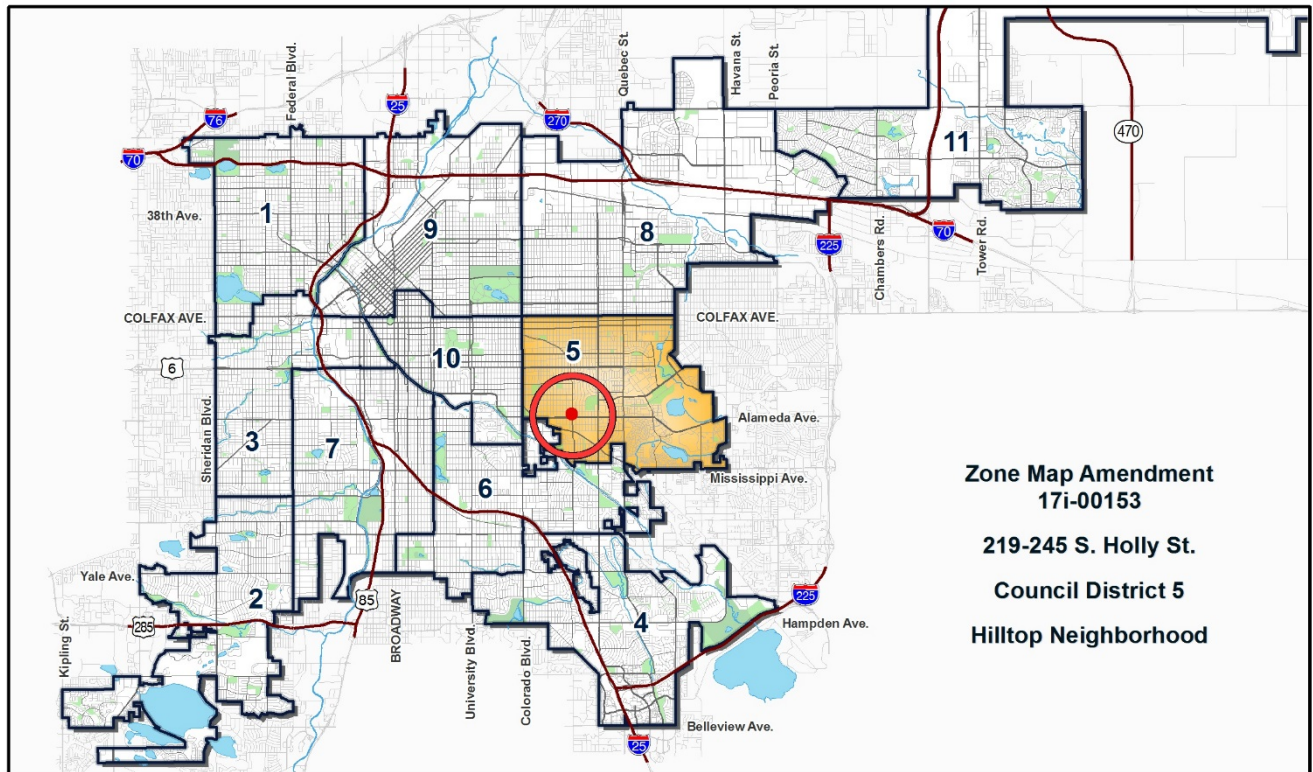
Address: 219, 221, 223, 225, 227, 235, and 245 South Holly Street
Neighborhood/Council District: Hilltop Neighborhood / City Council District 5
RNOs: Cranmer Park-Hilltop Civic Association; Crestmoor Park Neighborhood Association; Hilltop Heritage Association; Inter-Neighborhood Cooperation
Area of Property: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

Summary of Rezoning Request

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

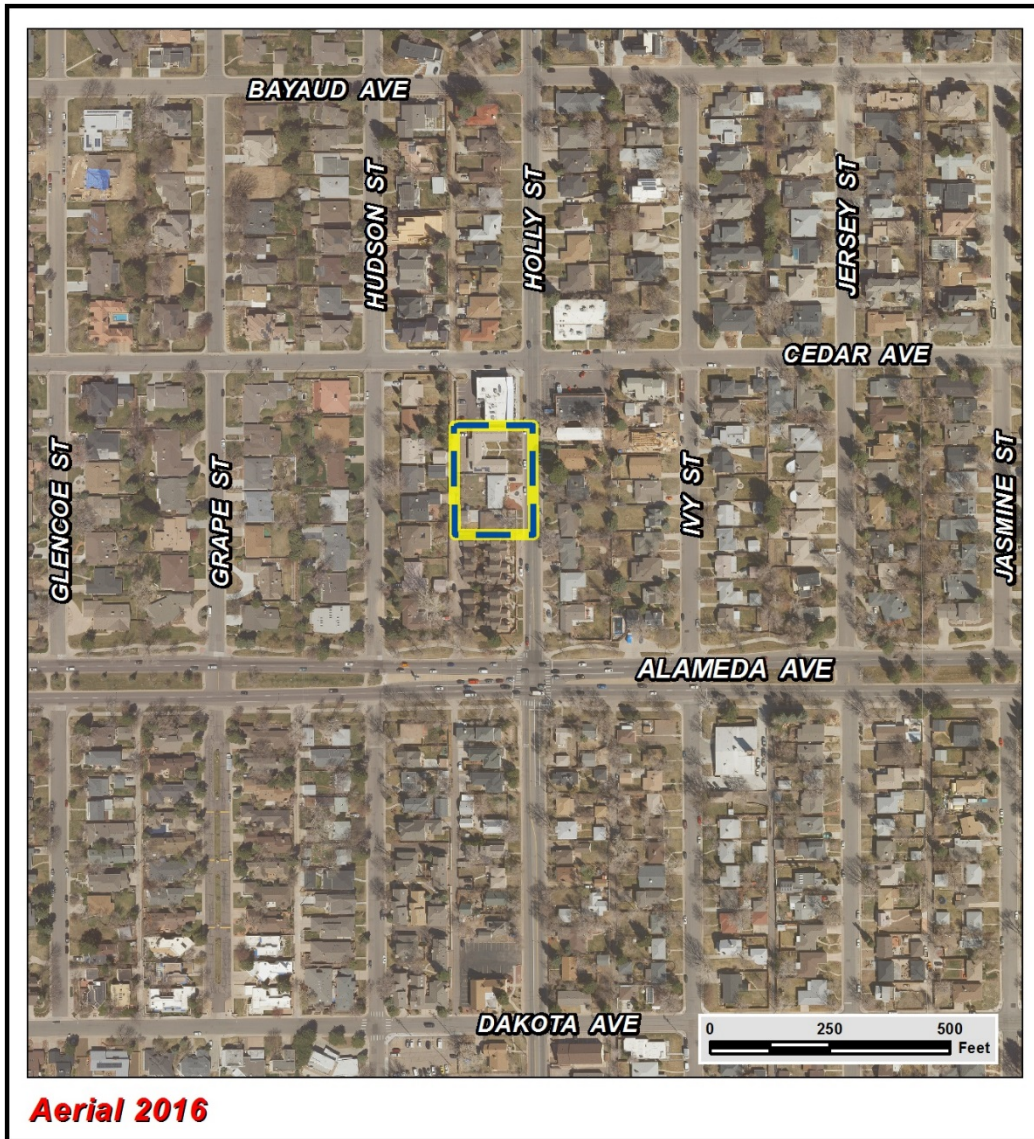
Planning Services
Community Planning and Development
201 W. Colfax Ave., Dept. 205 | Denver, CO 80202
www.denvergov.org/CPD
p. 720.865.2983

General Location



Waiver Request

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



1. Existing Context

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

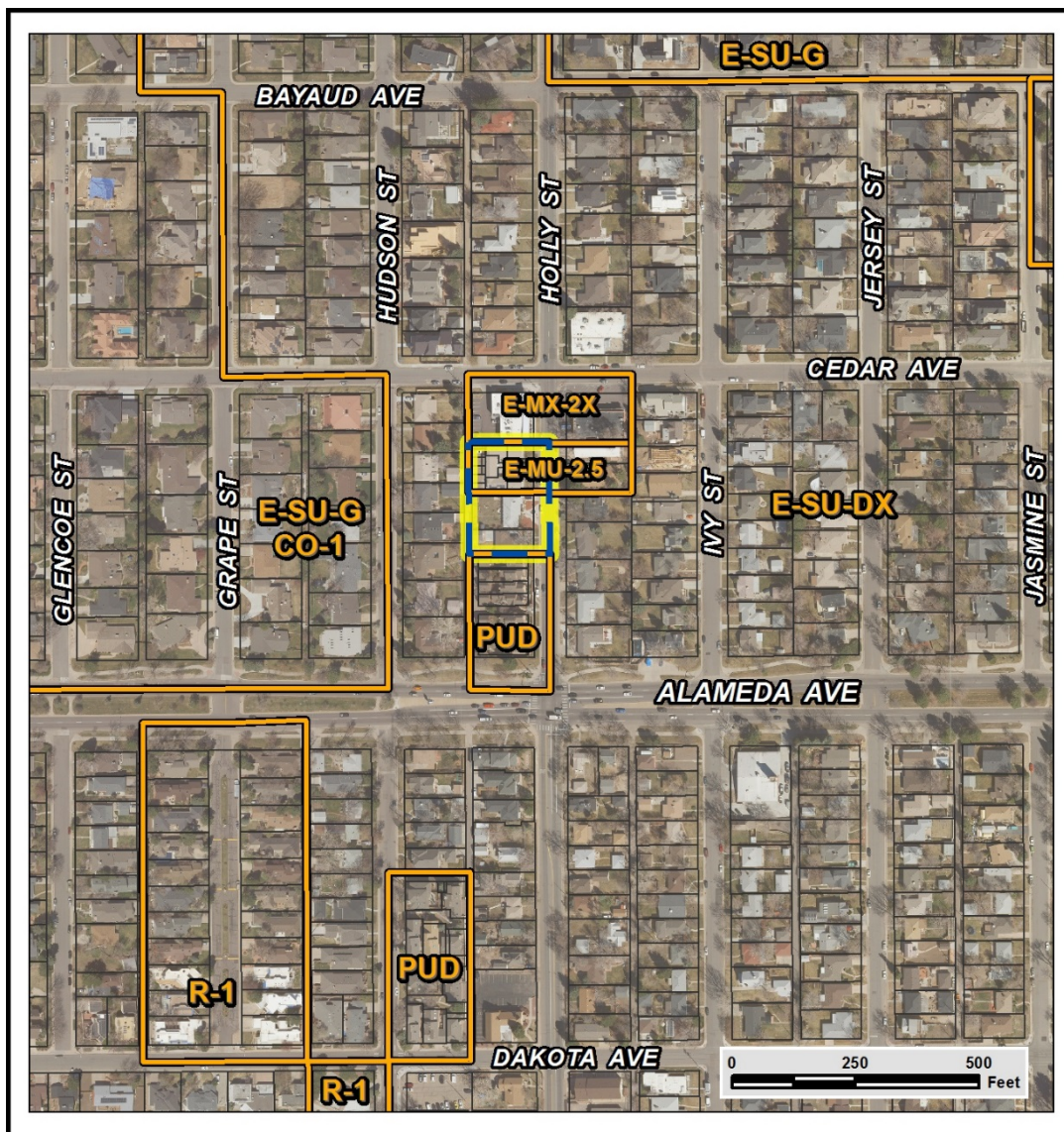
- Carson Elementary School, 3 blocks north,
- Alameda Avenue, 1/2 block south,
- Leetsdale Drive 2 blocks south,
- Crestmoor Park, 4 blocks east,
- Lowry Redevelopment, 8 blocks east,
- Robinson Park, 4 blocks northwest.

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

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

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

2. Existing Zoning



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

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

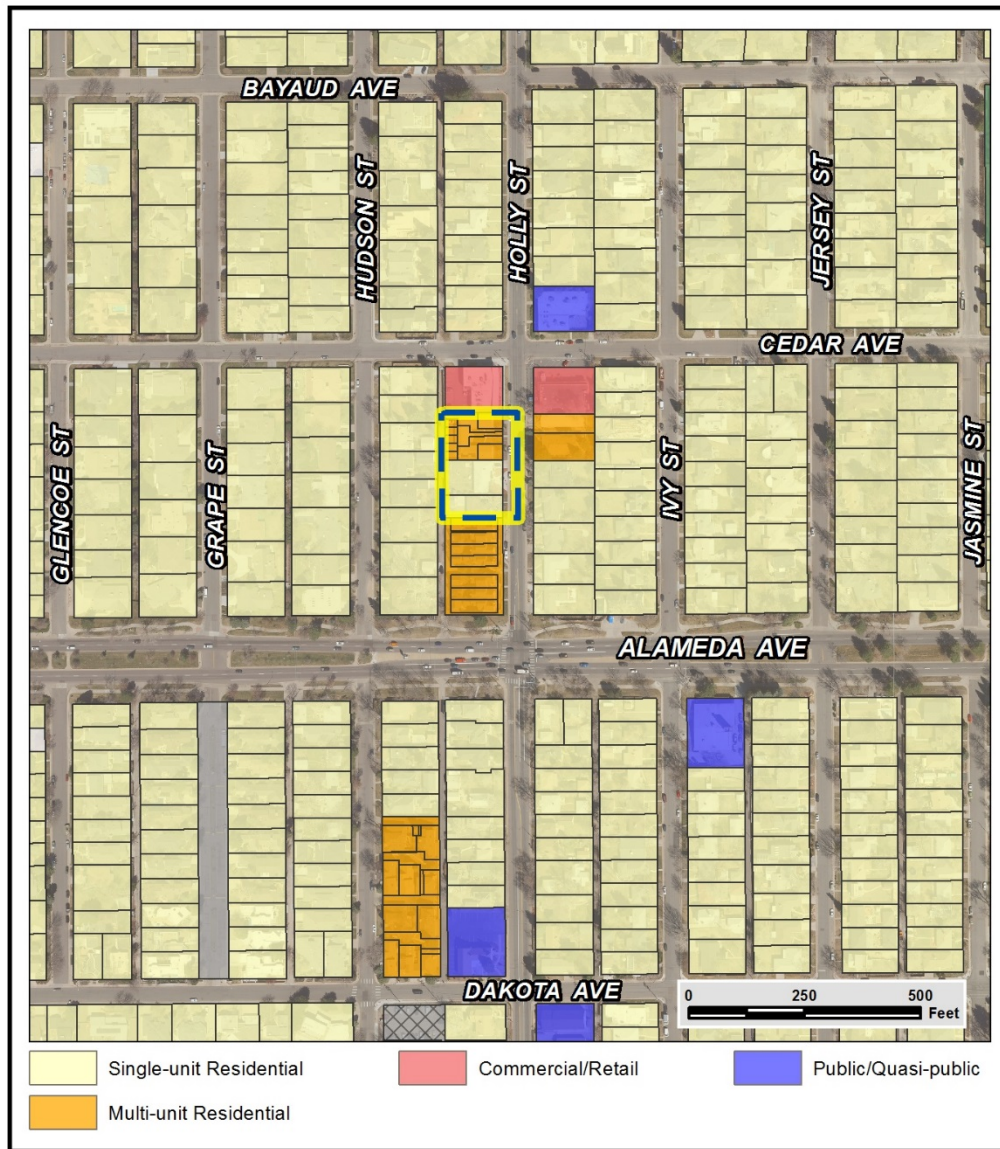
E-MU-2.5 Maximum Height	Front 65%	Rear 35%
Suburban House	30-35 feet/ 2.5 stories (limited by a more restrictive bulk plane than Urban House)	
Urban House	30-35 feet/ 2.5 stories	17 feet/ 1-story
Duplex	30-35 feet/ 2.5 stories	17 feet/1-story
Tandem House	30-35 feet/ 2.5 stories	24 feet
Town House	30-35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

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

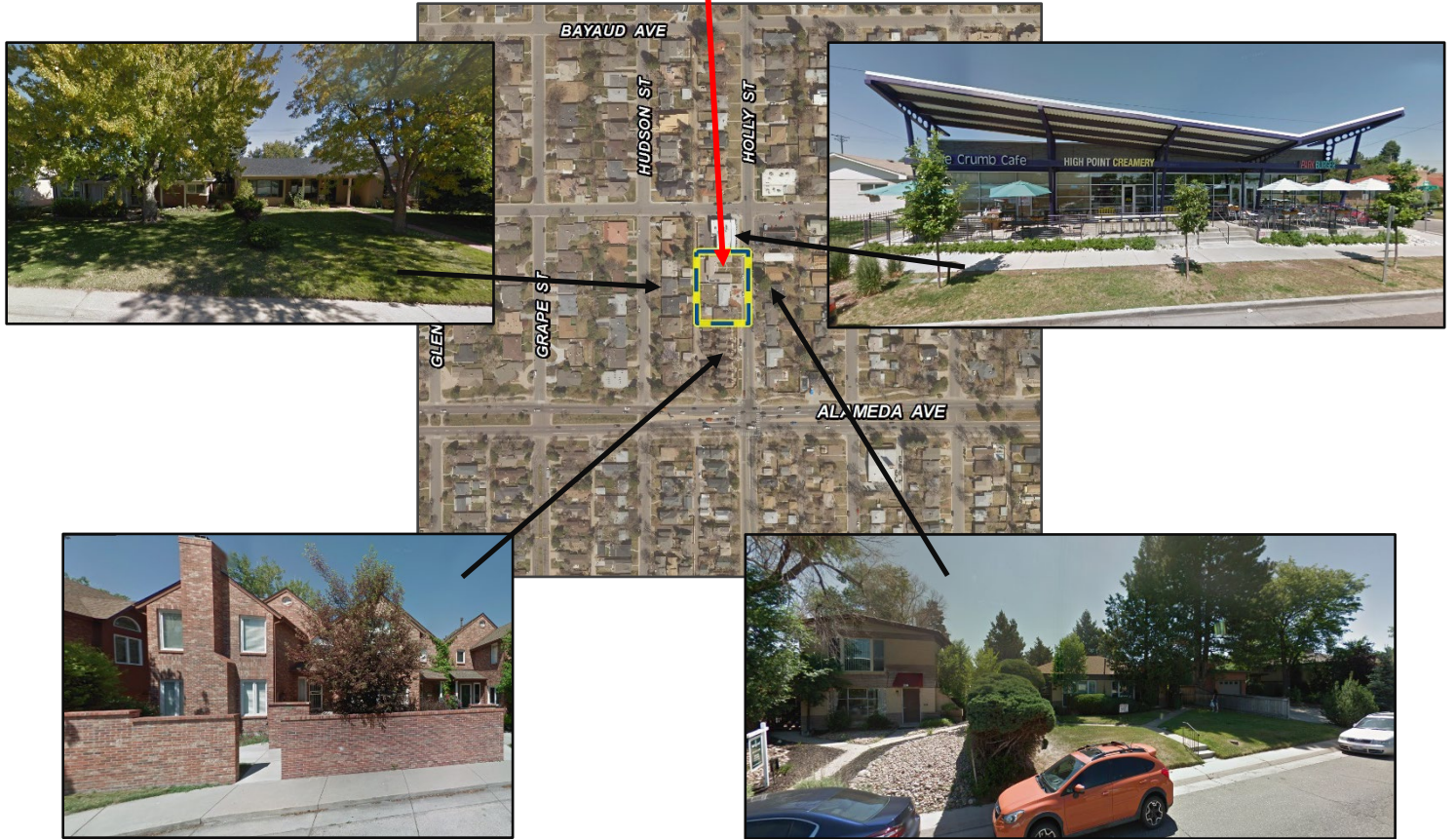
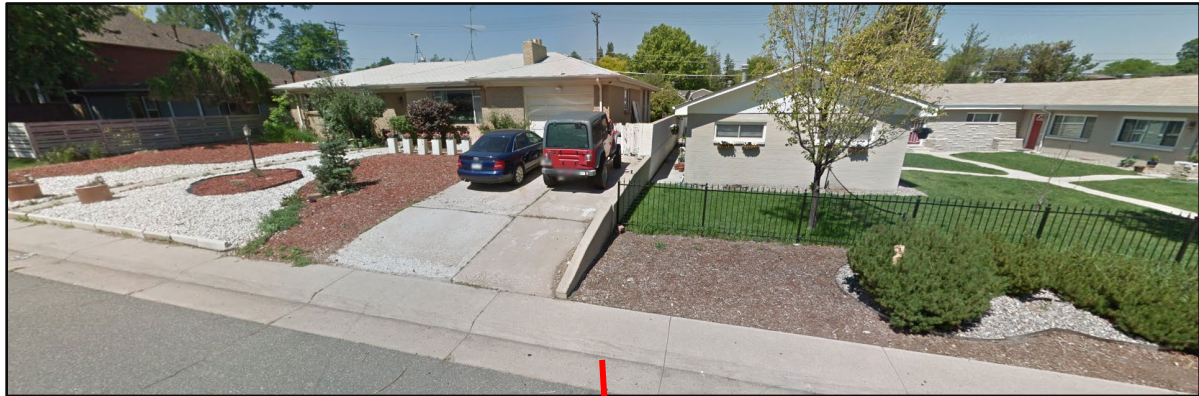
South of the subject property, PUD #101 was approved in 1983 and allows seven townhomes with a maximum height of 30 feet in the front of the lot. According to the PUD District Plan, the rear (western most) 24 feet of the PUD is restricted to a maximum height of 20 feet for garages.

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

3. Existing Land Use



4. Existing Building Form and Scale



Summary of City Agency Referral Comments

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

Assessor: No comments.

Asset Management: No comments.

Denver Public Schools: No comments.

GIS: No comments.

Department of Environmental Health: No comments.

Parks and Recreation: No comments.

Plan Implementation:

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

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

Development Services - Transportation: No comments.

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

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

Development Services – Fire Prevention: No comments.

Public Review Process

	Date
CPD informational notice of receipt of the initial rezoning application to all affected members of City Council and Registered Neighborhood Organizations:	01/11/18
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, Registered Neighborhood Organizations:	02/19/18
Planning Board public hearing at which this case was postponed at the applicant's request:	03/07/18
Planning Board public hearing on initial rezoning application where the Planning Board voted 6-1 with 1 abstention to recommend denial to City Council:	04/04/18
CPD informational notice of receipt of the amended rezoning application to all affected members of City Council and Registered Neighborhood Organizations:	04/23/18
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, Registered Neighborhood Organizations and property owners within 200 feet of the subject property:	10/22/18
Planning Board Public Hearing and recommendation of approval by a vote of 9-0 with 1 abstention:	11/07/18
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and Registered Neighborhood Organizations, at least ten working days before the meeting:	11/13/18

Land Use, Transportation and Infrastructure Committee of the City Council:	11/27/18
Property legally posted for a period of 21 days and CPD written notice of the City Council public hearing sent to all affected members of City Council and Registered Neighborhood Organizations:	12/16/18
City Council Public Hearing:	01/07/19

Mediation

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

Registered Neighborhood Organizations

To date, staff has received three comment letters from Registered Neighborhood Organizations. The Cranmer Park – Hilltop Civic Association has negotiated a covenant with the property owners and is not opposing the rezoning. The covenants include a limitation of the number of units to 23, a limitation of the height of the structure to 35 feet, on-site parking for 36 cars and several other structural and site considerations (see the attached covenants).

The Crestmoor Park Neighborhood Association is opposing the rezoning after surveying their members citing “*concerns about traffic, safety and development in general*” (see the attached letter). The Crestmoor Park (2nd Filing) Homes Association is also opposing after surveying their members citing traffic and “already too many multi-family exceptions in the neighborhood”, density, neighborhood character, area already over-crowded, parking, and pedestrian safety

Other Public Comment

To date, 40 other public comment letters have been received. Two from owners within the subject property supporting the application and citing the desire to stay in the neighborhood, the moderate price of the proposed units and the energy efficiency of the new structure. Four other support letters cite the need for affordable housing in the city, housing costs outpacing income growth, city residents leaving the city for housing, reduced kindergarten classes due to families leaving the city, the appropriate location of the project in a mixed use area. Thirty-five other comment letters oppose the proposed rezoning citing Holly Street traffic congestion and safety concerns, lack of parking in the area, the belief that increased density is detrimental to the area, concerns about the mediation process, the proposed building does not fit into the neighborhood, and

concern about granting a waiver. One letter states no position and asks if a traffic impact study was completed. See the attached letters for the full text of the comments.

Protest Petition

Staff did receive a Protest Petition submitted by area residents. Staff has determined that the required number of signatures have been submitted. See the attached memo summarizing the results.

Criteria for Review / Staff Evaluation

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

DZC Section 12.4.10.7

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

DZC Section 12.4.10.8

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

1. Consistency with Adopted Plans

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

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

Denver Comprehensive Plan 2000

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

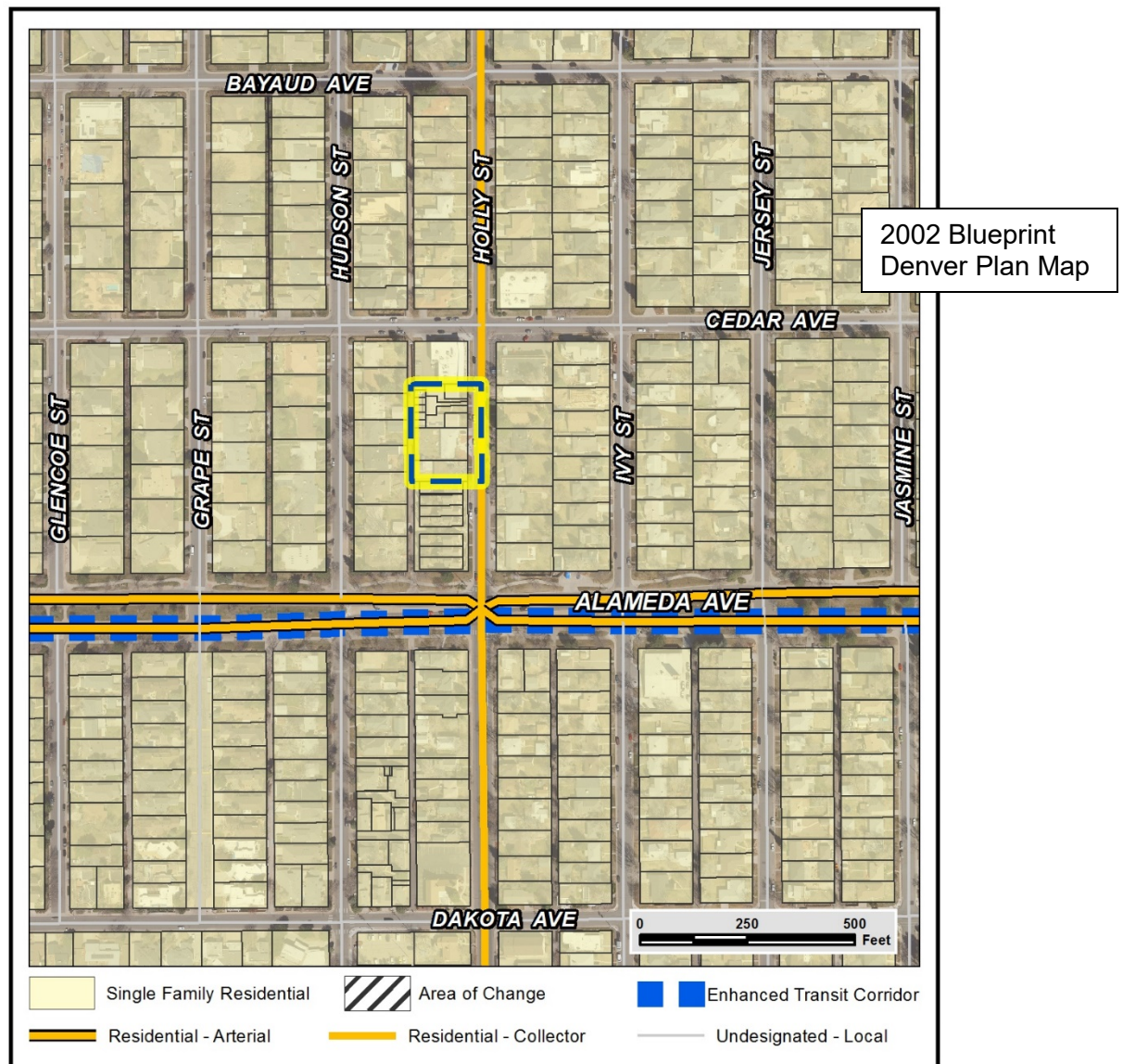
- Environmental Sustainability Strategy 2-F to “**Conserve land by *promoting infill development within Denver where services and infrastructure are already in place***” (p. 39).
- Land Use Strategy 1-H to “**Encourage development of *housing that meets the increasingly diverse needs of Denver’s present and future residents in the Citywide Land Use and Transportation Plan***” (p. 58).
- Land Use Strategy 3-B to “**Encourage quality infill development that is consistent with the character of the surrounding neighborhood; *that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses***” (p. 60).
- Legacies Strategy 2-A “**Establish development standards to encourage positive change and diversity while protecting Denver’s traditional character**” (p. 98).
- Legacies Strategy 3-A to “**Identify areas in which increased density and new uses are desirable and can be accommodated**” (p. 99)

- Housing Objective 1 “*Support Housing Development. Ensure that City policies and procedures **promote housing development and do not add unnecessary costs***” (p. 113).
- Housing Objective 2 “*Preserve and Expand Existing Housing. Encourage preservation and modernization of Denver’s existing housing stock and established neighborhoods. **Support addition of housing in expansion and infill development***” (p. 114).
- Housing Objective 4 “*Middle-Income Households. **Attract and retain middle-income households***” (p. 116).

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

Blueprint Denver

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



Future Land Use

The Single Family Residential land use concept is described in Blueprint Denver as areas where “single-family homes are the predominate residential type... and the employment base is significantly smaller than the housing base” (p. 42). “A city should contain neighborhoods that offer a variety of housing types, as well as complementary land-use types such as stores, parks and schools that provide the basic needs of nearby residents...Neighborhoods are primarily residential but vary in density, size and adjacency of non-residential uses...There are several different types of residential areas, and neighborhoods often have more than one type within them” (p. 41). The existing land uses adjacent to the subject property to the north are commercial and to the south and east are low-scale multi-unit residential land uses. The proposed E-MU-2.5 zone district will allow the addition of multi-family development to add to the variety of housing types available on

the block and in the neighborhood. The E-MU-2.5 zone district will allow building heights in the redevelopment that are already allowed by the surrounding E-SU-Dx zone district and with the extension of the existing E-MU-2.5 district south, will introduce low-scale multi-unit development to the area at a level that is compatible with the existing block.

Area of Change / Area of Stability

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

Street Classifications

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

Use of Waivers and Conditions

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

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

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

To implement this plan recommendation, CPD policy supports the use of waivers only in situations where the waiver helps to solve an issue that CPD is committed to resolve through a future text amendment to the Denver Zoning Code. The waiver request included in this application is consistent with this waiver policy because the department is committed to revising the 2 story maximum height for the Apartment building form in the E-MU-2.5 zone district. The current 2-story maximum height is confusing, and it is inconsistent with the

allowed heights of all other allowed residential building forms in the Urban Edge Context. A similar waiver to increase the building height in stories for the Apartment building form in the E-MU-2.5 zone district has been previously approved in another rezoning.

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

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

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

4. Justifying Circumstances

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

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

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

The Denver Zoning Code describes the Urban Edge Context as a mix of elements from both the Urban and Suburban Neighborhood Contexts with primarily single and two-unit residential uses. Small-scale multi-unit residential uses and commercial areas are also embedded in residential areas. Multi-unit building forms are typically the Row House, Garden Court, Town House or Apartment forms. Multi-unit residential and commercial uses are located along local streets, arterials and main streets. Street and block patterns consist of a regular pattern of block shapes surrounded by a grid or modified grid street system, and a mixed presence of alleys. Block sizes are consistent and include attached, detached and non-existent sidewalks. The Urban Edge Context is characterized by low scale buildings except for some mid-rise commercial and mixed-use structures, particularly at nodes or

along arterial streets. There is typically reliance on automobiles with low to medium access to the multi-modal transportation system. (Division 4.1)

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

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

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

Attachments:

1. Application
2. Legal Description
3. Comment letters (43)
4. Mediation Report
5. Protest Petition Memo

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

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

Crestmoor Park Neighborhood Association

A Denver Registered Neighborhood Organization

<https://www.denvergov.org/content/denvergov/en/community-planning-and-development/registered-neighborhoods.html#crestmoorparkneighborhood@gmail.com>

Keith Whitelaw, President
Crestmoor Park Neighborhood Association
6300 E. Cedar Avenue
Denver, CO 80224

January 2, 2019

Via email to denc@denvergov.org, rezoning@denvergov.org and marybeth.susman@denvergov.org

Denver City Council
201 W. Colfax Ave., Dept. 205
Denver, CO 80202

City and County Building
1437 Bannock St., Rm. 451
Denver, CO 80202

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

Dear Denver City Council:

I am writing on behalf of the Crestmoor Park Neighborhood Association (CPNA), a registered neighborhood organization (RNO), of which I am President. The CPNA shares a border (South Holly Street) with the property (Property) which is the subject of the above-referenced Application. The members of our RNO – residents, businesses and religious organizations – would be as impacted by this proposed rezoning as those of the Hilltop-Cranmer Park Civic Association, considering our RNO's smaller relative size and the closer geographic proximity of the entirety of our members to the Property.

In addition to the single-family homes in our neighborhood, we are also proud to be home to several synagogues. The Jewish residents in and near our community walk to centers of worship on the Sabbath and on other religious holidays. It is incumbent on members of the City Council to consider the safety of these pedestrians and, indeed, the many families with young children who enjoy safely crossing Holly Street and walking along streets in the Crestmoor and Hilltop neighborhoods.

Given our proximity to this proposed development, CPNA actively participated in a mediation effort that followed the denial of the initial Application. Our Vice President represented our RNO in that mediation process which was ultimately unsuccessful. Why was that effort unsuccessful? Not because of any lack of good faith on the part of CPNA. We were prepared to advance alternatives to the Applicants' proposal which supported the stated objectives of the Application. What was clear to us from the first meeting was that the Applicants (and their developer) would not consider any substantive changes to their plans – no alternative building forms, no real changes to density, no

proactive ideas to mitigate traffic and safety concerns. In the end, the developer made it clear: he must have the requested density in order to make “enough” money.

Given the outcome of the mediation, our RNO decided the best approach to make our neighbors voices heard was to undertake a survey to all 187+ homes, businesses and religious organizations in our neighborhood. Survey responses were solicited via hand delivered paper notices - and via email to all the known emails of our neighbors. **We received responses from 47 individuals – a 25% response rate. Of those 47 responses, 43 opposed the rezoning 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. It is more than fair to say that our neighbors **STRONGLY oppose** the Application.

Nothing has truly changed since the initial hearing on the Application before CPD. 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 proposed development retains the same dangerous access points to the structure’s parking spaces, via an alley off Alameda, the same alley that exits to Cedar Avenue, where Park Burger patrons play as they wait for tables. The traffic mitigation efforts on the chokepoint that is Holly between Alameda and Cedar are the same, and sorely insufficient.

The Planning Board, oddly, refrained from any safety considerations. On the other hand, City Council **must** consider the public health, safety and general welfare of Denver citizens.

Denver statistics show that, in the last year alone, there have been 20 traffic accidents near the intersection of South Holly and East Cedar– including a shocking 6 hit-and-run accidents. Please see the list of these accidents below.

Reported Crashes along Holly and Alameda to Bayaud, 12/17/17-12/16/18						
GO	OCC_DATE	OCC_TIME	DOW	LOCATION	Offense	Top_Injury
2017870442	12/31/17	2003	Sunday	S HOLLY ST / E ALAMEDA AVE	TRAF - ACCIDENT	Non-Injury
2018170127	3/13/18	1145	Tuesday	S HOLLY ST / E CEDAR AVE	TRAF - ACCIDENT	Non-Injury
2018192787	3/22/18	1811	Thursday	S HOLLY ST / E CEDAR AVE	TRAF - ACCIDENT	Non-Injury
2018206143	3/28/18	1210	Wednesday	5600 BLOCK E ALAMEDA AVE	TRAF - ACCIDENT	Non-Injury
2018244695	4/12/18	1637	Thursday	E ALAMEDA AVE / S HOLLY ST	TRAF - ACCIDENT	Non-Injury
2018298736	5/4/18	1325	Friday	E CEDAR AVE / S HOLLY ST	TRAF - ACCIDENT - HIT & RUN	Non-Injury
2018379374	6/6/18	756	Wednesday	5600 BLOCK E ALAMEDA AVE	TRAF - ACCIDENT	Non-Injury
2018391190	6/11/18	730	Monday	5600 BLOCK E ALAMEDA AVE	TRAF - ACCIDENT - HIT & RUN	Non-Injury
2018471788	7/12/18	1601	Thursday	200 BLOCK S HOLLY ST	TRAF - ACCIDENT	Non-Injury
2018519153	7/31/18	1655	Tuesday	S HOLLY ST / E CEDAR AVE	TRAF - ACCIDENT	Non-Injury
2018536749	8/7/18	1615	Tuesday	E CEDAR AVE / S HOLLY ST	TRAF - ACCIDENT	Non-Injury
201856916	1/23/18	1800	Tuesday	100 BLOCK S HOLLY ST	TRAF - ACCIDENT - HIT & RUN	Non-Injury
2018571037	8/21/18	1445	Tuesday	5600 BLOCK E ALAMEDA AVE	TRAF - ACCIDENT - HIT & RUN	Non-Injury
2018591153	8/29/18	1617	Wednesday	S HOLLY ST / E ALAMEDA AVE	TRAF - ACCIDENT - HIT & RUN	Non-Injury
2018652466	9/22/18	1730	Saturday	E ALAMEDA AVE / S HOLLY ST	TRAF - ACCIDENT	Injured (Non-
2018656300	9/24/18	1014	Monday	S HOLLY ST / E ALAMEDA AVE	TRAF - ACCIDENT	Injured (Non-
201869308	1/29/18	1558	Monday	100 BLOCK S HOLLY ST	TRAF - ACCIDENT	Non-Injury
2018745482	10/31/18	2139	Wednesday	E ALAMEDA AVE / S HOLLY ST	TRAF - ACCIDENT	Non-Injury

2018774970	11/13/18	1744	Tuesday	S HOLLY ST / E ALAMEDA AVE	TRAF - ACCIDENT	Non-Injury
2018833386	12/10/18	1003	Monday	5600 BLOCK E ALAMEDA AVE	TRAF - ACCIDENT - HIT & RUN	Non-Injury

Nothing about the Application has changed - AND new, appalling traffic accident information is before you. Consequently, we believe that the disposition of this Application should be the same as before - denied.

The CPNA is certainly aware of the need for Denver to increase housing, through zoning that supports a variety of uses. We are also very 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. How could City Council explain a rezoning that would permit razing 7 relatively affordable homes and replacing them with expensive, high-density housing with up to 27 units on a little more than half an acre?

There are no justifying circumstances – a legal requirement – supporting the proposed rezoning. The Applicants assert, without basis, that “The land or its surroundings has changed”. Yet, the Application itself openly admits that “this part of Holly Street is not identified in the master plan as an ‘area of change’”. Under existing Blueprint Denver (an Adopted Plan), the land and its surroundings are designated as being within an “area of stability”. Further, Applicants are seeking unwarranted, and unlawful, waivers from existing zoning code provisions. City Council must act consistently with Adopted Plans and is obligated to follow existing law, not the law as it may, or may not, evolve in the future.

What is NOT part of the character of our stable – and abundantly vital – neighborhood is a proposed large apartment-style building on a relatively narrow roadway - the key entry point to our community - which would only serve to exacerbate serious existing issues of traffic and safety.

The proposal, with its excessive high density, is unacceptably out of character with our existing, stable neighborhood and permitting this rezoning would create a problematic precedent for poor-fit development in the heart of existing communities. We ask that you deny the rezoning Application.

Sincerely,

Keith Whitelaw

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



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From: [Ann Spoor](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: [EXTERNAL] Green Flats
Date: Thursday, January 03, 2019 11:27:53 AM

I live in the neighborhood and have sent an email previously.
I support this development. The design fits the neighborhood.
There is already precedent on Holly for this type of development - corner of Alameda and Holly and 3rd and Holly.

Thank you!

Ann Spoor
720-231-2231 cell

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: [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

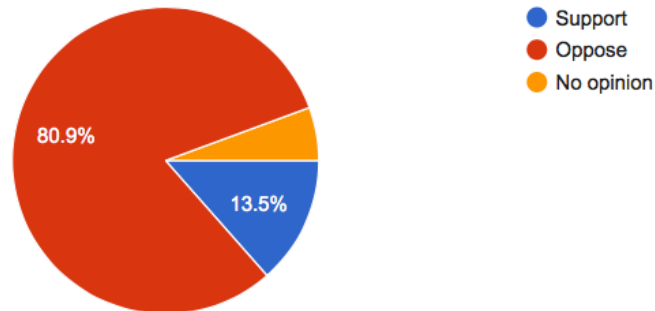
We received responses from 89 households (1 vote per household) among the 490 homes in Crestmoor Filing 2. That was about an 18 percent response rate, which is quite good for an online survey.

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: [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.

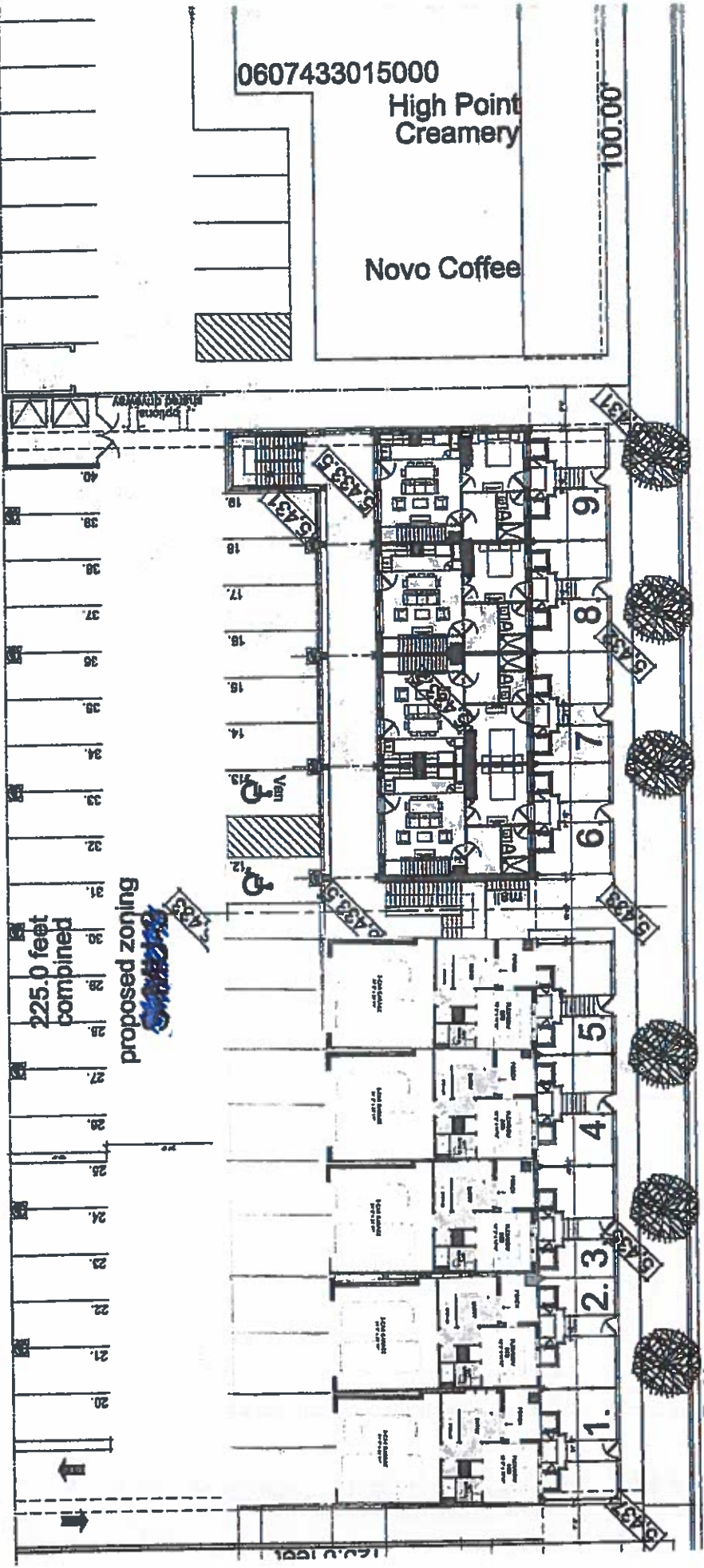
Nevertheless, a reduction in units was requested to reduce the number of cars using the alley (and road system) at this very busy intersection of Cedar and Holly reasoning that incremental change at this location benefits a larger area. When asked by the mediator, it was suggested that it be less than 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

60

vs

42

Bdrm ct

0.65 / Bdrm

~ 1/ Bdrm w/ guest pkg

Pkg / 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

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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

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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

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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

From: [Rezoning - CPD](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: FW: [EXTERNAL] January 7 Council meeting re Holly Street re-zoning
Date: Friday, December 28, 2018 2:16:29 PM

From: Meg Whitelaw <meg.whitelaw@gmail.com>
Sent: Friday, December 28, 2018 2:06 PM
To: Rezoning - CPD <Rezoning@denvergov.org>
Subject: [EXTERNAL] January 7 Council meeting re Holly Street re-zoning

Dear Council Members,

I am writing in **opposition to the re-zoning on Holly Street ("Green Flats")**.

Please consider these points:

1. The project, first "sold" as providing affording housing for teachers, does not. Even the developer and the representative homeowner have dropped this pretense.
2. The project puts too many units onto a site that is difficult to access and is located adjacent to an already unsafe and congested intersection--Cedar and Holly.
3. All near-by neighbors oppose this project, as do the overwhelming number of residents in the community. **The neighbors would agree to support a development with row homes or other units that reflect appropriate density for this site, and the surrounding area!**
4. The Hilltop RNO Board which does "not oppose" the project did **not poll** its residents. And probably with good reason. No doubt there would be strong opposition. None of the Hilltop Board live anywhere close to the project. The Hilltop Board is a board that reflects its own opinion-- not its residents. If a councilperson votes for this project based upon that Board's position, it is a seriously misguided vote.
Please-- don't let Hilltop's Board's position be something you hide behind!!
5. All other affected RNOs which "did poll residents" found overwhelming objection to the project as it has been presented by the developer. The neighbors' opposition was based on safety factors and the fact that the proposed density is out of character with the existing, stable neighborhood.
6. The requested waivers violate current zoning law. Plain and simple. Some close- by residents have said they would rather see what is zoned for now (up to 20 units) go in than what is being proposed. At some point, the City of Denver either has zoning laws--or it is a city with none.
7. This project is being built-- and not modified-- solely because this developer says he can't make enough money otherwise. **Let's have a new developer!**

Please vote "NO" and let our community work with a new developer who can build consensus!

Thank you.
Margaret H. Whitelaw



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



January 2, 2019

Denver City Council
1437 Bannock Street, Room 451
Denver, CO 80202

Re: Rezoning/Waiver Application 20171-00153

Dear Denver City Council Members:

My name is Amanda Sawyer, and I am writing today to ask you to **deny** the rezoning of the properties at 219, 221, 223, 225, 227, 235 and 245 S. Holly Street, Application #20171-00153. I am a resident of this neighborhood and also a candidate for Denver City Council in May 2019.

While this project is well designed and the developer has been thoughtful and willing to compromise on things like setbacks, it's just not a good choice for this particular location. It's a balancing act - we need to add housing in our neighborhood for middle income earners like teachers. And we need homes where retirees in our neighborhood can live when they are ready to leave their large, single family homes. But we also need to make sure that the families who live in our neighborhoods and use the commercial services on this block are safe.

If this housing were actually going to provide what we need in this neighborhood, I'd consider it much more closely. But even the developer said at the Planning Board hearing that "if you make \$40,000 per year, you won't be able to afford these units." So, the project doesn't fill a need for the neighborhood after all, even though that's the stated purpose on the initial Rezoning Application. It's just another set of luxury micro-condos. In my opinion, the developer has not provided evidence of a compelling reason to grant this rezoning request, and its effects on the neighborhood are numerous.

Respectfully, I ask that you deny this rezoning based on the following issues:

1. This Development Will Have an Adverse Effect on Public Health, Safety and General Welfare

The rezoning request requires an explanation of how this development will further the public health, safety and general welfare of the neighborhood. In fact, this development would do exactly the opposite of that by making the intersections at Holly/Cedar and Holly/Alameda less safe.

There were twenty accidents on this block in 2018, including six hit and run accidents. This development would add another 24 cars to the block. These vehicles would only be able to access the development through an alley that runs between Cedar and Alameda. According to neighbors, the southern entrance to the alley is dangerous because people drive Alameda at high speeds and the alley isn't clearly visible. Their other option is to use the northern entrance to the alley at Cedar between Hudson and Holly. The businesses on that block offer amenities specifically to draw families to the location, so there are always kids at that entrance. The bike



racks and cornhole games are located no more than 20 feet from the alley that would be the only vehicle access to this development. It's already a dangerous situation and 24 more cars will make it worse.

Adding more cross traffic at Cedar and Holly is also a bad idea. There is no logical way to put a stoplight at this intersection given its proximity to Alameda Avenue, which means that there is essentially no solution to the issue of how to manage the cross traffic. The City already acknowledged this problem when it installed a flashing crosswalk at this intersection. I've seen multiple people almost hit crossing the street here. Again, adding 24 vehicles here adds to an already dangerous situation.

2. This Development Does Not Follow the Current Guiding Plans

I also believe that this development also doesn't make sense when you look at related development plans. The statistical "Hilltop" neighborhood doesn't currently have a Neighborhood Plan, so we would need to look to Blueprint Denver as the guide. Blueprint Denver considers this block an "area of stability" and, according to the staff report for this rezoning request, "recommends land use as single family residential." So it would seem inappropriate to add significant density here.

In my opinion, the most analogous neighborhood plan would be the Mayfair Town Center assessment because it attempts to manage the transition between a sleepy, residential neighborhood and the limited retail located on its outskirts - which is exactly the situation we have on this block. Although written under the old zoning code, the Mayfair Town Center assessment caps density at 14.5 units per acre. This project would - based on objections made by Ignacio Correa-Ortiz during the Planning Board meeting - bring the density of this block to 35 units per acre which is more than DOUBLE that limit.

3. There are No Justifying Circumstances to Grant This Rezoning Request

At the Planning Board hearing, the changed circumstances used to justify this rezoning were that many homes in the area are being scraped and new, larger homes are being built on those lots. In my opinion, this is not a changed circumstance. Councilman Flynn brought up the same concern at the LUTI hearing on this property. Those homes are being redeveloped under the current applicable zoning for our neighborhood. That is not a changed circumstance and should not be allowed to justify this rezoning request.

Additionally, the staff report indicates that the character of the area has changed, which is an acceptable justifying circumstance for granting a rezoning request. However, the evidence used to support this supposed change of character is "recent new commercial and mixed-use development along Leetsdale Drive and in Lowry." This seems incongruous to me. In Lowry, sure, there has been commercial and mixed use development added recently. But the Lowry development is over a mile away from this proposed development, and was planned over a span of twenty years to accommodate a blend of commercial and residential uses. On Leetsdale, there is only one mixed-use development currently being built, behind Inga's, which does not indicate



a significant change of character to the area. In fact, the neighborhoods immediately adjacent to this proposed development haven't changed. They are full of residential single family homes, and more and more families are moving into these neighborhoods every day.

As I've said before, if this project were meeting a compelling public need - like middle income or affordable housing - it would be worth considering supporting it even in spite of all of the issues I've raised above. But, this developer stated at the Planning Board hearing - and reiterated at the City Council LUTI meeting - that he intends to pay into the "affordable housing" fund instead of providing the physical affordable units in this development. And to me, adding luxury micro-condos without some greater public benefit isn't worth the safety risk.

For these reasons, I respectfully request that you deny this rezoning application. Thank you for your time.

Best Wishes,

Amanda Sawyer
Candidate for Denver City Council, District 5
Personal: 415-265-1312
Office: 303-549-2949
www.sawyerfordenvercitycouncil.org
Social Media: @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

From: [Rezoning - CPD](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: FW: [EXTERNAL] Rezoning issues
Date: Wednesday, January 02, 2019 5:00:05 PM

From: Jan Ankele <janankele@gmail.com>
Sent: Wednesday, January 02, 2019 4:32 PM
To: dencc - City Council <dencc@denvergov.org>; Rezoning - CPD <Rezoning@denvergov.org>
Subject: [EXTERNAL] Rezoning issues

Dear City Council members,

I am writing to ask you to oppose a developer's request for a zoning change that would allow a high-density development at 219, 221, 223, 225, 227, 235 and 245 S. Holly Street, Application #2017I-00153.

These lots currently consist of two single-family homes and a low-slung, one-story building with five attached homes. We know that you care deeply about providing affordable housing in Denver. These homes currently provide the most affordable options in our part of Denver.

The developers are seeking to raze relatively affordable homes and instead build expensive, high-density housing with up to 27 units replacing seven on a little more than half an acre.

I am asking you to oppose this proposed zoning change for the following reasons:

- We need leadership from our city officials. Denver residents want smart, sustainable planning and growth, not approvals for every project a developer proposes. We are begging for leadership from you.
- This developer is asking for waivers from City zoning codes. Denver should follow its own zoning laws.
- Unfortunately, the City of Denver now essentially has no planning system. When this proposed zoning change came before the Denver Planning Board, the board members said they were not allowed to consider important issues like traffic, health and safety. Instead the Planning Board considers design issues.
- **Holly Street is a narrow, neighborhood street that is already congested. The block where the developers are seeking a dramatic increase in density already has a beloved neighborhood market, Pete's Fruits & Vegetables, along with other popular local businesses: Park Burger and a Novo Coffee. These businesses attract both pedestrians and auto traffic. Adding significantly more units on this small street doesn't make sense. There's already inadequate parking in this area and increased density will cause more congestion.**
- Furthermore, the developers plan to add 30 or more cars to a very narrow alley behind the proposed development. This is dangerous and harms current residents.
- This part of Denver is an Area of Stability. There's no justification for a change in zoning in this area.
- Accidents near South Holly Street and East Cedar Avenue are spiking. Data from the City show that in the last year alone, there have been 20 car accidents near this intersection – including a stunning 6 hit-and-run accidents – just since New Year's Eve of last year.
- Neighborhood leaders and the closest residents participated in mediation to try to work with the developers, but the developers did not agree to any significant changes.

- This proposal arose because the current owners of these units did not want to pay for upkeep of their properties, including sewage repairs. The City should not give zoning changes and variances to owners that harm neighbors and pedestrians simply because the owners don't want to pay for upkeep of their property.
- Unfortunately the RNO representing the homeowners closest to the proposed project in Hilltop did not survey residents near this proposed development and did not consult with them about how the proposed development would affect the nearest neighbors. Instead, they have conducted private negotiations with the developers at the expense of their own residents.
- Adjacent RNOs that will have to contend with impacts from this proposed development did conduct surveys and opposition to this high-density development is overwhelming. In surveys among the Hilltop residents closest to the proposed project, along with adjacent neighborhoods in Crestmoor, opposition ranged between 80 and 94 percent. We call upon you as our leaders to please listen to the majority of neighbors and oppose this proposed zoning change.
- We are asking you to consider transportation options before continuing to add density. Some parts of Denver have access to light rail and other alternative modes of transportation. The area where this developer wants to increase density does not have access to alternative modes of transportation. Denver recently was highlighted as a city with one of the worst transportation systems in the country. **Please improve our transportation systems before adding density that doesn't make sense.**

Jan Ankele

Lucero, Theresa - CPD Sr City Planner

From: Lise Uhrich <lnuhrich@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."
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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

Lise Uhrich
Owner: 230 S. Hudson St.
Denver CO 80246

RE: City Council bill 18-1346, Rezoning with waivers for 219, 221, 223, 225, 227, 235, and 245 S. Holly St.

Esteemed Members of Denver City Council:

My husband and I own the house at 230 S. Hudson St. This is directly across the alley from the proposed project... the alley that is the only access to our garage.

Currently there are seven families living in the homes under consideration for rezoning. The new project would mean 23-27 families living in the same space, crowding the same alley, and seeking egress at the dangerous intersections at Cedar and Alameda. I will leave a description of these safety issues to others.

Mediation

I was one of the neighbors involved in the mediation of this issue. Let me state that I am not anti-developer; in fact, my father was a developer and so is my sister. I came to mediation in good faith, with hopes that we could agree to zoning for a project that would fit our neighborhood. I represented the owners of 10 properties within the 200 foot perimeter of the project. At the end of the mediation, my neighbors determined that the proposed restrictive covenants did not address the core problems which accompany a development like this where too many units are wedged into a neighborhood without the space to accommodate them.

Waivers

It is not a good idea to grant waivers to the city's own zoning code without a compelling reason. The existing code specifically puts limits on this apartment-style type of construction. It should be pointed out that the existing homes are viable, lived-in properties. These homes, like all homes, require upkeep and updating. The applicants' complaint that they need a new sewer does not convince those of us who have spent money to replace our sewers.

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.

Not only is there no need to waive the existing rules, there are good arguments against doing so: the proposed project is out of character with the neighborhood; the traffic and safety problems attending the waiver are downright scary; and the project would be a destabilizing influence in the area.

RNO

Please do not be influenced by the fact that the Cranmer Park/Hilltop Civic Association, supposedly our Registered Neighborhood Organization, has signed an agreement with the developer. While RNOs can be a useful tool to learn the character of a neighborhood, the bulk of this RNO is very far from the project. There are two RNOs which are much more severely affected by the rezoning proposal. Their members were polled and overwhelmingly object to rezoning. I myself conducted a poll, posting flyers at every home between Alameda and 3rd Avenue from Holly

through Glencoe Streets. Of those who responded, 90% were opposed (See Attachment). The RNO board made this decision, not its members. This RNO board is made up of people who were not elected by us, who had their discussion and made their decision behind closed doors. **Please do not defer your decision to them; it is you who are our duly elected representatives.**

I understand that Denver has an increasing need to house the people moving here. I see renewal projects all over the city. But this is not a neighborhood in need of renewal. This is not the place to squeeze in two dozen apartment-style condominiums, not when it will have a detrimental effect on the thousands of people who live and travel through the neighborhood on a daily basis.

I ask you to follow your own zoning code. Otherwise, why do we even have one?

Yours truly,

Lise Uhrich

encl

**Attachment
to Lise Uhrich letter dated January 1, 2019
to Denver City Council regarding bill 18-1346**

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. We got responses from about 17% of those homeowners. Of those who responded, more than 90% were opposed.

This is how the survey was presented:

Summary of the proposed development:

Seven property owners on the west side of Holly street, south of Park Burger between Cedar and Alameda, have asked the city for a zoning change that would allow a 3-story apartment-style condominium building on their properties.

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

Currently the site comprises a 5-unit one-story condominium development and two single-family homes. The single family properties would need to be rezoned to multi-family use. The developer is also asking for waivers of the current zoning code so that the apartment-style condominiums can be taller than current code allows.

The proposed zoning change would allow more height and density on seven properties: 219, 221, 223, 225, 227 235, and 245 S. Holly. The development would include about 36 parking spaces, accessible from the alley.

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

There was an attempt at mediation to resolve neighbors's complaints, resulting in an offer which would cut the number of units to 23 and prohibit short-term rentals, among other things. Your Cranmer Hilltop board voted to not oppose the project if the mediated offer were put into effect. You can see the Cranmer/Hilltop position here:

<http://denverhilltop.com/zoning/greenflatsupdate/>

The deadline to vote on this survey 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.

One vote per household please.

Thank you.

What is your opinion regarding the proposed rezoning for the properties at 219, 221,223,225,227,235,and 245 S. Holly?

I am in favor of the rezoning

I am opposed to the rezoning

I am neutral about the rezoning.

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."
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Janet Bock
711 Forest St.
Denver, CO 80220

From: [Rezoning - CPD](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: FW: [EXTERNAL] Rezoning request application #2017-00153, 219, 221, 223, 225, 227, 235 and 245 Holly Street
Date: Monday, December 24, 2018 8:41:00 AM
Attachments: [Green Flats 2.docx](#)

From: arsenalepl@aol.com <arsenalepl@aol.com>
Sent: Saturday, December 22, 2018 8:03 PM
To: Rezoning - CPD <Rezoning@denvergov.org>
Subject: [EXTERNAL] Rezoning request application #2017-00153, 219, 221, 223, 225, 227, 235 and 245 Holly Street

Hello,

I am submitting my comments to city council in the attached.

Michael Uhrich

To: Members of the Denver City Council

From: Michael Uhrich
230 S. Hudson St.
Denver, CO 80246

Re: Official Zoning Map Amendment Application #20171-00153, 219, 221, 223, 225, 227, 235 and 245 Holly Street

I am a property owner located at 230 South Hudson St, which is located directly across the alley and am one of 3 property owners most directly affected by this proposal. For reference I have lived here with my family for 28 years and have been enriched by the neighbors and the homes built in the 1950's.

The owners of the properties in 219, 221, 223 ,225, and 227 South Holly have indicated that as first time property owners they are short of capital for the improvements they would like to make to their properties. As a homeowner I also experienced this situation and paid for these improvements, sacrificing the enjoyment of other things I would have preferred to spend my money on, as this is a part of being a homeowner. If this is clearly the reason for a rezoning request, then it is misguided.

An approval of a change to S-MU-3 would drastically alter the neighborhood raising several concerns of which **SAFETY** is a major one. As you may or not be aware the volume of traffic in the neighborhood has increased dramatically since the addition of the ParkBurger restaurant, while cars and pedestrians navigate through the neighborhood. There are constant near misses with children and families as we currently travel out of the alley north to Cedar or South to Alameda. An addition of residents of 27 Units and 40 parking spaces exponentially increases the probability of tragedy. Technological distractions do play their part with drivers.

Increased density which would be created under the approval of this rezoning will lead to a loss of neighborhood and create unoccupied 800 square foot living areas with an average price of \$400,00 on a busy street. The residents that can afford these properties will have better choices elsewhere, and this neighborhood will be lost.

A mediation effort was initiated which included neighbors, the applicant and the developer. This effort was ultimately unsuccessful as the applicant and developer would not consider any real changes to their plan, an alternative building form, no

real change to density, no proactive ideas to mitigate traffic and safety concerns. The proposed structure is still a hulking block, whether there are 23 or 27 residences. If covenants agreed to by the developer have been filed in the public record, who is going to monitor and enforce them, should the developer run out of money. The possibility of an unfinished project exits, due to competition and economic downturn, leaving a large open space in a residential neighborhood, and the current residents of this complex with no place to live.

If public opinion has any value, the only neighborhood survey taken opposed this rezoning application by 91%.

This is not a neighborhood in transition, such as Lowry where large tracts of land have been cleared to create neighborhoods, as mentioned in the status report, this neighborhood is a stable neighborhood.

Justifying circumstances as mentioned in the initial report cite blight, which does not exist in this neighborhood and is unproven, and this not an industrial area. No statutory criteria has been cited to establish this neighborhood has an area of blight.

I ask that you consider the damage done by the approval of this rezoning request, this is clearly not a good fit and the approval of this request would be misguided. The correct decision will be to deny this request for approval of application #2017-00153, as there is no compelling reason to approve it.

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 speak 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: [Susman, Mary Beth - CC Member Denver City Cncl](#)
To: [Bety Ziman](#)
Cc: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: RE: [EXTERNAL] Help please
Date: Monday, December 17, 2018 12:44:31 PM
Attachments: [image005.png](#)

Bety

Thank you for your note. I am forwarding it to Community Planning and Development so it can go into the materials that go to City Council about this project.

Best,

Mary Beth

Mary Beth Susman | Councilwoman
District 5 – Denver City Council | City and County of Denver
p: (720)337-5555 | marybeth.susman@denvergov.org



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From: Bety Ziman [mailto:bety@zimantranslation.com]
Sent: Monday, December 17, 2018 10:14 AM
To: Susman, Mary Beth - CC Member Denver City Cncl <MaryBeth.Susman@denvergov.org>
Subject: [EXTERNAL] Help please
Importance: High

Good morning neighbor

First let me wish you a happy holiday season

I'm Jewish, so I don't celebrate like you all, but I still love it

I have to share with you my are dismay when I found out yesterday that the RNO signed the covenants when the immediate neighbors made it clear they didn't agree to it. Wende and the board are not our elected representatives, so I'm asking you as our council person not take their agreement as having our support. Their behavior is egregious.

When I first met them at the coffee shop when the developer presented his proposal, I thought they were part of the developers group. They were so enthusiastic about the project!

Thank you in advance for all the help you can give us and for representing us fairly

Sincerely

Bety



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

Bety Ziman

(303) 483-5882

bety@zimantranslation.com

www.zimantranslation.com

Bety Ziman
Owner: 255 S. Holly St
Denver CO 80246

RE: City Council bill 18-1346, Rezoning with waivers for 219, 221, 223, 225, 227, 235, and 245 S. Holly St.

Honorable Members of Denver City Council:

I am the owner of the town house located at 255 S. Holly St. The proposed 3 story 27 apartment complex will be, if approved, located right to my left, in the middle of the block. I must admit that I'm not versed in the intricacies that govern the granting of a waiver to the existing city's own zoning code, but as a citizen and resident of this City, I tend to believe that it requires strong and well-founded motives and if they do exist in this instance, we the residents of the area, as far as I know, have no knowledge of same.

Presently, I live in the ideal "Blue Print Denver" neighborhood. There is affordable housing on my block, people from different backgrounds and economic status live right across from me. We all share the traffic problem on Holly, traffic that backs up daily, morning and evenings, because of the heavy traffic on Alameda. Serious accidents have occurred at the corner of Cedar and Holly, and when we asked for a traffic light, we were told that it was "just going to make it worse, because people would run the light" I'm not joking.

In the back of my townhome, there is an alley, it was paved not too long ago, it's narrow, and its capacity is limited as are the alleys all over Denver. They are not designed to accommodate the daily traffic of 60 cars or more.

So, given all this, I have been wondering why the City should consider granting a waiver and have a three-story building in the middle of the block, that will have a narrow alley as it's only access, go against the idea of Blue Print Denver and set a precedent for future requests. I hate to believe that this is a testing ground for other projects.

Unfortunately, the residents who oppose the project have encounter multiple obstacles when we tried to obtain information related to meetings, datelines for proposals, etc. As an example, our neighborhood was not polled because the president of the Crestmore/Hilltop Association Ms. Wende Roch and I quote "does not believe in polls" and when I brought this up to my council representative Ms. Sussman, she said "that she concurred, because and I quote "we all know that polls are answered by 70-year-old white males" I am grateful that DPS, AARP, AMA among others, do. They poll their constituency, because their opinion matters to them.

I would like to inform you that when we took it upon ourselves to ask the neighbors within the required perimeters for their opinion on the matter, only three were in favor of the project

It is important to note that we have tried to get the developer to reduce the number of units or stories many at time. He refuses because it would not be profitable enough. And that's his right

I'm asking you to hear our voice and grant us the representation we deserve. We have lived and maintained this neighborhood for many years. We all support new construction on our street, so it's not a matter of "not in my neighborhood" we object to the proposed construction because it will have such a negative impact on all, particularly Blue Print Denver.

Respectfully submitted
Bety Ziman

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

From: [Susman, Mary Beth - CC Member Denver City Cncl](#)
To: [Claudia Moore](#)
Cc: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: RE: [EXTERNAL] application # 20171-00153
Date: Wednesday, January 02, 2019 4:05:52 PM
Attachments: [image004.png](#)

Ms. Moore,

Thank you for your note. I will send to Community Planning and Development so it can be part of the public record.

Best,

Mary Beth

Mary Beth Susman | Councilwoman
District 5 – Denver City Council | City and County of Denver
p: (720)337-5555 | marybeth.susman@denvergov.org



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From: Claudia Moore [mailto:claudiamoore999@gmail.com]
Sent: Wednesday, January 02, 2019 3:50 PM
To: Susman, Mary Beth - CC Member Denver City Cncl <MaryBeth.Susman@denvergov.org>
Subject: [EXTERNAL] application # 20171-00153

Marybeth Susman

I live at 287 S. Holly and attended the last council meeting regarding this development. I spoke at the meeting about the traffic impact study and was told that one was not needed to rezone this project. I was most disappointed at the attention that was paid at the meeting by members of council that make major decisions for our community. I am writing in opposition to the re-zoning on Holly Street ("Green Flats"). Please consider these points: 1. The project, first "sold" as providing affordable housing for teachers, does not. Even the developer and the representative homeowner have dropped this pretense. 2. The project puts too many units onto a site that is difficult to access and is located adjacent to an already unsafe and congested intersection--Cedar and Holly. 3. All near-by neighbors oppose this project, as do the overwhelming number of residents in the community. The neighbors would agree to support a development with row homes or other units that reflect appropriate density for this site, and the surrounding area! 4. The Hilltop RNO Board which does "not oppose" the project did not poll its residents. And probably with good reason. No

doubt there would be strong opposition. None of the Hilltop Board live anywhere close to the project. The Hilltop Board is a board that reflects its own opinion-- not its residents. If a councilperson votes for this project based upon that Board's position, it is a seriously misguided vote. Please-- don't let Hilltop's Board's position be something you hide behind!!

5. All other affected RNOs which "did poll residents" found overwhelming objection to the project as it has been presented by the developer. The neighbors' opposition was based on safety factors and the fact that the proposed density is out of character with the existing, stable neighborhood. 6. The requested waivers violate current zoning law. Plain and simple. Some close- by residents have said they would rather see what is zoned for now (up to 20 units) go in than what is being proposed. At some point, the City of Denver either has zoning laws--or it is a city with none. 7. This project is being built-- and not modified-- solely because this developer says he can't make enough money otherwise. Let's have a new developer! Please vote "NO" and let our community work with a new developer who can build consensus!

Traffic Data - accidents near South Holly St. and East Cedar Avenue Reported Crashes along Holly and Alameda to Bayaud, 12/17/17-12/16/18

GO	OCC_DATE	OCC_TIME	DOW	LOCATION	Offense	Top_Injury
2017	12/31/17					2017870442
2003	Sunday	S	HOLLY ST / E ALAMEDA AVE	TRAF - ACCIDENT	Non-Injury	2018170127
3/13/18	1145	Tuesday	S HOLLY ST / E CEDAR AVE	TRAF - ACCIDENT	Non-Injury	2018192787
3/22/18	1811	Thursday	S HOLLY ST / E CEDAR AVE	TRAF - ACCIDENT	Non-Injury	2018206143
3/28/18	1210	Wednesday	5600 BLOCK E ALAMEDA AVE	TRAF - ACCIDENT	Non-Injury	2018244695
4/12/18	1637	Thursday	E ALAMEDA AVE / S HOLLY ST	TRAF - ACCIDENT	Non-Injury	2018298736
5/4/18	1325	Friday	E CEDAR AVE / S HOLLY ST	TRAF - ACCIDENT - HIT & RUN	Non-Injury	2018379374
6/6/18	756	Wednesday	5600 BLOCK E ALAMEDA AVE	TRAF - ACCIDENT	Non-Injury	2018391190
6/11/18	730	Monday	5600 BLOCK E ALAMEDA AVE	TRAF - ACCIDENT - HIT & RUN	Non-Injury	2018471788
7/12/18	1601	Thursday	200 BLOCK S HOLLY ST	TRAF - ACCIDENT	Non-Injury	2018519153
7/31/18	1655	Tuesday	S HOLLY ST / E CEDAR AVE	TRAF - ACCIDENT	Non-Injury	2018536749
8/7/18	1615	Tuesday	E CEDAR AVE / S HOLLY ST	TRAF - ACCIDENT	Non-Injury	201856916
1/23/18	1800	Tuesday	100 BLOCK S HOLLY ST	TRAF - ACCIDENT - HIT & RUN	Non-Injury	2018571037
8/21/18	1445	Tuesday	5600 BLOCK E ALAMEDA AVE	TRAF - ACCIDENT - HIT & RUN	Non-Injury	2018591153
8/29/18	1617	Wednesday	S HOLLY ST / E ALAMEDA AVE	TRAF - ACCIDENT - HIT & RUN	Non-Injury	2018652466
9/22/18	1730	Saturday	E ALAMEDA AVE / S HOLLY ST	TRAF - ACCIDENT	Injured (Non-SBI)	2018656300
9/24/18	1014	Monday	S HOLLY ST / E ALAMEDA AVE	TRAF - ACCIDENT	Injured (Non-SBI)	201869308
1/29/18	1558	Monday	100 BLOCK S HOLLY ST	TRAF - ACCIDENT	Non-Injury	2018745482
10/31/18	2139	Wednesday	E ALAMEDA AVE / S HOLLY ST	TRAF - ACCIDENT	Non-Injury	2018774970
11/13/18	1744	Tuesday	S HOLLY ST / E ALAMEDA AVE	TRAF - ACCIDENT	Non-Injury	2018833386
12/10/18	1003	Monday	5600 BLOCK E ALAMEDA AVE	TRAF - ACCIDENT - HIT & RUN	Non-Injury	

From: [Rezoning - CPD](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: FW: [EXTERNAL] Re: Rezoning of Hilltop Property
Date: Monday, December 24, 2018 8:41:37 AM

From: Philip Mortensen <philmortensen@gmail.com>
Sent: Sunday, December 23, 2018 8:55 PM
To: Rezoning - CPD <Rezoning@denvergov.org>
Subject: [EXTERNAL] Re: Rezoning of Hilltop Property

PHILIP MORTENSEN
262 S. Dahlia Street
Denver, CO 80246
(303) 320-3444

I left this information off the e-mail that I just sent regarding rezoning of the property near S. Holly and Alameda.

On Sun, Dec 23, 2018 at 8:51 PM Philip Mortensen <philmortensen@gmail.com> wrote:

I strongly object to rezoning of the property on South Holly south of Park Burger. There is a reason why we have zoning - - it's precisely to prevent the destruction of the character of established, vital and vigorous neighborhoods like Hilltop. Developers take rezoning in Denver for granted. As a Hilltop resident I should be able to take existing zoning regulations for granted.

We lost much of the character of Crestmoor Park when the Mt. Gilead property was rezoned. "Canyon" buildings were built right next to the park and right on very busy South Monaco Parkway. I lived in the Crestmoor Downs Apartments for ten years, right across the street from the Mt. Gilead church. Crestmoor Park took a big hit when that developer got a variance to develop; the character of the neighborhood and Crestmoor Park changed dramatically.

Let's preserve the neighborhood values of Hilltop. Deny the application for a variance.

PHILIP MORTENSEN

From: [Susman, Mary Beth - CC Member Denver City Cncl](#)
To: [Seery Maggio](#)
Cc: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: Re: [EXTERNAL] Zoning change: S. Holly Street, Application #2017I-00153
Date: Monday, December 31, 2018 11:42:24 AM

M. Maggio,

Thank you for your letter. I am forwarding to Community Planning and Development so it can be part of the public record.

Your phone number has an out of state area code. Do you live near the project?

Best,

Mary Beth

Mary Beth Susman

Denver City Council | District 5
720.337.5555 Phone | 720.337.5559 Fax
marybeth.susman@denvergov.org | [Dial 3-1-1 for City Services](#)

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From: Seery Maggio <seerymaggio@yahoo.com>
Sent: Monday, December 31, 2018 11:30 AM
To: Susman, Mary Beth - CC Member Denver City Cncl
Subject: [EXTERNAL] Zoning change: S. Holly Street, Application #2017I-00153

Dear Ms. Susman,

I am writing to ask you to **oppose** a developer's request for a zoning change that would allow a high-density development at 219, 221, 223, 225, 227, 235 and 245 S. Holly Street, Application #2017I-00153. This hearing is scheduled to take place on Jan. 7th. These lots currently consist of two single-family homes and a low-slung, one-story building with five attached homes. We know that you care deeply about providing affordable housing in Denver. These homes currently provide the most affordable options in our part of Denver. The developers are seeking to raze relatively affordable homes and instead build expensive, high-density housing with up to 27 units replacing seven on a little more than half an acre. I am asking you to oppose this proposed zoning change on January 7th for the following reasons: · This developer is asking for waivers from City zoning codes. Denver should follow its own zoning laws. · Unfortunately, the City of Denver now essentially has no planning system. When this proposed zoning change came before the Denver Planning Board, the board members said they were not allowed to consider important issues like traffic, health and safety. Instead the Planning Board considers design issues. · Holly Street is a narrow, neighborhood street that is already congested. The block where the developers are seeking a dramatic increase in density already has a beloved neighborhood market, Pete's Fruits & Vegetables, along with other popular local businesses: Park Burger and a Novo Coffee. These businesses attract both pedestrians (**including many small children**) and auto traffic. Adding significantly more units on this small street doesn't make sense. There's already inadequate

parking in this area and increased density will cause more congestion. · Furthermore, the developers plan to add 30 or more cars to a very narrow alley behind the proposed development. This is dangerous and harms current residents. · This part of Denver is an Area of Stability. There's no justification for a change in zoning in this area. · Accidents near South Holly Street and East Cedar Avenue are spiking. Data from the City show that in the last year alone, there have been 20 car accidents near this intersection – including a stunning 6 hit-and-run accidents – just since New Year's Eve of last year. · Neighborhood leaders and the closest residents participated in mediation to try to work with the developers, but the developers did not agree to any significant changes. · This proposal arose because the current owners of these units did not want to pay for upkeep of their properties, including sewage repairs. The City should not give zoning changes and variances to owners that harm neighbors and pedestrians simply because the owners don't want to pay for upkeep of their property. · Unfortunately the RNO representing the homeowners closest to the proposed project in Hilltop did not survey residents near this proposed development and did not consult with them about how the proposed development would affect the nearest neighbors. Instead, they have conducted private negotiations with the developers at the expense of their own residents. · Adjacent RNOs that will have to contend with impacts from this proposed development did conduct surveys and opposition to this high-density development is overwhelming. In surveys among the Hilltop residents closest to the proposed project, along with adjacent neighborhoods in Crestmoor, opposition ranged between 80 and 94 percent. We call upon you as our leaders to please listen to the majority of neighbors and oppose this proposed zoning change. · We are asking you to consider transportation options before continuing to add density. Some parts of Denver have access to light rail and other alternative modes of transportation. The area where this developer wants to increase density does not have access to alternative modes of transportation. Denver recently was highlighted as a city with one of the worst transportation systems in the country. [Click here to read more.](#) Please improve our transportation systems before adding density that doesn't make sense.

Traffic Data - accidents near South Holly St. and East Cedar Avenue Reported Crashes along Holly and Alameda to Bayaud, 12/17/17-12/16/18

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2018244695	4/12/18	1637	Thursday	E ALAMEDA AVE / S HOLLY ST	TRAF - ACCIDENT	Non-Injury
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2018471788	7/12/18	1601	Thursday	200 BLOCK S HOLLY ST	TRAF - ACCIDENT	Non-Injury
2018519153	7/31/18	1655	Tuesday	S HOLLY ST / E CEDAR AVE	TRAF - ACCIDENT	Non-Injury
2018536749	8/7/18	1615	Tuesday	E CEDAR AVE / S HOLLY ST	TRAF - ACCIDENT	Non-Injury
201856916	1/23/18	1800	Tuesday	100 BLOCK S HOLLY ST	TRAF - ACCIDENT	HIT & RUN
2018571037	8/21/18	1445	Tuesday	5600 BLOCK E ALAMEDA AVE	TRAF - ACCIDENT	HIT & RUN
2018591153	8/29/18	1617	Wednesday	S HOLLY ST / E ALAMEDA AVE	TRAF - ACCIDENT	HIT & RUN
2018652466	9/22/18	1730	Saturday	E ALAMEDA AVE / S HOLLY ST	TRAF - ACCIDENT	Injured (Non-SBI)
2018656300	9/24/18	1014	Monday	S HOLLY ST / E ALAMEDA AVE	TRAF - ACCIDENT	Injured (Non-SBI)
201869308	1/29/18	1558	Monday	100 BLOCK S HOLLY ST	TRAF - ACCIDENT	Non-Injury
2018745482	10/31/18	2139	Wednesday	E ALAMEDA AVE / S HOLLY ST	TRAF - ACCIDENT	Non-Injury
2018774970	11/13/18	1744	Tuesday	S HOLLY ST / E ALAMEDA AVE	TRAF - ACCIDENT	Non-Injury
2018833386	12/10/18	1003	Monday	5600 BLOCK E ALAMEDA AVE	TRAF - ACCIDENT	HIT & RUN

Thank you. Seery Maggio
5253 E. Bayaud Avenue

Denver, CO 80246

Seery Maggio 214.334.9551 (c)

From: [Susman, Mary Beth - CC Member Denver City Cncl](#)
To: [Brian's Aol Acct](#)
Cc: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: Re: [EXTERNAL] Proposed condo development
Date: Monday, December 31, 2018 1:35:51 PM

Mr. Melodia

Thank you for your letter. I am forwarding to Community Planning and Development so it can be part of the public record.

Mary Beth

Mary Beth Susman

Denver City Council | District 5
720.337.5555 Phone | 720.337.5559 Fax
marybeth.susman@denvergov.org | [Dial 3-1-1 for City Services](#)

This email is considered an "open record" under the Colorado Open Records Act and must be made available to any person requesting it, unless the email clearly requests confidentiality. Please indicate on any return email if you want your communication to be confidential.

From: Brian's Aol Acct <melodia528@aol.com>
Sent: Monday, December 31, 2018 1:33 PM
To: Susman, Mary Beth - CC Member Denver City Cncl
Subject: [EXTERNAL] Proposed condo development

Dear Marybeth,

I am a decades long Hilltop resident who resides at 66 South Hudson (1 block away from the proposed condo development site). I beg you to stand up and not support this development. There isn't a single resident that I know who supports this development. Traffic is already way overloaded on Holly since the new retail center (with Park Burger) was built. Please support your constituents and not developers. Our neighborhood is at risk!

Thank you.

Brian Melodia 303 898-4667

Sent from my iPhone

From: [Rezoning - CPD](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: FW: green flats rezoning
Date: Monday, December 31, 2018 1:47:46 PM

From: mazen mukayess <mukayess@hotmail.com>
Sent: Saturday, December 29, 2018 2:07 PM
To: Rezoning - CPD <Rezoning@denvergov.org>
Subject: [EXTERNAL] green flats rezoning

Dear Council Members,

I am writing in **opposition to the re-zoning on Holly Street ("Green Flats")**.

Please consider these points:

1. The project, first "sold" as providing affording housing for teachers, does not. Even the developer and the representative homeowner have dropped this pretense.
2. The project puts too many units onto a site that is difficult to access and is located adjacent to an already unsafe and congested intersection--Cedar and Holly.
3. All near-by neighbors oppose this project, as do the overwhelming number of residents in the community. **The neighbors would agree to support a development with row homes or other units that reflect appropriate density for this site, and the surrounding area!**
4. The Hilltop RNO Board which does "not oppose" the project did **not poll** its residents. And probably with good reason. No doubt there would be strong opposition. None of the Hilltop Board live anywhere close to the project. The Hilltop Board is a board that reflects its own opinion-- not its residents. If a councilperson votes for this project based upon that Board's position, it is a seriously misguided vote.

Please-- don't let Hilltop's Board's position be something you hide behind!!

5. All other affected RNOs which "did poll residents" found overwhelming objection to the project as it has been presented by the developer. The neighbors' opposition was based on safety factors and the fact that the proposed density is out of character with the existing, stable neighborhood.
6. The requested waivers violate current zoning law. Plain and simple. Some close- by residents have said they would rather see what is zoned for now (up to 20 units) go in than what is being proposed. At some point, the City of Denver either has zoning laws--or it is a city with none.
7. This project is being built-- and not modified-- solely because this developer says he can't make enough money otherwise. **Let's have a new developer!**
8. This will create a traffic nightmare for my neighborhood which has already seen 20 car accidents in 2018 as and a stunning 6 hit and runs! Please protect my children who use the nearby parks and neighborhood

Please vote "NO" and let our community work with a new developer who can build consensus!

Maz Mukayess

[720.838.5562](tel:720.838.5562)

mukayess@hotmail.com

From: [Rezoning - CPD](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: FW: [EXTERNAL] My opposition to the rezoning application for South Holly Street (Green Flats): please vote NO
Date: Monday, December 31, 2018 1:48:14 PM

From: Michal Ruder <meruder@wintermoon.com>
Sent: Monday, December 31, 2018 8:58 AM
To: dencc - City Council <dencc@denvergov.org>; Rezoning - CPD <Rezoning@denvergov.org>; marybethsusman@denvergov.org
Cc: Michal Ruder <meruder@wintermoon.com>
Subject: [EXTERNAL] My opposition to the rezoning application for South Holly Street (Green Flats): please vote NO

Dear Mary Beth, Fellow Council Members, and Zoning Department,

I am writing to ask you to oppose a developer's request for a zoning change that would allow a high-density development at 219, 221, 223, 225, 227, 235 and 245 S. Holly Street, Application #2017I-00153.

These lots currently consist of two single-family homes and a low-slung, one-story building with five attached homes. We know that you care deeply about providing affordable housing in Denver. These homes currently provide the most affordable options in our part of Denver.

The developers are seeking to raze relatively affordable homes and instead build expensive, high-density housing with up to 27 units replacing seven on a little more than half an acre.

I am asking you to oppose this proposed zoning change for the following reasons:

- We need leadership from our city officials. Denver residents want smart, sustainable planning and growth, not approvals for every project a developer proposes. We are begging for leadership from you.
- This developer is asking for waivers from City zoning codes. Denver should follow its own zoning laws.
- Unfortunately, the City of Denver now essentially has no planning system. When this proposed zoning change came before the Denver Planning Board, the board members said they were not allowed to consider important issues like traffic, health and safety. Instead the Planning Board considers design issues.
- Holly Street is a narrow, neighborhood street that is already congested. The block where the developers are seeking a dramatic increase in density already has a beloved neighborhood market, Pete's Fruits & Vegetables, along with other popular local businesses: Park Burger and a Novo Coffee. These businesses attract both pedestrians and auto traffic. Adding significantly more units on this small street doesn't make sense. There's already inadequate parking in this area and increased density will cause more congestion.
- Furthermore, the developers plan to add 30 or more cars to a very narrow alley behind the proposed development. This is dangerous and harms current residents.
- This part of Denver is an Area of Stability. There's no justification for a change in zoning in this area.

- Accidents near South Holly Street and East Cedar Avenue are spiking. Data from the City show that in the last year alone, there have been 20 car accidents near this intersection – including a stunning 6 hit-and-run accidents – just since New Year’s Eve of last year.
- Neighborhood leaders and the closest residents participated in mediation to try to work with the developers, but the developers did not agree to any significant changes.
- This proposal arose because the current owners of these units did not want to pay for upkeep of their properties, including sewage repairs. The City should not give zoning changes and variances to owners that harm neighbors and pedestrians simply because the owners don’t want to pay for upkeep of their property.
- Unfortunately the RNO representing the homeowners closest to the proposed project in Hilltop did not survey residents near this proposed development and did not consult with them about how the proposed development would affect the nearest neighbors. Instead, they have conducted private negotiations with the developers at the expense of their own residents.
- Adjacent RNOs that will have to contend with impacts from this proposed development did conduct surveys and opposition to this high-density development is overwhelming. In surveys among the Hilltop residents closest to the proposed project, along with adjacent neighborhoods in Crestmoor, opposition ranged between 80 and 94 percent. We call upon you as our leaders to please listen to the majority of neighbors and oppose this proposed zoning change.
- We are asking you to consider transportation options before continuing to add density. Some parts of Denver have access to light rail and other alternative modes of transportation. The area where this developer wants to increase density does not have access to alternative modes of transportation. Denver recently was highlighted as a city with one of the worst transportation systems in the country. [Click here to read more.](#) Please improve our transportation systems before adding density that doesn’t make sense.

Thank you.

Michal Ruder
 245 South Locust Street
 Denver, CO 80224

Dr. Michal Ellen Ruder
 Wintermoon Geotechnologies, Inc.
 650 South Cherry Street, Suite 1410
 Glendale, CO. 80246
 USA
 Email: meruder@wintermoon.com
 Phone: (303) 355-3792
 Fax: (303) 355-1331

From: [Rezoning - CPD](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: FW: [EXTERNAL] Green flats
Date: Wednesday, January 02, 2019 9:16:26 AM

From: Aaron Wolfe <awolfe7@gmail.com>
Sent: Tuesday, January 01, 2019 4:31 PM
To: dencc - City Council <dencc@denvergov.org>; Rezoning - CPD <Rezoning@denvergov.org>; Susman, Mary Beth - CC Member Denver City Cncl <MaryBeth.Susman@denvergov.org>
Subject: [EXTERNAL] Green flats

Dear Council Members,

I am writing in **opposition to the re-zoning on Holly Street ("Green Flats")**.

Please consider these points:

1. The project, first "sold" as providing affording housing for teachers, does not. Even the developer and the representative homeowner have dropped this pretense.
2. The project puts too many units onto a site that is difficult to access and is located adjacent to an already unsafe and congested intersection--Cedar and Holly.
3. All near-by neighbors oppose this project, as do the overwhelming number of residents in the community. **The neighbors would agree to support a development with row homes or other units that reflect appropriate density for this site, and the surrounding area!**
4. The Hilltop RNO Board which does "not oppose" the project did **not poll** its residents. And probably with good reason. No doubt there would be strong opposition. None of the Hilltop Board live anywhere close to the project. The Hilltop Board is a board that reflects its own opinion-- not its residents. If a councilperson votes for this project based upon that Board's position, it is a seriously misguided vote.
Please-- don't let Hilltop's Board's position be something you hide behind!!
5. All other affected RNOs which "did poll residents" found overwhelming objection to the project as it has been presented by the developer. The neighbors' opposition was based on safety factors and the fact that the proposed density is out of character with the existing, stable neighborhood.
6. The requested waivers violate current zoning law. Plain and simple. Some close- by residents have said they would rather see what is zoned for now (up to 20 units) go in than what is being proposed. At some point, the City of Denver either has zoning laws-- or it is a city with none.
7. This project is being built-- and not modified-- solely because this developer says he can't make enough money otherwise. **Let's have a new developer!**

Please vote "NO" and let our community work with a new developer who can build consensus!

Traffic Data - accidents near South Holly St. and East Cedar Avenue

Reported Crashes along Holly and Alameda to Bayaud, 12/17/17-12/16/18						
GO	OCC_DATE	OCC_TIME	DOW	LOCATION	Offense	Top_Injury
2017870442	12/31/17	2003	Sunday	S HOLLY ST / E ALAMEDA AVE	TRAF - ACCIDENT	Non-Injury
2018170127	3/13/18	1145	Tuesday	S HOLLY ST / E CEDAR AVE	TRAF - ACCIDENT	Non-Injury
2018192787	3/22/18	1811	Thursday	S HOLLY ST / E CEDAR AVE	TRAF - ACCIDENT	Non-Injury
2018206143	3/28/18	1210	Wednesday	5600 BLOCK E ALAMEDA AVE	TRAF - ACCIDENT	Non-Injury
2018244695	4/12/18	1637	Thursday	E ALAMEDA AVE / S HOLLY ST	TRAF - ACCIDENT	Non-Injury
2018298736	5/4/18	1325	Friday	E CEDAR AVE / S HOLLY ST	TRAF - ACCIDENT - HIT & RUN	Non-Injury
2018379374	6/6/18	756	Wednesday	5600 BLOCK E ALAMEDA AVE	TRAF - ACCIDENT	Non-Injury
2018391190	6/11/18	730	Monday	5600 BLOCK E ALAMEDA AVE	TRAF - ACCIDENT - HIT & RUN	Non-Injury
2018471788	7/12/18	1601	Thursday	200 BLOCK S HOLLY ST	TRAF - ACCIDENT	Non-Injury
2018519153	7/31/18	1655	Tuesday	S HOLLY ST / E CEDAR AVE	TRAF - ACCIDENT	Non-Injury
2018536749	8/7/18	1615	Tuesday	E CEDAR AVE / S HOLLY ST	TRAF - ACCIDENT	Non-Injury
201856916	1/23/18	1800	Tuesday	100 BLOCK S HOLLY ST	TRAF - ACCIDENT - HIT & RUN	Non-Injury
2018571037	8/21/18	1445	Tuesday	5600 BLOCK E ALAMEDA AVE	TRAF - ACCIDENT - HIT & RUN	Non-Injury
2018591153	8/29/18	1617	Wednesday	S HOLLY ST / E ALAMEDA AVE	TRAF - ACCIDENT - HIT & RUN	Non-Injury
2018652466	9/22/18	1730	Saturday	E ALAMEDA AVE / S HOLLY ST	TRAF - ACCIDENT	Injured (Non-SBI)

2018656300	9/24/18	1014	Monday	S HOLLY ST / E ALAMEDA AVE	TRAF - ACCIDENT	Injured (Non-SBI)
201869308	1/29/18	1558	Monday	100 BLOCK S HOLLY ST	TRAF - ACCIDENT	Non-Injury
2018745482	10/31/18	2139	Wednesday	E ALAMEDA AVE / S HOLLY ST	TRAF - ACCIDENT	Non-Injury
2018774970	11/13/18	1744	Tuesday	S HOLLY ST / E ALAMEDA AVE	TRAF - ACCIDENT	Non-Injury
2018833386	12/10/18	1003	Monday	5600 BLOCK E ALAMEDA AVE	TRAF - ACCIDENT - HIT & RUN	Non-Injury

Regards,

Dr. Aaron Wolfe

From: [Rezoning - CPD](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: FW: [EXTERNAL] Proposed Development at Holly and Cedar
Date: Wednesday, January 02, 2019 9:16:38 AM

From: Dolores Martinez Hernandez <d.martinezhernandez@gmail.com>
Sent: Tuesday, January 01, 2019 8:36 PM
To: dencc - City Council <dencc@denvergov.org>
Cc: Rezoning - CPD <Rezoning@denvergov.org>; Susman, Mary Beth - CC Member Denver City Cncl <MaryBeth.Susman@denvergov.org>
Subject: [EXTERNAL] Proposed Development at Holly and Cedar

I am Dolores C. Martinez Hernandez. My family and I live at 245 Holly Street, Denver, CO 80220. I have been very concerned over the years about the increase in traffic on Holly Street. I am now concerned about the proposed development at Holly and Cedar. The street is much narrower than the street at 8th and Colorado Boulevard where a lot of high density buildings are being constructed. The sidewalks remain very narrow, so strollers, bicycles and pedestrians are confined to narrow passages.

I support, the "Live, Work, Play" concept but this area is not conducive to the high density project that the developers are currently proposing.

--

Dolores C. Martinez Hernandez
720-252-3726
d.martinezhernandez@gmail.com

From: [Rezoning - CPD](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: FW: [EXTERNAL] High Density Development, Application # 20171-00153
Date: Wednesday, January 02, 2019 1:54:25 PM

From: JOHN GRINNEY <jwgrinney@comcast.net>
Sent: Wednesday, January 02, 2019 12:00 PM
To: Rezoning - CPD <Rezoning@denvergov.org>
Subject: [EXTERNAL] High Density Development, Application # 20171-00153

Dear Zoning Board,

I am writing to request that you reject the request for a zoning variance for the proposed high density development near Cedar and Holly Streets (219 to 245 S Holly St).

As you know, this is a narrow, very busy street and the proposed project will substantially increase the congestion in that area and remove affordable housing from that part of Denver. We don't need more congestion and we do need affordable housing.

My wife and I visit that area often with our grandson (Park Burger is one our favorites!) and it's clear the neighborhood is already congested. Moreover, traffic along that part of Holly is heavy almost any time of the day. I've learned that there have been 20 accidents in the vicinity of Cedar and Holly over the past year, including 6 hit and runs. Those statistics, alone, provide ample evidence this area cannot tolerate increased traffic.

I believe it is the responsibility of the City Council and the Zoning Board to preserve and maintain compliance with our zoning laws and regulations. I do not believe a developer's statement that high density is required for him to make a profit is a legitimate reason for providing a zoning variance.

Thank you for your consideration.

Respectfully,

John Grinney

765 Leyden St.

Denver

From: [Rezoning - CPD](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: FW: [EXTERNAL] Opposition to waiver for the high-density project proposed for Holly Street at Cedar
Date: Wednesday, January 02, 2019 1:54:46 PM

From: Linda Lewis <lindalewisst@yahoo.com>
Sent: Wednesday, January 02, 2019 12:56 PM
To: dencc - City Council <dencc@denvergov.org>; Rezoning - CPD <Rezoning@denvergov.org>;
Susman, Mary Beth - CC Member Denver City Cncl <MaryBeth.Susman@denvergov.org>
Subject: [EXTERNAL] Opposition to waiver for the high-density project proposed for Holly Street at Cedar

Dear City Council members:

I am writing in opposition to the proposed high-density development for the SW corner of South Holly Street at Cedar. Nearly everyone in the Hilltop and Crestmoor neighborhoods is against this project. PLEASE be responsive to the neighborhoods you are in office to protect and do not let developers destroy one of the most wonderful cities in America.

Our own council person does not poll us, does not care what we think, and is ready for developers to bankroll her re-election campaign in May.. Our Hilltop RNO does not poll us, does not care what we think, and makes deals with developers without even telling us.

The zoning code is supposed to protect our beloved and very stable neighborhood. There is no compelling public benefit in granting a waiver on this project, which was initiated by homeowners who did not want to pay for the necessary maintenance of roof and sewer lines that all of us have dealt with in our mid-century modern homes. Any waiver that is granted in Denver, instead of becoming a one-time exception, seems to be treated as a new standard of normal, only to be used to petition for further, even more extreme waivers, and the beauty and special-ness of the whole city goes down the tubes.

The proposed project has no architectural merit, and the units will be far more expensive than the relatively affordable housing they will replace. Its 23/27 units will like general 46/54 more cars, yet there is parking for only 36. That corner already has a popular grocery, restaurant, ice cream shop, and coffeehouse, all generating lots of vehicular and pedestrian traffic and lots of children. Holly Street is only one lane each way, and is already totally congested. In 2018, there were 20 vehicle accidents near this corner, including 6 hit-and-runs. There is no room for the extra traffic those 46 cars will bring. There is no bus route along Holly, and no light-rail anywhere nearby. Denver has already been cited as having one of the worst transportation systems in the country. Perhaps you might focus on building infrastructure before the city is high-densitized to death.

Beseechingly yours for the love of Denver,

Linda Lewis

250 S. Hudson Street

From: [Rezoning - CPD](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: FW: [EXTERNAL] Properties south of Park Burger on S. Holly Street green-flats-project
Date: Wednesday, January 02, 2019 4:21:27 PM

From: Sarah Franklin <sjhw456@gmail.com>
Sent: Wednesday, January 02, 2019 4:20 PM
To: Rezoning - CPD <Rezoning@denvergov.org>
Subject: [EXTERNAL] Properties south of Park Burger on S. Holly Street green-flats-project

To Whom it May Concern,

I find it very difficult to understand all the development that is occurring everywhere in Denver without taking into consideration the citizens of Denver.

We live at 456 Dahlia Street and the project on Holly Street and Alameda is very concerning. Why anyone with good sense would want to increase traffic congestion in that area is beyond me and parking is already a nightmare which is not only a problem in 200 block of South Holly but also involves the homes in the nearby area. City council is suppose to be considering the integrity of Hilltop and Crestmoor. As a native of Denver (76 years) I find it very sad as to what the City Council and Hilltop/Cranmer Association are approving in the name of Preservation of Integrity of our neighborhoods. You must follow the Zoning regulations and stop selective enforcement by granting waivers or whatever else it takes to satisfy a developer.

I could go on and on about my dissatisfaction with those who say they represent the people of these neighborhoods but I am sure you already know that there are many dissatisfied citizens. Your concern for the property owners shows that it is nonexistent. Change your ways and stop the development in 200 Block of South Holly St., Denver, Colorado.

Sincerely,
Sarah and Wilson Franklin

From: [Rezoning - CPD](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: FW: Green Flats on Holly Street Re-Zoning
Date: Wednesday, January 02, 2019 5:00:27 PM

From: Martha Strieby <marthastrieby@hotmail.com>
Sent: Wednesday, January 02, 2019 4:45 PM
To: denc@denver.org; Rezoning - CPD <Rezoning@denvergov.org>; Susman, Mary Beth - CC Member Denver City Cncl <MaryBeth.Susman@denvergov.org>
Cc: cadeucsb@gmail.com
Subject: [EXTERNAL] Green Flats on Holly Street Re-Zoning

Dear Council Members,

I am writing to **oppose the re-zoning on South Holly Street for the “Green Flats” project** .

My husband and I purchased our home on Hudson Street in September of 2011. We moved from Stapleton, specifically because Hilltop is a lower-density neighborhood with spacious yards and open space between the homes. This proposed development will quite literally cast a shadow over our block, changing the feel of our home and our street forever.

We have seen a change even since the addition of the Park Burger building to the neighborhood. While we appreciate having these businesses readily accessible and within walking distance, we have also seen dangerous changes in traffic in the area. Cars now speed down Hudson Street at all hours of the day and night to avoid the traffic at the intersection of Holly and Alameda. I have had many near-accidents just trying to turn into my own driveway as these speeding cars use our block as their own personal short-cut. We have also had countless close-calls while walking with our children and dogs, just trying to get across Cedar Avenue. We feel nervous even letting our kids walk to Carson Elementary School.

The addition of a high-density housing complex at this already-congested stretch of Holly Street will greatly exacerbate these problems. More cars will be speeding down our streets, and more cars will be parked along Cedar and Hudson, making it even more dangerous for people (especially children) to cross safely.

These developers have made it clear they do not have the neighborhood’s interests in mind. These are not affordable homes dedicated to helping ensure diversity and housing availability. Rather, they are high-density luxury condos being imposed on one of Denver’s

oldest and most established neighborhoods. The developers have said on multiple occasions that keeping with the current zoning and density of the existing neighborhood does not meet their financial goals. They have also threatened repeatedly that if they do not get this re-zoning approved, they will build something far worse or 'less appropriate' (in the words of Anna DeWitt) on the site that is already zoned for multi-family use.

I was born and raised in Hilltop and find it inexcusable that these developers are bullying their way into changing the character of our neighborhood for their own financial gain. I am also a real estate professional with first-hand knowledge of what other types of development are possible here. I would be more than happy to work with a developer who demonstrates that they care about the neighborhood and the people who live here.

Furthermore, I would like to point out that the Hilltop RNO Board does not reflect the views of the residents of the neighborhood, particularly those of us who live close enough to be affected by this re-zoning.

Please vote no on this re-zoning.

Thank you for your consideration,

Martha Strieby

255 South Hudson Street

(720) 272-1727

From: [Rezoning - CPD](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: FW: [EXTERNAL] I oppose re-zoning the property on the east side Holly Street north of Alameda
Date: Thursday, January 03, 2019 8:45:36 AM

From: Josh Hatter <josh.hatter@gmail.com>
Sent: Wednesday, January 02, 2019 5:49 PM
To: dencc - City Council <dencc@denvergov.org>; Rezoning - CPD <Rezoning@denvergov.org>;
Susman, Mary Beth - CC Member Denver City Cncl <MaryBeth.Susman@denvergov.org>
Subject: [EXTERNAL] I oppose re-zoning the property on the east side Holly Street north of Alameda

Dear Council Members,

I am writing in opposition to the re-zoning on Holly Street at 219, 221, 223, 225, 227, 235 and 245 S. Holly Street, Application #2017I-00153.

I sincerely appreciate you taking the time to review my points below on why I oppose this re-zoning

1. The fact that the developer is asking for an exception to the zoning law, a law intended to protect the neighborhood from this very type of density, tells me that this exception should not be approved.
2. As part of the growth of Denver, Holly has become a major north south artery from 8th Ave down to Evans. The stop lights at and near Alameda already frequently have cars backed up to the prior light. Adding the chaos of the volume of car owners from 27 units in the proposed site would be brutal.
3. In my frequent conversations with my neighbors in both Crestmoor and Hilltop over the holidays about this development, I have not heard a single statement supporting the current rezoning plan.
4. All neighborhood RNOs which did poll residents found overwhelming objection to the project as it has been presented by the developer. The neighbors' opposition was based on safety factors and the fact that the proposed density is out of character with the existing neighborhood.
5. The Hilltop RNO Board which does "not oppose" the project did **not poll** its residents. And probably with good reason. No doubt there would be strong opposition. None of the Hilltop Board live anywhere close to the project. The Hilltop Board is a board that reflects its own opinion-- not its residents. If a councilperson votes for this project based upon that Board's position, it is a seriously misguided vote. Please-- don't let Hilltop's Board's position be something you hide behind!!
6. I have heard that this project is being built-- and not modified-- solely because this developer says he can't make enough money otherwise. ***Let's have a new developer that takes pride in considering the impact of their buildings on the neighborhood along with making money!***

Please vote "NO" and let our community work with a new developer who can build consensus!

Sincerely,
Josh Hatter
100 Kearney St
Denver, CO 80220

From: [Rezoning - CPD](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: FW: [EXTERNAL] Another neighbor OPPOSING the re-zoning on the property at Cedar and Holly!!
Date: Thursday, January 03, 2019 11:05:27 AM

From: Annie Hatter <anniehatter@gmail.com>
Sent: Thursday, January 03, 2019 10:19 AM
To: dencc - City Council <dencc@denvergov.org>; Rezoning - CPD <Rezoning@denvergov.org>;
Susman, Mary Beth - CC Member Denver City Cncl <MaryBeth.Susman@denvergov.org>
Subject: [EXTERNAL] Another neighbor OPPOSING the re-zoning on the property at Cedar and Holly!!

Dear Council Members,

I am writing in opposition to the re-zoning on Holly Street at 219, 221, 223, 225, 227, 235 and 245 S. Holly Street, Application #2017I-00153.

I sincerely appreciate you taking the time to review my points below on why I oppose this re-zoning

1. The fact that the developer is asking for an exception to the zoning law, a law intended to protect the neighborhood from this very type of density, tells me that this exception should not be approved.
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3. In my frequent conversations with my neighbors in both Crestmoor and Hilltop over the holidays about this development, I have not heard a single statement supporting the current rezoning plan.
4. All neighborhood RNOs which did poll residents found overwhelming objection to the project as it has been presented by the developer. The neighbors' opposition was based on safety factors and the fact that the proposed density is out of character with the existing neighborhood.
5. The Hilltop RNO Board which does "not oppose" the project did **not poll** its residents. And probably with good reason. No doubt there would be strong opposition. None of the Hilltop Board live anywhere close to the project. The Hilltop Board is a board that reflects its own opinion-- not its residents. If a councilperson votes for this project based upon that Board's position, it is a seriously misguided vote. Please-- don't let Hilltop's Board's position be something you hide behind!!
6. I have heard that this project is being built-- and not modified-- solely because this developer says he can't make enough money otherwise. ***Let's have a new developer that takes pride in***

considering the impact of their buildings on the neighborhood along with making money!

7) There have been multiple traffic accidents at this location. It is where our KIDS walk/bike to go get ice cream and burgers. This project will ONLY have that statistic INCREASE.

Please vote "NO" and let our community work with a new developer who can build consensus!

Sincerely,
Annie Hatter

From: [Rezoning - CPD](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: FW: [EXTERNAL] Holly Street Development - Hearing Jan 7
Date: Thursday, January 03, 2019 8:45:51 AM

From: Kevin Fanciulli <kfanciu@gmail.com>
Sent: Wednesday, January 02, 2019 5:52 PM
To: Rezoning - CPD <Rezoning@denvergov.org>
Subject: [EXTERNAL] Holly Street Development - Hearing Jan 7

Dear Council Members,

I am writing in **opposition to the re-zoning on Holly Street ("Green Flats")**.

Please consider these points:

1. The project, first "sold" as providing affording housing for teachers, does not. Even the developer and the representative homeowner have dropped this pretense.
2. The project puts too many units onto a site that is difficult to access and is located adjacent to an already unsafe and congested intersection--Cedar and Holly.
3. All near-by neighbors oppose this project, as do the overwhelming number of residents in the community. **The neighbors would agree to support a development with row homes or other units that reflect appropriate density for this site, and the surrounding area!**
4. The Hilltop RNO Board which does "not oppose" the project did **not poll** its residents. And probably with good reason. No doubt there would be strong opposition. None of the Hilltop Board live anywhere close to the project. The Hilltop Board is a board that reflects its own opinion-- not its residents. If a councilperson votes for this project based upon that Board's position, it is a seriously misguided vote.

Please-- don't let Hilltop's Board's position be something you hide behind!!

5. All other affected RNOs which "did poll residents" found overwhelming objection to the project as it has been presented by the developer. The neighbors' opposition was based on safety factors and the fact that the proposed density is out of character with the existing, stable neighborhood.
6. The requested waivers violate current zoning law. Plain and simple. Some close- by residents have said they would rather see what is zoned for now (up to 20 units) go in than what is being proposed. At some point, the City of Denver either has zoning laws--or it is a city with none.
7. This project is being built-- and not modified-- solely because this developer says he can't make enough money otherwise. **Let's have a new developer!**

I am asking you to oppose this proposed zoning change for the following reasons:

- We need leadership from our city officials. Denver residents want smart, sustainable planning and growth, not approvals for every project a developer proposes. We are begging for leadership from you.
- This developer is asking for waivers from City zoning codes. Denver should follow its own zoning laws.

- Unfortunately, the City of Denver now essentially has no planning system. When this proposed zoning change came before the Denver Planning Board, the board members said they were not allowed to consider important issues like traffic, health and safety. Instead the Planning Board considers design issues.
- Holly Street is a narrow, neighborhood street that is already congested. The block where the developers are seeking a dramatic increase in density already has a beloved neighborhood market, Pete's Fruits & Vegetables, along with other popular local businesses: Park Burger and a Novo Coffee. These businesses attract both pedestrians and auto traffic. Adding significantly more units on this small street doesn't make sense. There's already inadequate parking in this area and increased density will cause more congestion.
- Furthermore, the developers plan to add 30 or more cars to a very narrow alley behind the proposed development. This is dangerous and harms current residents.
- This part of Denver is an Area of Stability. There's no justification for a change in zoning in this area.
- Accidents near South Holly Street and East Cedar Avenue are spiking. Data from the City show that in the last year alone, there have been 20 car accidents near this intersection – including a stunning 6 hit-and-run accidents – just since New Year's Eve of last year.
- Neighborhood leaders and the closest residents participated in mediation to try to work with the developers, but the developers did not agree to any significant changes.
- This proposal arose because the current owners of these units did not want to pay for upkeep of their properties, including sewage repairs. The City should not give zoning changes and variances to owners that harm neighbors and pedestrians simply because the owners don't want to pay for upkeep of their property.

Please vote "NO" and let our community work with a new developer who can build consensus!

**Sincerely,
Kevin Fanciulli
201 S. Ivy St.
Denver, CO 80224
720-234-6484**

From: [Rezoning - CPD](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: FW: [EXTERNAL] High density development @ 219,221,223,225, 227,235&245 S. Holly St
Date: Thursday, January 03, 2019 8:46:04 AM

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

From: Monica Longfellow <monica.longfellow@gmail.com>
Sent: Wednesday, January 02, 2019 7:24 PM
To: dence - City Council <dence@denvergov.org>; Rezoning - CPD <Rezoning@denvergov.org>; Susman, Mary Beth - CC Member Denver City Cncl <MaryBeth.Susman@denvergov.org>
Subject: [EXTERNAL] High density development @ 219,221,223,225, 227,235&245 S. Holly St

I ask you to oppose the re-zoning for the above proposed development.

Watching the TV broadcast recently re the above, a rare waiver was given by the Denver Planning Committee after reviewing the above planned development. As only one such waiver, so it was stated then, had been previously given, why does this plan merit one? Why have zoning only to grant waivers randomly for no good cause!

There are no multi-storey buildings nearby - there are only one and two storey homes and businesses in the surrounding area. A row of town homes would be acceptable, as are already located to the south of the site. They are quite attractive.

There is no public transport in this area. Holly Street is the main street to avoid Colorado Blvd. and Monaco Parkway, and traffic does get backed up on occasion. There is parking on both sides of the block between Holly and Cedar St. There are shops on both sides of Holly and obviously this brings increased pedestrian and vehicular traffic.

The strange plan to use the alley between Hudson St and Holly as access to this proposed buildings parking is ill conceived. It ignores the dangers to foot traffic on Cedar going to the shops and restaurants. It also ignores the poor visibility and risk of using Alameda, which is a busy Parkway, and where the speed limit of 35 mph is widely ignored.

Those promoting this development are not offering low income housing, but quite expensive condos. The only aim seems to be to spare the current residents of the site the expense of maintenance and repair to their property.

Allowing density in city development just for the goal of increased density is not good planning when traffic congestion, pollution from increased traffic and more risk of accidents are the result, and the building is inappropriate for the neighborhood.

Again, I beg you to reject this re-zoning application.

Thank you.

Monica Longfellow. 210 Jersey Street, Denver

Sent from my iPad

January 2, 2019

Dear City Council Members,

My name is Dr. Gayle Hamlett and I own the home at 200 S. Hudson St, Denver, 80246. My family has owned this property for 45 years. My house is immediately behind the Park Burger restaurant at S.Holly and Cedar.

I am asking you to oppose the developer's request for a zoning change that would allow a high-density development at 219, 221, 223, 227, 235, and 245 S. Holly St. Application # 20171-00153

These lots currently consist of two single family homes and a terrace in a one story building with 5 attached homes. The developers are seeking to raze these homes and build expensive high density housing with up to 27 units on a little more than half an acre of land.

I am opposed to a zoning change for the following reasons: Safety, Traffic, and the Health and Well-being of our citizens of the neighborhood.

Concerns

- Holly St. is a narrow, 2 lane neighborhood street on an established stable neighborhood. With the addition of the Park Burger restaurant and shops the street has become more and more congested. In the last year we have also witnessed increased multi-family dwellings on Cedar east of Holly at Monaco making Cedar, more busy. From 11:00am on to 9:00pm, my house is surrounded with cars making street parking a problem.
- The developers plan to add 30 or more cars to very narrow alley, which would be the main in and out access for these proposed units. My home is at the corner of S. Hudson and Cedar with a front drive way to get into my home. My neighbors south get into their homes via the alley. The alley is a private alley and is not paved. This is dangerous and reflects poor planning.
- There has been a dramatic increase in accidents in the last year at S. Holly and Cedar. There have been 20 car accidents and 6 hit and runs. What would happen with an increase in traffic and cars from an alley to flow on to Alameda one way or Cedar Ave.?
- The Hill Top neighborhood has lots of walkers e.g. Children and parents walking to school 2 blocks north, Temples of worship. Rezoning would result in more traffic and a definite safety issue.

This part of Denver is an area of stability. There is no justification for a zoning change. I join the 90% +of my neighbors who oppose this change.

Sincerely,

Gayle Hamlett

-

From: [Rezoning - CPD](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: FW: [EXTERNAL] Re: Green Flats & Holly St Dear Council Members, I am writing in opposition to the re-zoning on Holly Street ("Green Flats"). Please consider these points: 1. The project, first "sold" as providing affording housing for teachers, doe
Date: Thursday, January 03, 2019 8:47:18 AM

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

From: Janet Modisette Bricton <jmodbric@me.com>

Sent: Wednesday, January 02, 2019 4:39 PM

To: Rezoning - CPD <Rezoning@denvergov.org>

Subject: [EXTERNAL] Re: Green Flats & Holly St Dear Council Members, I am writing in opposition to the re-zoning on Holly Street ("Green Flats"). Please consider these points: 1. The project, first "sold" as providing affording housing for teachers, does...

Signed: Janet Bricton
2 Elm St
Denver, CO 80220

Sent from my iPhone

From: [Rezoning - CPD](#)
To: [Lucero, Theresa - CPD Sr City Planner](#)
Subject: FW: [EXTERNAL] Submit comments now -- Attend City Council Hearing on Jan. 7 - Proposed Holly Street Development
Date: Thursday, January 03, 2019 11:06:04 AM

From: Mary Conway <maryconway74@gmail.com>
Sent: Thursday, January 03, 2019 10:45 AM
To: dencc - City Council <dencc@denvergov.org>; Rezoning - CPD <Rezoning@denvergov.org>; marybethsusman@denvergov.org
Subject: [EXTERNAL] Submit comments now -- Attend City Council Hearing on Jan. 7 - Proposed Holly Street Development

Dear Council Members,

"A City is the greatest work of Art possible" Lloyd Rees

I am writing in opposition to the re-zoning on Holly Street ("Green Flats"). I grew up in Hilltop and have lived at 238 S Holly Street for 6.5 years. Both of my sisters owned units at 225 S Holly and 227 S Holly. When my sisters lived there they improved the property so much that Denise Reich placed it in her newsletter and said it was the Most Improved rental property in Hilltop. Unfortunately, the HOA of 219, 221, 223, 225 and 227 S Holly has not put aside enough money to repair their roof or their sewer and now they want to force a neighborhood to accept zoning changes that will ultimately destroy anything good about the block of 200 S Holly Street because they failed to plan as an HOA?

They sold this project as being additional affordable housing which is the biggest joke there is because they would be destroying the ONLY 5 affordable houses on the block. 227 and 225 S Holly worked as 1st homes for both of my sisters because they were both able to purchase their first homes and build some equity and then they both sold and were able to purchase bigger homes for their families. Are we going to remove any chance for people to be able to afford something less expensive? I realize a 5 plex will not gain value as much as a single family home, but are we going to do away with all chances for lower income earners to get into 1st time buyer properties?

Please consider these points:

1. The project, first "sold" as providing affording housing for teachers, does not. Even the developer and the representative homeowner have dropped this pretense.
2. The project puts too many units onto a site that is difficult to access and is located adjacent to an already unsafe and congested intersection--Cedar and Holly.
3. All near-by neighbors oppose this project, as do the overwhelming number of residents in the community. **The neighbors would agree to support a development with row homes or other units that reflect appropriate density for this site, and the surrounding area!**
4. The Hilltop RNO Board which does "not oppose" the project did **not poll** its residents. And probably with good reason. No doubt there would be strong opposition. None of the Hilltop Board

live anywhere close to the project. The Hilltop Board is a board that reflects its own opinion-- not its residents. If a councilperson votes for this project based upon that Board's position, it is a seriously misguided vote.

Please-- don't let Hilltop's Board's position be something you hide behind!!

5. All other affected RNOs which "did poll residents" found overwhelming objection to the project as it has been presented by the developer. The neighbors' opposition was based on safety factors and the fact that the proposed density is out of character with the existing, stable neighborhood.

6. The requested waivers violate current zoning law. Plain and simple. Some close- by residents have said they would rather see what is zoned for now (up to 20 units) go in than what is being proposed. At some point, the City of Denver either has zoning laws--or it is a city with none.

7. This project is being built-- and not modified-- solely because this developer says he can't make enough money otherwise. ***Let's have a new developer!***

Please vote "NO" and let our community work with a new developer who can build consensus!

Regards,

Mary Conway
238 S Holly St
Denver CO 80246

To: Denver City Council

Date: January 3, 2019 (submitted by email before noon)

Re: Proposed rezoning Application #2017I-00153 (219, 221, 223, 225, 227, 235, and 245 South Holly Street)

From Gregory J. Kerwin
200 Kearney Street
Denver, CO 80220

I write in opposition to the proposed rezoning near Holly & Cedar in the Hilltop/Crestmoor neighborhoods (see application number above). I have lived nearby in Crestmoor for more than 24 years.

Obvious Parking/Traffic Problems with this proposed Rezoning

As other commenters explain, the proposed rezoning will cause obvious traffic and parking problems for the surrounding residential neighborhoods. The addition of the Park Burger restaurant and surrounding shops a few years ago (in place of an auto repair shop that generated little traffic) has already caused major traffic problems for this narrow stretch of Holly Street, and parking problems for surrounding single family homes. The other nearby commercial uses: Pete's Fruit & Vegetable Market and the synagogue) are welcome neighborhood fixtures have been in place for decades. Those buildings do not create traffic and parking problems because most people using them walk there from surrounding homes, or can use the parking the buildings provide.

The proposed rezoning would allow the developer to replace single family homes on roughly 6/10ths of an acre with high density apartment-like structures containing 23 to 27 new housing units, replacing seven existing units (2 single family homes and one building with 5 one-story units). Virtually all the new residents will have and need cars.

The proposed rezoning will not allow affordable housing—it will allow expensive new apartments or condos. The argument that this housing will be for teachers on limited incomes ignores the obvious high cost of the new units the developer plans to build if the rezoning is allowed.

Do Your Job! Reject a proposed rezoning that will cause adverse traffic and parking impacts for surrounding residential neighborhoods, far from any transit hub

As you well know, the **Number One concern for longstanding Denver residents with the recent growth of the City and State is the enormous increase in traffic and parking congestion** that harms the quality of life for residents. Denver voters are sick and tired of having their City leaders accommodate real estate developers by jamming new high density developments in desirable residential neighborhoods where there is not enough infrastructure to

handle the new traffic and parking burdens. The developer makes a quick profit and moves on, leaving the surrounding neighborhoods to struggle with the new traffic and parking problems. Uber/Lyft, scooters, bicycles, and self-driving cars are not going to solve Denver's traffic and parking gridlock in my life time or yours.

Denver voters will be voting in May 2019 based on how their City Council members do or do not protect residents from the onslaught of new traffic and parking problems.

New density is fine near a transit hub, where residents can use light rail or reliable/frequent bus service instead of owning a car. There is no transit hub near Cedar & Holly. The RTD bus on Alameda runs too infrequently, and goes too few places, to be a substitute for most residents owning a car.

For years CPD and the City Council have adhered to an unwritten policy or procedure supposedly directing that the Planning Board and City Council may not, or do not, consider adverse traffic and parking problems when deciding whether to approve a proposed rezoning.

Where is this alleged policy stated in writing? It is not in the Denver Zoning Code, Planning Board Rules, City Council Rules, or any published written opinion from the Denver City Attorney's office. This supposed policy has become an excuse for the City to dodge the obvious traffic and parking problems a new development creates, and then state after the development has been constructed that the City must allow the new residents to use their cars on existing, insufficient city streets.

The City and the City Council look ridiculous to voters by continuing to refuse to consider whether a proposed rezoning will cause adverse traffic and parking problems. The City Council can change that now, and should do so immediately. Please announce at the public hearing on January 7, 2019 that the City Council henceforth will always weigh adverse traffic and parking problems a rezoning will cause as part of the City's mandatory evaluation whether the proposed rezoning "furthers the public health, safety, and general welfare of the City." DZC 12.4.10.7.C.

Voters continue to be astonished that the City of Denver refuses to weigh traffic and parking problems when evaluating a rezoning. This unwritten policy is ludicrous and contrary to law. Please do your job, weigh the traffic and parking problems this rezoning will create for surrounding neighborhoods, and reject it.

For the lawyers reading this comment: When I represented Crestmoor residents in what turned out to be an unsuccessful court challenge to the nearby Cedar and Monaco high-density development (which is now creating a host of new traffic and parking problems for our neighborhood), we challenged the City Council's explicit refusal to weigh adverse traffic and parking problems with that development. I argued the Council's explicitly refusal to weigh those factors made the Council's decision an abuse of discretion, even under the extremely deferential administrative standard of review for court challenges under Colorado Rule of Civil Procedure 106(a)(4).

The Colorado Court of Appeals did not approve in that case the City's unwritten policy of refusing to consider adverse traffic and parking impacts with a proposed rezoning. Instead, the Court claimed (mistakenly in my view) that merely having residents object to a rezoning at the public hearing based on traffic and parking problems is equivalent to the City Council formally weighing those concerns when evaluating the rezoning.

The Court stated:

¶ 53 **The neighbors argue, however, that the City Council refused to consider the adverse traffic and parking consequences of the rezoning** when it considered whether rezoning would further the public health, safety, and welfare. **The City responds that adverse traffic and parking consequences are not a mandatory aspect of its calculus when considering a rezoning.**

¶ 54 **We agree with the district court that the consideration of the public health, safety, and welfare criterion may, in certain instances, include a review of issues relating to traffic and parking.**

* * *

We conclude that the City Council considered comments concerning the traffic and parking consequences of the rezoning.

¶ 55 As the district court recognized, the record shows that several City Council members stated that the “major issue” was traffic and transportation and that they “need[ed] to address it.” The City Council members acknowledged that Cedar had altered its original plans to address parking and traffic concerns by reducing the number of units built, increasing the number of parking spaces, and altering the entrances to the complex to avoid disrupting quieter streets. Therefore, **we conclude that the City Council sufficiently considered the traffic and transportation consequences of the proposed rezoning.**

Whitelaw v. Denver City Council, 2017 COA 47, ¶¶ 53-55, 405 P.3d 433, 444 (Colo. App. 2017), *cert. denied*, 2017 WL 4652472 (Colo. Oct. 16, 2017).

Based on this published Court of Appeals decision, your recently appointed City Attorney, Ms. Bronson, or her deputies, should be directing the City Council now that it must formally weigh adverse traffic and parking impacts from a proposed rezoning, and abandon the City's old, unwritten policy of refusing to do so.

Please stop the past nonsense of listening to residents' impassioned concerns about traffic and parking, and then telling them the Council is not allowed to consider those factors when deciding whether to approve a rezoning. The 2017 *Whitelaw* court decision tells you that the Council should be considering those factors as part of the “public health, safety and welfare” criterion.

The Rezoning does not meet Denver Zoning Code mandatory requirements

The CPD analysis in the Staff Memo of the criteria for this rezoning misses the forest for the trees, hiding behind administrative gobbledygook about how this rezoning allowing high-density development will advance vague City-wide “strategies” in the Denver Comp Plan to allow for infill and new housing.

- There is **no adopted Plan provision** (Comp Plan, Blueprint Denver, or small area plan) that calls for replacing single family homes in this space with a high density apartment building.
 - Even the proposed new “DenverRight” plan [which is inaccurately labeled because the plan drafters did not address in many instances neighborhoods’ and residents’ concerns] does not call for high density development for this Hilltop/Crestmoor parcel.
 - Even the developed-dominated Denver Planning Board denied this proposed rezoning the first time it was presented, noting the lack of an adopted plan to support this, and the lack of a proposed Zoning Code category for the change the developer is requesting (thus the ad hoc “waivers” now requested).
- **No Justifying Circumstances**: There is no blight in this part of Hilltop/Crestmoor. Older buildings that need updating do not equal urban blight. The applicant cannot meet, in good faith, the mandatory burden to show justifying circumstances under DZC 12.4.10.8.A.4 (i.e., “Changed or changing conditions in a particular area or in the city generally.”) This neighborhood is thriving and stable and does not need a high density apartment building here to continue to succeed. If you construe growth all around Denver to be a “justifying circumstance” for this change, you will be de-stabilizing every established, stable Denver neighborhood.

Thanks for considering these comments. Voters are watching closely how their City Council protects the City against sources of new traffic and parking gridlock. Voters expect new high density to be near transit hubs, not in residential neighborhoods like this one.

Sincerely,



Gregory J. Kerwin

email: GJKerwin@gmail.com