

Jan 7, 2019

Dear Council Members,

I am writing you about the Zone Map Amendment Application for 219 -245 So. Holly St AKA The Green Flats.

I wish to describe our RNO, the Cranmer Park/Hilltop Civic Association's process to coming to our official position NOT TO OPPOSE this rezoning application. This is a particularly difficult matter for our Association as it involves opposing sets of neighbors: the applicants living on So. Holly St. and nearby neighbors primarily residing on the adjacent street (Hudson) across the alley and in the Townhome PUD next to proposed rezoning site.

Our Association is made up of approximately 2500 households within our boundaries of Alameda on the South, Colorado Blvd on the West, 8th Avenue on the North and Holly Street on the East. All households are considered to be members of our Association whether they voluntarily donate a membership dues payment or not. We take seriously our responsibility to individual members of our neighborhood, particularly when they hold opposing points of view.

Our board of directors is made up of 22 residents who live throughout the neighborhood and we strive for geographic diversity, as well as diversity of skills and interests.

Our Association has a deliberative process when matters of rezoning, liquor license requests or BOA appeals come before us. We gather information about the matter at hand, invite affected parties to the table, try to work toward a mediated solution whenever possible and in the matter of recent rezoning applications, have made use of restrictive covenants to achieve protections for the neighborhood at large and mostly closely affected neighbors rather than engage in protracted and often unsuccessful lawsuits.

In this matter before us, we did the following:

1. Two members of our Zoning Committee - which is typically 9 to 13 members and composed of neighbors with expertise in real estate, law, architecture, finance, development and mediation — met with the developer and representative for the applicant(s).
2. After receiving the official notice from the CPD staff in late January, we posted a notice of the proposed change on our website.
3. We encouraged the applicant(s) to hold an informational meeting with most closely affected neighbors (those within the notification range). The applicant distributed copies of the proposed project and application to these neighbors and arranged a meeting on March 4 at the coffee shop in the commercial property adjacent to the proposed rezoning site. The goal of that meeting was to present the proposed development to the nearby neighbors and hear their concerns. 20 people attended. 6 neighbors supporting, 8 neighbors opposed, 2 out of town visitors of a nearby neighbor and 4 members of the Hilltop Assn.
4. Our board members at the meeting learned from nearby neighbors of their five core concerns: DENSITY (too many dwelling units), HEIGHT, IMPACT ON PRIVACY, IMPACT ON TRAFFIC & SAFETY, and ARCHITECTURE TOO URBAN,
5. We held a public meeting on March 21 and notified the neighborhood via our email list, our website, and Nextdoor. The developer and applicant presented the project and attendees asked questions and expressed their concerns/objections. 29 attendees - 5 supporting, 9 opposed from Hilltop, 6 opposed from Crestmoor Park, 1 opposed from the Hale neighborhood, 2 non residents (the developer of the commercial property next door) opposed. Oth-

er 6 attendees were board members, a reporter, and city council rep. The above objections to the project were reiterated.

6. The Community Planning Board held their first public meeting of the official rezoning process on April 4. Our Assn attended but took no position as we had not gathered enough information to form a position. At the meeting we listened to the comments and questions of the board and the following points were helpful in our eventual formulation of a position: the CPB appeared to support the project but for the incorrect zoning code selected by the applicant and the apartment form not being available in the E-MU-2.5 code. The board noted the two single family properties were oddities that may need to be addressed in the new updates to the city planning documents, the board acknowledged a need to address the apartment form use in the future planning documents and the city staff compared the bulk plane the applicant(s) is currently able to build on at least one parcel. Given concerns expressed by neighbors about privacy/height/bulk, we knew this would be worse for the opposing neighbors than the proposed rezoning application. The planning board denied the application but sent the applicant(s) back to staff for a better zoning code district. Two of our board members attended this meeting with city staff and asked for the services of a mediator to assist us with working out an agreement, if possible, with the opposing neighbors.
7. A mediator was assigned. We asked the opposing neighbors to attend a meeting on May 7 with the mediator for the purpose of discussing their concerns and selecting representatives to participate in mediation. A neighbor who we had been in communication with following the first meeting at the coffee house, agreed to notify nearby neighbors about the May 7 meeting. The meeting details (date/time/location) were shared with the Crestmoor Park NA and their group posted a notice on Nextdoor to 14 adjacent neighborhoods to attend the meeting and protest the development. 20 attendees - 10 Hilltop and 10 Crestmoor. A mediation group was eventually formed with two representatives from Hilltop's RNO, two from the Crestmoor Park RNOs, a representative for the opposing neighbor, the applicant(s) representative and the developer.
8. The group met twice and the same concerns with density, traffic & safety, privacy, height and design were restated along with an additional concern about negative impacts to property values. At the conclusion, without coming to an agreement on the question of density (how much is acceptable), a mediation report was sent to all parties to clarify positions and correct mistakes, with a finalized report sent to the city after all agreed the report stated the outcome of the mediation. When taken back to their respective groups, both the Crestmoor Park RNOs and the Hilltop nearby neighbors groups rejected the mediation agreements as they did not meet their primary goal of reducing the density.
9. Our Zoning Committee met to discuss the project, the mediation, the opposing needs and desires of the two opposing neighborhood groups and deliberated on the position we would take to the next CPB public hearing on Nov 7. It was a lively discussion and the vote was not unanimous but the majority present voted to recommend the Association's full board take a position of "NOT TO OBJECT" to the rezoning application based on obtaining a Declaration of Restrictive Covenant containing items agreed to and itemized in the mediation report. On July 25 our full board of directors met and with one no vote, 19 voted in favor of the Zoning Committee's recommendation.
10. About the same time in the process, our adjacent RNO, Crestmoor Park Neighborhood Association, created a one question "poll" to survey their neighborhood of 187 homes. They asked the RNO, Crestmoor Park Filing Two to send the survey to their 400 plus residents with the similar results — opposition to the development. Then nearby neighbors opposed to the project distributed flyers within a section of Hilltop close to the proposed project and sent a notice to the 2500 plus Hilltop Nextdoor list with a link to the same "poll" and received 89 votes opposing the project.
11. As Interim President of the Hilltop RNO, I was asked to conduct our own survey. I discussed with other board members. We did not want to use the "poll" the Crestmoor Park NA created and acknowledged we did not have the skills to create a poll that would be fair

to both the neighbor's applying for the rezoning or the neighbors opposing. After seeking advice from Hilltop residents in the consulting industry, I was referred to an independent pollster who told me a proper survey of our neighborhood would cost between 15K to 25K depending on the complexity of the polling questions and delivery method. We concluded A) this would be an irresponsible use of our Assn funds, B) we don't have that kind of funding in the first place and C) more importantly we already had a good understanding from public meetings that nearby neighbors were opposed and why, and they were the neighbors we were most interested in hearing from — not necessarily neighbors living a mile away. Our Assn has received only a handful of emails pro or con — mostly con.

12. At each step of this process since last January we notified our neighbors about meetings, updates, etc by posting updates on our website, through notices on our email distribution list of 1K and posting on Nextdoor to encourage neighbors opposed or supportive of the rezoning application to communicate their opinions to our Association, the city staff and boards reviewing the applications and most importantly city council representatives. We also invited neighbors to join our board of directors. At our annual meeting, the developer presented the plans for the project again, and our Zoning Committee chair explained the intent of restrictive covenants. This was followed by Q & A. There was one neighbor opposed who asked questions. Several attendees thanked us for the explanation and expressed support after learning more about the project. The public record at the time of this writing is a just less than 100 letters or emails regarding the project, most opposing.
13. Finally, I want to tell you how distressing it is to me that our board members, all volunteers and ALL of them deeply committed to this neighborhood, have been disparaged as undemocratic, paternalistic or not aware of the concerns expressed about this matter by those opposed to the project. We have ourselves expressed these concerns. We see the discussion on Nextdoor, we talk with our neighbors and see the comments sent via email. Our decision was made after thoughtful consideration because we believe it to be in the best interest of the nearby neighbors given all the information we had. **We feel strongly that we ARE protecting the neighborhood by assuring a set of restrictive covenants limiting the number of units, requiring a minimum number of parking spaces, addressing privacy and other concerns noted in the mediation report. These are in place to protect both the nearby neighbors and the neighborhood at large if this application is approved tonight.**

Thank you for your consideration of this emailed letter.

Wende Reoch
Interim President, Cranmer Park/Hilltop Civic Association

From: [Mauro Maich](#)
To: [denc - City Council](#)
Subject: [EXTERNAL] 219-245 South Holly Street and Case #20171-00153
Date: Friday, January 04, 2019 6:53:53 PM

To whom it may concern,
I'm a neighbor residing at 255 Holly St and I am IN FAVOR of this proposed development and the covenants negotiated by our neighborhood's association.
Feel free to contact me with any questions.

Mauro Maich
303 829 8745

[Sent from Yahoo Mail on Android](#)