

## Prince, William G. - CPD CE0371 City Planner Associate

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**From:** Rezoning - CPD  
**Sent:** Wednesday, December 10, 2025 11:56 AM  
**To:** Prince, William G. - CPD CE0371 City Planner Associate  
**Subject:** FW: [EXTERNAL] PROPOSED REZONING

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**From:** Zoning Administration <[ZoningAdministration@denvergov.org](mailto:ZoningAdministration@denvergov.org)>  
**Sent:** Wednesday, December 10, 2025 10:49 AM  
**To:** Rezoning - CPD <[Rezoning@denvergov.org](mailto:Rezoning@denvergov.org)>  
**Subject:** FW: [EXTERNAL] PROPOSED REZONING

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**From:** Janet Johnson <[jayjay0471@gmail.com](mailto:jayjay0471@gmail.com)>  
**Sent:** Wednesday, December 10, 2025 10:16 AM  
**To:** Zoning Administration <[ZoningAdministration@denvergov.org](mailto:ZoningAdministration@denvergov.org)>  
**Subject:** [EXTERNAL] PROPOSED REZONING

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Application Number: 2025-REZONE-0000028

I am Janet Johnson and I live at 375 Clayton Street, which is one-half block from the proposed rezoning address.

My husband and I urge you to please reconsider this change to 2625 East Third Avenue.

It was our understanding when we moved into this North Cherry Creek area, that no buildings above three stories could be built north of Third Avenue. Obviously, in recent years, this ruling has changed.

This new proposed rezoning plan will not only erase what small part of green space we have in the neighborhood, but will cast a shadow not only on Third Avenue, but on the townhomes located just north of the proposed address. We already have traffic congestion in this area (Third and Clayton) as well as dangerous traffic exits.

How much more of a lovely (and use to be quiet) neighborhood are you going to take away from us? There is no additional parking available to home owners and with parking on both sides of Clayton allowed, the street has become a very dangerous street allowing only one way for cars.

I urge you to reconsider this rezoning and decline this proposal.

Thank you,

Janet Johnson  
375 Clayton Street  
(970) 379-7289

Janet Johnson

# Planning Board Comments



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Submitted on	29 December 2025, 3:58PM
Receipt number	1018
Related form version	3

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## Your information

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Name	Scott Robinson
Address or neighborhood	325 Clayton St
ZIP code	80206
Email	scott@hamptonpartners.net

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## Agenda item you are commenting on

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Rezoning

## Rezoning

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Address of rezoning	3rd Avenue and Clayton St
Case number	2025 0000028

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## Draft plan

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Plan area or neighborhood

## Proposed text amendment

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Project name

## Historic district application

---

Name of proposed historic district

## Comprehensive Sign Plan

---

Address of comprehensive sign plan

Case number

# DURA Renewal Plan

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Address of renewal project

---

Name of project

## Other

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Name of project your would like to comment on

## Submit your comments

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Would you like to express support or opposition to the project?

Strong opposition

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Your comment:

The Honorable Members of the Denver Planning Board  
Community Planning and Development  
City and County of Denver  
Re: Opposition to Rezoning Application for 2625 E 3rd Avenue (from CCN Conditions to C CCN 4)  
Dear Members of the Planning Board,  
My name is Scott Robinson, and I own 325 Clayton Street, in the townhouses located between 3rd and 4th Avenue immediately north of the Cherry Creek North commercial district. My unit is adjacent to the proposed rezoning. I am writing to respectfully urge you to deny the proposed UPzoning of 2625 E 3rd Avenue from CCN with conditions to C CCN 4. When I purchased my property in 2017, a strong incentive for purchasing this property was an easement given by the then current property owner to the city of Denver of 29 feet which provided a strong buffer to my property from anything built to the south of my unit. That easement has been around since before I purchased the property and was expected to be present, thereafter. This would ensure that no construction would be up against my property, traffic would be pushed further away, sun would be abundant to my courtyard, and no one would be looking down on the south side of my property.

The property at 2625 E 3rd Avenue has a history and it includes sensitive issues because of the existing precedent, the adjacent elementary school, the current easement, and the need for safety due to the school and the neighbors. As such, it functions today and needs to function in the future, as a critical transition area between the retail core of Cherry Creek and our lower scale neighborhood and school environment. Removing this last remaining buffer by up zoning to a more intensive C CCN 4 district would undermine the Denver Zoning Code's stated purpose of providing compatible transitions of use, density, and building scale between new development and existing residential areas.

If you would see how the school operates I believe you will better understand me and my neighbors concerns. I have video of the current pick up at the school from both the alley and the 3rd Place locations. The parents currently cue up along 3rd Avenue, or park in the Dance Studio parking, or park in the alley (illegally) to find their kids and bring them into their transportation. When you see this video, you will understand that an upzoning of this property will either further exasperate this process or cause something to really breakdown. The applicant does nothing to soften this process or minimize the impact on the residents.

The applicant's own narrative acknowledges that "almost every property along the north side of East Third Avenue has been rezoned to C CCN 4 with the exception of this property." That admission is exactly why this parcel is so important to preserve: it is the last piece that protects the school and the Clayton townhouses from the full weight of Cherry Creek's commercial intensity. Rather than justifying "catch up" up zoning, this fact demonstrates that the Planning Board and City Council have historically recognized the need for a softer edge here.

Safety is my foremost concern. The applicant notes existing "vehicle and pedestrian conflicts at the alley exit onto Third Avenue" and proposes to

solve them with better design. However, up zoning to C CCN 4 will necessarily and inevitably increase the number of trips, deliveries, and garage movements on a block that already experiences congestion and conflict, especially during school arrival and dismissal times. Cherry Creek's traffic volumes are already high, and recent reporting has questioned whether the area's streets can safely absorb additional large projects. Adding another intense mixed use building at this specific location will further complicate Safe Routes to School, emergency access, and the day to day safety of children walking and biking in the area.

I have met with the developer several times in this process. He says he would try to minimize the impact on the neighbors, but he doesn't recognize the difference between this site and other sites along 3rd Avenue. He has never watched the cars cue up along 3rd Avenue in the afternoon and stop traffic. He does not recognize the buffer that the current easement allows for me and my neighbors. He doesn't understand that new retail uses (like restaurants) cause significant issues including noise, late night problems, parking problems, and WAY more traffic.

Thank you for your careful consideration of this application and for your service to the residents, families, and children of Denver.

Sincerely,  
Scott Robinson  
325 Clayton Street  
Denver, CO 80206

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If you have an additional document or image that you would like to add to your comment, you may upload it below. Files may not be larger than 5MB.

# Planning Board Comments



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Submitted on	29 December 2025, 2:16PM
Receipt number	1017
Related form version	3

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## Your information

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Name	Mary Sampson
Address or neighborhood	345 Clayton Street
ZIP code	80206
Email	marylsampson@gmail.com

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## Agenda item you are commenting on

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Rezoning

## Rezoning

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Address of rezoning	2625 E 3rd Avenue, Denver, CO 80206
Case number	

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## Draft plan

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Plan area or neighborhood

## Proposed text amendment

---

Project name

## Historic district application

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Name of proposed historic district

## Comprehensive Sign Plan

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Address of comprehensive sign plan

Case number

## DURA Renewal Plan

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Address of renewal project

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Name of project

## Other

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Name of project you would like to comment on

## Submit your comments

---

Would you like to express support or opposition to the project?

Strong opposition

---

Your comment:

The Honorable Members of the Denver Planning Board  
Community Planning and Development  
City and County of Denver  
Re: Opposition to Rezoning Application for 2625 E 3rd Avenue (from CCN Conditions to C CCN 4)

Dear Members of the Planning Board,  
My name is Mary Sampson, and I reside at 345 Clayton Street, in the townhouses located between 3rd and 4th Avenue immediately north of the Cherry Creek North commercial district. I am writing to respectfully urge you to deny the proposed rezoning of 2625 E 3rd Avenue from CCN with conditions to C CCN 4.

This property at 2625 E 3rd Avenue is not an interior commercial parcel; it is a sensitive edge site directly adjacent to both established residential townhouses on Clayton Street and an elementary school. As such, it functions today as a crucial transition between the intense retail core of Cherry Creek and our lower scale neighborhood and school environment. Removing this last remaining buffer by up zoning to a more intensive C CCN 4 district would undermine the Denver Zoning Code's stated purpose of providing compatible transitions of use, density, and building scale between new development and existing residential areas.

The applicant's own narrative acknowledges that "almost every property along the north side of East Third Avenue has been rezoned to C CCN 4 with the exception of this property." That admission is exactly why this parcel is so important to preserve: it is the last piece that protects the school and the Clayton townhouses from the full weight of Cherry Creek's commercial intensity. Rather than justifying "catch up" up zoning, this fact demonstrates that the Planning Board and City Council have historically recognized the need for a softer edge here.

Safety is my foremost concern. The applicant notes existing "vehicle and pedestrian conflicts at the alley exit onto Third Avenue" and proposes to solve them with better design. However, up zoning to C CCN 4 will necessarily and inevitably increase the number of trips, deliveries, and garage movements on a block that already experiences congestion and conflict, especially during school arrival and dismissal times. Cherry Creek's traffic volumes are already high, and recent reporting has questioned whether the area's streets can safely absorb additional large projects. Adding another intense mixed use building at this specific location will further complicate Safe Routes to School, emergency access, and the day to day safety of children walking and biking in the area.

The impacts on my home and my neighbors' homes on Clayton Street are also significant. The City's own standards treat our G RH 3 townhouse district as a "Protected District," and the rezoning narrative references upper story step backs to respond to that adjacency. Even with building step backs, allowing a larger and taller C CCN 4 building will introduce greater height and bulk, increasing shadowing thus changing the character we relied upon when purchasing under the current CCN conditions zoning. In addition,

increased use of the alley and any Clayton facing access will bring more headlights, noise, trash collection, traffic congestion, parking competition, and service activity on both the front and back of our homes, eroding our quiet enjoyment and likely affecting property values.

The Cherry Creek North area has already accommodated substantial growth under the Cherry Creek Area Plan and prior rezonings, and our neighborhood has shouldered years of construction, traffic, and parking pressures. At this point, the question is not whether Cherry Creek can be “activated” further, but whether the City will honor its own policies around stability and compatibility at residential and school edges. In my view, retaining the existing CCN conditions zoning—or, at minimum, declining to intensify to C CCN 4—is the most consistent way to uphold the zoning code’s purposes of protecting public health, safety, and welfare for both students and residents. For these reasons, I respectfully ask that you recommend denial of the rezoning request for 2625 E 3rd Avenue. If the Board believes some change is warranted, I further urge you to require a lower intensity solution or stronger, enforceable conditions that truly protect the school and the Clayton townhouses, rather than relying on generalized promises of “better urban design.”

Thank you for your careful consideration of this application and for your service to the residents, families, and children of Denver.

Sincerely,  
Mary Sampson  
345 Clayton Street  
Denver, CO 80206

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If you have an additional document or image that you would like to add to your comment, you may upload it below. Files may not be larger than 5MB.

## Prince, William G. - CPD CE0371 City Planner Associate

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**From:** Mindy Humphrey <mindyhumphrey@gmail.com>  
**Sent:** Friday, January 16, 2026 2:07 PM  
**To:** Sawyer, Amanda - CC Member District 5 Denver City Council  
**Cc:** Planningboard - CPD; Prince, William G. - CPD CE0371 City Planner Associate; matt.walter@denvergov.org  
**Subject:** [EXTERNAL] Support for 2623 E. 3rd Ave Rezoning

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Councilwoman Sawyer,

I am writing you on January 16<sup>th</sup>, 2026 as a constituent and nearby resident to express my complete support for the rezoning of the Cherry Creek Dance site at 3rd Avenue and Clayton Street. This site is in clear need of a thoughtful development and Nichols Partnership is uniquely well-qualified to deliver a project that will enhance the neighborhood in a meaningful and lasting way.

Nichols Partnership is a highly respected and conscientious developer with a proven track record of creating best-in-class projects. Their proposal seeks zoning consistent with the existing four-story buildings that line 3rd Avenue, ensuring the development remains compatible with the surrounding context. The planned for-sale condominium use also provides a welcome balance to the significant amount of office development that has occurred in the area in recent years.

Throughout this process, Nichols Partnership has demonstrated an exceptional commitment to community engagement, listening carefully to neighbors and incorporating feedback into their plans. That approach has earned not only my full support, but also the support of the Cherry Creek North Neighborhood Association.

Because this request aligns with the Cherry Creek Area Plan and meets all applicable review criteria, I respectfully encourage you to support this rezoning. I believe it represents a thoughtful, well-considered opportunity to improve the site while strengthening the overall character and vitality of the neighborhood.

Thank you for your time and consideration.

Sincerely,

Melinda Humphrey

250 Columbine Street  
Residence 215  
Denver, CO 80206

## Prince, William G. - CPD CE0371 City Planner Associate

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**From:** Wendy Hession <Wendy@reddoordenver.com>  
**Sent:** Monday, January 19, 2026 11:11 AM  
**To:** Sawyer, Amanda - CC Member District 5 Denver City Council  
**Cc:** Leigh Wilbanks; Planningboard - CPD; matt.walter@denvergov.org; Prince, William G. - CPD CE0371 City Planner Associate  
**Subject:** [EXTERNAL] Support for 2623 E. 3rd Ave Rezoning

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Councilwoman Sawyer,

We are homeowners at 250 Columbine Street which is located across 3rd Avenue from the Cherry Creek Dance studio located at 2625 E 3rd Ave where a zoning change has been proposed. We are writing to you to express our strong support of the rezoning proposal.

It is our understanding that the entire north side of 3rd Avenue between University Blvd and Adams/Steele Streets is zoned C-CCN-4 with the exception of the subject property and Hillstone Restaurant. In general, we believe that zoning should be consistent to ensure that the scale and use of new developments are inline with not only neighboring properties but also with the goals of City planners and the Cherry Creek Area Plan. If the current owner of the site wants to develop their property so that it is inline with the intent of the current zoning ordinance and neighboring properties then we don't see any reason why that rezoning should be prevented.

Furthermore, as Cherry Creek residents who have lived in the City for 25+ years, it is important to us that we encourage local developers to be active in our neighborhood. Local developers understand the history of the city and are personally impacted by the success of their developments. Unlike national developers, who can simply go home after completing their project, local developers, as residents in our city and neighborhood, must always balance the financial benefits of their projects with the impact that their projects will have on their personal neighbors. The Nichols Partnership is a well-respected local developer with a strong track record of responsible development enhancing surrounding communities. I am confident that they will continue to engage with direct neighbors, including the residents of 250 Columbine, and adjust their development plan as necessary, based on neighbor feedback, to ensure their project is seen as a success by the neighborhood.

Finally, we love the early concept for this site with retail on the main level and for-sale condos above. While Cherry Creek does have several condo buildings and one high-profile luxury project under construction, it seems as though the vast majority of new projects are either office, apartment or hotel which does not provide Cherry Creek with a long-term, stable base of residents. In addition, the recent elimination of minimum parking requirements makes us very nervous living in a neighborhood that is arguably already under-parked. A for-sale condo project will require adequate parking to attract buyer demand while other uses may be able to make the numbers work without providing adequate parking.

Amanda, we truly appreciate your work championing the needs of the Cherry Creek neighborhood residents and we hope that you vote in favor of this sensible rezoning request.

Sincerely,

Leigh Wilbanks and Wendy Hession  
250 Columbine Street, Unit 508



**Wendy Hession**

Red Door Properties @ Compass

[RedDoorDenver.com](http://RedDoorDenver.com) | [Compass.com](http://Compass.com)

[Wendy@RedDoorDenver.com](mailto:Wendy@RedDoorDenver.com)

303.601.3488

## Prince, William G. - CPD CE0371 City Planner Associate

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**From:** Pam Parker <pamparker@corcoranperry.com>  
**Sent:** Friday, January 23, 2026 1:40 PM  
**To:** Sawyer, Amanda - CC Member District 5 Denver City Council; Prince, William G. - CPD CE0371 City Planner Associate  
**Cc:** Planningboard - CPD; matt.walter@denvergov.org  
**Subject:** [EXTERNAL] Support for 2623 E. 3rd Ave Rezoning - Application Number: 2025-REZONE-0000028

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PERRY & CO.

**Pam Parker**  
BROKER ASSOCIATE, REALTOR®

m. 303.875.7117 | o. 303.399.7777  
[pamparker@corcoranperry.com](mailto:pamparker@corcoranperry.com)  
2902 East 3rd Avenue, Denver, CO 80206  
[perr.co/pam](http://perr.co/pam)



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Councilwoman Sawyer,

I'm writing as a constituent and nearby resident (250 Columbine Residences) to convey my **full support** for the rezoning of the Cherry Creek Dance site at 3<sup>rd</sup> and

Clayton. Nichols Partnership is an extremely thoughtful and well-respected developer that will transform this site into a best-in-class development, adding to the vibrancy of the neighborhood. I recall back in 2004 when Nichols developed the Clayton Lane Condos at 191 Clayton, and the adjacent Clayton Lane retail with garage and Whole Foods. It was a great project and as you know, now 22 years later, is being redeveloped by BMC as Cherry Lane, excluding the condos.

Nichols is merely asking for the same 4-story zoning that's found all along 3<sup>rd</sup> Avenue, and their proposal to build for-sale condos will be a nice contrast to all the office space that's been built in the past few years. Cherry Creek North continues to see a considerable amount of office and apartment development, so it's great to hear they're pursuing an ownership product where those residents can enjoy the benefits of a neighborhood where they can live, work and support local business. Nichols has gone above and beyond with their community engagement, which is why they've earned my support as well as the support of the Cherry Creek North Neighborhood Association, of which I am a member and Block Captain for 250 Columbine.

Given the request follows closely with the City's planning documents, the Cherry Creek Area Plan, and brings the site under Denver's new zoning code, I hope you'll support this rezoning request and help breathe new life into this site. Thanks for your consideration and all you do for Denver.

Sincerely,

Pam Parker

250 Columbine, Unit 204

Denver, CO 80206

## Pam Parker

Broker Associate, CNE  
2902 E Third Ave, Denver, CO 802096  
m 303.875.7117 | o 303.399-7777  
[pamparker@corcoranperry.com](mailto:pamparker@corcoranperry.com)

*corcoran*



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## Prince, William G. - CPD CE0371 City Planner Associate

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**From:** Trent Ambler <tambler@5thhorizon.com>  
**Sent:** Sunday, February 1, 2026 9:47 AM  
**To:** Sawyer, Amanda - CC Member District 5 Denver City Council; Prince, William G. - CPD CE0371 City Planner Associate  
**Cc:** Planningboard - CPD; matt.walter@denvergov.org  
**Subject:** [EXTERNAL] 2625 E 3rd Avenue Rezoning Support

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Councilwoman Sawyer-

Reaching out as a Cherry Creek resident and neighbor to the building at 2625 E 3rd Ave (Cherry Creek Dance Studio) that is up for rezoning. I want to offer a voice of support not only for the proposed rezoning but also for the plans and vision offered by the Nichols Partnership.

I live directly across the street at 324 Clayton st. The Clayton property has been in my family for over 20 years and so we have had the opportunity to experience many phases and development cycles in Cherry Creek.

I have had the opportunity to meet directly with the Nichols Partnership to discuss their vision for the 2625 development. I was delighted to hear that if approved for C-CCN-4 zoning they plan to pursue a residential dominated building on the site. I am a huge proponent of further condo oriented development here in Cherry Creek. Developments that bring additional residents into the neighborhood are a benefit to us all. The businesses, restaurants, and community all benefit from additional residents in Cherry Creek and so generally I am greatly in favor of any development that includes a residential component.

I feel that the proposed development at 2625 E 3rd follows closely with the vision of the Cherry Creek neighborhood association and more broadly fits well under the city of Denver's zoning plan.

Given all of this, I hope that you will offer your support for the rezone to CCN-4.

Regards,

Trent Ambler  
Cherry Creek Resident  
324 Clayton St  
Denver CO 80206

303.810.0970

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# Planning Board Comments



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Submitted on	3 February 2026, 2:04PM
Receipt number	1022
Related form version	3

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## Your information

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Name	Clayton Court Townhouse Association
Address or neighborhood	325-385 Clayton Street
ZIP code	80206
Email	marylsampson@gmail.com

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## Agenda item you are commenting on

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Rezoning

## Rezoning

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Address of rezoning	2625 E. 3rd Avenue
Case number	2025-REZONE-0000028

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## Draft plan

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Plan area or neighborhood

## Proposed text amendment

---

Project name

## Historic district application

---

Name of proposed historic district

## Comprehensive Sign Plan

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Address of comprehensive sign plan

Case number

## DURA Renewal Plan

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Address of renewal project

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Name of project

## Other

---

Name of project your would like to comment on

## Submit your comments

---

Would you like to express support or opposition to the project?

Strong opposition

---

Your comment:

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If you have an additional document or image that you would like to add to your comment, you may upload it below. Files may not be larger than 5MB.

[Opposition to rezoning\\_Public Interest\\_02032026\\_mlsv3.docx](#)

City and County of Denver  
Community Planning and Development  
201 W. Colfax Ave., Dept 205  
Denver, CO 80202

Re: Opposition to Rezoning 2625 E. 3<sup>rd</sup> Avenue from CCN with Conditions to C-CCN-4

Dear Community Planning and Development Staff, Planning Board Members and City Council Members,

We are owners of the townhomes directly north of 2625 E. 3<sup>rd</sup> Avenue, and daily users of the alley, and nearby elementary school area. We respectfully request that you deny the proposed rezoning of 2625 E. 3<sup>rd</sup> Avenue from Cherry Creek North (CCN) with Conditions (Former Chapter 59) to C-CCN-4 as currently proposed, because it is not in the public interest under Denver Zoning Code (DZC) 12.4.10.7.B. We would like to outline several reasons we believe this to be true.

**Loss of a negotiated buffer that runs with the land.**

Our objection is not to reasonable development or to bringing the parcel under the updated Denver Zoning Code. Our opposition is to eliminating a specifically negotiated, recorded 2007 open-space buffer condition that runs with the land, without providing an equivalent transition or even addressing impacts on a nearby elementary school with significant child, caregiver and parent pedestrian traffic.

The existing CCN zoning for this parcel includes a 2007 ordinance condition requiring a defined, approximately 3,045 square feet, to be “used and maintained exclusively for open space, landscaping and screening” with public accessibility and maintenance standards, and expressly binding on “all successors and assigns”. This condition was a key part of the bargain when Council approved the rezoning from PUD #288 to CCN, and it has shaped neighboring owners’ expectations and purchase decisions ever since. Owners who purchased the townhomes were expressly told this was a permanent buffer and green space. As such, our expectation was that it would remain, giving us a buffer from the business district and serving to protect our quiet enjoyment. Maintaining the current zoning condition will be even more important due to the developers proposed restaurant and its associated traffic, noise and activity.

At a recent meeting with the developer, we were told that because the land was purchased at a “significant price”, the developer should be able to build on it. This is irrelevant and we would point out that similarly, we purchased our properties at a significant price of \$3.8M-\$4.1M (total = \$25M-\$29M) with the expectation that the buffer would remain. Furthermore, the developer must have been aware of the condition associated with the property, though that is difficult for us to discern since their zoning application is altogether silent on this matter.

The current zoning application and cover letter characterize the existing zoning as “outdated and antiquated Former Chapter 59” but does not meaningfully discuss the 2007 condition or justify its removal. In fact, the reason for the condition, to protect the townhomes from the business district, still remains. The developer treats satisfaction of the Denver Zoning Code and eliminating the 2007 condition as a package, even though Council could approve a C-CCN-4 rezoning while preserving the condition. Certainly, the public interest is not served when a long-standing, recorded condition that was the basis for prior approvals- and that neighbors relied upon – is stripped away simply because the new owner now seeks entitlements, without any replacement protection beyond what C-CCN-4 provides.

Additionally, according to the “Denveright Community Profile”, Cherry Creek North already has one of the highest concentrations of land occupied by built structures, and one of the lowest amounts of open space per resident. *Blueprint Denver* specifically notes that “Denverites want to see more trees” and the plan specifically strengthens requirements for preserving trees and green space on redeveloped sites. Removing the 2007 green space condition is in direct opposition to the City’s own stated directive.

### **Unbalanced impacts on an adjacent protected residential zone.**

We would like to point out that the applicant’s materials emphasize several public benefits: additional for-sale condos, ground-floor commercial, economic activity, and improved sidewalks and streetscape. We acknowledge those potential benefits. However, the burdens of this rezoning, as proposed, fall disproportionately on a small group of adjacent residents, whom the 2007 condition was meant to protect. As you are likely aware, rezoning the property to a C-CCN-4 without any protective conditions would reduce that interface to the minimum protected-district edge rules—generally a 10-foot setback and upper-story step backs—while allowing a four-story mixed-use building much closer to our open courtyards, outdoor alley facing patios, bedrooms, and windows.

The applicant’s public-interest narrative does not grapple with this change. It does not analyze:

- Increased shadowing, loss of privacy, and visual bulk close to our homes.
- The loss of a quasi-public open space that has functioned as a green buffer for years.
- Why those impacts on a handful of neighboring properties are justified by benefits that could largely be achieved even if a meaningful buffer is preserved.

Public interest requires a reasoned balance of benefits and burdens; the application’s analysis is one-sided and incomplete.

### **Risks to school-area safety, walkability, and traffic.**

The area around 2625 E. 3<sup>rd</sup> Avenue includes Bromwell Elementary School and heavily used walking routes for children and their caregivers. Indeed, it is easy to observe the many parents and caregivers walking with their young children in the alley to drop them off and pick them up from the playground area accessible from the alley. Currently, caregivers congregate in the dance-school parking lot and alley during these times. While we recognize the green space requires improvement, its preservation will be imperative to improving walkability and the safety of children and caregivers so that they are not waiting solely in the alley once the parking lot is gone.

The applicant's cover letter cites Comprehensive Plan 2040 and Blueprint Denver policies about promoting walking, rolling, biking, and creating pedestrian-priority, "people-oriented" places. Yet the rezoning narrative provides no substantive analysis of (1) additional vehicle trips generated by a denser, mixed-use building at peak school pick-up and drop-off times; (2) curb and alley operations (garage access, deliveries, ride-hail) and their interaction with children and walkability or (3) any proposed traffic-calming, crossing enhancements, or coordination with safe-routes-to-school efforts. Cherry Creek North is a highly pedestrian neighborhood and higher density in this sensitive area risks undermining Comprehensive Plan 2040's Vision Elements on "Connected, Safe, and Accessible Places" and "Healthy and Active" which stress safe, multimodal networks and environments that support walking.

#### **Incomplete use of the Urban Center neighborhood context.**

The applicant correctly notes that the parcel lies in the Urban Center neighborhood context and that C-CCN-4 is the standard Cherry Creek North district for this corridor. However, the Urban Center context and the C- context article emphasize both (1) higher-intensity, mixed-use development with active frontages, and (2) compatibility and appropriate transitions to adjacent lower-scale residential, including use of height, massing, and setbacks to mitigate impacts. In our location, at the edge of the Urban Center context next to protected G-RH-3 townhomes and a school-oriented walking environment, the 2007 open-space condition is a context-appropriate, site-specific tool that provides such a transition. Replacing it with only the minimum 10-foot protected-district setback undermines the context's own expectations for compatibility and high-quality public realm at sensitive interfaces.

We believe public interest in this context is best served by a rezoning that (1) brings the parcel under C-CCN-4 to reflect plan guidance and modern code, and (2) preserves a robust, enforceable transition at the north edge consistent with both the 2007 condition and Urban Center transition principles. The current application does only the first, not the second.

#### **Failure to fully reflect Denver's evolving equity and public-interest framework**

Denver's recent "Advancing Equity in Rezoning" work has explicitly strengthened the focus on who benefits and who bears impacts in rezoning decisions, and how criteria like DZC 12.4.10.7

should be applied to achieve more equitable and community-responsive outcomes. While Cherry Creek is not a vulnerable neighborhood by citywide metrics, the same logic still applies:

- The rezoning, as proposed, transfers significant impacts (loss of buffer, reduced privacy, school-area safety risks) onto a small, identifiable group—adjacent townhome owners and Bromwell school children—while broader benefits (more units, more retail, more tax base) could largely be achieved without eliminating the buffer.
- The application does not explain why this shift in burdens is necessary to meet any “extraordinary community need,” nor why public interest demands removal of the 2007 condition rather than its preservation under the Denver Zoning Code.

By ignoring these questions, the application falls short of the kind of public-interest and equity analysis the City is now asking of rezonings citywide.

### **A reasonable alternative is available**

We recognize the legitimacy of several applicant goals:

- Bringing the parcel under the Denver Zoning Code.
- Adding for-sale housing in a high-opportunity, transit-accessible area.
- Encouraging active ground-floor uses and better streetscapes in Cherry Creek.

However, those goals can be met without eliminating the buffer and without proceeding in a way that is contrary to the public interest. The City can both meet the applicant’s business and development goals and implement a more balanced, public-interest-oriented path by:

1. Rezoning the parcel to C-CCN-4 to reflect plan guidance and modernize the code coverage; and
2. Carrying forward, via a condition or development agreement, a robust open-space/landscaping/screening buffer at the north edge equivalent to the 2007 condition; and
3. Incorporating specific measures addressing school-area safety and traffic (e.g., defined loading and drop-off arrangements, traffic-calming near key crossings, coordination with Safe Routes to School).

Because the current application does none of these, and because it would erase a long-standing, negotiated protection with disproportionate local impacts and no replacement mitigation, we respectfully submit that the rezoning is not in the public interest as required by Denver Zoning Code 12.4.10.7. B.

For these reasons, we ask Planning Board to recommend denial and City Council to deny the rezoning as submitted. If Council wishes to support redevelopment at this site, we urge you to require a revised application that retains an effective buffer and squarely addresses the school-area and adjacency issues described above.

Thank you for your careful consideration.

Sincerely,



## Prince, William G. - CPD CE0371 City Planner Associate

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**From:** Courtney and Shane Percival <coloradopercivals@gmail.com>  
**Sent:** Tuesday, February 17, 2026 8:05 PM  
**To:** Prince, William G. - CPD CE0371 City Planner Associate  
**Subject:** [EXTERNAL] 2625 E 3rd Avenue - Strong Opposition

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### The Honorable Members of the Denver Planning Board

Community Planning and Development  
City and County of Denver

### Re: Opposition to Rezoning Application for 2625 E. 3rd Avenue (from CCN Conditions to C-CCN-4)

Dear Members of the Planning Board,

My name is Courtney Percival, and I am a teacher at Bromwell Elementary School. I am writing to respectfully and strongly urge the City of Denver to oppose the proposed rezoning and redevelopment at 2625 E. 3rd Avenue.

As an educator who works closely with young children every day, I am deeply concerned about the direct impact a four-story structure would have on our school community, especially on our youngest learners. The current business to the south of our building provides a low-profile, unobtrusive boundary for our kindergarten playground which is located in the south east corner of the property. Replacing it with a significantly taller structure would create an imposing physical presence immediately adjacent to the space where five- and six-year-olds play, learn, and build foundational social-emotional skills.

Early childhood environments should promote safety, calm, and a sense of openness. A large building towering over the kindergarten playground risks creating a visually overwhelming and potentially distressing environment for young children during their most formative years.

In addition, the height of the proposed structure raises concerns about reduced sunlight reaching our campus, particularly during the winter months when daylight is already limited. Reduced sun exposure on the playground could result in increased ice accumulation, creating safety hazards for students and staff. Adequate sunlight is not simply an aesthetic concern, it directly affects student safety and outdoor usability.

Perhaps most concerning is the proposal to close alley access. This change could significantly impact emergency vehicle access around the school. Ensuring clear, reliable entry points for first responders must remain a top priority when considering any redevelopment adjacent to an elementary school. Any obstruction or limitation to emergency routes poses serious potential risks to student safety.

Bromwell Elementary is more than a building, it has been a community anchor serving young children and families in the neighborhood since 1867. Development decisions that directly affect school property and safety should be made with the highest degree of caution and consideration.

For these reasons, I respectfully urge the City of Denver to oppose this rezoning and redevelopment proposal or, at minimum, require meaningful revisions that protect student safety, access to sunlight, and emergency vehicle accessibility.

Thank you for your time and careful consideration of this matter.

Sincerely,  
Courtney Percival  
Teacher, Bromwell Elementary School

## Prince, William G. - CPD CE0371 City Planner Associate

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**From:** Daniel Louis <louisdh37@gmail.com>  
**Sent:** Wednesday, March 11, 2026 12:58 PM  
**To:** Sawyer, Amanda - CC Member District 5 Denver City Council  
**Cc:** matt.walter@denvergov.org; Prince, William G. - CPD CE0371 City Planner Associate  
**Subject:** [EXTERNAL] Letter of Support for 2623 E 3rd Ave Rezoning

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Dear Councilwoman Sawyer,

My name is Daniel Louis, and I am writing to express my full support for the zoning request regarding the Nichols parcel. As a Denver native with deep roots in Cherry Creek, I own the properties across the alley from this site as well as three other corners in the area. I also serve as a member of the Cherry Creek North BID.

This is the only remaining parcel that does not conform to the zoning changes already implemented in the district. While I will be substantially impacted as a direct neighbor, the current building is a detriment to our community and requires improvement. Having previously operated a retail showroom on this lot for 12 years and being currently involved with four local businesses, I can attest that the Nichols family shares our community values and has a proven track record of success.

The Nichols Partnership is one of the most reputable developers in Colorado. The proposed C-CCN-4 zoning is consistent with every property to the east and west along 3rd Avenue. Furthermore, the Cherry Creek Neighborhood Association has worked diligently to ensure this zoning fosters development while maintaining generous setbacks for residences to the north.

There is no reason this parcel should not be brought into conformity with the rest of the district. Thank you for your time and consideration.

Best regards,

Daniel

--

Daniel Louis  
720.988.0588

## Prince, William G. - CPD CE0371 City Planner Associate

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**From:** Matt Joblon <matt@bmcinv.com>  
**Sent:** Wednesday, March 18, 2026 2:44 PM  
**To:** Sawyer, Amanda - CC Member District 5 Denver City Council  
**Cc:** Prince, William G. - CPD CE0371 City Planner Associate; Planningboard - CPD; matt.walter@denvergov.org  
**Subject:** [EXTERNAL] Letter of Support - Cherry Creek Dance Site  
**Importance:** High

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Amanda,

Hope you are well. Still sad you are not running again, but understand.

As a long-time investor, developer, owner, stakeholder, business owner (2 hotels, 11 restaurants), office tenant, and Board Member of the CCN BID in Cherry Creek, I am writing to express my support for the proposed rezone and redevelopment of the Cherry Creek Dance site at 3<sup>rd</sup> and Clayton.

Over the past decade, Cherry Creek has become one of the most active and successful mixed-use neighborhoods in the country. That success didn't happen by accident. It reflects years of thoughtful reinvestment by property owners and developers who believe in the long-term future of the neighborhood and are committed to creating places where people want to live, gather, shop, and spend time.

Cherry Creek works because it is walkable, active, and built around strong local businesses and community relationships. Maintaining that momentum means continuing to reinvest in sites that no longer reflect the full potential of the neighborhood. The rezone and redevelopment of the Cherry Creek Dance site is an opportunity to replace an aging property with thoughtfully designed housing that will continue to contribute to the neighborhood's vitality. It is also being done by a local developer with a great reputation (and is my partner in the Moxy Hotel, Boulder) that will be the right steward for the property.

Most importantly, the proposed C-CCN-4 zoning aligns perfectly with the Cherry Creek Area Plan and is the exact same zoning as all the other properties to the north of 3<sup>rd</sup> between Josephine and Adams.

For these reasons, I hope you'll support the proposed rezoning request on April 13<sup>th</sup>.

Thanks,

### **MATT JOBLON**

Chief Executive Officer

### **BMC Investments**

205 Detroit St. Suite 400 | Denver, CO 80206

Cell: 508-344-2557

[www.bmcinv.com](http://www.bmcinv.com)

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## Prince, William G. - CPD CE0371 City Planner Associate

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**To:** Planningboard - CPD  
**Subject:** RE: Support for 2623 E. 3rd Ave Rezoning

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**From:** Dan Huml <[dan.huml@magneticcap.com](mailto:dan.huml@magneticcap.com)>  
**Sent:** Thursday, March 26, 2026 11:03 AM  
**To:** Sawyer, Amanda - CC Member District 5 Denver City Council <[Amanda.Sawyer@denvergov.org](mailto:Amanda.Sawyer@denvergov.org)>  
**Cc:** Planningboard - CPD <[planningboard2@denvergov.org](mailto:planningboard2@denvergov.org)>; [matt.walter@denvergov.org](mailto:matt.walter@denvergov.org); Chris Carroll <[chris.carroll@magneticcap.com](mailto:chris.carroll@magneticcap.com)>  
**Subject:** [EXTERNAL] Support for 2623 E. 3rd Ave Rezoning

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Councilwoman Sawyer,

We are writing as property owners in Cherry Creek to express our full support for the proposed rezoning of the 2625 E. 3<sup>rd</sup> Ave which is more well known as the Cherry Creek Dance site.

As Denver-based investors and property owners, we focus on neighborhoods that demonstrate long-term strength and stability. Cherry Creek stands out in that regard because it has continued to adapt through thoughtful reinvestment and a willingness to evolve over time. Replacing aging or underutilized properties such as Cherry Creek Dance with well-designed, high-quality development is a key part of maintaining that momentum, and this site is a clear example of an opportunity to do just that.

This property is perfectly located and capable of supporting a use that better aligns with the rest of the neighborhood and strengthens what's already working. Adding new housing here, along with active uses, will better meet the expectations of residents and businesses in Cherry Creek.

There is clear plan guidance from the Cherry Creek Area Plan, Blueprint Denver, and Comp Plan to support this request and the applicant is rezoning the property to same 4-story zoning that's found on all the adjacent properties to the north of 3<sup>rd</sup> Ave.

We hope you'll support this request and thanks for all you do for our city.

Sincerely,

Dan Huml & Chris Carroll  
Magnetic Capital



**Daniel J. Huml**

Managing Partner

(312) 402-4029

[dan.huml@magneticcap.com](mailto:dan.huml@magneticcap.com)

## Prince, William G. - CPD CE0371 City Planner Associate

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**From:** Churchill Bunn <cb@alpineinv.com>  
**Sent:** Wednesday, April 8, 2026 6:21 AM  
**To:** Sawyer, Amanda - CC Member District 5 Denver City Council  
**Cc:** matt.walter@denvergov.org; Prince, William G. - CPD CE0371 City Planner Associate  
**Subject:** [EXTERNAL] Cherry Creek Dance Rezoning

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Dear Councilwoman Sawyer,

I am writing to share my support for the proposed rezoning of the Cherry Creek Dance site at 2625 E. 3rd Ave in Cherry Creek North.

I've spent a lot of my career focused on investing in and operating in neighborhoods that have staying power. Cherry Creek North is one of those neighborhoods. I am proud to be a small part of a family history in Cherry Creek via the Cherry Cricket restaurant, and I am also excited to be a small part of Cherry Creek's future with our new mass timber office project at that same site.

One of the things I've always appreciated about Cherry Creek North is that it hasn't stayed frozen in time. It's evolved in a way that feels intentional, but in a responsible and thoughtful way. The Cherry Creek Dance site is a perfect opportunity to continue that pattern. As it stands today, the property sticks out like a sore thumb, but with the stewardship of The Nichols Partnership it is well positioned for something that better reflects the direction the neighborhood has been heading.

Allowing new housing on this site would be consistent with what's already working well in Cherry Creek North. The proposed development would help support the businesses nearby, give downsizing single-family residents a new offering which frees up housing stock for incoming families, and it would add to the neighborhood's energy, continuing to build on the walkable, mixed-use environment that existing CCN residents love about their neighborhood.

I appreciate you taking the time to consider this and for the work you're doing on behalf of Cherry Creek and the broader city.

If you have any questions, feel free to reach out.

All the best,

### Churchill Bunn

Managing Partner | Alpine Investments Partners, LLC

919.815.0517 | [cb@alpineinv.com](mailto:cb@alpineinv.com) | [alpineinv.com](http://alpineinv.com)

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