OTTENJOHNSON
ROBINSON NEFF + RAGONETTI PC

August 16, 2023

CORY M. RUTZ
303 575 7531
CRUTZ@OTTENJOHNSON.COM

VIA E-MAIL

Community Planning & Development
City and County of Denver
201 W. Colfax Avenue
Denver, Colorado 80202

Re: Rezoning Application for 4100 E. Arkansas and 1451 S. Ash Street
Outreach Documentation Attachments

Dear Community Planning & Development:

As you may recall, this firm represents ICP-Flywheel Arkansas, LLC, a Colorado limited liability company, together with its affiliates (the "**Applicant**"), with respect to certain real property located generally at 4100 East Arkansas Avenue (the "**Property**") in the City and County of Denver. This cover letter and the attachments hereto are submitted in connection with the Applicant's application for rezoning of the Property (the "**Rezoning**").

Prior to submitting this application, the Applicant has done some preliminary community outreach. This outreach included: (1) a meeting with the East Evans Business Association, who, on May 3, 2023, voted unanimously to supply the letter of support attached hereto as Exhibit A, (2) a meeting with the Virginia Village Ellis Community association, who, in the May 29, 2023 email attached hereto as Exhibit B, stated that while they have no substantive concerns, they are not able to formally support or oppose the Rezoning until more concrete plans for changes to the Property are made, and (3) an in-person meeting with Councilman Kashmann on June 27, 2022.

In addition, and as requested by the application, the Applicant did not have a concept or pre-application meeting with Development Services because there are no current plans for re-development on the Property.

Sincerely,

Cory M. Rutz
For the Firm

Enclosures

cc: ICP-Flywheel Arkansas, LLC (by e-mail)

Exhibit A
East Evans Business Association Letter of Support

June 1, 2023

To whom it may concern:

The East Evans Business Association (EEBA) is writing this letter of support for the upzoning of the property at 4100 E. Arkansas Avenue within the Virginia Village Neighborhood at the southwest corner of the intersection at East Arkansas Avenue and South Ash Street by ICP-Flywheel Arkansas, LLC from S-MX-3 to S-MX-5.

On May 3, 2023 at our regular and public monthly BOD meeting of the East Evans Business Association, members of the association discussed the proposal regarding the proposed upzoning of the above property. After a discussion by the members, a vote was taken to approve a motion to write a letter of support for upzoning the property from S-MX-3 to S-MX-5 which passed with 6-For, 0-Against, 0-Abstained.

We are happy to support this upzoning effort on this site. This application will offer future zoning optionality of residential affordability and pedestrian friendly urban design that is needed in our neighborhood and the Denver community at large. Lastly, this application is in line with and consistent with the Blueprint Denver guidance adopted in 2019. Please feel free to contact us with any questions.

Sincerely,

Nancy Barlow
EEBA President
nb@barlowadvertising.com
720-635-5956

Exhibit B
Virginia Village Ellis Community Association Email Chain

Mon 5/29/2023 7:50 AM

Matt Charley <macharle@gmail.com>

Re: Upzoning of Flywheel Capital 4100 E. Arkansas Site

To Rob Hamm

Cc Joshua Ratliff; Ben Hrouda

Hello Rob & Ben,

The VVECA appreciates your outreach and for coordinating the meeting we had earlier this year to discuss the upcoming plans at the Arkansas commercial property. Josh and I enjoyed our discussion and the gesture of meeting was not lost on us.

That being said - the VVECA is not comfortable taking a position of support or opposition to your planned rezoning, but based on what you presented to us verbally, we have no issue with the plan (or lack thereof) to the property in question.

We cannot sign off on the provided template of approval in the interest of protecting our future position of support or opposing - based on actual plans for changes to the property itself. At any such time that Flywheel Capital has legitimate and specified plans for changes to the property and any impact that may have to the neighborhood - we would be happy to meet again and discuss, perhaps even sign off on any aforementioned documents of approval.

We hope you appreciate the position the RNO must take in a situation like this to avoid implicating ourselves on approving any commercial zoning changes when we have little-to-no awareness on how those changes may materialize.

Regards,
Matt Charley
VVECA Chairperson for Zoning and Development

On May 18, 2023, at 8:21 AM, Rob Hamm <rob.hamm@flywheelcap.com> wrote:

Joshua and Matt-

We hope the start of your spring is going well. As a follow up to our meeting, I've attached a sample Letter Of Support from the Virginia Village Ellis Community Association communicating your review for the upzoning of 4100 E. Arkansas. Ben and I are happy to attend the next VVECA meeting to answer any questions that association members have on the upzoning effort.

Let us know if either of you have any additional questions. We look forward to hearing what the AAECA decides about this application and the upzoning effort.

Thanks,

Rob Hamm | Director of Capital Development and Acquisitions
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