

## CHERRY CREEK EAST ASSOCIATION

---

February 14, 2010

Mr. Mickey Zeppelin  
Zeppelin Development  
Sent via e-mail to mzeppelin@zeppelinplaces.com

RE: February 4, 2010 Cherry Creek East Association Meeting  
Rezoning Request for Greenhouse (PUD 115 with 2000 Modifications) as Follows:  
Phase I Property as G-MU-5, Phase II Property as C-RX-8, Phase III Property as G-MU-5 and  
Phase IV Property as G-MU-3 Provided Developer's Agreement with Zeppelin Development as  
Drafted and Posted at Zeppelin and CCEA Websites on Monday February 1, 2010 and Presented  
at February 4, 2010 Association Meeting is Fully Executed and Provides Materially Same or  
Greater Restrictions and Expectations

Dear Mr. Zeppelin:

Thank you for taking the time to present at the special Cherry Creek East Association (CCEA) meeting held on Thursday, February 4, 2010. The neighborhood was informed of this presentation through multiple e-mail notifications to the association members, listing of the date on the neighborhood flyer for the January 14 general association meeting, and announcement of the date at the January 14 meeting.

In addition to your presentation and a questions and answers session, all meeting attendees were provided the opportunity to make a public comment (2 minute time limit). A review of the existing PUD with modifications made in 2000 was also given by Chris Gleissner, Community Planning and Development. Per CCEA's voting process, a written ballot was distributed to all current dues-paying CCEA members in attendance (ballots were distributed at time of check-in for the meeting and verification was made of the current status of the member).

In response to requests from our membership, the CCEA board also approved absentee ballot voting on this project. Absentee ballots were provided upon request by the Secretary of the association. All completed ballots were checked to ensure that the individuals were paid and current members of the association.

Whether voting by absentee ballot or at the February 4 meeting, members were asked to indicate their support or opposition to the proposed rezoning of PUD 115 with 2000 modifications and given the opportunity to provide written comments on their ballots. Members could also abstain from voting and simply provide written feedback. Per our tradition, members of the Zeppelin Development staff abstained from voting on their own project.

The vote for the rezoning was 47 in support, 45 in opposition and 1 in abstention.

Following are the comments if provided for the 47 ballots cast in support of the rezoning request:

Address	Comments If Provided
	Still anxious about on street parking. want to work on walk ways to the park with Sunrise and Allied Jewish - great work by all.
	Looking forward to some activity in such a bleak empty space
	There is no access to Harrison from Alameda west so traffic on Jackson will be horrible - not enough parking for project.

	<p>Thank you CCEA for your hard work on this. Concern is parking. Developers seem too optimistic. The unit/parking space ratio need to be much greater 1.5 or 1.75 spaces per unit.</p>
	<p>I have concerns about parking in the neighborhood especially overnight. I hope parking will be addressed</p>
	<p>Concerned about parking and its flow to adjacent streets. Concerned about commercial development. Needs to be sensitive to surrounding area.</p>
	<p>Resident and home owner immediately impacted by proposed rezoning.</p> <p>Important that introduction of mixed use and commercial at Harrison and Cedar is not perceived as precedent for future development of Harrison. This is not "camel sticking its nose in the tent."</p> <p>Heights of Greenhouse PUD/proposed rezoning are not appropriate for Cherry Creek East of 2010 and interior neighborhood street such as Jackson. 72 feet at Harrison and Cedar will exacerbate shadow and icing problems with streets.</p> <p>Great concern that small unit size (1000 sq ft or less) and under-parked development will negatively impact real estate values. However proposed rezoning does provide tangible benefits (lower height on portion of Jackson, step-back feature with new zoning).</p>
	<p>If I didn't have a night work commitment, I would be asking to speak regarding the development and zoning of Zeppelin Development. I bought my home in a residential neighborhood. With commercial on Colorado, First and in Cherry Creek North, Cherry Creek East is a small residential neighborhood nestled in surrounding commercial. The Cherry Creek East area has a commercial area around Chopper's. We do not need additional commercial. The developer may state attractive commercial to be build on the Zeppelin Development rezoning for Harrison/Jackson Street between Alameda and Cedar but commercial real estate can foreclose or turnover. We are opening our neighborhood to the unknown (such as marijuana or liquor distributors to highlight a couple). Commercial development will also increase traffic and parking density. Colorado Boulevard is a huge traffic density. Building commercial on the identified land we are voting on is bringing more traffic and potential crime to the neighborhood. Harrison is the first buffer street to the traffic pattern and commercial development.</p>

	<p>Zoning and building on Harrison brings the negative aspects of commercial into our already small community.</p> <p>Secondly. I am requesting the county and the developer to minimize the number of residential condos and/or rental units. The Greenhouse already is a large highrise. To build additional large structures takes the neighborhood feel to commercial with the following negative aspects: 1) Increase population density 2) Traffic on neighborhood streets increase 3) Reduced street parking for current residents and guests. I would hope the county listens to my concerns regarding the development and impact of the Cherry Creek East neighborhood. I bought my house specifically in this area as it provides a neighborhood dynamic in an urban area with surrounding commercial not integrated. If the plans do increase population, traffic and parking density, then I could have bought in Lodo or other areas. CCE is a neighborhood so please keep it that way.</p>
	<p>My property is north of the Cedar/Harrison intersection. It is less than one block from the proposed zoning. The old existing PUD lacks imagination. The introduction of mixed use has the potential of providing connectivity along the eastern edge up to Bayaud. This should encourage development of the Colorado Boulevard gateway to our community which has lacked any incentives for development.</p>
	<p>2 page letter as attachment</p>
	<p>I feel it will improve the neighborhood, improve property values and clean up the mess of a vacant lot/block.</p>
	<p>Okay with rezone. Only concern I have is that the project has adequate parking.</p>
	<p>Good project but must continue to work with the neighborhood</p>
	<p>West side on Jackson, North of the Alameda section. Needs to be 3 story stepdown – not 4 story to mesh with the neighborhood. Parking and Traffic still a problem. A good start but not there yet.</p>
	<p>Project is forward thinking and about time for mixed use. The Cherry Creek area is in need of increased housing that includes apartment rentals.</p>

**Total Support Votes = 47**

Following are the comments if provided for the 45 ballots cast in opposition of the rezoning request:

	Strongly disapprove of rezoning, major safety traffic issues
	I do not mind the residential plans. I am greatly opposed to the early childhood center. Lose that and you'd get my yes vote.
	I'm opposed to this type of development because of increased traffic congestion over-flowing in the neighborhood. 10% low income should be addressed. Colorado and Alameda are also heavy traffic zones. Does not conform to newer construction in neighborhood <ul style="list-style-type: none"> <li>1) 24 hour traffic in neighborhood</li> <li>2) Day care and possible liquor store</li> <li>3) Devaluation of property because of what was listed already</li> </ul>
	Strongly oppose. Traffic will overflow. 24 hours too much population for area
	Lack of parking. Loss of property values. Lack of specific design plans. Vague answers to questions. Traffic concerns.
	Good concept for large parcel of land but it feels like it is being crammed into a tiny space. Not why we moved here.
	Pedestrian friendly community oriented approach is great. I would love a café in neighborhood. Come back with stronger parking requirements and I may vote yes. Parking is not easily added once construction is complete. Parking transportation is not adequate in this area. Also it would be good to see a more specific plan. Mr Zeppelin needs to do some studies to determine what is economically feasible.
	Increased parking headaches/project is too dense
	Not opposed to all mixed use but parking seems too small
	Very very concerned about on-street parking and number of parking spaces
	No on density, traffic, pollution, height and safety
	Bad idea of apts. To high, to dense and to much on street parking.
	Building too high! Parking, Parking. No apartment.
	Don't like decrease in parking and commercial
	Thanks everyone. What about relocating the

	commercial to S Jackson – closer to Alameda?)
	I would be o.k. with CCEA compromise with developer but we cannot have any mixed use or commercial development
	Parking, traffic, building height
	Both members of the 257A South Jackson household vote “no”
	1) Traffic on South Jackson 2) Decrease in our prop. value
	Narrowing East Cedar concerns me. Despite underground parking for future residents there will be considerable roadside parking on Cedar and other streets for guests. Narrowing Cedar and increasing roadside parking will result in a louder, more congested street. Cedar should not be narrowed to accommodate this project.
	Increased supply will reduce property values. Units are not selling and are being foreclosed.
	Giving in to lowering number of parking is not acceptable PERIOD
	Too high density, traffic congestion and heights too high
	Our neighborhood deserves more than the absolute minimum parking allowed by zoning. The parking and density is not responsible.
	We have a very special and beautiful community. We should continue to cherish traditions not trying to make us like Lodo.
	Traffic for ECD center would be a problem, parking needs to be increased, would hope that units would be condos and rental rates suggested were unrealistic. Mickey did not adequately address questions.
	Too massive
	Too much traffic congestion and parking congestion
	Plan does not appear to be too well thought out
	Parking ratios are extremely low for Cherry Creek East
	The parking issue is too loose and the problem of pore-over to street numbers not defined. Verbally he committed to parking mitigation.

**Total Opposition Votes = 45**

Following is the comment from one vote of abstention:

	As property owner in the PUD I would need to sign off any change in zoning within the PUD otherwise PUD zoning cannot be changed. Any change in zoning a portion of the PUD would be a taking.
--	--

**Total Abstentions = 1**

This document also memorializes the requirement that a completed and signed developer's agreement, providing at least the restrictions and expectations stated in the draft document dated February 1, 2010 and presented at the February 4 CCEA meeting, is in place prior to the required City of Denver zonings meetings to consider this request.

Our board and I look forward to continuing participation and dialogue on your proposed development.

If you have any questions or comments, please feel free to contact me at 303.810.1160 or [palamarabeck@comcast.net](mailto:palamarabeck@comcast.net).

Respectfully,

Trish Beck Palamara  
President Cherry Creek East Association

- cc: Councilwoman Jeanne Robb, Denver City Council
- Peter Park, Community Planning & Development
- Tyler Gibbs, Community Planning & Development
- Chris Gleissner, Community Planning & Development
- Joel Pousson, Community Planning & Development
- CCEA Board Members
- Barbara Metzger, Vice President
- Julia Spagnuolo, Secretary
- Marvin Becker, Treasurer
- Janet Knauer
- Lou Raders
- Brooks Waldman
- Alan Brown, Alan Eban Architects

file

## MEMORANDUM

TO: Cherry Creek East Association (CCEA)

DATE: February 4, 2010

SUBJECT: Attachment to Zeppelin Development Zoning Vote

My wife Cindy, who served on the CCEA board many years ago, and I bought and lived under the present Greenhouse over 40 years ago. With the development of CCE, we sold our two single family homes to a developer in about 1978. The developer purchased the remainder of the west side of Harrison from Alameda to Cedar and obtained PUD 115. When the oil and gas industry tanked, followed by real estate, and about every other aspect of the local economy; PUD 115 ended up in foreclosure through the Resolution Trust Corporation.

While many blame Mickey Zeppelin, if my memory is correct he had nothing to do with PUD 115, rather part of the blame must rest with Cindy and I for selling our property some 32 years ago. We have no business or personal relationship with Zeppelin, nor have we had in the past.

In any case, our oldest son was born while we lived on the Eastern Edge. The property we still own that has not been redeveloped, as is true for most of the Eastern Edge, was purchased 34 years ago. Obviously, we would like to re-develop our property and hopefully move back to CCE as we are now in our 60's.

I'm voting for the Zeppelin zoning proposal because I believe it provides for connectivity, through the planned mixed use, from Cedar north to Bayaud. Hopefully, it will have a positive impact on the ability for Handlers and others to re-develop their properties south of Bayaud between Colorado and Harrison. Due to the narrow strip of land between these two streets, it will be necessary to have the parking underground. Likewise, this means higher construction costs and the need for greater heights as was recognized in the Cherry Creek East Neighborhood Plan, a document that my wife helped put into place many years ago. Many have forgotten that CCE was planned for high rise residential living.

Many of the properties going south from Bayaud between Colorado and Harrison, not to mention Peeper north of Bayaud, are seriously in disrepair and a source of continual drug activity. Without some driving force, which the Zeppelin zoning proposal could create, the Eastern Edge and the gateway to CCE along Colorado have little chance of upgrade in the near future. Maybe it will never happen in time for Cindy and me to return to CCE.

In the 1980's, before any re-development, many feared that Cedar would become "grid-lock" not unlike downtown Denver. Today, with a population multiple times greater, Cedar remains a seldom used street. Even Greenhouse has had little impact on traffic.

I believe Zeppelin Development's plan for mixed use could open the door to the revitalization of the Eastern Edge, an ignored area seldom visited by the residents and owners in CCE. The mixed use is primarily intended for the Zeppelin property, Sunrise and the immediate neighbors. I don't see a great increase in traffic because I don't see why outsiders would come looking for a small café when they have other options. Regarding Greenhouse residents, I believe traffic studies will show that few residents leave and travel west through CCE via Cedar. If they are headed west they take Harrison south to Alameda. If they are headed south or east on Colorado they catch the "right hand only" at Cedar, and if they are headed north on Colorado they take Harrison to Bayaud. That route goes in front of my property and seldom is there any significant traffic from Greenhouse or Sunrise.

Zeppelin Development has vested property rights and, while their zoning proposal provides advantages to them, I believe it provides significant opportunities for CCE, not the least is the possibility to finish the Eastern Edge and create a Colorado Blvd. gateway to CCE. I have known for 34 years that the development of properties on Colorado will have greater height, which is unfortunate, but it also eliminates noise, dust and dirt from the traffic on Colorado.

What else does CCE get? Well, the total building square footage is less in the Zeppelin zoning proposal and CCE get reduced heights and step backs along Jackson. This has been a huge issue. Also, CCEA gets a Development Agreement that provides initial and long term involvement and protections. Under PUD 115, as was the case with the final build out of The Seasons, CCEA has no opportunity for involvement.

Respectfully submitted,