

My name is Michael Clark and I reside at 3388 South Galena Court, Denver, CO 80231-4729.

I am writing to you as formal input for why I oppose the rezoning request for the property at 3397 South Geneva Street, Denver, CO, 80231; **Application #20201-00070** for a change from **S-SU-F to S-SU-F1**. My property backs up to the west of this property along my 100' fence line. The public Denver Planning Board Hearing is to take place over Zoom at 3:00pm, Wednesday November 4TH. As I might not be able to attend or would have only 3 minutes to address my many concerns to the board directly I offer you this letter as my voice in this process.

Let me begin by saying that in no way do I deny the right for a suburban homeowner to apply for a zoning change if it is to enhance their property for personal use and enjoyment. What I do disagree with is the degradation of our neighborhood by absentee landlords with unkempt property and unfulfilled zoning promises.

I have lived at my present address since 1984. In those 36 years, I have watched the surrounding area and the neighborhood change in many ways, and not all for the better. In opposing this application, please allow me to share my observations and experiences that have affected me personally and reflect some of my frustration with past and future proposed zoning changes and why I request this application should not go forward.

Cherry Creek Greens Apt. Complex

First and the one that is most ongoing is the Cherry Creek Greens (CCG) Apartment Complex at 10225 E. Girard Ave. and its broken agreement to maintain a "landscaped buffer zone" along its north property line that butts up to a number of Hampden Heights homes north of the complex, including mine. As part of the original agreement when built in 1978, the developers of the complex established a landscaped buffer zone with trees and large shrubs along the fence line to mitigate view and noise concerns of the homes to the north. (Please refer to the site plans "Hampden Havana Apartments PBG #111, Book 1, page 114"). 36 years ago, they sort of took care of it by mowing and maintaining this strip of land. But over the years, it has turned into a neglected area with dead grass, large weeds, including 6' Russian thistles and long dead or dying trees and shrubs as well as large carpenter ant hills and trash. A lot of which ends up in my yard. After years of changed ownership and management of the CCG Apts, the owners no longer claim it is their land and take no responsibility. As a result, every year I must contact the city 311 to have a city inspector to tell them to clean it up.

It is very frustrating. Where do I go to get one of the worst Section 8 apartment complexes in Denver to re-establish the original agreement of a "landscaped buffer zone?" What city agency is going to mandate that this be done? I can't imagine. It is left to do nothing as a "landscaped buffer zone" and just collects weeds and trash. Thus, it is broken promises and no where to turn. This shows how agreements and good intentions can be abandoned and forgotten. Any ideas?

Absentee Landlords

My second observation and personal frustration is with the recent growth in the Hampden Heights neighborhood of absentee landlords. When we moved here in 1984 nearly all the homes were personally owned and occupied by single families with children who maintained their lawns and properties. But recently, in the past few years really, three houses within 150' of me have been purchased by absentee landlords. As soon as each of these three properties were purchased and then

rented, the lawns, landscaping and general upkeep was allowed to deteriorate. As did the property owner at 3397 South Geneva who is applying for this zoning change. The lawn and trees are being left to die with falling dead branches and 3' weeds taking over the yard. No one has done one thing to upkeep that property since the day it sold. The previous family kept it up for over 40 years with no problem.

In each of these three rentals the number of occupants increased greatly as did the number of vehicles. One rental house has been basically converted to an auto detailing business with eight or more cars parked on the street on many days with cars rotating in and out daily. What's up with that?

Furthermore, directly behind this house and adjacent to the house being considered for a zoning change, a rental house was being used as a marijuana grow house. It was trashed and vacant for months before being cleaned up and rented again. In the meantime, the yard and house were allowed to deteriorate and the property is still not maintained to this day. Again, this illustrates what absentee landlords bring to the neighborhood. Would you want that 150' from your house?

Hentzell Open Space / Joe Shoemaker Elementary School

My final example of broken promises and changes in zoning is the Joe Shoemaker Elementary School and the loss of that open space. One reason I invested in my property was its proximity to the protected Hentzell Open Space nearby. For decades I enjoyed the fox, deer, coyotes, and other wildlife that thrived in this once protected wetland. Now because of rezoning agreements, I have to look at a large facility that blocks a once unobstructed view of open space to my NE. In addition, I'm forced to listen to the school's intercoms outside loud speaker system constantly during the school year! And I specifically looked for a home not near a school, I was a high school teacher for 30 years. Now I am practically living next to one! I hope you see what I am saying about the pitfalls and concerns with zoning changes. Who knew?

I hope my examples of what I see happening around me will give you a sense of my frustrations. And now someone wants to build an attached accessory dwelling (essentially another house) in my backyard. Really!! Just because technically they have enough square footage to support another dwelling doesn't mean it's the right thing or a good thing to do. It surely should not mean that qualifies the request to automatically be allowed here in Hampden Heights. Other property owners like myself have these end of the cul-de-sac lots with larger square footage properties. That was the appeal to me, and I hope will be for the future buyer of this house. Placing a separate SUF1 unit in a backyard for commercial rental use or any use that is not for the direct use of the homeowner is just wrong. If you set this precedent, think of how many other large lots will request to be rezoned.

This is a family neighborhood of single-family homes and was developed and built with this purpose in mind. I've watched families raise children and I see new families buying and fixing up these homes and properties for that purpose all around Hampden Heights. They are investing in their homes and maintaining and improving them. The absentee landlords are not, and they surely are not adding anything positive to the neighborhood. These absentee landlords, including CCG Apts, have no interest in investing anything in maintaining or improving these properties any more than is absolutely necessary, to get as many dollars per square feet in rental space as they can. Let them invest in REITs not in suburban single-family home backyards.

Over the years, my wife and I have put much work and money into our house and yard to maintain and enhance its enjoyment and value. What I see happening to my neighborhood, directly around me, is a potential loss of that property value, personal enjoyment and comfort. What am I to do?

The structure in question will be directly behind me, essentially a new house in my backyard within sight of our great room's large windows that look out into our yard directly into this back yard. I do not want to have a new stand-alone structure in my site view. Why can't the house be expanded with an attached addition in keeping with the architecture of the house, to add more rooms to rent if that is the goal?

In conclusion, I hope you may now better understand my frustrations and concerns. If you let this zoning request go forward, you are opening the doors further for the continued degradation not only of the overall neighborhood but of the value of my own personal property as well. These rezoning issues have been in the news recently, and I, like many others, strongly object to what some of the ramifications will be as demonstrated by the examples I have witnessed over the years and which I have tried to share with you in this letter of opposition.

I hope you will review and consider these examples and concerns that I have provided and deny the Application #20201-00070 request for rezoning. I invite any questions or pertinent information anyone might have to help me better understand and deal with these issues.

Thank you, Michael Clark

From: [Planningboard - CPD](#)
To: [Ibanez, Edson - CPD City Planner Associate](#)
Subject: FW: Denver's Planning Board Comment Form #13366277
Date: Tuesday, October 27, 2020 11:15:38 AM

From: noreply@fs7.formsite.com <noreply@fs7.formsite.com>
Sent: Tuesday, October 27, 2020 10:31 AM
To: Planningboard - CPD <planningboard2@denvergov.org>
Subject: Denver's Planning Board Comment Form #13366277



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Michael Clark
Address	3388 S. Galena Ct.
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State	Colorado
ZIP code	80231
Email	misuclark@comcast.net
Agenda item you are commenting on:	Rezoning
Address of rezoning	3397 S. Geneva St.

Case number

20201-00070

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

Strong opposition

Your comment:

Please read the attached letter that explains why I have strong opposition to this rezoning request. Thank you.

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 20MB.

[Objection_to_zoning_application_20201-00070_from_S-SU-F_to_S-SU-F1.docx \(26k\)](#)

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