

January 2017

Dear Neighbors of District 1,

In the next six months, your City Council may be voting on one of the most important issues to face the City in the last 30 years; the Orchard Station Subarea. Your input on this matter is critical so that the Council knows how the residents of Greenwood Village feel about proposed changes in the Comprehensive Plan and a potential real estate development that could have a profound impact on the composition and characteristics of the Village.

Since this issue is so important to the City and how it could impact the Village for generations to come, please take ten minutes to read this letter.

As residents of the Village, you have the right to know where your City Councilmembers currently stand on this issue. The purpose of this letter is to do just that, to present the issues, to describe where I stand and explain why.

Greenwood Village Comprehensive Plan (Comp Plan)

To understand the issues at hand, one must first know what the City's Comprehensive Plan (Comp Plan) is and its impact on decisions made by City Council. The Comp Plan is a document intended to provide high level vision to City Council, Planning and Zoning Commission and City Staff. When a developer submits an application to the City, the baseline for approving a development is if it complies with the Comp Plan. If it does and meets other zoning requirements, then the project is typically approved. If it does not comply with the Comp Plan, then the developer usually has to apply for an exception which often reduces their odds for approval. Therefore, a project that meets the standards of the Comp Plan has a much higher chance of being approved than one that does not.

Currently, the Comp Plan discourages high density Transit Oriented Development (TOD) with a residential component around the Orchard Station. Proponents of TOD want to change the vision of the Comp Plan and opponents want to keep the current vision. This is the heart of the debate.

For a TOD/high density development to have a good chance of being approved, the Comp Plan would have to be changed. If the Comp Plan is not changed, then the odds of such a project being approved is significantly less. That is why the current discussion on proposed changes is so important.

My Position

I am opposed to changes to the Comp Plan that would provide for a high density development in the Orchard Station Subarea for three primary reasons: 1) it is contrary to the suburban characteristics that have made Greenwood Village a uniquely desirable place to live, 2) it would significantly

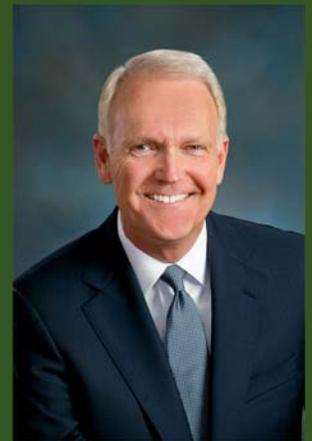
IMPORTANT DATE TO
REMEMBER

**Public Input Meeting
on the
Orchard Station Subarea**

**Wednesday
January 18, 2017**

**6:30-8:30 pm
Aspen Academy
5859 S. University Blvd.**

Please Attend



**Dave Bullock
City Councilmember
District 1
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dbullock@greenwoodvillage.com**

increase traffic and congestion, and 3) it would change the balance of single family units and multi-family housing in the City.

To be clear, I am not anti-development. I have been a developer of large real estate projects and I understand the value of replacing the aging buildings currently in this area. But I am for responsible development that will not dramatically change the characteristics of the City and will have a minimal impact on traffic congestion.

Other City Councilmembers' Positions

While no official vote has been taken on this issue, there have been multiple discussions in publicly recorded City Council meetings and study sessions. Jim Sanderson, our City Manager recently confirmed that the City staff has recorded a 5-3 informal vote in favor of changing the Comp Plan. To date, the only three Councilmembers who have publicly opposed changes to the City's Comprehensive Plan are Councilmembers Lantz and Moran, both from District 3 and myself.

Alberta Development

In July, the Planning and Zoning Commission (P&Z) held a public meeting on proposed changes to the Comp Plan. In anticipation of P&Z voting to pass these changes, Alberta Development submitted a Master Development Plan for 24 acres in the Orchard Station Subarea. Their proposed development was for a total of 3.32 million square feet including four tower buildings between 22-24 stories, 1,186 multi-family residential units and a 177 room hotel. To put this in perspective, that project would be double the size of the Park Meadows Mall but on a much smaller piece of property.

P&Z voted 8-0 against changes to the Comp Plan in July and Alberta withdrew their application for development. However, the City fully anticipates that Alberta will submit another application in the future based on their public comments. While the size and scope of their project could be scaled down, all we know at this time are the proposed numbers which they have previously submitted.

Again to be clear, I have nothing against Alberta. To the contrary, everything I know about them and their senior people are positive. They have done quality projects elsewhere in Colorado and throughout the country and we would anticipate a similar dedication to excellence in the Orchard Station Subarea. It is the size and scale of their originally proposed project that I believe is inconsistent with the current characteristics of Greenwood Village.

Transit Oriented Development and High Density

The proposed changes to the City's Comp Plan is a reversal of the City's previous and current vision. The proposed changes will encourage "Transit Oriented Development" or "TOD." The concept of TOD and what the proponents of this change espouse is that most of the people who live and work in the subarea would use the light rail mass transit and not individual cars, thereby reducing the impact on traffic. The problem with that argument is twofold: 1) no one knows for sure how many people who live and work in that area will actually use the light rail, and 2) the outdoor lifestyle of Colorado residents lends more towards car use than mass transit. RTD, including buses and light rail, now carries less than 3% of the metro-area's commutes. Most of us still drive cars.



Character of Greenwood Village

Greenwood Village has built its identity and reputation on lower density and a suburban look and feel. Even in our commercial areas such as the Tech Center, the density is much less than downtown urban areas. I am not opposed to the basic concept of TOD. If people choose to ride the light rail, that helps reduce congestion. What I am opposed to is the “high density” that could be developed as a result of the proposed changes to the Comp Plan that would allow for a TOD project. So in context of proposed changes to the Comp Plan, in this letter I refer to “proponents” of TOD which are those in favor of high density development and “opponents” of TOD, meaning those against high density projects.

Proponents of TOD argue that Greenwood Village should not live in the past and change to stay up with the times. I believe that our Village is so unique and already a highly desirable place to live and work. We should not change to be like others when we already have what others want. Our City is relatively small in the metro area so we have to be extremely careful in how our space is used and developed. We do not need to be, nor should we try to be “all things to all people.” As one resident told me, “we already have a good thing going, don’t mess it up.”

The Alberta project was withdrawn as previously noted. However, it provides a good conceptual description of a TOD development. The Alberta project plans included four tower buildings between 22 and 24 stories. To put that in perspective, there is only one 22 story building in all of Greenwood Village; Plaza Tower One close to I-25 and Arapahoe Road (which was annexed into the City). The two Landmark buildings just off I-25 between Belleview and Orchard are each 12 and 13 stories tall. These four proposed buildings would extend an additional 10 stories and more than 100 feet higher than Landmark. I believe that would alter the look and characteristics of Greenwood Village.

Traffic Generation

Our City traffic engineers have told us that the standard they use in determining the number of car trips per day are as follows:

- Retail 44 trips per 1,000 sq. ft.
- Office 11 trips per 1,000 sq. ft.
- Multi-family Condos 5.86 trips per unit
- Hotel 4.9 trips per room

Using the proposed square footage and number of units submitted by Alberta, the number of car trips per day from this project would be as follows:

• Retail	298,500 sq. ft.	44	13,134
• Office	1.19 million sq. ft.	11	13,090
• Condos	1,186 units	5.86	6,950
• Hotel	177 rooms	4.9	867

Estimated car trips per day from development 34,041

The current built-out office space in those 24 acres today is approximately 727,650 square feet which generates 8,004 car trips per day. Therefore, taking the 34,041 car trips from the proposed development and subtracting the existing 8,004 car trips, the net increase of car trips per day from this development is projected to be 26,037.



Professional traffic consultants have submitted plans whereby they believe that they can mitigate the additional traffic on the main east/west arteries such as Belleview and Orchard. However, there have been no studies done on how a high density project would impact traffic congestion on I-25. By law and ordinance, when City Council votes on a project in the Orchard Station Subarea, we are not allowed to consider the traffic effect on I-25 in our vote since the City cannot mitigate that impact. However, the residents have the right to know that when traffic studies are presented in consideration of any proposed changes to the Comp Plan or a planned development, such impacts on I-25 will not be included. This is particularly important if your commute involves I-25.

Multi-Family Housing

The Alberta project proposed 1,186 residential multi-family units dwellings with approximately 40% of those units for sale and 60% being for rent apartments. The current composition of Greenwood Village is 54% single family homes (mostly owner occupied) and 46% multi-family units which includes both for rent apartments and for sale dwellings such as townhomes and condos. Previous City Councils have expressed a desire for the Village to maintain a higher ratio of single family homes over multi-family. However, changing the Comp Plan would pave the way for a project that could potentially alter the mix in the Village to more than 50% multi-family.

Using an assumption of 2 people per multi-family unit, 1,186 new units would add approximately 2,372 more residents to the Village, a 15.8% increase over the current 15,000 residents. That would increase the City's expenses since there are costs to deliver services to new residential areas. Proponents of TOD say that the additional revenue from what these new residents would spend in commercial purchases would offset the costs of providing those services but the City financial managers tells us that is not true. The City would actually lose money in tax revenue from vs. the cost of services provided to the multi-family portion of the project.

Some developers argue that the Construction Defect Law prohibits them from building for sale multi-family dwellings. However, if they are willing to build a portion of for sale units, as was the case with the Alberta project (40%), they are already taking on the risk of the defect law and therefore it excludes that argument.

Most residents I have talked to prefer the characteristics of for sale units over for rent apartments in the City. Some people argue that for sale is discriminatory to only those who can afford to buy instead of rent. That answer is simple in that Greenwood Village already has a high number of apartments which provides ample places for those who want to live in the City and rent.

Others argue that since these multi-family units will be high-end, it will bring more affluent and responsible tenants. However, economies go in cycles and while the Denver area is currently experiencing an economic boom, history proves that will not always be. When the economy turns and the market gets saturated with an abundance of for rent apartments, then high-end units often reduce their rents to maintain higher occupancies which could possibly change the characteristics of tenants and the area. The 16th Street Mall was a safe and vibrant place 10 years ago but we have all witnessed the recent decline and changes there.



Debate: The Need for More Retail

Proponents of changes to the Comp Plan argue that the City needs more retail space which generates revenue. It is true that Greenwood Village derives approximately 60% of our revenue from sales and use taxes and we want to continue protecting and growing that base. The question is, “at what cost?” Do we need a project that would be the highest density in our City by multiples of two or three simply to get more retail? I believe that is too high of a cost to pay.

The City already has a sizeable base of retail. There are many shopping centers and restaurants already in the Village that generate revenue which has a built-in inflation hedge. Our 3% sales tax revenue increases as the costs of goods increase. With inflation, as retail stores such as Home Depot increases its prices on goods or when restaurants increase the price of their meals, our sales tax revenue increases proportionately.

Additionally, office buildings alone without residential are a significant source of revenue. If these 24 acres were developed only with office space, it would still be a net increase in revenue to the City. Therefore, the question of how many, if any multi-family units should be built looms large in this discussion. This is one of many areas where your input will be valuable.

The Multi-Family “Activation” Argument

Proponents of TOD argue that residential units are necessary to “activate” the area so that retail such as restaurants survive. It is true that more residential dwellings in an area provides more evening patrons to restaurants. However, one resident was quite insightful when he said to me, “sure, I would like a few more restaurants but not if it requires 1,186 multi-family units and more traffic congestion. We already have plenty of restaurants in the area from which to choose.”

As part of this discussion, we must recognize that the City of Denver has recently allowed a large multi-family project on Belleview just west of I-25. These apartments are approximately one mile and only one light rail stop from the proposed Orchard Station Subarea. Therefore, all the retail and restaurants in Greenwood Village close to the Denver apartments will benefit from the activation without having to provide City services to those units.

Market Forces

Having run both large and small businesses, I understand that free market forces drive what is built in these types of projects. The City cannot and should not dictate what a developer builds. Developers have their own capital and often investor capital at risk and they have a right to expect a certain return on their investment.

However, a City has the legal right and obligation to protect its make-up and character by establishing a vision and strategies that drive decisions by Council and staff. This is what the Comp Plan does. If a developer then submits a project contrary to the Comp Plan, staff and Council have the right and often the responsibility to reject the application.



What Can Work?

As a City Councilmember, I have an obligation to keep an open mind and evaluate all proposed developments on their own merits and I commit to doing so. But I also have a responsibility to represent the wishes and values of the residents of Greenwood Village. And I believe in finding solutions so here is an idea.

I see great value in a developer taking 24 acres in the Orchard Station Subarea and doing a master mixed-used development that would create a unique gathering place. Such a project would replace old, dated buildings with a much newer and cleaner look and feel. I am open to minor changes in the Comp Plan that would provide for a mixed-used project as long the density does not exceed current standards in other commercial areas in the City and if it has minimal impact on traffic congestion.

The primary challenge in this discussion is that the current Comp Plan structure does not provide the ability to specifically limit the amount of square feet in a development. If at least five City Councilmembers support a larger project, then approving proposed changes to the Comp Plan provides for that to happen. This is why three members of Council, including me, have publicly opposed major changes to the Comp Plan that would allow high density development. There are some possible solutions to this dilemma which I am currently exploring with our City Manager and staff.

Resident Input

During the P&Z meeting in July, approximately 150 residents of Greenwood Village attended and voiced their opinions. Over 90% of those who spoke were opposed to changes to the Comp Plan including six former City Council and P&Z members. In October, P&Z voted 6-2 in favor of sending the proposed changes to City Council. Some P&Z members expressed their belief that a project of such magnitude should be decided upon by Council and not P&Z.

To date, the City has received over 600 letters from residents. If you eliminate a form letter that some residents used simply encouraging Council to review the Comp Plan, over 90% of resident letters have publicly opposed changes to the Comp Plan and/or a TOD high density project.

City Council has been divided on this issue. For this reason, Council decided to hold public educational and input meetings. I would strongly encourage you to attend on January 18 so that your voice can be heard. Regardless if you attend or not, I would suggest that you write a letter expressing your views. They should be sent to both your City Councilmembers, Mayor Ron Rakowsky, City Manager Jim Sanderson and Director of Community Development Heather Vidlock so that your views are officially recorded. The email addresses are:

Dave Bullock	dbullock@greenwoodvillage.com
Freda Miklin	fmiklin@greenwoodvillage.com
Mayor Ron Rakowsky	rrakowsky@greenwoodvillage.com
Jim Sanderson	jsanderson@greenwoodvillage.com
Heather Vidlock	hvidlock@greenwoodvillage.com

Talk With Your Neighbors

Given the size, scope and magnitude of this issue, I encourage you to talk to your neighbors. This letter is being sent only to residents of District 1 (Holly to Clarkson, Belleview to Orchard). However, if you



would like an electronic copy to send to others you know who live in other districts in Greenwood Village, I am happy to forward you a copy. Just send me a request at the email address noted in the "Resident Input" section on the previous page.

Referendums

It is possible that the residents of Greenwood Village will ultimately decide on Orchard Station Subarea anyway. Which is all the more reason why you should become educated on all aspects of this issue.

First, there is a group of residents who are actively discussing the draft of a citizen's referendum which would put the decision power in the hands of the residents. That group has been discussing a number of different referendum options so I cannot comment on the specifics at this time.

Second, City Council has also been discussing the option of a letting the residents decide through a referendum. Final decisions on this will be made in the next few months, perhaps sooner.

I support a referendum and letting the residents of Greenwood Village decide. While I believe in representative government and that elected officials are voted in to make decisions, the Orchard Station Subarea is so important and will have such a dramatic impact on the future of our City for generations to come, I don't believe that only eight members of City Council who are divided on this issue should be vested with that final decision, especially since most of the resident feedback to date has been in opposition. If the Council does ultimately make the vote, your input is important so that we know your preferences.

Summary

The reason I am writing this letter at this time is because once a development application is submitted, City Councilmembers are not allowed to comment on that project outside of a public meeting. If a referendum is filed, Councilmembers can only comment as citizens and not in the capacity of our elected positions. However, as I stated in the beginning, you have a right to know where your City Councilmembers stand on this issue and why.

I have articulated several times that I am opposed to changes in the Comp Plan that would provide for a high density project in the proposed Orchard Planning Subarea. My position is based on my personal values of having been a 27 year resident of Greenwood Village and the input I have received from several residents in District 1 and throughout the City. However, if the public input meetings reveal that more residents are in favor than opposed, or if the referendum is passed in favor of changing the Comp Plan to provide for such a development, I will most certainly accept the outcome.

We are all fortunate to live in such a great City and our objective is to protect and preserve the unique lifestyle that we enjoy. I welcome your input and would encourage you to attend the public meetings on Wednesday, January 18 from 6:30-8:30 p.m. at the Aspen Academy, 5859 S. University Blvd.

Best regards and Happy New Year!

Dave Bullock
City Councilmember District 1

