

NOTICE OF APPEAL

To: Mayor, City Council, City Manager, City Attorney, City Clerk

In accordance with the Littleton Unified Land Use Code (ULUC) Section 10-9-3.7 Appeals of Application Decisions, which states “any party aggrieved by or alleging an error in a final decision of the Commission may appeal to the Council within 30 calendar days of the Commission’s decision”, the following is an appeal of the Commission’s decision on July 25, 2022 (PC Resolution No. 02 Series, 2022), which approved the Master Development Plan (MDP)—Conceptual for Aspen Grove.

The following citizens are aggrieved by and alleging an error in a final decision and are appealing to City Council for a public hearing and re-examination of the application:

Lynn Christensen 600 E. Fremont Place	Susan M Bredehoeft 5848 S Louthan St
Peggy Cole 2008 W. Caley Place	George Stevenson Lowry 823 W Geddes Ave
Michael Goldberg 2997 W. Long Court #B	Andrew Mauger 7441 S Curtice Ct
John Marchetti 2582 W. Rowland Avenue	Laura Mauger 7441 S Curtice Ct
Margaret Gordon 7037 S. Louthan Circle	Betty Harris 6281 S Cedar St
Frank Atwood 7094 S. Costilla Street	David Mitchell 1000 W Ridge Road
Paul Bingham 236 W. Delaware Circle	Susan Thompson 6973 S Buffalo St.
Muriel Walker 6697 S. Cherokee Street	Dennis Brooks 2975 West Long Drive, Unit D
Jan Stinger 6641 S Hill Way	David Frazier 1633 West Kettle Avenue
Karen Stinger 6642 S Hill Way	Jackie Frazier 1633 West Kettle Avenue
Jena Dickey 2442 W. Sunset Dr.	Kelly J. Roberts 7079 S Clay St.
Donna Patrick 6607 S Gallup St.	Peter L. Emerson 7079 S Clay St.
Bonita Turano 7319 S. Platte River Pkwy #202	Mary Billingsley 5820 S Windermere St Apt 461
Carolyn Newell 2997 W. Long Court, Unit B	Linda Knufinke 7089 S. Clay Street
Barb Pittman 2997 W. Long Court, Unit C	Liz Mulei 2857 W Rowland Ave
H. Phillip Thomas 2997 W. Long Court, Unit A	John Pojman 7433 S Curtice Ct
Jennifer Moser 2769 W Riverwalk Circle Unit H	Linda Pojman 7433 S Curtice Ct
Carol Borthwick 2490 W Long Ave.	Christy Wood 502 Shadycroft Ln.
Isaac Puckett 7175 South Costilla Street	Kristopher Reardon 7388 S Ridgeview Dr
Natalyn Rood 7175 South Costilla Street	Emily Moyle 7388 S Ridgeview Dr
Eldred Compton 7324 S. Houstoun Waring Circle	Jo Ellen Farris 340 W. Jamison Cir Unit 7
Patty K Austin 2890 W Long Circle, Unit H	Paul Parish 8202 S Peninsula Dr
Jennifer Ann Lee 2550 W Long Cir	Linda Diekvoss 8202 S Peninsula Dr
Jo Ann Nix 2550 W Long Cir	Jane Kolb 2991 W. Long Drive, Unit D
Loretta C Lohman 3375 W Aqueduct Ave	Diane Campbell 7368 S. Ridgeview Dr.
David A Bredehoeft 5848 S Louthan St	Ann Stinson Kirkpatrick 5592 S Nevada St Unit 110

Del VanEssen 7117 S. Windermere str
Gail A Schmeling 6448 S. Gallup Street
Janet Drobinske 7293 S. Sundown Circle
Stephen Flatley 2987 W Long Dr. #C
William M. Flatley III 2987 W Long Dr. #C
Michael Flatley 2987 W Long Dr. #C
Roseann Roemen 6652 S. Hill Way,
Thomas Roemen 6652 S. Hill Way,
Seth Wintroub 433 West Sunset Drive
Kris Wintroub 433 West Sunset Drive
Josh Wintroub 433 West Sunset Drive
Nathan Wintroub 433 West Sunset Drive
Elizabeth Louise Anderson 1487 W Fair Ave
Colin Campbell 7368 S Ridgeview Dr
Theresa Derr 7139 S Curtice Street
Mary Navin 2984 West Long Dr. Unit C
Dick Navin 2984 West Long Dr. Unit C
Kristen Hatton 1175 W. Longview Ave.
Frank Hurwitz 7926 S DATURA CIR W
Sare Hurwitz 7926 S DATURA CIR W
Barbara Kaycee 7796 S. Prescott St.
Jeannemarie Fagan 5295 South Perry Court
Joseph Fagan 5295 South Perry Court
Patrick Fagan 5295 South Perry Court
James Fagan 5295 South Perry Court

Wendy Landin 7876 So. Windermere Circle
Robert L. Glade 2891 W. Long Dr. F
Claudia Driggs 1951 W. Sanibel Court
Erin Jaramillo 7334 S. Costilla St
Vince Jaramillo 7334 S. Costilla St
Aimee Elman 2967 W Rowland Ave
Daniel P. McGonagle 2462 W. Sunset Dr.
Dawn C. McGonagle 2462 W. Sunset Dr.
Nic Winters 7275 S Houstoun Waring Cir
Jenna Culver 7275 S Houstoun Waring Cir
Edgar A White 7338 S. Costilla St.
Eileen Julie White 7338 S. Costilla St.
Claudia Earley
Steve Earley
John T. Wirth 7436 S. Curtice Ct.
Sherri L. Wirth 7436 S. Curtice Ct.
Erik L. Beutler 1667 W Maplewood Ave.
SallyAnn M. Beutler 1667 W Maplewood Ave.
Teagan M. C. Beutler 1667 W Maplewood Ave.
Jeremy Goett 7911 S Elati St
Robin Allis 2852B W Centennial Drive
Jeffrey Todd Schiller 7451 S Curtice Ct
Heather Lynne Schiller 7451 S Curtice Ct
Holly Elizabeth Schiller 7451 S Curtice Ct

RE: MDP 22-0001 <https://data.littletongov.org/pal.php?project=MDP22-0001>

At the July 25, 2022 public hearing (“Hearing”), the Planning Commission (“Commission”) approved a Master Development Conceptual Plan (“MDCP”) submitted by the Gerrity Group (“Applicant”). At the time of the Hearing, the ULUC required the submission of a Master Development Plan (“MDP”) rather than a MDCP; a process to submit a MDCP had not yet been heard at a public hearing or been approved by the City Council. We believe that the Applicant filed the MDCP in error therefore the Commission committed an error in their final decision made at the Hearing.

The Commission approved the Applicant’s MDCP based on erroneous and misleading information provided by staff that contradicts the language of the ULUC as written. It is our belief that the

Commission's erroneous approval of the Applicant's MDCP has unfairly advantaged the Applicant by allowing the Applicant to bypass the MDP process, in favor of the less stringent, unapproved MDCP process.

The Applicant failed to conduct public meetings that sufficiently addressed conflict, concerns, and issues as required by ULUC Section 10-9-3.6 Public Meetings and Hearings. Information that should have been provided prior to, or at a public hearing was moved to the Site Plan process, which is opaque to City Council and the public.

The Applicant's MDP does not adequately illustrate the nature and character of the development as required by ULUC Section 10-9-5.7 Master Development Plan. The Applicant's MDP: fails to adequately address scale, bulk, and height differential; omits material details such as commercial square footage; is inconsistent with policies of the comprehensive plan; and contradicts the Applicant's Development Activity List.

The Applicant's MDP fails to meet certain decision criteria as required by ULUC Section 10-9-5.7 Master Development Plan including, but not limited to, connectivity; nuisance mitigation; complete parking and streets; quality design; and effect on natural environment.

Despite the above-mentioned departures from the ULUC requirements at the time of the Hearing, inadequacies and omissions in the Applicant's MDP, and lack of City Council approval for the MDCP process, the Commission approved the Applicant's MDP.

We await the opportunity to provide further details supporting each of the concerns expressed above. An approval of a MDCP by City Council should not retroactively apply to the July 25, 2022 Planning Commission decision. Instead, there should be a new public hearing and review based on the above-mentioned discrepancies.