Meeting Objectives:
- Provide the Task Force with information on land uses, including those that typically vary by neighborhood context = and those that are typically regulated city-wide
- Provide the Task Force with information about off-street vehicle parking regulations in the zoning, as well as how Public Works manages parking
- Discussion that Produces Clear Direction (and Agreements-in-Principle when possible) on vehicle parking minimums and uses in Arapahoe Square

Task Force Members in Attendance: Councilman Albus Brooks, John Desmond, Dick Farley, Amy Harmon, Joe Lear, Jynx Messacar, Joel Noble, Judy Schneider, Chris Smith, Craig Supplee, Bill Windsor, Howard Witkin; Not in Attendance: Brad Boyle, Patrick Guinness, Tracy Winchester

CPD Staff: Sarah Showalter, Abe Barge, Analiese Hock, Samantha Suter; Facilitator: Mike Hughes


I. Introduction

Given the large number of new observers, Mike reviewed the task force purpose and charge - to produce a recommended draft zoning code and design standards and guidelines to the Planning Board and City Council. He included the fact that the task force is developing agreements-in-principle for individual topics or elements of the zoning code and that they will accumulate these throughout the meetings until they have produced a full text of the code and the guidelines, at which time they will have the opportunity to revisit all of the agreements-in-principle and produce a consensus recommendation.

II. Staff Presentation - Vehicle Parking

Sarah opened the meeting with a summary of how zoning regulates parking for private property
- Zoning sets a minimum amount of required parking; current D-AS zoning has low minimums; lender requirements and market expectations often lead a developer to construct more than the required number of parking spaces
- Zoning doesn’t regulate public parking
- Strategic Parking Plan (2010) - citywide plan with a comprehensive approach to parking; parking approach should vary depending on context and neighborhood; the plan helped to inform the parking ratios in the 2010 zoning code.

Cindy Patton, Public Works, provided information about the City’s Strategic Parking Plan (SPP) and aspects of parking that go beyond zoning
- Parking is dynamic, changes all the time, challenge as new developments change patterns
- Public Works parking staff works to calibrate limited on-street spaces; sometimes parking spaces are converted (bike corrals, loading zones) since streets must serve a multitude of needs
- Strategic Parking Plan (2010) is available at devergov.org/parking; it establishes principles for city’s parking management
III. Off-Street Vehicle Parking in Arapahoe Square Zoning

Sarah presented the following information about the zoning code and parking minimums:

- Required ratios vary by neighborhood context; some (including most of the downtown context) have no requirements
- The zoning code's Article 10 has many tools that allow flexibility for property owners trying to meet the minimum requirements for parking. All of these would continue to apply to D-AS:
  - Off-site vehicle parking and shared parking
  - Reductions from the minimum for many items including affordable housing and car or bike share. These can be used in combination, up to 50% reduction; more than 25% reduction requires additional review
  - Exceptions - lots sized 6,250 SF and smaller are exempt from all parking requirements; small retail and restaurant are exempt on ground story of mixed use buildings; historic buildings; preserving an existing tree onsite
- In downtown context, only Arapahoe Square (D-AS) and Golden Triangle (D-GT) zones have minimum parking requirements
- Ratios today come from code update in 2010 and match the minimum ratios in the Urban Center context
- Amount of off-street vehicle parking provided for developments under D-AS zoning is often more than what is required by zoning

Question for Task Force discussion: Retain existing requirements for on-site parking, or adjust to match the existing downtown context?

Task Force discussion included the following:
- The market should direct how developers provide off-street vehicle parking
- Change is coming - increased transit, car sharing; given the fluidity of the market, and since Arapahoe Square is adjacent to downtown, we can dispense with parking minimums
- Due to development in Arapahoe Square, there is less available on-street parking in the surrounding areas; people who were parking in Arapahoe Square are parking in neighborhoods
• Until the changes in transit, etc., are here, we need a parking minimum
• On-street parking needs to change - it may be time for meters
• Existing ratios are less than what lenders and market expectations are leading developers to build
• Need to address micro-housing - existing parking minimums aren’t addressing this part of the housing market; the existing minimums are likely too high for these new approaches to housing
• Existing minimums are too limiting: there are so many different uses, lots sizes, etc. that a prescriptive approach to parking will hinder the diverse possibilities
• All projects will have a lender; they will require a number of parking spaces, so we don’t need to have a minimum in the zoning
• Keeping a parking minimum could drive up housing costs
• Younger renters/buyers don’t need parking
• It would be alarming to adjacent neighborhoods to take away minimums; it would require a good deal of discussion; having a backstop gives comfort.
• Shared parking, etc. allow significant reduction from the minimums, so the minimum doesn’t have to be a difficult constraint/cost for developers
• Restaurant uses - current parking ratio may be too high; for a neighborhood restaurant, many of the patrons are nearby residents who can walk
• For ground floor of a mixed-use building, a 3,500 SF restaurant (or smaller) is exempt from parking requirements. A 5,000 SF (or smaller) retail space would be exempt in the same situation
• Need to consider affordable housing; if looking at buildings that are trying to provide affordable housing, the current allowable reduction is not enough and results in projects that are over parked.
• We may get buildings that are better designed if we don’t require parking
• Households are changing; traveling in other ways
• Perhaps something between no minimum and the existing minimum
• Visitor parking is needed
• Need a code that works for the long term
• Going to no parking requirement could be an incentive for new development in Arapahoe Square
• We don’t want residential areas adjacent to Arapahoe Square serving as the parking supply for buildings that need parking but aren’t required to build it
• Shared parking allowances create real flexibility
• Denver may not be ready for buildings that don’t have parking - the changes aren’t here yet
• Arapahoe Square is more like the CBD than it is unlike it, and if we want to attract development, you are putting an obstacle in the way of attracting development if downtown has no minimum and Arapahoe Square has one
• If we can’t eliminate minimum parking requirements here, where can you eliminate it? It seems very microscopic to say there is a difference between 18th and 20th.
• There is value in public discourse around this topic; walking six blocks to off-site parking is reasonable, but we have to adjust our expectations
• Developers are putting in parking even when there is no requirement
• We are trying to send a message; if we have no minimum, we are thinking about shared resources, we are future-oriented
• In the center of Arapahoe Square it makes sense to have no requirements, but we should treat the edges differently, treat the areas adjacent to a neighborhood differently
• If we had a plan recommendation to eliminate the requirements, this would be easy; the planning process didn’t create that discussion within the community
• It will be a concern in the neighborhoods if there have no requirements at the edge
• The concern with parking in a residential neighborhood is with on-street parking; we should address that as a separate question from zoning; zoning is not how you solve on-street parking issues
• Cindy and Public Works have started doing area management plans for neighborhoods to address parking, its a great tool; addressing off-street parking through zoning will not be enough to address the neighborhoods’ concerns about on-street parking
• Denver is light years behind innovative strategies about parking, let’s look at Seattle, San Francisco
• If we choose to have no parking requirements, we have to link that to public meetings to discuss this issue.
• Would it be feasible for the city to build structured parking through a parking district that it participates in?

The Task Force agreed to eliminate the minimum parking requirements from the draft code with the understanding that there needs has to be more discussion about the edges of Curtis Park and Clements Historic District and opportunity for discussion within the neighborhoods.

IV. Permitted Uses - Overview

Sarah offered an overview:
• The plan calls for a diverse, mixed-use district with a range of housing types and a center for innovative business
• The zoning code contains a long table of uses; today’s discussion will focus on those that that require Task Force discussion
• Uses in the code can be:
  o Permitted
  o Permitted with limitations - applicants have to follow certain limits
  o Not Permitted
  o Zoning Permit with Informational Notice (ZPIN) - this is an administrative process that requires public notice
  o Special exception review (ZPSE) - goes to the Board of Adjustment

V. Street Level Active Uses

Overview:
• Plan - favors active uses on the ground floor and locating commercial uses on the street
• Current zoning - no requirements for street level uses
• Current Design standards and guidelines have requirements - the portion of the building frontage that must meet the build-to must be occupied by an active use; DSG doesn’t define “active use”; DSG also says that for parking garages, must provide opportunity for leasable space for 50% of ground level frontage
Arapahoe Square Zoning Task Force

Task Force Phase 2                  Meeting 4                  June 11, 2015

- Proposal from staff to consider for the new D-AS:
  o Use similar approach as current DSG/Urban Center zone districts: for the portion of
    frontage required to meet the build-to (70% in D-AS), no mini-storage, warehouse, or
    parking allowed. Also consider restricting light auto service uses. This requirement only
    applies for the first 15’ of depth minimum.
  o Last meeting - challenge for very small lots to meet street level active requirement
  o Examples of successful small lot with parking on ground floor
    - Parking fully enclosed and mechanically ventilated
    - Architecture is carried into street level
    - High quality design and materials
    - Propose to group: allow exception for small lots (around 6,250 SF), but require
      full enclosure, high quality design through DSG and design review; design it in a
      way that allows conversion in the future
  o Street level active use: Proposal is no parking, mini storage, warehouse, accessory car
    wash or drive-thru, or light auto services for 70% of street frontage for 15’ of depth

Discussion:
- We could go as far as no mini storage, warehouse, accessory car wash or drive-thru at all
  on the ground floor
- Servicing storage unit - need to consider loading areas - could require that the loading is
  enclosed
- We struggle with is the activation in this area; we should take a strong stand for active
  uses on the ground floor
- In the short term, we’d have empty space
- Not convinced that everything on the ground floor has to be transparent and active -
  variety would be better
- Transparency requirement is different from the build-to/active use requirement; we are
  not requiring the ground floor active use to be transparent
- When you look at our ability to be able to support some sort of a retail throughout, it
  seems unlikely; we have to think about the cost of supporting empty retail space
- Keep in mind the requirement proposed would not allow retail only. A wide range of uses -
  residential, office, lobby, even fire/emergency rooms - would be allowed as an “active”
  use
- For very long buildings, it could be difficult to provide 100% active frontage - the %
  approach is better
- 25-50 feet deep would be rent-able; the 15’ may not
- Creating the 15’ depth along the whole frontage compromises parking
- If we restrict as proposed - limiting mini storage, warehouse, etc., that still allows lobby,
  elevators, office, residential, etc.
- The 15’ depth is just a minimum - for many uses, you might go deeper, but there are a few
  examples of small scale retail where it does work, and the 15’ dimension works well if you
  have a typical parking garage layout since you just take out the first row of parking
- 70% is fine
- We could write this as a narrative requirement - how you activate the street - rather than
  a percentage
- 70% may be too limiting - 60% for requiring open, active ground floor may be more realistic
- Need to consider vehicle access and how that figures into the percentages
- Testing could examine the 15’ minimum depth and a greater minimum depth - 20-25’
- 60% is also worthy of testing
VI. Surface Parking Lots

Overview:
- 27% percent of private land in Arapahoe Square is used for stand-alone surface parking lots
- The plan encourages redevelopment of parking lots; acknowledges this is difficult since parking lots generate significant revenue for property owners
- Even though we probably cannot use the zoning to encourage redevelopment of existing lots, zoning can impact whether there are new surface parking lots
- Arapahoe Square is the only downtown zone district that allows for new stand-alone, for-pay parking lots
- In Golden Triangle - no new parking lots unless they are associated with an existing business/residence and within 200’ of the primary use; no parking for the public
- Proposals for consideration: apply same limitations that apply in D-GT, or make this use not permitted

Discussion:
- We need to accommodate unforeseen market conditions; there could be a downturn and surface parking could - for a time - be the only viable way to survive
- Existing parking lots - some not maintained, not moving toward redevelopment
- Allowing new parking lot is an incentive to tear down buildings; something we want to prevent
- Could be a temporary use
- A new surface parking lot - well landscaped and maintained - could be better than a neglected building
- Once we allow a surface lot, we create a situation where a landowner can have a significant return for doing nothing; it discourages owners from redeveloping
- We should send a message that parking should be part of the use and is a valuable, limited resource
- Parking provisions in the Golden Triangle pre-date the new neighborhood plan; the new plan for Golden Triangle encourages existing parking lots to add landscape and lighting
- We should not allow the use in the new D-AS zoning; we are finally filling up parking lots in this area; there are parking lots that are 100 years old; we don’t want to add more
- Cleaning up those we already have is more important
- As existing parking lots are redeveloped, each remaining parking lot becomes more valuable
- We don’t want Arapahoe Square to be the parking supply for downtown Denver
- The Task Force decided to make new surface parking not permitted in the draft code
VII. Light Auto Services

Overview:
• This category includes gas stations, car wash, oil changes, tire changes - anything to do with the maintenance of vehicles
• No specific plan guidance, but these are not typical uses in pedestrian friendly, dense urban areas
• Currently this is an allowed use with limitations in Arapahoe Square and Golden Triangle
• Existing limitations are mainly about operations (turn off lighting at night, vehicle may not be parked on street, etc.)
• Not permitted in other downtown districts
• Proposal for consideration: continue to allow it, but apply more limitations (again, applies to new uses, not existing uses)
• New limitations would include - fully enclosed, no outdoor sales or storage; won’t count for street active use (within first 15’ it must be screened from sidewalk)

Discussion:
• Staff proposal makes sense

The Task Force agreed that the draft would follow the staff proposal - light auto service is an allowed use with limitations including full enclosure, no outdoor display, storage or sales

VIII. Mini-Storage

Overview:
• Nothing specific in plan
• Storage uses don’t generate significant activity, usually uninteresting facades, don’t typically see these in dense urban areas, but with smaller apartment sizes, the market demand is growing
• Current zoning allows it with no limitations; in MS and MX zone districts, units cannot have individual entrances to the storage units facing directly outside
• Existing zoning in Arapahoe Square and Golden Triangle allow the use today
• Not allowed in Civic Center zone district downtown
• C-MX, C-MS - permitted with limitations (no outdoor entrances into individual units)
• Proposal for consideration: think of it like above-grade parking (doesn’t qualify as active use), but can do it with high standards for design in the standards and guidelines (similar parking garages), including significant transparency

Discussion
• Staff proposal makes sense

The Task Force agreed that the draft code would allow the use with limitations; this would not be considered an active use, high-quality architecture through design standards and guidelines
IX. Drive Thru

Overview:
- Regulated as accessory use for a restaurant
- Nothing in the plan
- Not in keeping with the goals of pedestrian focus and vitality; generally not seen in highly pedestrian, walkable areas
- Limitations apply when you’re adjacent to residential zone district, to regulate light and noise from spilling into residential areas
- Proposal for consideration: appropriate to make this not permitted to better align with vision and plan

Discussion:
- Pharmacies include drive-thru as well as restaurants in some areas
- Newly developed pharmacies in urban areas don’t include a drive-thru; this is a suburban model for pharmacies
- Not appropriate for downtown

The Task Force agreed - not a permitted use in the new code

X. Social Service

Overview:
- During the process for the Northeast Downtown Neighborhoods Plan, the community expressed concern about the concentration of social services in Arapahoe Square
- Social services includes homeless shelters as well as clinics and other services
- A significant part of the planning process; first priority on the list of community identified issues
- Zoning does not have a category in the code for social services (zoning code regulates what, not who)
- There is a unique use category for homeless shelters
- Residential care use limitations apply to shelters and shelters also have their own set of limitations
- Based on these limitations, there is nowhere left in AS where you can put in a new homeless shelter/large residential care facility
- Existing shelters in AS are nonconforming, so they can’t expand
- Plan recommendations on this topic focus on creative housing strategies, public private partnerships
- One plan recommendation overlaps with zoning: encourage courtyard building form to prevent gathering on the street - the Task Force work has already addressed this
- Other recommendations from the plan are important, but may be beyond the scope of zoning and beyond this area
- City-wide questions - including these - should have city-wide attention and are appropriate for zoning code language that applies city wide
- Denver’s Road Home update is underway as well
Discussion:

- Since this was a big issue in the plan, shouldn’t we be looking at the use categories in the code so that we call out some of the social service uses separately?
- Churches with temporary shelters do not follow the same limitations - not subject to the limitations of distance described in the staff presentation
- If we are going to do justice to the community concerns and the plan, we should talk about this and not only send this question into a city-wide discussion
- These questions are under discussion across city agencies
- We could have a Mayor-appointed group to work on these issues and make sure that this task force is represented
- Day shelters featured strongly in the plan; we should talk about whether these should continue to be use by right
- If we don’t spend time on this, we’re doing a disservice to our constituencies and to the plan
- Creating new use categories that separate different social service uses is a city-wide question that would have implications for zoning throughout the city
- Road Home update isn’t enough
- This will only become a real city-wide question if we have real limitations in Arapahoe Square that ensure that other neighborhoods are going to have to face these questions in their areas
- We have a responsibility to discuss it.
- Can we test new definitions or make recommendations for citywide consideration?
- We need Arapahoe Square representation on a mayoral committee
- Doing this right would involve other neighborhoods and other agencies - it takes the discussion beyond this group’s charge
- East Colfax, Uptown, other neighborhoods are interested in the topics and need to be represented. They also have concerns about concentration of these uses in their neighborhoods.
- The camping ban is part of the topic as is the lack of support for committing the resources to address homelessness in meaningful ways
- Other parts of the city have to do their part, but cost prevents that in many areas

No specific conclusion or next step; the Task Force will have to return to this topic in some way

XI. Update on Building Form Standards and Testing - June 25 - 8:30 a.m. - Webb building 4th floor - Room 4.1.5

Staff provided an update on the approach for the upper story setback requirement:
- In the last meeting, the Task Force addressed the need to examine a 65% - 70% range
- Based on staff’s examination, the proposal for further testing is:
  - Min 65% must setback (max 35% not setback) at 5 story max
  - 80’ max façade length that does not setback
  - Whichever is more restrictive applies
  - Design alternative we reviewed last time would still apply
  - 15’ setback
• Bring this and all major building form concepts to the test group with these questions
  ▪ Does this result in something buildable?
  ▪ Are there any red flags?
  ▪ Will this result in high quality development
  ▪ Will it promote new development?
• Task Force members are invited to observe
• Testers are not limited to the proposal - free to offer other ideas
• Testers will examine development scenarios
• Given the number of irregularly shaped sites (lots of triangles), the testers should not use only rectangular sites