Meeting Summary – Meeting 1 – Phase 1

Meeting Objectives:
- Introduce Task Force Members to One Another
- Begin Process Design
- Establish Background Information, Guiding Documents and Adopted Plans

Members Present: Brad Boyle, Albus Brooks-District 8, John Desmond, Dick Farley, Patrick Guinness, Amy Harmon, Joe Lear, Jynx Messacar, Judy Montero-District 9, Joel Nobel, Judy Schneider, Chris Smith, Tracy Winchester, Bill Windsor, and Howard Witkin; Not Present: Craig Supplee, Brent Snyder

CPD Staff: Courtland Hyser, Sarah Showalter, Andrea Burns, Caryn Champine, Analiese Hock

Facilitation: Mike Hughes


I. Introductions

Task force members were asked to name places other than Arapahoe Square that have (or have had) some of the attributes of Arapahoe Square:

- New Orleans Warehouse District
- Pearl District in Portland
- Kansas City south of I-670
- Tucson Arizona
- Lo-Hi, circa 1997
- Maputo, Mozambique
- San Louise Valley
- Dallas, Texas
- South Lake Union in Seattle
- Austin, Texas
- Detroit
- Eastern Market in Downtown Detroit
- Coconut Grove Florida
- Cherry Creek circa 1950s.
- Golden Triangle neighborhood in Denver
- Prenzlauer Berg in Berlin

II. Background and Foundational Documents – presented by City Staff

Background
- 1996: B-8-A zoning created for Arapahoe Square
- 1998: Arapahoe Square/B-8-A Design Standards and Guidelines adopted
- 2010: Adoption of new Denver Zoning Code
  - Zoning for Arapahoe Square (B-8-A) transferred to DZC but was not updated
  - Now called D-AS (Downtown- Arapahoe Square)
- 2011: Northeast Downtown Neighborhoods Plan (NEDN Plan) adopted
Project Purpose: (the purpose of the task force)
- Update Zoning and Design Standards and Guidelines to implement the adopted plan vision for Arapahoe Square

Background: Plan Vision
- NEDN Plan builds upon Downtown Area Plan (2007) vision for Arapahoe Square
  - Transformative project
  - Densely populated, cutting edge, mixed-use area that provides a range of housing types and a center for innovative businesses
  - Recommendation from Downtown Area Plan: prepare a small area plan for Arapahoe Square

- Arapahoe Square Study Area Map:
  - The boundary used for Arapahoe Square in the NEDN Plan exceeds what may ordinarily be considered to be Arapahoe Square. This slight expansion enabled the planning process to address the surrounding context and from the need for appropriate transitions from Downtown into surrounding neighborhoods.

- Land Use:
  - Mixed Use and Transit Oriented Development in Arapahoe Square
  - Transitions to Residential and Industrial Mixed Use in adjacent neighborhood areas
  - The Plan highlighted the role that transit could play in the redevelopment of the neighborhood.

- Building Heights:
  - Arapahoe Square has the most development potential in NE Downtown
  - More density along downtown edge
  - Effectively transition building heights to adjacent residential neighborhoods
  - Higher heights along Welton to support Transit Oriented Development
  - New point tower building form and 5 story datum line in Arapahoe Square

Building Forms:
- Building forms are a core element of how the zoning code is structured, think of them as different types of buildings.
- The DZC has specific standards for each building form and zone district context.

New Building Form and Datum Line:
- Datum line at 5 story maximum
  - Buildings step back at 5 stories to create a pedestrian-scaled base
- New point tower building form
  - Podium with narrower tower above
  - A way to achieve greater density in Arapahoe Square while retaining a pedestrian-scaled base to the building
- Maximum height: 12-20 stories for most building forms, 20-30 stories for point tower only
- Point tower is currently not a specific building form in the DZC, and was proposed originally in the Arapahoe Square charrette (a work session that involved multiple Arapahoe Square stakeholders and occurred during the planning process for the NEDN Plan).
- Point tower form focuses on a strategy to have a pedestrian scale experience at the street level, yet allowing for additional density.

NEDN Plan Recommendations affecting Arapahoe Square
- Transformative Concepts (pages 39-59)
  - Big ideas
  - Project-focused
  - Catalytic impact
- Neighborhood-Specific Recommendations (pages 62-71)
  - Apply only to Arapahoe Square
  - Address a variety of issues
- Many of the NEDN recommendations are not addressed through zoning and therefore will not be addressed through the zoning work of the task force.
- Participants should (if they have not already done so) review the plan and specifically pages 62-71 in detail.

Plan Implementation
- Zoning and Design Standards and Guidelines (DSG) are just one of the many steps to plan implementation.
What is Zoning?

- Rules and regulations that apply to **private property** only
- Does not regulate the public right-of-way (streets, sidewalks, on-street parking)
- Creates a building “envelope” but does not determine the design or architecture of the building
- Typically regulates:
  - Where buildings can be placed and how they relate to the street
  - The form of buildings – height, setbacks, transitions to adjacent properties, etc.
  - Uses allowed
  - Minimum amount of on-site parking required
- Zoning text – rules are written in the code
- Zoning Map – rules from the code that are specifically applied to the property
  - In addition to re-writing the zoning text, the task force will make recommendations about the map and how the regulations are applied to the ground. This will be essential in order to implement the height transitions recommended in the NEDN Plan.

What are Design Standards and Guidelines?

- Additional regulations that layer on top of the underlying zoning
- Typically address:
  - Site design (landscaping, parking lot design)
  - Building design and materials
  - Signage
  - Private open spaces (plazas, etc.)
  - Streetscape (trees, benches, etc.) in front of the property
- Design Standards and Guidelines were adopted in 1998 (generally out-dated and may not be working as well as they could). Currently the Arapahoe Square/B-8-A DSG are one of the few in the city that requires Planning Board Approval. This project is an opportunity to reconsider the design review process required by the DSG.
- We will look at the content of the DSG (standards and guidelines), as well as the design review process.
- DSG adds another layer focused on design beyond what zoning can accomplish.

Zoning vs. Design Standards and Guidelines

- Zoning creates a maximum building envelope.
- The DZC also contains requirements for how the building relates to the street – “ground story activation” – such as how many windows a building has and where entrances occur.
- DSG adds an additional layer and gets into the character and design of the site.
- DSG and Zoning need to work together. As the task force does their work, it will be important to determine where each item will be most appropriate (either in the zoning, or in the DSG).
Proposed Process:

- **Phase 1:** agree to process, goals, guiding documents. Sets the roadmap for Phase 2
  - This phase will have minimal focus on the content itself, but rather is about coming to an overall agreement on what the rest of the process will be.

- **Phase 2:** Draft the zoning code and updates to the Design Standards and Guidelines
  - Task Force provides recommendations for all key content in Phase 2 - all meetings open to the public
  - Public Review Draft at the end of Phase 2
  - Current zoning and design standards apply to proposed development until updates are adopted

- **Phase 3:** Public adoption process. Final adoption by City Council.
  - Design Standards and guidelines are adopted by Planning Board
  - Zoning is reviewed by Planning Board and adopted by City Council

Tentative anticipated schedule:

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Roles and Responsibilities

- **Task Force:** Make consensus recommendations for key content in the zoning and design standards and guidelines. Attend meetings, read supporting documents and background, make best effort at protocols
- **Facilitator:** moderate meetings, fair and impartial, manage the protocols, keep the group on task and moving toward consensus, prepare meeting notes
- **Staff:** Communicate in a timely manner, provide background materials, respect protocols
- **Council:** Coordinate with staff and facilitator, help group reach consensus. Ultimately, City Council (with recommendations from staff and Planning Board) will make the decision about the new zoning
- **What are the principles that guide good process?**
  - Transparency
  - Inclusion
  - Balance
  - Representation
  - High Quality Information
  - Logical Sequence
  - Clear Authority, Purpose, Deadline
  - Honesty
Honor and Trust-Building Behavior
Other?

- Decision Making
  - Seek consensus
  - Find what you can live with – Allow things to move even if they aren’t perfect
  - No voting
  - Beware the tyranny of the majority
  - For topics we can’t resolve – be as clear as possible on the principles at stake and carefully articulate these so the City staff and Council can make the best possible decision
  - If we can’t reach consensus, the process (and the City) still move forward

III. First Thoughts – What’s at Stake? What Is Important To You As We Consider New Zoning?
- We have to be thorough in representing all those who have a stake and in reflecting the diversity of those who have a stake in Arapahoe Square
- Embrace density and taller buildings
- Use the 5-story datum line to create pedestrian-scaled architecture
- Respect the area plan’s conclusions and implement the plan’s vision
- Carefully consider uses that activate and those that don’t
- Focus on real ground-floor activation, not just transparency
- Focus on how new development will relate to other infrastructure in Arapahoe Square, especially open space
- Encourage catalytic projects, which may include looking for incentives that move the catalytic projects forward
- Important goal of the new zoning should be to enable new development
- Respond to context – not a one-size-fits-all on every block in Arapahoe Square – specifics in the zoning code that respond to the different context in different parts of AS
- We should look for incentives that will lead to redevelopment of parking lots
- Inclusiveness; Enable people to stay in the area as it becomes more developed
- Consider both property appreciation and affordability
- Focusing on places and place-making; Respond to the streets and to how the streets should change
- Challenge some of the ideas in the plan – for example, can 21st truly become a festival street?
- Promote smaller development projects; Don’t assume assembling parcels into large projects is the only/best way to develop in Arapahoe Square
- Promote human diversity
- Create a vibrant place, a community
- Create infrastructure that makes the place safe and welcoming
- Safety has been the number one idea that has been able to bring people together in a positive way
- Promote owner-occupied housing in addition to the current boom in apartments; owners have a long-term stake
- Find ways to promote the sense of ownership and commitment among tenants and renters, to promote community involvement
- Focus on long-term results/vision/aspiration
- Also focus on signals from the market for both near and long-term needs
- Retain what makes this area different from other places, different from suburban places
- Sustainability and health are important goals to keep in mind
- Ensuring there is a consistent process so a developer can expect consistency and predictability; limit the role of interpretation
- Use design standards and guidelines to create predictability; but also allow for flexibility and creativity in design
- Use the design standards and guidelines to improve the streetscape
- Promote flexibility and imagination; promote imaginative projects, and ensure that zoning and design standards and guidelines don’t squeeze out imaginative projects
- Focus on creating conditions that promote the personality of AS
- Think about what young people need and are looking for and what will make this a place people want to be in the future; leave the door open

IV. Q&A and Discussion

Q: In addition to form, do we have the discretion to look at uses? Let’s think if we have the right uses?
A: Yes, uses will be part of the discussion; everything in the zoning is on the table.

Q: How are you communicating with the taskforce and general public?
A: Postcard notifications were sent to property owners of record. Going forward, communications on the project will be through the website and email distribution list. All meeting materials – presentations, meeting summaries, etc. will be on the web site.
A: Please encourage those who are interested to go to the web site and to sign up for e-mail notifications

Q: How are design standards and guidelines (DSG) integrated into a form-based code? Is it and additional level of standards?
A: Currently the D-AS zoning contains language enabling design standards and guidelines for properties zoned D-AS, and then you go to a separate Design Standards and Guidelines document to see what the standards are. DSGs trigger an additional process that is distinct from zoning approval. If you go into development services for permitting and approval, you will need a zoning permit and may additionally need to go through a design review and/or landmark commission process, if applicable. Not all areas of the City with DSG have a review process that requires approval by Planning Board.

Q: Do we need need Design Standards and Guidelines?
A: The Task Force will consider whether there is a need for Arapahoe Square to have additional design requirements that cannot be accomplished through zoning.
Comment: If we are looking for ‘cool’ and ‘edgy’ that often happens in places without design standards and guidelines

Q: In Vancouver, for example, if you build beyond a set density, the developer must contribute to infrastructure funds such as parks or transportation. Incentives could be important; is that a part of the zoning?
A: In a code that is based on floor area ratios (Denver’s old code, for example) there are incentives; an incentive system, if you consider one, would have to fit a form-based code; you should think about how effective any incentive would be, whether it would actually be used, etc.

Q: Is it true that Denver passed an ordinance that states when a building is taken down, you can no longer use the land for a parking lot?
A: No – that’s not true. Whether parking lots are allowed as the primary use (only use) on a property is governed by that property’s zoning. Some zone districts allow for parking lots as the only use and others do not. Currently, D-AS zoning does allow parking lots as a primary use. [Note: this question went unanswered in the meeting, but the answer is provided here]

Q: Why not leave the D-AS zoning as it is, and adjust only the design standards and guidelines?
A: The existing zoning doesn’t align with the adopted plan; the intention here is to implement the plan; the current zoning does not implement the plan

Q: Why do we implement the plan?
A: An adopted plan, resulting from a community process and adopted by the city creates the rational basis for creating a zoning code and for making zoning decisions

Q: Does the D-AS zoning not implement the plan merely because it is not a form-based zone?
A: No, because currently D-AS is the same everywhere it is mapped and it does not allow for the variety of uses, building forms, and heights called for in the plan.

Q: What did the plan call for in terms of transitioning to Curtis Park from Arapahoe Square?
A: The Arapahoe Square charrette produced the transitions now called for in the plan. The notion of having the human-scale datum line was very important since it allows for taller buildings without the height of those buildings overwhelming the pedestrians on the street.

In addition to these questions, the task force discussion included the following:

- Though we’re charged with creating a form-based code, what may be more important than forms are uses, streets, what happens between building
- Arapahoe Square may best be served by flexibility
- There is not perfect code – the code has to evolve – this area will evolve
- We should ask if anything in the code is preventing new housing forms like micro-housing – look at parking, minimum unit sizes
- Small units make sense downtown and near transit, and shouldn’t be precluded
- The D-AS zoning is not constraining – we will have to be careful not to go in the other direction and over-regulate
- There are elements of the plan that we might have to question. Circumstances have continued to evolve since the plan was adopted – the world has changed
- We need to hear from the council members on the task force about how they perceive the plan and its implementation
- We have to look at market; in parts of Arapahoe Square, 6 or 7 stories is what the market is demanding now.
- The Pearl district wasn’t in high demand, but it evolved and after some time, there was a call for more intensive zoning; we need to acknowledge the role of flexibility and realize that this round of zoning is not the final answer.
- Zoning is only a piece of what makes it happen.
- The area needs a shared infrastructure improvement plan; we are deficient in open space, parking, the things that enable development.
- Zoning is creating an environment for development.
- We must get away from FAR because it sets an artificial cap on development. In form-based zoning, you don’t have to reduce your footprint as you go higher. This could be helpful to development.
- Form-based zoning essentially takes density out of the equation and focuses instead on building height and form.

IV. Next Steps

Q: Can staff put together a map of all of the new construction since the plan was adopted/developed? There has been a lot of change since the plan was adopted; property that was being used for parking has developed. Could we get a comparison between the time of the planning process (2010-2011) and today?

Mike will send out a Doodle poll to identify the date and time for the next meeting that works best for most task force members. The upcoming meetings will be scheduled around the Council members’ schedules.

The group agreed to move the meeting time to a bit earlier in the day (late afternoon).

Mile High United Way is a preferred meeting location. If a room is available there, we will meet there. If not, we will meet again in this location.

Topics for next meeting – Meeting #2 will include an overview of the Denver Zoning Code format and approach, finalizing all of the process questions, and agreeing to the roadmap for Phase 2.