

HOUSING ADVISORY COMMITTEE MEETING

Thursday, July 11, 2019 | 2:00 p.m. – 4:00 p.m.

Webb (201 W. Colfax) Room 4F6/4G2

Committee Members Present:

Chris Conner, Jennie Rodgers, John Parvensky, Tracy Huggins, Evelyn Baker, Jenny Santos, Britta Fisher, Ismael Guerrero, Councilwoman Robin Kniech, Jessica Dominguez, Carrie Kronberg for Alison George, Randy Kilbourn

Committee Members Not Present: Bill Pruter, Monique Johnson, Cris White, Veronica Barela, Chuck Perry, Eric Hiraga, Carl Patten, Kevin Marchman, Brendan Hanlon, Kenneth Ho, Heather Lafferty,

- **Roll Call**
- **June meeting minutes approved**
- **Universal Design Snapshot – Carrie Kronberg (see presentation for additional details)**
 - The disability community would like to for the City to look at how we can incentivize universal design so we have asked
 - Getting rid of the idea of segregating people with disabilities from those without
 - The world is built around tall, fit, males – which many of us are not, and even if we are, some time we have injuries or our ability changes over time
 - Doorways – when we’re building a new building, why not make the doors wider for people with wheelchairs but also people moving in and out
 - Cynthia Lebrock – she is an expert who has a universal design home in Fort Collins
 - Kitchen – pull out shelves; counter heights;
 - Controls – usable with a closed fist
 - What cities or jurisdictions are doing things to incentivize universal design?
 - Have not yet seen a lot of incentives but now is a good time especially with additional funding at the state and city
 - How do you strike the balance between needs/wants and the extra cost?
 - That is where incentives come in – is there an in between
 - Do we have a sense of how many income-restricted units are accessible units?
 - Have not yet done that analysis but
 - Our building code does require a certain number of accessible units and I have heard from development community misinformation about hold units for people with disabilities; there seems to be confusion about absorption rates and who/how to advertise and set aside and not wanting
 - Federal requirement – affirmatively fair housing does require a marketing plan so how are they marketing/reaching out to people with disabilities
 - There is a huge need for accessible units it is hard to believe that you could not find someone who needs it
 - Visitability/ Right to visit – there are apartments where people with disabilities cannot get into certain apartments – would be great to have all doorways wide enough for people in wheelchairs to be able to visit

- In addition to universal design would be good to focus on trauma informed designed (eg Sanderson Apartments)
 - Design of products and environments to be usable for all people
 - Life changes, temporary injuries, and permanent disabilities
 - Rationale: otherwise invisible features can make all the difference when needed
 - Aging in place: remain in familiar environment that they are used to
 - Examples: bathrooms - bracing behind all walls so bars can be installed, kitchens – roll out drawers to access
 - Controls: usable with a closed fist
 - “Today’s architects address the life cycle of buildings, it’s time that they began to address the life cycle of people as well. Universal design is considerate of the human lifespan and the continuum of abilities of all individuals.” – Ruth Hall Lusher, D. Arch
 - Questions: what are other cities doing to incentivize? Building Code requires ADA units but there are questions regarding how long you have to hold these for people with disabilities. HAC member has heard that holding the unit for a person with disabilities could be a fair housing issue. Maybe the City could provide clarifying information.
 - Future presentations on trauma-informed design and universal design
 - Enterprise Leadership Design Institute will be coming to Colorado next year and trauma informed design will be a focus
- **Affordable Housing Incentives in Redevelopment Areas (see presentation for additional details)**
 - *Housing Inclusive Denver* has a recommendation to expand and strengthen land use regulations for affordable and mixed-income housing with key action to evaluate incentive overlays like those at 38th and Blake near transit
 - *Blueprint Denver* also includes a recommendation to increase the development of affordable housing and mixed-income housing, particularly in areas near transit, services, and amenities
 - Regional centers include areas with amenities, are transit rich, and along corridors. – We have not decided where this type of zoning would apply but regional centers are places we are looking at
 - Zoning incentives we have already implemented:
 - 38th and Blake -Adopted in Feb 2018 – greater height in exchange for affordable housing
 - If you are building residential and take advantage of the height incentive, you are required to build affordable units (cannot pay a fee)
 - 4x linkage fee requirement
 - Plan called for greater building height in exchange for affordable housing and community benefits
 - Have to build affordable units at 80% or lower AMI for incentive to build higher
 - CPV/Auraria
 - Incentives apply above 5 stories, requires 6x linkage fee

- Also were able to negotiate addition details in the sitewide plan like was done with Rivermile
- Outcomes
 - 38th and Blake
 - 15 projects have proposed to use the incentive
 - 3 project are close to approval producing approximately 40 affordable housing (average of 5% affordable when using the incentive) at 80% AMI
 - Benefits-predictable; includes commercial and residential; requires affordable units without fee option when using incentive
 - Challenges – since it is a multiplier not a percentage, the percentage varies; adjust multiplier with changes to linkage fee amount; not set up to incentivize deeper affordability
 - Could we better incentivize/require deeper affordability?
 - It's set up as an inclusionary type policy which is difficult to use to reach deeper affordability
 - Need to add to challenges it is difficult to use for small increases (eg 3 to 5 stories)
 - Also, length of affordability does not currently match city subsidy length of affordability – issue is they are not as long and they are also extremely difficult to preserve. Many cities' inclusionary policies are moving to perpetuity
- Additional challenges are preserving affordability in these units
- Project scope – create citywide approach to incentivize affordable housing in transit-rich areas; build and improve 38th and blake and CPV/Auraria; address City goals to reach a range of affordability level and unit sizes
 - Diverse stakeholder will meet regularly, public launch in fall 2019, 18-month process
 - Will include updates to the HAC
 - Changes to zoning code will go through public adoption process including planning board and City Council
- Housing an Inclusive Denver, Recommendation 3: Develop more consistent standards for affordable housing in major redevelopment areas.
- Tools that could be used to incentivize affordable housing: zoning tools, Tax Increment Financing (TIF), and Metropolitan Districts
 - Many of the large redevelopment areas have layered and used some or all of these tools
 - Balancing multiple priorities
 - Affordable housing
 - Parks and Rec
 - Transportation
 - Other community benefits
 - Removes blight
- Currently use this approach in several ways

- CPV/Auraria development agreement under the height incentive overlay in zoning
 - Large Development Review Process (just adopted by City Council) – triggers agency coordination and community outreach for projects with 5 or more acres
 - Key agencies are meeting regularly to coordinate
- Trying to balance
 - Percentage of number of income-restricted units
 - Income levels of affordable housing
 - Tenure (rental vs for-sale); consistency with market rate
 - On-site vs off-site – mixed with market rate
 - Unit sizes/bedroom count; consistency with market rate
 - Length of affordability
 - Use of City Funds or other incentives
- Challenges in current environment
 - Legal considerations
 - State prohibition on rent control and Telluride decision
 - Use of city tools can be accompanied by housing commitments if clear policy
 - Policy constraints/consideration
 - Process constraints/considerations
- Opportunities moving forward
 - Develop policy that provides clarity on the specific tools and/or thresholds that trigger affordable housing commitments, and specific requirements
 - Define community engagement and how affordable housing intersects with other requirements
 - Enhance collaboration
- Next Steps
 - Begin implementing Large Development Review (LDR) process
 - Consulting support for peer city research, feasibility analysis, stakeholder engagement, and policy recommendations
 - Coordinated with other efforts
 - City zoning incentive
 - Parks and open space
 - May analyze feasibility of the base linkage fee
- In crafting a policy for redevelopment areas, we need to find a balance between creating predictable and transparent requirements that provide clarity and ease of negotiation with a desire to have tailored outcomes that serve specific community needs but may take more time and resources to negotiate
 - It's not how big the incentive area is and more about how big the parcels are/who owns them
 - Developers want predictability – they also rely on what the previous agreement included (want the same deal)
 - Clear expectations but not a formula (eg including 30% AMI)

- Maybe we could offer more City subsidy for deeper affordability or more – has to be above and beyond
 - Extend the length of affordability as a baseline
- Discussion Questions
 - How would you recommend the city approach balancing the need for predictable and transparent requirements with tailored outcomes in redevelopment areas?
 - Make it transparent and predictable but customizable
 - How can community members and partners be effectively engaged to inform outcomes for affordable housing in redevelopment areas?
 - This could mean community benefits agreements and other ways of inclusion (LDR)
 - Need to define who/how we are getting community involved – not just the loudest voices
 - What city tools are most important to explore affordable housing commitments for?
 - Land contribution in addition to units a building
 - Other comments:
 - Numbers are important (we know 5% is not enough; should we reach for 30%) – need to be aspirational
 - Parts of negotiating are asking things like is one 3-bedroom worth three 1-bedrooms; allow flexibility customized for developers
 - Agree that this is an important component – the ability to tailor
 - Think about areas of displacement – utilize the investment impact analysis
 - DURA has taken the approach of board and City Council – we have a background in affordable housing. The board knows if something is proposed that does not include affordable housing it will not be approved. Have relied on DEDO to know what is best for a project based on neighborhood needs
 - Would like the City to do more land banking
 - It's not just that we want new development to have affordable housing, it's that the new development has spillover effects to surrounding areas. The impact needs to offset loss of affordability around the development, for example the affordable housing built in Lowry does not offset increased unaffordability.
 - Important to send signals to development community of City's goals for affordability – clear transparent predictable goals will have a better outcome.
 - Don't underestimate the power of the land contribution. For example: Sloan's Lake and Moline.
 - DURA has determined it shouldn't have its own affordable housing policy, but instead lean on DEDO as a resource to define what is the greatest need for this project in this neighborhood.

- Next Steps
 - Working across DEDO and CPD to define what consultant support we need.
Then procuring consultants
- **Director Updates**
 - New department name was announced by the Mayor: Department of Housing Stability (HOST)
 - The housing division of DEDO will not be doing NOFA this year for 2020.